

Classification **PUBLIC**

Meeting **May 12, 2008**

Agenda Item **Monitoring Report:
Adequacy and Effectiveness of Police Services**



Recommended Motion:

THAT the Board finds that all provisions of the Adequacy and Effectiveness of Police Services have been complied with.

Adequacy and Effectiveness of Police Services

I hereby submit my monitoring report on your Executive Limitations Policy, "Adequacy and Effectiveness of Police Services" according to the schedule set out. I certify that the information contained in this report is true.

Signed: _____
Chief of Police

Date: _____

BROADEST POLICY PROVISION:

The Chief of Police shall not fail to comply with the following Ontario Regulations:

- *O. Reg. 3/99 "Adequacy and Effectiveness of Police Services",*
- *O. Reg. 546/99 "Suspect Apprehension Pursuits",*
- *O. Reg. 926/90, as amended, "Equipment and Use of Force",*
- *O. Reg. 354/04 "Major Case Management", and*
- *O. Reg. 550/96 "Violent Crime Linkage Analysis System Reports".*

Interpretation of the Chief of Police:

It is my interpretation of this policy provision that the Service must be in compliance with the noted regulations. Given that these regulations govern basically all aspects of police service delivery, and that reporting on each and every aspect would be unreasonable, it is my interpretation that the reporting here needs to be at the highest level.

Data Support:

O. Reg. 3/99 made under the *Police Services Act*

ADEQUACY AND EFFECTIVENESS OF POLICE SERVICES

Interpretation of the Chief of Police:

The June 2005 Adequacy and Effectiveness of Police Services' monitoring report spoke to the 29 recommendations identified within the Ministry of Public Safety and Correctional Services, Policing Service Division; Quality Assurance Unit's inspection report dated April 2004. All three recommendations reported as being outstanding have now been completed and we have been reported as compliant at a previous board meeting.

Our Service continues annual audits through our Quality Assurance Unit, including a number of self audits by selected support units (14 in total), verifying ongoing compliance with Ontario Police Services Act Regulation 3/99. Versaterm CAD/RMS implementation required a complete renewal of Directives ensuring report processes are reflected within the Directives. All Directives have been adjusted in this regard.

I report compliance with O. Reg. 3/99 "Adequacy and Effectiveness of Police Services", Executive Limitations policy.

O. Reg. 546/99 made under the *Police Services Act*

SUSPECT APPREHENSION PURSUITS

Our Service has Directives, policies and training, for suspect apprehension pursuits in place in accordance with Adequacy Standards. In addition to Adequacy Standards this Service debriefs each pursuit with all involved members. A further review of each pursuit is conducted by a "Pursuit Review Panel" to determine the need, if any, for refresher training and /or changes to the related Directives. The pursuit debriefings and review panel are internal auditing mechanisms used to determine compliance with our Directives and the Regulation. The mechanisms are in place to identify performance, which is not compliant with the Directives and Regulations and to take corrective action to ensure compliance in the future.

In the fourth quarter of 2006 the Service commenced E-training that required all relevant members to be certified on-line in suspect apprehension pursuits. This training was completed in 2007 and reviewed again in each Division with all relevant members at Q1 2008.

Police Service	Pursuits	Injuries	Property Damage	Compliance Investigation
Durham	32	1 police 2 suspects	5 police 7 suspects	yes
Halton	17	0	1 collisions	yes
Hamilton	52	Stats not kept on injuries	5 collisions	yes
Niagara	44	6 injuries 1 fatal	19 collisions	yes
Ottawa		Not available		
Peel	22	1 minor injury	11 collisions	yes
Toronto		15 serious injuries	No stats reported	
York	26	5 injuries	8 collisions	yes

All of the components of this Regulation are in place. I therefore report compliance with the O. Reg. 549/99 “Suspect Apprehension Pursuits”.

O. Reg. 926/90 made under the *Police Services Act*

EQUIPMENT AND USE OF FORCE

The Durham Regional Police Service Learning Centre – Use of Force Training Unit is responsible for the issue and maintenance of all use of force options as specified in this Regulation. The Police Learning Centre’s Use of Force Training Unit is compliant with the Policing Standards Manual (2000). Each member of the Use of Force Training Unit and all training provided to members is certified by the Ontario Police College. Our Service has Directives, policies and training, for equipment and use of force in place, in accordance with Adequacy Standards. A reporting structure is in place whenever a member uses force in a situation as specified in this Regulation. The use of force reporting system is an internal mechanism designed to identify and address any areas of non-compliance with our Directives and policies. All members currently issued with use of force options are re-qualified annually in accordance with Adequacy Standards.

Use of Force Statistics

In 2006 the Professional Standards Branch compiled use of force statistics from the mandatory reports submitted by frontline officers. The number of reports submitted indicates the number of officers who have used force, and not the number of incidents. In other words, one incident involving a number of officers may generate more than one use of force report for that one incident. The reports were then forwarded to the Police Learning Centre-Use of Force Section for follow-up training as required. The following is a breakdown of the use of force reports for these two years.

Total – 387 Use of Force Reports Submitted in 2006

January 1 to December 31, 2006

Type

Discharged	Pointed	Aerosol	Impact Hard	Empty Hard	Other	Canine
28	194	22	27	53	50	8

Reason

Protect Self	Effect Arrest	Accidental	Destroy Animal
316	289	0	27

Total – 362 Use of Force Reports Submitted 2007

January 1 to December 31, 2007

Type

Discharged	Pointed	Aerosol	Impact Hard	Empty Hard	Other	Canine
35	181	26	8	52	50	13

Reason

Protect Self	Effect Arrest	Accidental	Destroy Animal
202	202	0	35

The approved OPC-Form 47 Use of Force report does not have a separate section for Taser usage. It is included in the “other” category.

In 2007, the responsibility for tracking the use of force reports was transferred to the PLC-Use of Force Section so that any relevant training issues could be identified, and dealt with more quickly. As per section 22 of the Policing Standards Manual (2000), use of force reports are “to be collected and used only to identify individual and group training requirements, or organizational use of force policy and procedure requirements.”

Analysis:

In 2006 the number of use of force reports was 387. The number submitted in 2007 dropped slightly to 362 or a 6% decrease.

Firearm discharges primarily for the purposes of destroying injured animals remained relatively constant in comparing both years.

The number of incidents where a firearm was displayed without discharging also remained relatively constant in 2007 as compared to 2006.

“Hard impact” applications of use of force (asp baton) dropped significantly from 27 incidents in 2006 to 8 in 2007. It is possible that the availability of the Taser is responsible for this reduction.

There were no fatal injuries in 2007 as a result of the application of any use of force options.

O. Reg. 354/04 made under the *Police Services Act*

MAJOR CASE MANAGEMENT

The Durham Regional Police Service started to implement the Ontario Major Case Management Manual in 1998. Our Service currently has over 100 members trained in Major Case Management. The training is ongoing. In 2005 and 2006 our Service was a satellite location for MCM training. Durham Regional Police in co-operation with the Ontario Police College will again host MCM training in 2008. Our service implemented PowerCase, the MCM software, in 2001. Our service has policies and procedures in place by way of Directives (LE-02-001 “Major Case Management System”, and LE-01-023 “Criminal Investigation Management Plan”) in accordance with the Adequacy Standards. The philosophy and teachings of Major Case Management was followed for every major case in 2006. There were no substantiated public complaints, in 2006, in relation to the Major Case Management policies and procedures. There were no civil court awards or settlements, in 2006, regarding Major Case Management investigative procedures.

The components of this Regulation are in place. I therefore report that we are compliant with the standards set out in O. Reg. 354/04 “Major Case Management”.

O. Reg. 550/96 made under the *Police Services Act*

VIOLENT CRIME LINKAGE ANALYSIS SYSTEM REPORTS

Our Service has Directives, policies and procedures in place for Violent Crime Linkage Analysis System (ViClas) reports, in accordance with this Regulation. Our ViClas coordinator ensures ViClas booklets are submitted in accordance with our Directives and this Ontario Regulation. The ViClas coordinator checks all occurrences, on a daily basis, for incidents which meet the ViClas reporting criteria. The ViClas coordinator ensures ViClas reports are submitted for the identified criteria incidents. In 2006 a ViClas report was submitted for every incident meeting the criteria for ViClas submissions. The Ministry conducted an audit of our ViClas function in 2005 resulting in 6 recommendations for improved service. All 6 have been implemented. The issue of scanning ViClas submissions has yet to be addressed with the manager of the Records Unit. This does not in any way impede the present process.

All of the components of this Regulation are in place. I therefore report that we are compliant with the standards set out in O. Reg. 550/96 “Violent Crime Linkage Analysis System Reports”.

Further, without limiting the scope of the foregoing by this enumeration, they shall not:

Policy Provision #1

Fail to ensure that Durham Regional Police Service provides, within the Regional Municipality of Durham, the full range of legislated police services including, but not limited to:

- a. Crime prevention initiatives; (*Ref. O. Reg. 3/99 section 1(2)*),
- b. Criminal intelligence capacity; (*Ref. O. Reg. 3/99 section 5(1)(b)*),
- c. Crime analysis, call analysis and public disorder analysis capacities; (*Ref. O. Reg. 3/99 section 5(1)(c)*),
- d. Investigative supports, with the exception of behaviour science support from the Ontario Provincial Police; (*Ref. O. Reg. 3/99 section 5(1)(d)*),

- e. Court security; (*Ref. O. Reg. 3/99 section 16 and Police Services Act section 137*),
- f. Public order unit; (*Ref. O. Reg. 3/99 section 18(2)*), and
- g. All types of emergency police services. (*Ref. O. Reg. 3/99 Section 21*).

Interpretation of the Chief of Police:

It is my interpretation of this policy that we provide the services as enumerated.

Data Support:

a. Crime Prevention

The DRPS Community Services Unit consists of two sworn members and two civilian members. In cooperation with the DRPS divisional offices, they continue to work with members and groups within our communities. They participate in crime prevention initiatives involving 30 individual programs. The total audience reached by these programs in 2007 was approximately 315800. This includes those participating at the Children's Safety Village and both the Neighbourhood Watch Program and Community Days. Total volunteer hours provided for 2007 were 3932. No complaints in relation to the content or delivery of these programs were received during the year.

In November of 2007, the DRPS participated at the annual C.P.T.E.P. Ontario conference hosted by York Regional Police an event attended by over 130 people from across the province.

b. Criminal Intelligence Capacity

The DRPS Criminal Intelligence Branch is part of Crime Management and is responsible for criminal intelligence services. The Criminal Intelligence Branch is comprised of six investigative units, namely: Drug Enforcement Unit, Gang Enforcement Unit, Surveillance Unit, Technical Services, Joint Forces and General Assignment. Each unit has a criminal intelligence capacity. Our criminal intelligence services are adequate and effective. There have been no substantiated public complaints or civil suits regarding failure to provide criminal intelligence services. Our Service provides criminal intelligence services in accordance with the Regulation.

c. Crime Analysis

The Crime Analysis Unit is responsible for crime analysis, call analysis and public disorder analysis. Our crime analysis, call analysis and public disorder analysis services are adequate and effective. There have not been any public complaints or civil suits regarding failure to provide this service. Our Service has crime analysis, call analysis and public disorder analysis capacities in accordance with the Regulation.

d. Investigative Supports

The Durham Regional Police Service provides investigative support services, which include: Scenes of Crime Officers (SOCO), the Forensic Identification Unit, the Canine Unit, the Traffic Services Branch and the Polygraph Unit. Our investigative support services are adequate and effective. There have not been any public complaints or civil suits regarding failure to provide investigative support services. Our Service provides investigative support services in accordance with the Regulation. The DRPS has a Directive LE-02-012 that advises members of the type of behavioural science services that are available and how to access them. The Ontario Provincial Police (OPP) Behavioural Science Section is mandated to provide training and investigative support services of a psychological and

behavioural nature to police services in Ontario. This includes: *criminal profiling, geographic profiling, forensic psychiatry, polygraph, ViClas, threat assessment, and sex offender registry.*

e. Court Security

The Court Services Unit is part of the Regional Support Branch. Currently, the unit consists of 1 staff sergeant, 2 sergeants, 10 constable, 29 special constables assigned to Court Services duties and 12 special constables assigned to duties in the Central Cellblock at 17 Division. The unit provides court security, conducts bail hearings, assists with finger printing, and coordinates warrants.

Pursuant to the mentioned legislation our Service has a court security plan in place and this is added to as required when dealing with detainees proven or considered to be “high risk” and / or dangerous.

All members of the unit receive appropriate training upon joining the Service and annually attend the mandatory training to maintain the knowledge, skills and abilities required to perform their duties as prescribed by Provincial Regulations and guidelines.

In accordance with section 16 of O. Reg. 3/99 there is an established Local Court Security Committee that meets on an annual basis.

f. Public Order Unit

Our Service maintains a “part time” Public Order Unit consisting of 51 officers including a unit leader with the rank of Inspector. The use of these part time officers ensures the legislated minimum of 22 is available for deployment within a reasonable time. The Unit conducts local and extended training at C.F.B. Meaford to maintain their skills and their competencies are evaluated annually and found to be within the required standard. The five eight hour training days comply with the Provincial Standard. In addition officers are sent on specific public order and search incident command training courses.

In 2007 the unit was involved in multi-agency training with police services in the GTA, Ottawa and the OPP. The Unit traveled to Ottawa as part of a multi agency public order deployment in support of the North American Leader’s Summit.

The Public Order Unit has a combined mandate that encompasses crowd management, search and rescue of missing persons, and support of threshold major case management led investigations (major crime) most commonly in support of evidence searches.

g. Emergency Police Services

Our Service maintains a full time Tactical Support Unit (TSU) consisting of two sergeants and 16 constables all of whom are qualified in Hostage Rescue pursuant to legislative requirements. Three members of the TSU are also qualified as Explosive Disposal Technicians allowing them to do explosive disposal and explosive forced entry.

Our Service has established an on call Major Incident Command Unit that is the envy of police services throughout the province. This unit consists of on- call teams of officers trained and deployed as commanders and crisis negotiators and civilian scribes to ensure accountability at a scene.

Policy Provision #2:

“Fail to ensure that resources shared with another police service are reciprocated or otherwise compensated.”

Interpretation of the Chief of Police:

It is my interpretation of this policy that agreements are in place for each service that wishes to utilize our resources and that such agreements be reconciled at the end of each calendar year. Where during any such reconciliation it is determined that another police service has utilized our resources to a greater degree than we have utilized theirs, the difference is to be made up during the following year.

Data Support:

Our Service has written “Shared Resources” Agreements with the Cobourg Police Service, the Kawartha Lakes Police Service, the Peterborough Lakefield Police Service, Port Hope Police Service, the South Simcoe Police Service, and the York Regional Police Service. These agreements are reviewed and reconciled annually by the Superintendent of Regional Operations to confirm that the value of resources provided were either reciprocated or otherwise compensated.

In 2007, no requests for assistance were received from the police services of City of Kawartha Lakes, Peterborough Lakefield, Port Hope and South Simcoe.

The York Regional Police Service requested and was provided use of Air 1 on three (3) occasions for a total of 3.3 hours. The DRPS received an equivalent number of hours usage of their Air 2 (four (4) calls totalling 3.3 hours). Cobourg Police Service requested the use of Air1 on one (1) occasion for a total of 0.8 hours. The Ontario Provincial Police requested and were provided the use of Air 1 twice (2) for a total of 1.6 hours during 2007. They also requested K-9 support once for a total of 0.5 hours.

We are continuing to negotiate a Shared Resources agreement with the Toronto Police Service that will see equality in the use of each other’s resources, with a provision for billing in the event of inequality in any given year. The Durham Regional Police Service provided Toronto Police a draft Shared Services agreement. Toronto Police Service has reviewed, and amended some portion(s), and then referred it on to the legal services of the Toronto Police Services Board for their consideration, as this is crafted as a Board to Board agreement. I would recommend that Chief to Chief discussions take place to finalize this agreement.

Our Tactical Support Unit assisted the following police services in 2007:

24 January – 126 Zephyr Rd. Uxbridge – York Regional Police – High risk warrant execution,
21 members X 6 hours

13 June – Toronto Police Service – Project Kryptic – Joint Forces Operation
1585 Seguin Square, Pickering – H.R. Warrant - 20 members X 5 Hrs
Warrant Occurred in Durham Region

8 August – York Region – High Risk Arrest – York Regional Police
12 members X 5 hours

The other large scale initiatives involving assets from TSU in 2007 were all Durham led investigations.

Policy Provision # 3

“3. *Fail to ensure for the appropriate quality of officers’ notebooks.*”

Interpretation of the Chief of Police:

It is my interpretation of this policy that the quality assurance of notebooks is of significant importance and that all procedures for notebooks are to be audited at least once per year and that corrective action is initiated in accordance with the audit results.

Data Support:

In 2007 every Division reported that officer’s notebooks were checked on a regular basis. Any concerns were immediately addressed and corrected. Random audits are conducted by the Quality Assurance Unit as well as self audits by a number of essential units. Monthly inspections are also conducted by divisional supervisors ensuring correct and complete notebooks. In 2006 the Service implemented the General Occurrence Audit Unit. This Unit reviews all reports and documents including officer’s notes relating to criminal investigations. Inadequate notes are brought to the attention of the officer and supervisor for corrective action.

I report compliance with the noted Ontario Regulations and Policy Provisions 1, 2 and 3 of the Executive Limitations Policy. I therefore report **compliance** with this policy.