

Policy Type: **Executive Limitations**

Policy Title: **Use of Force and Weapons**



Policy Statement

The Board recognizes that statutory and common law confer upon the police the authority to use force, even deadly force, in the execution of their duties. This authority must be accorded the highest levels of respect and accountability in order to retain the trust and confidence of the community. The use of force must therefore be necessary, proportional and reasonable in the specific circumstances, recognizing that dynamic situations that police officers must confront. The Board is committed to ensuring that the highest value is placed upon the protection of life and the safety of DRPS members and the public. The Board embraces and asserts the highest standards of performance, training, accountability and transparency as it relates to the use of force by members. De-escalation of situations that may have the potential for violence will feature prominently in education for members.

Policy Application

1. A police officer shall not use force unless:
 - a. the force is used for the purpose of carrying out a duty;
 - b. the officer is entitled by statute or common law to use force for the purpose of carrying out that duty;
 - c. the officer is acting on reasonable grounds; and
 - d. the force used is no more than is necessary given the circumstances.

2. The Chief of Police shall ensure that:
 - a. Every member of the Police Service who may be required to use force on another person is in compliance with prescribed training requirements on the use of force.
 - b. Before a firearm is issued to a member of the Police Service, the member is in compliance with the applicable training requirements prescribed by the Minister and is competent in the use of the firearm.

- c. Every member of the Police Service who is authorized to carry or use a firearm is in compliance with the prescribed training requirements on the use of firearms.
- d. Every member of the Police Service who is authorized to carry or use a weapon that is not a firearm is in compliance with the prescribed training requirements on the use of the weapon.
- e. Records are maintained of the training taken by members of the Police Service on the use of force, the use of firearms and the use of weapons that are not firearms and of when each training was taken.
- f. All weapons authorized and distributed for use within the Service adhere to the technical specifications in Ontario Regulation 391/23 – Use of Force and Weapons.
- g. Provide the Minister, within 30 days of authorizing a member of the Police Service to carry a firearm under subsection 3(2) of Ontario Regulation 391/23 (Use of Force and Weapons), a report identifying:
 - i. the type of firearm;
 - ii. the ammunition that may be used with the firearm; and
 - iii. the special purpose for which the firearm is authorized to be carried.
- h. Use of Force reports are submitted to the Minister in accordance with the Regulation, and within 60 days of an incident that requires the submission of a report.
- i. If a member unintentionally or intentionally, except on a target range or in the course of ordinary weapon maintenance, discharges their firearm, immediately cause an investigation to be made into the circumstances and file a report with the Board.
- j. Immediately cause an investigation and file a report to the Board where a member, by the discharge of a firearm in the performance of his or her duty, kills or injures another person.
- k. The Board is promptly informed when the Chief of Police discharges a firearm in the performance of the Chief's duties. The Board shall cause an investigation to be made into the circumstances should such an incident occur.
- l. Ongoing review and evaluation of local use of force procedures, training and reporting occurs.

Reporting

The Chief of Police shall provide a copy of the Service's annual Use of Force report to the Board, which shall include:

- The number of use of force incidents and reports
- A description of the type of force used
- Time of day of the use of force

- The number of armed and unarmed subjects
- The unit the member worked in at the time the use of force occurred
- The number of years of service the member had at the time the use of force occurred
- Member injuries and subject injuries related to use of force incidents
- The perceived race of the subject of the use of force
- Details of de-escalation training provided to member and the number of members who received such training.

Data shall be provided for the five previous years where applicable, to enable comparisons.

The Chief of Police shall further provide any other relevant information that may assist the Board in understanding the application of the use of force and possible trends. The Board shall make the report available to the public.