

Classification **PUBLIC**

Meeting **June 13, 2011**

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 have 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

Of the 881 sworn members, 842 trained, re-qualified and complied to carry their use of force options. A total of 39 sworn members were not qualified to carry their use of force options due to maternity leave, sickness, suspension or leave of absence. Member's use of force options that fit in this category are stored and secured at the Police Learning Centre.

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 123 members re-certified while an additional 47 members were trained as new users.

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 appendix for complete training schedule.

3. USE OF FORCE REPORTS

In 2010 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
2008	41	136	16	10	75	38	23	323
2009	21	175	12	9	81	38	54	333
2010	24	170	12	7	60	34	20	271

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

Between 2009 and 2010 there was a decrease of 62 reports. This represents an 18.5% decrease.

Reason for Deployment

	Officer Safety	Effect Arrest	Destroy Animal	Accidental
2008	228	121	39	0
2009	106	149	21	0
2010	64	139	24	0

Firearm discharges primarily for the purposes of destroying injured animals went up slightly in 2010 as compared to 2009 (21 in 2009 vs 24 in 2010). This represents a 14% increase.

The number of incidents where a firearm was drawn without discharging dropped slightly from 154 in 2009 to 146 in 2010. This represents a 5% decrease.

Conducted Energy Weapon

The approved OPC-Form 47 Use of Force report does not have a separate section for Conducted Energy Weapon (CEW). Although the use of a CEW is included in the “other” category on the form, it is available for reporting.

Reported Deployments	Count	Subject Behaviour	Count
Effective Deployments	28	Co-operative	0
		Passive Resistant	0
Non-effective (clothing/distance)	2	Active Resistant	3
		Assaultive	17
Total Deployments	30	Serious Bodily Harm/ Death	10

Reported Deployments	2008	2009	2010
Effective Deployments	44	38	28
Non-effective (poor conduction)	2	0	2
Total Deployments	46	38	30

4. USE OF FORCE AND THE CHIEF

In the performance of the Chief’s duties, the Chief did not discharge his firearm in 2010. 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 2010 information is attached and is compliant with Regulation 926.

6. USE OF FORCE REPORT

The DRPS 2010 Use of Force Report follows:



Use of Force Report Statistics
2010
January 1st to December 31st

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

Reports	Count
Number of Incidents	221
Number of Reports	271

**(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	4
Domestic	15
Weapons Call	31
Break and Enter	5
High Risk Arrest	2
Traffic	19
Animal	20
Suspicious Person	12
Other	113

Use of Force by Type of Force

Type of Force	Count
Firearm (semi-auto .40 cal)	170
Shot gun	3
Rifle	0
C.E.W. (Taser)	34
O.C.	12
Impact Weapon	7
Canine Unit	20
Hand Techniques	60

Reason for Use of Force	Count
Protect Public/Self	64
Effect an Arrest	139
Destroy Animal	24
Other	0

Persons Injured	Count
Police	12
Subject	46
Third Party	0

Officer's Length of Service	Count
1-3 years	66
4-7 years	42
8-11 years	67
12 to 15 years	15
15 + years	82

Weapon Carried by Suspects	Count
None	93
Handgun	5
Bat/Club	3
Shotgun	0
Rifle	2
Edged Weapon	16
Unknown	75
Other	5



Taser/ Electronic Control Device Deployment Statistics

Yearly Statistics

2007- January 1st - December 31st
2008- January 1st - December 31st
2009- January 1st - December 31st
2010- January 1st - December 31st

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

Reported Deployments	2007	2008	2009	2010
Region Wide Total	46	42	38	30
Effective Deployments	44	40	38	28
Non-effective (poor conduction)	2	2	0	2

Community Police Office	2007	2008	2009	2010
15 Division	3	0	6	1
16 Division	1	4	3	0
17 Division	11	19	14	9
18 Division	6	6	6	11
19 Division	19	10	9	9
Deployments involving TSU	6	2	9	3
Central Cell Block	6	3	0	0

Deployment Type	2007	2008	2009	2010
Force Presence Only	10	18	27	11
Drive Stun Mode	23	10	6	3
Full Probe Deployment	15	15	5	17

Armed Subjects	2007	2008	2009	2010
Firearm	0	0	0	0
Edged Weapon	6	6	10	10
Blunt Weapon	1	2	0	1
Other	0	1	0	2
Total	7	9	10	12

Subject Behaviour on Deployment	2007	2008	2009	2010
Co-operative	0	0	0	0
Passive Resistant	0	0	0	0
Active Resistant	8	6	2	3
Assaultive	33	28	22	17
Serious Bodily Harm/ Death	5	8	14	10

Related Injuries*	2007	2008	2009	2010
Subject	0	1**	0	0
Officer	0	0	0	1
Third Party	0	0	0	0

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

***minor*



Appendix

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 at Donevan Collegiate for remainder of day.
1600hrs	Training Day completion