

Classification **PUBLIC**

Meeting **June 11, 2012**

Agenda Item **Monitoring Report:
Equipment and Use of Force Regulation**



Recommended Motion:

THAT the Board finds that all related policy provisions of the Equipment and Use of Force Regulation has been complied with.

Equipment and Use of Force Regulation

I hereby submit my monitoring report on your Executive Limitations Policy, "Equipment and Use of Force Regulation" according to the schedule set out. I certify that the information contained in this report is true.

I report compliance with this policy.

Signed: _____
Chief of Police

Date: _____

BROADEST POLICY PROVISION:

The Chief of Police shall not fail to comply with all requirements of the Equipment and Use of Force Regulation.

Further, without limiting the scope of the foregoing, the Chief of Police will not fail to:

- 1. Ensure that force options used by members of the Durham Regional Police Service meet all requirements and standards established by the Ministry of Community Safety and Correctional Services.*
- 2. Ensure training every 12 months for members required to use force on other persons and for those authorized to carry force option weapons.*
- 3. Immediately cause an investigation and file a report to the Board where a member, by the discharge of a firearm or the use of any weapon in the performance of his or her duty, kills or injures another person.*

4. *Promptly inform the Board when the Chief discharges a firearm in the performance of the Chief's duties.*
5. *Ensure the ongoing review and evaluation of local use of force procedures, training and reporting.*
6. *Provide a copy of the Service's annual Use of Force report to the Board.*

Interpretation of the Chief of Police:

The Durham Regional Police Service shall reference the provisions of Reg. 926 of the *Police Services Act* for dealing with the issuance of equipment pertaining to use of force, deployment, training, and reporting to both the Board and any other Ministry official, as required.

Every police officer, including the Chief of Police shall use only approved and issued use of force equipment. They shall prove their competency in the legal requirements, exercise of judgement, safety, theories relating to the use of force, and practical proficiency. They shall meet the proscribed timelines (every 12 months).

Every member shall provide the appropriate reports when, in the execution of their duties other than training, they draw a handgun in the presence of a member of the public, use a weapon other than a firearm on another person, or applies physical force on any person that requires medical attention.

The Chief shall ensure that all required reporting provisions are met in a timely and comprehensive fashion.

Data Support:

1. EQUIPMENT AND USE OF FORCE OPTIONS

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. Each member of the Use of Force Training Unit and all training provided to members are 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.

In compliance with Regulation 926, the DRPS use of force options consist of:

- Glock .40 Calibre Handgun with three magazines totaling 45 rounds
- ASP Tactical Expandable Baton
- Def-Tek Oleoresin Capsicum Spray (O.C. or pepper spray)
- Peerless Handcuffs
- Taser X-26 Conducted Energy Weapon (CEW) with Four Cartridges
 - Carried by supervisors and other designated members.

Directives that address equipment and use of force include (but are not limited to):

- AO-09-001 Reporting the Use of Force
- AO-19-003 Police Uniforms Equipment Dress and Appearance

- AO-19-004 Secure Holster
- AO-19-006 Conducted Energy Weapons
- AO-19-012 Uniform and Equipment Issue and Return
- LT-05-002 Police Use of Force

A reporting structure is in place whenever a member uses force in a situation as specified under Regulation 926. 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.

2. USE OF FORCE TRAINING

The annual use of force training also known as “block” training is a three day course that includes handgun re-qualification, shotgun training, handgun techniques and scenarios, defensive tactics, ASP baton and OC Spray re-qualification, hand to hand combat drills, judgmental training and rapid deployment training. See the attached appendix A for the full police officer Use of Force training schedule.

In 2011 the DRPS had 1022 individuals receive yearly recertification or block training.

This figure includes:

845 Officers from all units within the Service (A total of 93 officers from the above list attended training twice in one year in order to maintain their qualifications.)

54 Special Constables (SCT)

48 Auxillary Officers

Additionally, we trained 75 members from other services: 41 Police officers, 9 Special Constables, and 3 Auxiliary officers from Cobourg and 22 Port Hope Officers.

It should be noted; 16 TSU Officers received recertification within their own unit, 15 Officers were unable to attend the required training in 2011 because they were on WSIB/Sick/Injured/etc., and 45 Officers were absent in 2011 due to Mat/Pat leaves, Secondments, Suspensions, etc.

In relation to the Conducted Energy Weapon, all supervisors, acting supervisors or designated members must be certified to carry this device. Certification and re-certification is outlined in Ontario Police Standards Manual Guideline A1-012 and DRP directive AO-19-006. A total of 142 members were re-certified while an additional 15 members were trained as new users within the DRPS, six and 11 respectively for other Services.

Member’s who have not completed the Use of force training have their use of force options stored and secured at the Police Learning Centre.

3. USE OF FORCE REPORTS

In 2011 the DRPS Learning Centre 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 reviewed for follow-up training or emerging trends. The following is a breakdown of the use of force reports over the last three years.

Use of Force Option Deployed

	Discharged	Draw Firearm	Aerosol	Impact Hard	Empty Hand	Other	Canine	Total Use of Force Reports
2009	21	175	12	9	81	38	54	333
2010	24	170	12	7	60	34	20	271
2011	21	194	13	2	45	31	22	285

Note: Some reports include more than one use of force option deployed.

Between 2010 and 2011 there was an increase of 14 reports. This represents a 3.96% increase.

Reason for Deployment

	Officer Safety	Effect Arrest	Destroy Animal	Accidental
2009	106	149	21	0
2010	64	139	24	0
2011	113	123	21	0

The number of firearm discharges for the purposes of putting down injured animals went down in 2011 as compared to 2010. This represents a 12.5 % decrease. The number of incidents where a firearm was drawn without discharging increased from 154 in 2009 to 173 in 2011. This represents an 11% increase.

Conducted Energy Weapon

Though not required to report Conducted Energy Weapon (CEW) deployment separately from other use of force, the Durham Regional Police reports these occurrences for monitoring purposes.

Reported Deployments	Count	Subject Behaviour	Count
Effective Deployments	21	Co-operative	0
Non-effective (clothing/distance)	2	Passive Resistant *	1
Total Deployments	23	Active Resistant	2
		Assaultive	12
		Serious Bodily Harm/ Death	7

(Difference in numbers of Deployments was as a result of multiple deployments same suspect i.e. deployment non-effective and then drive stun)

**(Passive resistant was CEW presence and compliance, no deployment)*

Reported Deployments	2009	2010	2011
Effective Deployments	38	28	21
Non-effective (poor conduction)	0	2	2
Total Deployments	38	30	23

4. USE OF FORCE AND THE CHIEF

In the performance of the Chief's duties, the Chief did not discharge his firearm in 2011. The Chief has maintained his use of force training.

5. REVIEW AND EVALUATION

The Durham Regional Police Learning Centre has one sergeant and ten constables accredited to be use of force instructors as prescribed in the regulation. These instructors are certified by the Ontario Police College. Instructors' responsibilities include ongoing evaluation of technique training, re-qualification, safety, lesson plans, and feedback from our members. This information is compiled and compared to current and updated training objectives as set out by the Police Standards Manual. New updates that address training are immediately incorporated. One constable is assigned to review all use of force reports and recommend additional training if applicable. Reports are analyzed and stored for legal and training purposes. The 2011 information is attached and is compliant with Regulation 926.

6. USE OF FORCE REPORT

The DRPS 2011 Use of Force Report follows:



Use of Force Report Statistics

2011

January 1st to December 31st

DURHAM REGIONAL POLICE SERVICE

Police Learning Centre- Use of Force Section

Reports	Count
Number of Incidents	245
Number of Reports	285

**(difference in numbers as a result of multiple officers at same call)*

Use of Force by:

Use of Force by Incident Type

Incident Type	Count
Robbery	8
Domestic	4
Weapons Call	42
Break and Enter	8
High Risk Arrest	0
Traffic	20
Animal	21
Suspicious Person	5
Other	136

Use of Force by Type of Force

Type of Force	Count
Firearm (semi-auto .40 cal)	194
Shot gun	7
Rifle	1
C.E.W. (Taser)	23
O.C.	13
Impact Weapon	2
Canine Unit	22
Hand Techniques	45

Reason for Use of Force	Count
Protect Public/Self	113
Effect an Arrest	123
Destroy Animal	21
Other	1

Persons Injured	Count
Police	15
Subject	38
Third Party	0

Weapon Carried by Suspects	Count
None	99
Handgun	2
Bat/Club	4
Shotgun	3
Rifle	2
Edged Weapon	12
Unknown	90
Other	7

Officer's Length of Service	Count
1-3 years	39
4-7 years	36
8-11 years	60
12 to 15 years	23
15 + years	119



Taser/ Electronic Control Device Deployment Statistics

Yearly Statistics

2008- January 1st - December 31st
 2009- January 1st - December 31st
 2010- January 1st - December 31st
 2011- January 1st - December 31st

DURHAM REGIONAL POLICE SERVICE Police Learning Centre- Use of Force Section

Reported Deployments	2008	2009	2010	2011
Region Wide Total	42	38	30	23
Effective Deployments	40	38	28	21
Non-effective (poor conduction)	2	0	2	2

**(difference in numbers as a result of multiple deployments same suspect i.e. deployment non-effective and then drive stun)*

Community Police Office	2008	2009	2010	2011
15 Division	0	6	1	0
16 Division	4	3	0	1
17 Division	19	14	9	12
18 Division	6	6	11	4
19 Division	10	9	9	5
Deployments involving TSU	2	9	3	1
Central Cell Block	3	0	0	1

*In one instance removal of CEW from holster was enough to gain compliance in the subject.

Deployment Type	2008	2009	2010	2011
Force Presence Only	18	27	11	10
Drive Stun Mode	10	6	3	7
Full Probe Deployment	15	5	17	7

Armed Subjects	2008	2009	2010	2011
Firearm	0	0	0	0
Edged Weapon	6	10	10	6
Blunt Weapon	2	0	1	1
Other	1	0	2	1
Total	9	10	12	8

Subject Behaviour on Deployment	2008	2009	2010	2011
Co-operative	0	0	0	0
Passive Resistant	0	0	0	1
Active Resistant	6	2	3	2
Assaultive	28	22	17	12
Serious Bodily Harm/ Death	8	14	10	7

Related Injuries*	2008	2009	2010	2011
Subject	1**	0	0	0
Officer	0	0	1	0
Third Party	0	0	0	0

*not including minor puncture wounds expected from normal ECD/ Taser use

**minor



Appendix

January 2011- June 2011

BLOCK Training Schedule

0800hrs	Training Video
0930hrs	Empty Hand Tactics
1045hrs	Taser (top up)/OC
1100hrs	Paddle Changeover / Nuclear Emergency DVD
1200hrs	Lunch
1300hrs	Edged Weapons (In-cruiser defenses)
1400hrs	Baton
1500 hrs	Speedtrack Computer Training – Non Use of Force (IT)

FIREARMS

0800hrs	Pistol Lecture and Safety Rules
0845hrs	Warm-Up (live-fire)
0900hrs	Re-Qualification Course of Fire
1000hrs	Shotgun Lecture and Re-Qualification Course of Fire
1200hrs	Lunch
1300hrs	Handgun Retention / One Handed Magazine Changes
1400hrs	Pistol Drills
1500hrs	Pistol Cleaning and Maintenance

DAY THREE – SCENARIO DAY

0800hrs	Administrative Address from ELG/HR
0900hrs	Immediate Rapid Deployment Scenarios
1600hrs	Training Day completion

USE OF FORCE / FIREARMS
September 2011 – December 2011

0800hrs **The Columbine Killers Video and discussion**
0930hrs **Empty Hand Tactics & Edged Weapon Defence**
1100hrs **OC and Taser**
1200hrs **Lunch**
1300hrs **PVO**
1345hrs **Cover and Concealment**
1430hrs **Baton**

FIREARMS

0800hrs **Pistol Lecture and Safety Rules**
0845hrs **Warm-Up (live-fire)**
0900hrs **Re-Qualification Course of Fire**
1100hrs **Shotgun Lecture and Re-Qualification Course of Fire**
1200hrs **Lunch**
1300hrs **Handgun Retention / One Handed Magazine Changes**
1400hrs **Pistol Drills**
1500hrs **Pistol Cleaning and Maintenance**

DAY THREE – SCENARIO DAY
Off Site at Donevan

0800hrs **Post Traumatic Stress Disorder Presentation**
0900hrs **Open Dynamic Judgmental Scenarios**
1200hrs **Lunch**
1300hrs **Immediate Rapid Deployment Scenarios**
1600hrs **Training Day completion**