



USE OF FORCE AS-AI-012

Effective Date: 2011/10/28
Amended: 2014/09/26
Amended: 2016/06/14

Policy Statement

It is the policy of the Regional Municipality of Peel Police Services Board that the requirements set out in this document shall form part of the Board Policies and the Chief of Police is hereby directed to comply with these requirements in her/his administration and operation of the Peel Regional Police.

1. Subject

The guiding principles under which the Chief of Police is to establish procedures and processes relating to use of force by police service members.

2. Specific Definitions

“**Board**” – means the Regional Municipality of Peel Police Services Board

“**deemed qualified**” – means an Officer who has passed the Ontario Police College and Peel Regional Police promotional exams and their eligibility for promotion is current;

“**firearm**” – means a firearm as defined in Section 2 of the Criminal Code of Canada, including all long barrelled firearms;

“**handgun**” – means a firearm that is designed, altered or intended to be aimed and fired by the action of one hand;

“**Ministry**” – means Ministry of Community Safety and Correctional Services

“**Use of Force Report**” – means a report consistent with the requirements of Form 1, as set out in the Equipment and Use of Force Regulation 926. This Report is also known as the “Provincial Use of Force Report”;

3. Policy Requirements

3.1: It is the policy of the Peel Police Services Board with respect to the Use of Force that the Chief of Police shall:

- a. Ensure complete compliance with legislative and constitutional requirements, and recognized legal principles;
- b. Ensure that members act with full respect for human dignity and according to professional standards of skill, integrity and accountability;
- c. Maintain both officer and public safety as a priority;
- d. Establish procedures consistent with the requirements of the *Equipment and Use of Force Regulation 926*;

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- e. Ensure that members do not use a weapon other than a firearm, with the exception of those used on another member in the course of a training exercise in accordance with procedures, unless:
 - i. That type of weapon has been approved for use by the Ministry;
 - ii. The weapon conforms to technical standards established by the Ministry; and
 - iii. The weapon is in accordance with standards established by the Ministry;
 - f. Ensure that, at minimum, police officers are:
 - i. Issued a handgun that meets the technical specifications set out in the *Equipment and Use of Force Regulation*;
 - ii. Issued oleoresin capsicum aerosol spray;
 - iii. Issued a baton; and
 - iv. Trained in officer safety, communication, handcuffing and physical control techniques;
 - v. Qualified in the use of a conducted energy weapon.
 - g. Be authorized to issue a conducted energy weapon to police officers who are deemed qualified.
 - h. Ensure that members do not:
 - i. Use force on another person unless they have successfully completed a training course on the use of force;
 - ii. Carry a firearm unless they have successfully completed a training course on the use of firearms, and are competent in the use of the firearm;
 - i. Ensure that, subject to section 14.3 (2) of the *Equipment and Use of Force Regulation*, at least once every 12 months, members:
 - i. who may be required to use force on other persons receive a training course on the use of force; and
 - ii. authorized to carry a firearm, receive a training course on the use of firearms;
 - j. Permit the use of reasonable weapons of opportunity by police officers, when none of the approved options is available or appropriate to defend themselves or members of the public;
 - k. Establish procedures consistent with the requirements of the *Equipment and Use of Force Regulation*;
 - l. Immediately cause an investigation to be made where a member unintentionally or intentionally discharges his or her firearm, except on a target range or in the course of weapon maintenance;
 - m. Immediately cause an investigation and file a report with the Board where a member, by the discharge of a firearm in the performance of his or her duty, kills or injures another person;

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- n. Upon discharging a firearm in the performance of his/her duties as Chief of Police, report the matter to the Board.

3.2 The Board shall:

- a. Upon receiving a report from the Chief of Police on the investigation into an injury or death caused by the discharge of a member's firearm will:
 - i. Review the report and make further inquiries as necessary; and
 - ii. File a copy with the Ministry, including any additional inquiries of the Board;
- b. Upon being notified that the Chief of Police has discharged a firearm in the performance of his/her duty, will cause an investigation into the circumstances and file a report on the investigation with the Ministry.

4. Measurement Methods

The Chief of Police shall conduct ongoing statistical analysis, qualitative and quantitative reviews to:

- a. Ensure ongoing review of the Service's use of force procedures to remain current with case law, inquests, inquiry findings and amendments to related legislation;
- b. Ensure the on going review and evaluation of the Service's use of force procedures, training and reporting.
- c. Ensure that the reporting of the use of force by members meets the requirements set out in the *Equipment and Use of Force Regulation 926*; and
- d. Ensure a written record is maintained of the training courses taken by the members of the police service on the use of force and the use of firearms.

5. Reporting

On an annual basis, the Chief of Police shall provide the Board with an Use of Force Statistical Report to be reviewed as part of the Board's regular agenda; and thus ensuring the availability of the report to the public.

The Chief of Police shall also report those circumstances where the use of force has resulted in an "exceptional" circumstance, or a circumstance which may be detrimental to the police service; and/or resulted in significant issues of potential liability to the Board and/or the police service.

6. Authority/Legislative Reference

Equipment and Use of Force Regulation (R.R. O 1990, Reg. 926) under the Police Services Act
Criminal Code of Canada

Replaces: Use of Force Policy – Adopted 1993/05/19 (*Pages II-II-1 to II-II-8*)
Board Minute: #74/11
Board Minute: # 63/14
Board Minute: # 59 /16

7. Linkage to Appropriate Police Service Procedure/Directive

I-B-102(F) Use of Force