

Classification **PUBLIC**

Meeting **Durham Regional Police Board May 2013**

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.

EQUIPMENT AND USE OF FORCE OPTIONS

The Durham Regional Police Service, Police Education and Innovation Centre (PEIC) – Use of Force Unit is responsible for the issuance and maintenance of all use of force options as specified in this Regulation. Each member of the PEIC-Use of Force Unit and all training and education provided to members are certified by the Ontario Police College. Directives, policies and educational curriculum are in place, in accordance with provincially mandated Adequacy Standards for use of force options.

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.

Other Use of Force Options employed:

- Remington 870 shotgun
- Colt C8 Carbine Rifle

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 used as an internal mechanism to identify force options chosen, its appropriateness, and to inform educational programming individually or systemically. All members currently issued use of force options are re-qualified annually in accordance with provincially mandated Adequacy Standards.

USE OF FORCE EDUCATIONAL PROGRAM

The annual use of force curriculum also known as “Block” is a three day program that includes re-qualification on the handgun, shotgun, ASP baton and OC spray complimented by review and reassessment of handgun techniques, defensive tactics, hand to hand combat drills, judgmental training and rapid deployment training. See the attached Appendix A for the full police officer Use of Force program schedule.

Individuals Re-qualified in Block in 2012

DRPS	Auxiliary	TSU	Special Constables	Other Services	Total
*987	65	**16	56	***62	1186

*87 DRPS members attended block twice in the same calendar year due to scheduling.

** TSU Officers received recertification within their own unit.

*** Other services are Port Hope and Cobourg Police Services.

Patrol Rifle Qualified (C8)

In 2012, in addition to block programming, 102 DRPS front line officers were also qualified on the C8 Patrol Rifle, which was a new program introduced last year. This program has been extended in 2013, with an anticipated additional qualification of 48 new users for a total of 150.

Conducted Energy Weapon (Taser)

Since 2005 Conducted Energy Weapons (CEW's) have been part of the use of force options available. Currently only supervisors, acting supervisors or designated members have been authorized to certify and carry this device. Certification guidelines are outlined in Ontario Police Standards Manual Guideline A1-012 and DRP directive AO-19-006.

It is anticipated in 2013 that the Ministry of Community Safety and Correctional Services will release new recommendations in regard to authorities of use; especially a move to front line deployment of the devices. The PEIC is actively researching and planning for such potential changes to anticipated recommendations.

CEW 2012 Certification

	DRPS	Cobourg	Total
Recertification	150	7	157
Certification	33	0	33

Non-Qualifying Members in Block in 2012

There were a total of 39 members that were unable to complete their annual qualifications for a variety of reasons which include, but are not limited to; maternal/parental leave, WSIB, secondments, injuries or health related accommodations.

Members who have not completed the Block qualification program have their use of force options stored and secured at the police armoury.

In 2012 the DRPS Police Education and Innovation Centre compiled use of force statistics from the mandatory reports submitted by frontline officers. The number of reports submitted indicates officers who have used force, 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 education and training as required

Use of Force Option Deployed 2010-2012

	Discharged	Draw Firearm	Aerosol	Impact Hard	Empty Hand	CEW	Canine	Calls for Service	Total Use of Force Reports
2010	24	170	12	7	60	30	20	213	271
2011	21	194	13	2	45	23	22	205	285
2012	19*	190	12	1	35	34	15	217	277

**This number will be higher than reported. There have been police reported shootings that are under investigation by SIU and the Use of Force Report is yet to be not submitted for the Dec 2012 event.*

More than one use of force option may be used during a single incident /call for service.

Rationale for Deployment

	Officer Safety	Effect Arrest	Destroy Animal	Accidental
2010	64	139	24	0
2011	113	123	21	0
2012	99	115	19	0

For a complete breakdown of 2012 statistics please see Appendix C for details.

Conducted Energy Weapon

Conducted Energy Weapon(CEW) deployments are not required to be reported separately from other use of force options; however the Durham Regional Police reports these occurrences as a means of informing educational decision making.

Reported Deployments	2010	2011	2012
Effective Deployments	28	21	30
Non-effective (poor conduction)	2	2	4
Total Deployments	30	23	34

Subject Behaviour in 2012	2010	2011	2012
Co-operative	0	0	0
Passive Resistant *	0	1	0
Active Resistant	3	3	3
Assaultive	17	12	15
Serious Bodily Harm/ Death	10	7	16

**Passive resistance resulted when CEW was present, subject became complaint, no deployment required.*

For a more detailed breakdown of CEW statistics please see Appendix B.

USE OF FORCE AND THE CHIEF

In the performance of the Chief's duties, the Chief did not discharge his firearm in 2012. The Chief has maintained his use of force training.

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 planning and formative and summative feedback to our members. This information is compiled and compared to current and updated educational objectives as set out by the Police Standards Manual. New updates that address changes to Adequacy Standards are immediately incorporated. One constable is assigned to review all use of force reports and recommend additional education and training if applicable. Reports are analyzed and stored for legal and curriculum review purposes. The 2012 information is attached in Appendix A and is compliant with Regulation 926.

Appendix A

USE OF FORCE / FIREARMS CURRICULUM September 2012 – July 2013

0800hrs	Mental Health Lecture
0900hrs	Empty Hand Tactics & Edged Weapon Defense
1100hrs	O.C. / UOF Reports
1200hrs	Lunch
1300hrs	Excited Delirium / Taser
1400hrs	Cover and Concealment Practical
1500 hrs	Baton Gauntlet

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	Timed Combat shooting
1400hrs	Pistol Drills
1500hrs	Pistol Cleaning and Maintenance

DAY THREE – SCENARIO DAY Off Site at Ritson Public School

0800hrs	Foot work and fundamentals
0900hrs	Open Dynamic Judgmental Scenarios
1200hrs	Lunch
1300hrs	Immediate Rapid Deployment Scenarios
1600hrs	Training Day completion

Appendix B

Yearly Statistics Jan 2009- Dec 2012

Controlled Energy Weapon Device Deployment Statistics

Community Police Office	2009	2010	2011	2012
15 Division	6	1	0	0
16 Division	3	0	1	2
17 Division	14	9	12	16
18 Division	6	11	4	5
19 Division	9	9	5	11
Central Cell Block	0	0	1	0

Deployment Type	2009	2010	2011	2012
Force Presence Only	27	11	10	9
Drive Stun Mode	6	3	7	10
Full Probe Deployment	5	17	7	17

Armed Subjects	2009	2010	2011	2012
Firearm	0	0	0	0
Edged Weapon	10	10	6	6
Blunt Weapon	0	1	1	7
Other	0	2	1	0

Subject Behaviour on Deployment	2009	2010	2011	2012
Co-operative	0	0	0	0
Passive Resistant	0	0	1	0
Active Resistant	2	3	3	3
Assaultive	22	17	12	15
Serious Bodily Harm/ Death	14	10	7	16

Related Injuries*	2009	2010	2011	2012
Subject	0	0	0	0
Officer	0	1	0	0
Third Party	0	0	0	0

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

Please note that some incidents may involve multiple deployment methods. i.e.: initial probe deployment followed up by a drive stun.

Appendix C
Use of Force Report Statistics
 2012

January 1st to December 31st
 DURHAM REGIONAL POLICE SERVICE
 Police Learning Centre- Use of Force Section

Reports	Count
Number of Incidents / Calls for Service	217
Number of Reports	277

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

Use of Force by Incident Type

Incident Type	Count
Robbery	6
Domestic	10
Weapons Call	52
Break and Enter	18
Traffic	11
Animal	17
Suspicious Person	3
Other	100

Use of Force by Type of Force

Type of Force	Count
Firearm (semi-auto .40 cal)	190
Shotgun	5
Rifle	16
C.E.W. (Taser)	34
O.C.	12
Impact Weapon	1
Canine Unit	15
Hand Techniques	35

Reason for Use of Force	Count
Protect Public/Self	99
Effect an Arrest	115
Destroy Animal	19

Persons Injured	Count
Police	1
Subject	37
Third Party	0

Weapon Carried by Suspects	Count
None	69
Handgun	12
Bats/ Clubs	4
Shotgun	7
Rifle	3
Edged Weapon	19
Unknown	78
Other	2

Officer's Length of Service	Count
1-3 years	38
4-7 years	42
8-11 years	45
12 to 15 years	29
15 + years	123