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REPORT
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SUBJECT: **2014 USE OF FORCE ANNUAL REPORT**

FROM: David Jarvis, Deputy Chief, Corporate Services

RECOMMENDATION

It is recommended that the Police Services Board receive the 2014 Use of Force Annual Report as Information,

REPORT HIGHLIGHTS

- The total number of Use of Force incidents reported in 2014 was consistent with that which was reported in 2013.
- In 2014 training scenarios were designed to assist officers encountering individuals living with mental illness in a crisis situation. The focus of the training is on containment, communication and de-escalation techniques along with the need to transition to and from various use of force options as the situation evolves.
- Judgment and communications training will continue to be a focus of the Use of Force Bureau training curriculum.

BACKGROUND

Police officers may be required to use force to protect the public and themselves and as such are granted authority by the Criminal Code of Canada to use as much force as is necessary to carry out their duties. Regulations issued by the Ontario Ministry of Community Safety and Correctional Services specifically address the reporting requirements of these events. Reported information is focused on identifying and evaluating training needs in general terms and/or specific to an individual officer. This annual report provides a statistical summary of all Use of Force incidents in 2014, involving the Peel Regional Police (PRP).

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OFFICE OF THE CHIEF

REPORTING REQUIREMENTS

Ontario Police Services Act, Regulation 925 Sec. 14.5 (1) directs that - *an officer shall submit a report to the Chief of Police or Commissioner whenever the officer:*

- a) *Draws a handgun in the presence of a member of the public, excluding a member of the police force while on duty*
- b) *Points a firearm at a person*
- c) *Discharges a firearm*
- d) *Uses a weapon other than a firearm on another person, including a CEW in cartridge/probe mode, three point contact, and drive/push stun mode; or*
- e) *Uses physical force on another person that results in an injury requiring medical attention.*

TRAINING REQUIREMENTS

Ontario Policing Standards (OPS) AI-012 Use of Force Guidelines and the Equipment and Use of Force Regulation (Ontario Regulation 926/90), outlines standards regarding training, equipment, qualifications and re-qualifications.

ANNUAL USE OF FORCE TRAINING

The design and delivery of Use of Force training is subject to an internal review on an annual basis. In identifying trends, the constant objective is to provide officers with the information and training to better enable them to deal with situations that they may encounter during the course of duty. Throughout the summer and fall of 2013 Learning and Development conducted an environmental scan of a number of Use of Force reports and encounters involving armed emotionally disturbed people (EDP). As a result, specific training scenarios were designed and implemented in 2014 to assist officers encountering this type of situation. The focus of the training is on containment, communication, and de-escalation techniques along with transiting to and from various use of force options as the situation evolves.

Annual Use of Force instruction also continued with a pragmatic approach to both firearms and defensive tactics training. The physiological effects of combat stress remained an integral part of the firearms training. Defensive tactics training continued to make use of a more practical environment with an increased focus on judgement.

The lecture portion of training continues to touch on several points relating to the best practice approach when dealing with people that are experiencing some form of mental illness, crisis or drug induced chaotic event. Additionally officers participate in a review of legislation, case law, directives, policies and procedures.

OTHER RELATED TRAINING AND COMMITTEE INFORMATION

In 2008 the Peel Regional Police began offering a 2 day course to assist officers interacting with individuals living with mental health disorders. This course was re-designed in 2010 and increased to 4 days with the content now delivered by mental health practitioners. During the 4 day training session officers receive an overview of mental health disorders, learn communication and de-escalation techniques, familiarize themselves with various community resources available to them and interact with individuals who live with mental health disorders. Officers also receive scenario based training interacting with actors specially trained in

portraying mental health disorders. Since its inception, 869 officers have received this training. Commencing in 2015, this training will be delivered at an earlier stage in the Officer's career. All newly hired officers will be provided the training roughly 6 months following their swearing-in ceremony as part of a foundation layer of the Career Long Professional Development Model.

Production of the PRP patrol rifle, the Ruger-PC4, ceased in 2006 and over time it became increasingly more challenging to obtain replacement rifles and parts. In September of 2011, a committee was formed to identify a replacement rifle. Following an exhaustive process the Canadian made Colt C-8 LE-IUR, the rifle of choice of many Ontario police services, was selected and received approval in February 2014. Transition training to the new Colt C-8 Patrol Rifle began in September of 2014 and is scheduled for completion by June of 2015. At that time the Ruger-PC4 rifle will be withdrawn from service and decommissioned.

The C-8 rifle is issued as standard equipment in every Patrol Sergeant's vehicle and also to supervisory staff within a limited number of Bureaux including Court Services, Street Crime and Intelligence.

On November 26th, 2013 the Ministry of Community Safety and Correctional Services announced that Police Services Boards were approved to consider authorizing an expansion in the issuance of Conducted Energy Weapons (CEW ["Tasers"]) to include: *"other classes of officers deemed appropriate, in consultation with the Chief of Police"*. In February of 2014, the PRP Board concluded that police constables who have been deemed "qualified" to perform the duties of an Acting Sergeant would represent an appropriate class for this purpose. This determination was made with the understanding that this class of officer has demonstrated through the qualifying process that they possess suitable knowledge and skills for assignment as an Acting Sergeant, and were authorized, prior to that time, to carry a CEW when assigned in that role. At the same time the Board approved the expansion of the number of CEWs that PRP would deploy to 130 from the previous number of 100. The increase allowed for deployment of an additional 6 CEW's to each uniform Division, augmenting the total number to 10 units, thereby enhancing the availability of this less-lethal weapon to frontline personnel.

The CEW model currently in use by PRP, the Taser X26, went out of production in 2014. Purchasing and transition to the new CEW model known as the Taser X2 was unable to proceed until the device received provincial approval, which was granted in November of 2014. This has prolonged the full expansion of PRP's new CEW user group approved by the Board in February of 2014. The purchasing process for the Taser X2 began in December 2014; transition training is scheduled to begin in September 2015. Transition will occur one division at a time over a 10 month period.

Throughout 2014 PRP continued to have a representative on the Provincial Use of Force Reporting Committee. Having already pioneered electronic filing of Use of Force reports Peel is in a leadership role as the Province is moving towards electronic reporting for all police services.

In 2015 a new provincial committee was formed, the Provincial Use of Force Community Practices Committee. The committee's mission is to serve as a forum for information sharing between the Ontario Police College (OPC) and the community of Use of Force Trainers in the province. The intended purpose is to foster relevant, current, effective and evidence-based Use of Force training to minimize risk and liability and maximize public and officer safety.

In 2014, a new PRP standing committee was formed, the Use of Force Review Committee. Chaired by Staff Superintendent Randy Patrick, the mandate of the Committee will be to review

Use of Force reports and statistics on a regular basis to identify trends and other concerns/issues for the purpose of making recommendations regarding training, equipment and procedural directives.

STATISCAL DATA AND ANALYSIS

The data used to prepare this report is compiled from PRP Use of Force and CEW reports for 2010 – 2014 inclusively. Some categories in Use of Force reports allow for multiple entries within a particular classification, including categories such as: “Types of Calls for Service” and “Use of Force Options Utilized”. For this reason the sum of all category entries may exceed the number of actual Use of Force reports.

In July of 2014 the PRP broadened the requirements of Use of Force reporting to capture the impact and effectiveness that the mere presence of the CEW has during an incident. Since that time officers have been required to file a Use of Force report when a CEW is drawn from its holster during an encounter with a member of the public, even if it is not fired. This change has increased the overall number of Use of Force reports by 69.

Number of Use of Force Incidents

The number of total “Calls for Service” increased slightly in 2014. The total number of Use of Force reports increased by 70 incidents, 69 of which are attributed to the broadening of CEW reporting requirements. When compared to the 2013, with allowance for the change in reporting requirements, there is no significant change in the number of incidents requiring submission of a Use of Force report, remaining below the 5 year average.

Use of Force Report Per Calls for Service			
Year	Calls for Service	Number of Use of Force Reports	Rate Per 100,000 Calls for Service
2010	230,832	478	207.1
2011	231,147	523	225.8
2012	229,473	518	225.7
2013	226,487	456	201.3
2014*	226,756	526 (457*)	232 (201.5*)
5 Year Average	228,939	500.2 (486.4*)	218.38 (212.3*)

* With the July 2014 change to Use of Force reporting requirements removed.

Time of Day Incidents Occurred

Use of Force incidents by hour follows the general ebb and flow patterns of “Calls for Service.”

Call for Service Type

When an officer completes a Use of Force report, they have the option to select multiple types of “Call for Service” or incident types. Therefore the total number of types of “Call for Service” may exceed the total number of Use of Force reports as is the case in 2014 with 823 different “Call for Service” types described in the 526 Use of Force reports. “9-1-1 Calls” made up the most frequently reported “Call for Service” type at 104, followed by “Weapons Dangerous”

at 85, "Arrests" at 75 and calls involving "Emotionally Disturbed Persons" at 70.

Injuries to Subjects & Officers

For the purpose of Use of Force reporting, only injuries requiring medical attention are recorded. Reporting guidelines direct that if Police have a Use of Force encounter, injuries –requiring medical attention – sustained by a citizen prior to the arrival or involvement of Police must be noted on the report. These injuries could include either self-inflicted wounds or injuries caused by a third person. Statistical analysis of the data must be mindful of the effect of reporting obligations.

Further, PRP requires that CEW probes lodged in a citizen as a result of deployment of the weapon, be removed by paramedics. Simple wounds caused by CEW probes are not considered injuries according to reporting criteria. Reportable injuries resulting directly or indirectly from CEW deployment accounted for 32 of the 94 injuries acquired during the Use of Force encounter. The majority of injuries were as a result of subjects resisting in a physical confrontation and were relatively minor in nature.

Injuries noted occurring in 2014 included:

- two citizens fatally shot,
- one officer suffering a critical gunshot injury,
- one citizen suffering a broken arm, and
- one citizen suffering a broken jaw.

Injuries Per Use of Force Report					
Year	Use Of Force Reports	Subject Injuries	Officer Injuries	Rates Per 100 Reports Subjects/Officers	
2010	478	141	42	29.5	8.8
2011	523	186	53	35.6	10.1
2012	518	137	27	26.4	5.2
2013*	456	140 (118*)	55	29.6 (25.9*)	12.6
2014*	526	138 (94*)	53	26.2 (17.9*)	10.1
5 Year Avg.	500	147	46	29.4	9.2

*Subject injuries occurring prior to the Use of Force Incident have been removed from the total. Collection of this data began in 2013.

Attire Worn by Officers at the Time of the Incident

In 93% of Use of Force incidents occurring in 2014, officers were wearing regular patrol or Emergency Support Services uniforms. This is consistent with the fact that uniformed officers are deployed to emergency calls and high risk activities. The percentage is down by 4%, from 2013.

Police Presence at Time of Incident

In 81% of the Use of Force incidents more than one officer was present, down 5% from 2013. By comparison, more than one officer is dispatched to a Call for Service 67% of the time. This is consistent with statistical observations relating to "Call for Service" types and supports a continued focus on communication skills during Use of Force training.

Number of Subjects Involved per Incident

There was no significant change in the ratio of involved citizens (subjects) per Use of Force incident. Sixty percent of the incidents involved a single subject, consistent with 2013. Eighteen percent of incidents involve 2 subjects, up 1% from 2013. Thirty-two percent of incidents involve three or more subjects. Animals are not included as subjects for statistical purposes.

Firearms as a Use of Force Option

Pistols were used in 30% of Use of Force incidents and rifles in 23%. Pistol use was consistent with 2013 data, while rifle use was down 10%. The rifle is frequently used in the humane destruction of an injured animal. Transition training between these types of firearms is incorporated in both C-8 patrol rifle qualifications and Immediate Rapid Deployment (IRD) training.

Pointing a firearm was the most frequently used Use of Force option. This tactic was used in 41% of all incidents and was 87% effective. That total number, and percentage, is relatively consistent with the use and effectiveness reported in 2013.

Weapon transitioning, judgement and communications training will continue to be a focus of the Use of Force Bureau training curriculum. This includes annual pistol and bi-annual rifle qualifications, "Advanced Officer Safety" and IRD courses, along with "Open Range" opportunities. An eLearning supplement to IRD training is being developed with an anticipated release in 2015 to increase the frequency of training on these concepts and strategies.

During 2014, there were 25 incidents where rounds were discharged by PRP Officers from a firearm, an increase of 3 incidents in comparison to 2013. Of the 25 incidents 23 involved the humane destruction of an injured or dangerous animal. Eighty-two rounds were discharged in total, 46 pistol rounds and 36 rifle rounds.

Two incidents involved officers discharging rounds at citizens (subjects), both resulting in fatal injuries:

- A subject attempted to bypass security screening at the A. Grenville/William B. Davis Court House, Ontario Court of Justice, and was challenged by officers working the screening point. The subject immediately drew a firearm and shot at officers critically injuring one of them. Officers returned fire discharging four rounds resulting in fatal injuries to the subject. The SIU investigation into this incident has concluded the officer's actions were found to be legally justified.

- During a traffic stop at Queen Street and Kennedy Road in Brampton, an officer discharged his firearm following a brief interaction with one of the subjects occupying the vehicle. As a result, the subject suffered fatal injuries. This incident is still under investigation by the SIU.

Other Use of Force Options

There was no significant statistical variant in the deployment of available use of force options as selected by officers in 2014.

The CEW was utilized in 154 incidents, an increase of 84 from 2013, 69 of which are directly related to the increased reporting requirements previously mentioned. The number of CEWs available to patrol officers also increased in accordance to the expanded user group approved by the Board in February 2014.

The application of hard physical control techniques increased to 29% up slightly from 27% in 2013. The reported effectiveness decreased by 3% to 83% when compared to 2013. The use of soft physical control increased to 31% also up slightly from 30% in 2013.

Type of Force Used	2010	2011	2012	2013	2014*	5 Year Average
Firearm Pointed at Person	304	362	316	429	432	369
Physical Control Soft Only	241	215	330	237	275	260
Physical Control Hard Only	221	211	256	208	248	229
Conducted Energy Weapons*	57	66	74	70	154*	84
Handgun - Drawn Only	31	41	67	80	50	54
Oleoresin Capsicum Spray	44	55	44	40	49	46
Firearm Discharge Intentional	20	35	30	24	25	26.8
Impact Weapons	13	9	10	11	9	10
Arwen**	3	1	2	3	4	3
Canine	24	16	4	12	1	11
Other Types of Force	5	5	11	1	0	4

* Increased reporting criteria began in July 2014

**Arwen is a weapon that fires an AR1 impact round, otherwise known as a "rubber bullet".

Possession of weapons by citizens in Use of Force encounters with Police

Citizens (subjects) were armed with a weapon in 105 of the 526 Use of Force incidents in 2014, or roughly 1 in 5 encounters. Edged weapons were used by subjects in 39% of the 105 incidents. The number of Use of Force incidents involving edged weapons increased to 56 in 2014 as compared to 39 in 2013. The Use of Force Bureau continues to include edged weapon encounters as part of its curriculum. Use of Force reporting distinguishes between concealed weapons on the subject's person, and weapons the subject possesses "in hand", and weapons

readily available to the subject "at hand". Comparing 2014 to 2013, the respective increases for the presence of weapons are; 30 to 24 for concealed weapons, 37 to 30 for weapons "in hand", and 24 to 23 for weapons "at hand".

Officer Assignments

Officers assigned to uniform patrol accounted for 327 Use of Force incidents or 62%, a 7% increase from 2013. Overall, investigative areas, "Courts" and officers on paid duties also showed an increase in the number of Use of Force incidents compared to 2013.

Assignment areas reporting fewer Use of Force incidents in 2014 were Tactical, Canine and Station Duty.

Officer Assignment					
	2010	2011	2012	2013	2014
Uniform Patrol	214	269	245	245	327
Tactical	207	196	196	158	119
Investigation - CIB	25	43	38	18	40
Other	n/a	n/a	n/a	14	14
Courts	n/a	n/a	n/a	6	14
Investigation - Drugs	11	8	12	9	13
Paid Duty	n/a	n/a	n/a	3	11
Canine	*	*	*	14	8
Traffic	n/a	n/a	n/a	4	7
Station Duty	n/a	n/a	n/a	7	5
Off Duty	n/a	n/a	n/a	0	0

Note: *Included with Tactical

2015 – PLANNED TASKS AND ACTIVITIES

IRD Training

Immediate Rapid Deployment (IRD) training is designed to assist frontline officers in confronting and engaging armed active subjects in the midst of a critical incident. Training is conducted at local decommissioned schools, made available to PRP at the courtesy of both regional school boards.

Initial IRD training for all officers was completed in 2014, having taken 8 years to complete. The IRD curriculum has been revised to reflect up-to-date strategies and techniques in conjunction with the delivery of a new training cycle which began in January of 2015. A new delivery model was developed to ensure that all Uniform Patrol, NPU, and Airport Division officers receive scenario based training once every two years. In addition, for the noted officers an eLearning IRD course is being developed to supplement the scenario training in alternate years. For all other officers IRD training will be limited to completion of the e-learning component on an annual basis.

CEW X-2 Model Transition

The current model of CEW used by police services has been discontinued. The purchasing process for the new generation of CEW began following budget confirmation in February 2015. This device will provide enhanced data reporting, it is capable of firing two separate sets of probes before having to be reloaded and the new unit automatically adjusts power output based on electrical conductivity. Transition training from the model X26 to the X2 will take roughly 10 months to complete. Once complete the total number of CEWs deployed will increase from 100 to 130.

Colt C-8 Patrol Rifle

The transition from the Ruger-PC4 rifle to the Colt C-8 began in September of 2014 and is scheduled to be completed by June 2015. At that time the Ruger-PC4 rifles will be decommissioned and sent for disposal. As part of this project a review was conducted of investigative areas that were deploying a rifle. With the High Risk Search Warrant Matrix in effect, many investigative areas have opted to remove rifles from their inventory, choosing to call on Emergency Support Services for assistance.

Cohort Foundation Training

Recruit class 2014-03 will be the first recruit-constable class cohort to receive the four day course on interacting with Emotionally Disturbed People. The training will be delivered roughly 6 months from their swearing in date.

Use of Force Review Committee

A new standing committee tasked with conducting reviews of Use of Force reports was formed and held its first meeting in March of 2015. The Committee is chaired by Staff Superintendent Randy Patrick.

University of Toronto – Resiliency Study

The Peel Regional Police will be participating in a University of Toronto research project focused on measuring an officer's ability to function under stress and the effect on performance improvement by the introducing of stress management techniques. Recruit-constable class 2015-02 will be the study group for the project.

OIPRD Review

The Office of the Independent Police Review Director expanded its systemic review of police training focusing on de-escalation techniques when dealing with individuals with mental health issues, Emotionally Disturbed People and people in crisis. The review will now examine Use of Force training provided by the Ontario Police College and individual police services, including the Peel Regional Police.

CONCLUSION

The total number of Use of Force incidents reported by PRP during 2014 was consistent with the number of incidents reported in 2013. *(Taking into account that 69 of the increased 70 reports were directly related to the new CEW reporting requirements that came into effect in July 2014.)*

There were two fatal police shootings in 2014, both were assigned to the SIU for investigation. In one of these incidents an officer received a critical gunshot injury.

The most common types of "Call for Service" to result in a Use of Force report were – in descending order- "9-1-1 Calls", "Weapons Dangerous", "Arrests", and calls for "Emotionally Disturbed Persons."

The frequency of citizens (subjects) being armed or having a weapon readily available increased in 2014. In Use of Force incidents involving weapons, subjects utilized edged weapons 39% of the time.

The number of Use of Force incidents involving the Tactical and Canine Unit decreased 13% in 2014.

In 2013 Learning and Development, which includes the Training Bureau and the Use of Force Bureau, took proactive steps to enhance both scenario based and academic training. The focus of lesson plans is on containment, communication and de-escalation along with interaction strategies and techniques for officers to deal with individuals living with mental illness. Implementation of this programming began in January of 2014 as part of annual Use of Force training. The expansion of recruit-constable cohort foundation training will include EDP training for all newly hired officers roughly six months from their swearing-in date.

Other initiatives aimed at better preparing officers for Use of Force encounters include:

- Relating annual Use of Force and recruit-constable training to interactions with EDPs
- An updated IRD curriculum
- Expansion of the CEW user group
- A planned increase in the number of CEWs being deployed to the frontline
- CEW equipment being upgraded to the new "X2" model
- Updating patrol rifles to the Colt C-8
- Increasing the frequency of training for IRD and C-8 rifle proficiency
- Participation in academia reviews and studies,
- Participation in provincial standing committees and working groups, and
- Continued cooperation with provincial bodies such as the SIU and OIPRD

Approved for Submission:



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