

Classification **PUBLIC**

Meeting **Durham Regional Police Board May 12, 2014**

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.

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**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 academic portfolio 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 portfolio has been certified by the Ontario Police College to provide education and training to all uniform, special constable and auxiliary members in appropriate Use of Force programming for their role. 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 acting 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
- AO-19-005 Lead Control Program

A Ministry mandated 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, escalation-de-escalation, judgmental and rapid deployment scenario based simulations. See the attached Appendix A for the full police officer Use of Force program schedule.

**Individuals Re-qualified in Block in 2013**

DRPS	Auxiliary	TSU	Special Constables	Other Services	Total
*867	69	**15	56	***59	1,066

\*50 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 2013, in addition to Block programming, 160 DRPS ( 102 + 58 new users) front line officers were qualified on the C8 Patrol Rifle, which was a new program introduced in 2011. This program has been extended in 2014, with an anticipated additional qualification of 48 new users for a total of 208. This now means that DRPS regionally has 80% of all patrol vehicles equipped with a rifle qualified member every shift across all platoons.

## 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.

In the fall of 2013 the Ministry of Community Safety and Correctional Services released new recommendations in regard to authorities of use; specifically a move to front line deployment of the device. The PEIC in partnership with Command is actively engaged in the development of the expansion program that will be brought to the Police Services Board early this summer following public engagement sessions.

### CEW 2013 Certification

	DRPS	Cobourg	Total
Recertification	139	2	141
Certification	25	0	25

### Non-Qualifying Members in Block in 2013

There were a total of **61** 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, personal choice 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 Education and Innovation Centre armory at the Operations Training Centre.

In 2013 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.

### Measures Supporting Educational Offerings

In 2013, 86,807 calls for service were made to the DRPS. A closer analysis of this data noted that 4,074 of these calls were responding to calls with a weapon involved. That indicated that 95% of all calls in 2013 were calls without a weapon threat reported. Of the total calls reported force was used in only 0.004% of all calls, which is less than 2012's reported number of 0.006%

Our members only used force in 7.6% of the 4,074 calls where a weapon threat was imminent, which speaks to the excellent judgmental and educational offerings coupled with experience and tactical communication skills in de-escalating situations.

In 2013, out of the 296 UOF reports submitted, only 6 members reported sustaining an injury while engaged in a use of force encounter. That means that 98% of officers that engage in force encounters

utilize safe and effective defensive tactics and UOF techniques to ensure their safety and the safety of others.

### Use of Force Option Deployed 2010-2013

	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
2013	*24	212	7	5	54	34	20	238	296

\* The number also includes shootings from December 2012 which were not available last year at the time of reporting. The total number encompasses 15 for animal destruction, 1 accidental and 8 line of duty discharges.

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

### Rationale for Deployment

	Officer / Public Safety	Effect Arrest	Destroy Animal	Accidental
2010	64	139	24	0
2011	113	123	21	0
2012	99	115	19	0
2013	130	94	15	1

*For a complete breakdown of 2013 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	2013
Effective Deployments	28	21	30	31
Non-effective (poor conduction)	2	2	4	3
Total Deployments	30	23	34	34

Subject Behaviour in 2013	2010	2011	2012	2013
Co-operative	0	0	0	0
Passive Resistant *	0	1	0	0
Active Resistant	3	3	3	3
Assaultive	17	12	15	15
Serious Bodily Harm/ Death	10	7	16	16

*\*Passive resistant results when CEW was present, subject became compliant, 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 2013. The Chief has maintained his use of force qualification.

#### **REVIEW AND EVALUATION**

The Durham Regional Police Education and Innovation Centre have one Sergeant and ten Constables qualified 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 of our members. This information is compiled and compared to current and updated educational outcomes as set out by the Police Standards Manual and the academic direction of the PEIC. New updates that address changes to Adequacy Standards are immediately incorporated.

One constable is assigned to review and compile statistics on all use of force reports and recommends in collaboration with the team, additional education and training if applicable. Reports are analyzed and stored for legal and curriculum review purposes. The 2013 information is attached in Appendix A and is compliant with Regulation 926.

# Appendix A

## USE OF FORCE / FIREARMS BLOCK QUALIFICATION PROGRAM September 2013 – July 2014

0800hrs Pillar Presentation  
0830hrs Euthanizing Animals  
0900hrs O.C. /Search  
1000hrs Empty Hands/Knife Defense  
1200hrs Lunch  
1300hrs Cover and Concealment Practical  
1430hrs Baton  
1500 hrs Baton Gauntlet

### FIREARMS

0800hrs Pistol Lecture and Safety Rules/Vest Inspections  
0900hrs Warm-Up (live-fire)  
0930hrs Re-Qualification Course of Fire  
1100hrs Shotgun Lecture and Re-Qualification Course of Fire  
1200hrs Lunch  
1300hrs Low Light shooting  
1400hrs Moving Target Pistol Drill  
1500hrs Pistol Cleaning and Maintenance

### DAY THREE – SCENARIO DAY Off Site at Ritson Public School

0800hrs Opening and Video  
0900hrs Open Dynamic Judgmental Scenarios  
1100hrs Foot work and fundamentals/One person Entry  
1200hrs Lunch  
1300hrs Immediate Rapid Deployment Scenarios  
1600hrs Qualification program wrap-up / Debrief

# Appendix B

Yearly Statistics  
Jan 2010- Dec 2013

Controlled Energy Weapon Device Deployment Statistics

<b>Community Police Office</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
15 Division	1	0	0	1
16 Division	0	1	2	2
17 Division	9	12	16	20
18 Division	11	4	5	2
19 Division	9	5	11	6
Regional -TSU	2	1	4	3
Central Cell Block	0	1	0	0

<b>**Deployment Type</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
Force Presence Only	11	10	9	12
Drive Stun Mode	3	7	10	5
Full Probe Deployment	17	7	17	17

<b>Armed Subjects</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
Firearm	0	0	0	0
Edged Weapon	10	6	6	11
Blunt Weapon	1	1	7	1
Other	2	1	0	0

<b>Subject Behaviour on Deployment</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
Co-operative	0	0	0	0
Passive Resistant	0	1	0	0
Active Resistant	3	3	3	3
Assaultive	17	12	15	15
Serious Bodily Harm/ Death	10	7	16	16

<b>Related Injuries*</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
Subject	0	0	0	0
Officer	1	0	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  
2013



January 1<sup>st</sup> to December 31<sup>st</sup>  
**DURHAM REGIONAL POLICE SERVICE**  
**Police Education and Innovation Centre- Use of Force Portfolio**

<b>Reports</b>	<b>Count</b>
Number of Incidents / Calls for Service	238
Number of Reports	296

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

**Use of Force by Incident Type**

<b>Incident Type</b>	<b>Count</b>
Robbery	6
Domestic	10
Weapons Call	47
Break and Enter	11
Traffic	12
Animal	15
Suspicious Person	7
*Other	131

**Use of Force by Type of Force**

<b>Type of Force</b>	<b>Count</b>
Firearm (semi-auto .40 cal)	203
Shot gun	4
Rifle (C8)	9
C.E.W. (Taser)	34
O.C.	7
Impact Weapon	5
Canine Unit	20
Hand Techniques	54

<b>Reason for Use of Force</b>	<b>Count</b>
Protect Public/Self	130
Effect an Arrest	94
Destroy Animal	15

<b>Persons Injured</b>	<b>Count</b>
Police	6
Subject	46
Third Party	2

<b>Officer's Length of Service</b>	<b>Count</b>
1-3 years	9
4-7 years	50
8-11 years	45
12 to 15 years	56
15 + years	136

<b>Weapon Carried by Suspects</b>	<b>Count</b>
None	88
Handgun	9
Bats/ Clubs	7
Shotgun	10
Rifle	5
Edged Weapon	16
Unknown	82
**Other	8

All officers with 1-3 years' experience in this report are special constables; given the service has not hired recruits in > 5 years.

\* Other incidents category may include anything that falls outside of the stated types for example: drug related, warrant execution, or attempt suicide.

\*\* Other weapon types may include: pipes, broken beer bottle or any other improvised weapon.