



REPORT TO THE POLICE SERVICES BOARD

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Type of Report: Public

Title: Equipment and Use of Force Regulation

RECOMMENDATION

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

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 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 (DRPS) shall reference the provisions of [Regulation 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 judgment, officer safety, theories relating to the use of force, and practical proficiency. They shall meet the prescribed timelines, which includes re-certification once every twelve 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 (excluding a member of the police force who is on-duty), points a firearm at a person or discharges a firearm, uses a weapon other than a firearm on another person, or applies physical force on any person that results in an injury requiring medical attention.

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

EQUIPMENT AND FORCE OPTIONS

The DRPS Education and Training Centre (ETC) – Use of Force (UOF) unit is responsible for the issuance and maintenance of all use of force options, weapons and devices as specified in this Regulation. Each member of the UOF cadre 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 curriculums 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 Model 22 handgun with three magazines and 45 rounds of ammunition;
- Tactical, expandable baton;
- Oleoresin capsicum spray (OC or pepper spray);
- Handcuffs; and,
- TASER X2 Conducted Energy Weapon (CEW) with two cartridges.

Other options available to members, based on qualifications and position, include:

- Remington 870, 12-gauge shotgun with six shells of 00 buckshot.
- Colt C8A2 patrol rifle, with four magazines and 112 rounds of ammunition.

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

- LT-05-002 Police Use of Force
- AO-19-003 Police Uniforms Equipment Dress and Appearance
- AO-19-006 Conducted Energy Weapons
- AO-19-012 Uniform and Equipment Issue and Return
- AO-19-005 Lead Control Program
- In addition to provisions within the Policing Standards Manual (2000)

A reporting structure, mandated by the Ministry, is in place for 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 during an encounter or incident, their appropriateness in the specified situation, and ultimately to inform educational programming; individual training deficiencies or systemic trends may be gleaned from analysis of this documentation. All members who are currently issued use of force options, or are required to carry them in accordance with their duties, are requalified or refreshed annually in accordance with Adequacy Standards from the provincial government.

USE OF FORCE PRACTICAL SKILLS PROGRAM - BLOCK TRAINING

The annual use of force/practical skills curriculum for sworn officers, also known as block training, is a program that includes requalification on the Service's handgun, shotgun, CEW, ASP baton, OC spray and a new program introduced in 2021 and continued in 2022 (Stop the Bleed Tourniquet Program). It is complimented by a review and reassessment of firearm principles and techniques, defensive tactics (including empty-hand techniques and ground-control measures), judgmental assessment (including de-escalation), tourniquet application and immediate rapid deployment scenario-based simulations for active threats. Block training is a two-day, intensive program, moving to a three-day program in fall of 2023.

Auxiliary and Special Constables participate in their own annual block training programming which is specific to their scope of responsibilities as outlined in the PSA and adequacy standards, which includes participation in judgmental scenarios that are specifically tailored to their working environments and available force options. Block training for these members is a single day, annually.

Individuals Qualified or Re-qualified at Block Training in 2022					
Sworn	Auxiliary	TSU	Special Constable	Other Services	Total
891*	79**	18	41	0	1029

* Includes 63 *Constables in Training* (CIT).

**No new Auxiliary members in 2022.

Tactical Support Unit (TSU) officers were re-certified within their own unit with their own *internal* training cadre.

NON-QUALIFIED MEMBERS

There were 82 members that were unable to complete their annual block training for a variety of reasons, which include, but are not limited to: leave of absence, injury, secondment, or health-related accommodation.

Members who have not completed the block training program have their force options stored and secured at the Operations Training Centre. These items are re-issued upon successful achievement of the provincial standards.

USE OF FORCE PROGRAM - PATROL RIFLE

In 2022, 233 sworn officers were qualified or *re-qualified* on the C8 Patrol Rifle secondary weapon platform.

	2018	2019	2020	2021	2022
Re-qualified (1 day)	134	157	97	99	179
New User (2 days)	31	35	12	32	54
Total Qualified	165	192	109	131	233

USE OF FORCE PROGRAM - CONDUCTED ENERGY WEAPONS (CEW)

Since 2005, CEWs have been deployed to sworn members as a use of force option. In 2016, Chief Martin authorized all front-line members to carry CEWs in response to the Ministry of Community Safety and Correctional Services recommendations regarding a move to front-line deployment of the device.

	Total
Re-qualified	672
New User	67
Total Qualifications in CEW X2	739

All sworn police recruits and experienced officer hires are qualified to use CEW, prior to concluding their initial onboarding/training with the UOF cadre, prior to being deployed to their front-line patrol assignments.


Since January 2019, CEW requalification has been included in the two-day block training for operational and training efficiency.

MEASUREMENT OF EFFECTIVENESS - USE OF FORCE PROGRAM

In 2022, the DRPS responded to 204,509 calls for service. In only 222 incidents did our officers use force to a degree that met the threshold for reporting (313 reports submitted – higher number of report to incidents is due to multiple reports for singular incidents). This comprises 0.1% of the total number of dispatched calls. Furthermore, this does not take into account many other aspects of officer contact with the public - for example traffic stops or personal interactions. This statistic continues to speak to the professional, strategic and purposeful manner in which our officers engage the members of our community on a daily basis, as well as their commitment to making the Region of Durham the safest community to live, work and play. It is also a testament to the training provided to our officers and the transferability of our training techniques from the classroom to the street.

In 2022, out of the 313 use of force reports submitted, only 1 member reported sustaining an injury while engaged in an encounter or incident.

Of those incidents requiring reports, 22 involved injury to a subject, and 2 to a third party. A significant decrease from 2021, Ministry standardized use of force reporting introduced in 2020 has broadened the scope of catchment to include injuries sustained *per individual* (up to three/report) as opposed to previous *per incident* reporting structure. Reports submitted after January 2023 have been broadened even further, and this may reflect statistics in later 2023.

 *Subject injuries may not be related to the use of force encounter, and may include injuries the individual had sustained prior to interacting (2with officers).*

FORCE OPTIONS DEPLOYED 2018-2022

	Discharge Firearm	Draw Firearm	Aerosol	Impact Hard	Empty Hand	CEW	Canine	UOF Incidents	UOF Reports
2018	35	87	2	0	18	100	3	245	324
2019	22	174	5	2	19	109	8	312	409
2020	11	24	3	1	9	88	22	256	384*
2021	14	36	1	1	9	107	13	247	362*
2022	7	61	2	1	7	105	9	222	313*

* Variance is the result of multiple officers attending the same call for service.

RATIONALE FOR DEPLOYMENT OF FORCE OPTIONS

	Officer / Public Safety	Effect Arrest	Destroy Animal	Accidental
2018	154	51	33	7
2019	151	118	21	11
2020	173 / 118	189	11	10
2021	187	182	14	10
2022	194/158	183	11	6*

*6 unintentional CEW discharges in 2022. All CEW unintentional discharges occurred in the weapons room of a police facility. In all cases, there were no injuries. All members involved were debriefed as a result and none have had a recurrence.

CONDUCTED ENERGY WEAPONS

CEW deployments are not required to be reported separately from other use of force options; however, the Durham Regional Police tracks these occurrences as a means to inform decision making with respect to education and training.

For a complete list of all CEW statistics for 2022, refer to **Appendix A**.

Reported Deployments	2018	2019	2020	2021	2022
Effective Deployments	87	87	72	76	84
Non-effective	13	21	16*	31	21
Total Deployments	100	109	88	107	105

* includes 4 unintentional discharges.

USE OF FORCE AND THE CHIEF

In the performance of the Chief's duties, the Chief did not discharge his firearm in 2022. The Chief has maintained his use of force qualification.

REVIEW AND EVALUATION

The ETC Use of Force unit is staffed by one Sergeant and ten Constables. In 2022, the Sergeant role was executed by the full-time sergeant as assigned, augmented with an acting sergeant to support operations in the absence of the confirmed Sergeant.

Use of Force Instructors are certified by the Ontario Police College and Ministry. Their responsibilities include the ongoing evaluation of training techniques, re-qualification on force options by all members, safety principles, lesson planning and delivering constructive feedback for learners.

The unit stays current on contemporary trends in policing, analyzes internal statistical data, consults external agencies for best practices and reviews legal decisions relating to the application of force; all information and factors are assessed yearly during the process of developing block training, while concurrently comparing the curriculum to current objectives and standards as set out by the Police Standards Manual and the academic direction of the Education and Training Centre. New updates that address changes to Adequacy Standards are immediately incorporated.

Reports are analyzed and stored for legal and curriculum review purposes within the Education and Training Centre.

APPENDIX A - CEW DEPLOYMENT STATISTICS

⚠ Effective 1 January 2023, the Ministry of the Solicitor General implemented a new Use of Force reporting structure whereby a standardized electronic form, created by the provincial agency, is to be used by all police services in Ontario and is submitted to the Ministry upon review by the Use of Force Supervisor or their designate.

The new standardized Use of Force report permits weapon/injury input for as many subject entities as required however information in this report reflects 2022 statistics that allowed input for up to the *three subjects*. To this end, '**Armed Subjects**' and '**Injuries**' indicators may be disproportionately inflated for 2022. Where previous annual reporting captured this information on a *per incident* scale, 2022 reporting captures this information *per individual*.

Community Police Office	2018	2019	2020	2021	2022
North	7	7	4	0	0
East	18	6	10	6	5
Central East	32	38	30	25	31
Central West	16	17	14	15	15
West	21	35	23	28	48
TSU	0	3	2	4	2
Central Cell Block	1	0	2	1	0
K9	1	0	1	2	0
DEU/GEU/OMU/MCU	3	2	0	0	0
Courts	1	0	0	0	0

* Variance is the result of multiple officers attending the same call for service completing multiple reports for the same incident.

Deployment Type	2018	2019	2020	2021	2022
Force Presence Only	57	54	49	38	64
Drive Stun Mode	9	10	3	4	2
Full Probe Deployment	34	34	36*	40	18

* Variance is the result of multiple officers attending the same call for service completing multiple reports for the same incident.

** 1 was a 3-Point Contact Deployment **TOTAL = 84**

Armed Subjects	2018	2019	2020	2021	2022
Firearm	0	1	19	8	57
Edged Weapon	19	27	34	45	50
Blunt Weapon	2	1	3	0	12
None	56	32	138	160	77
Unknown (weapon is presumed)	12	34	81	59	57
Other (ie: weapon of opportunity)	5	5	27	25	23

Subject Behaviour	2018	2019	2020	2021	2022
Co-operative	0	0	REMOVED BY MINISTRY FOR 2020	REMOVED BY MINISTRY FOR 2021	REMOVED BY MINISTRY FOR 2022
Passive Resistant	0	0			
Active Resistant	3	3			
Assaultive	69	58			
Serious Bodily Harm/ Death	22	37			

Injuries	2018	2019	2020	2021	2022
Subject	3	8	67	56	22
Officer	1	4	18	42	1
Third Party	0	1	2	6	2

Block Training Program – September 2022 – July 2023

Defensive Tactics Training

0800-0815 – Introduction, Safety Briefing and Overview
 0815-0930 – CEW and Cartridge Deployments
 0930-0945 – Break
 1000-1200 – Empty Hand Tactics – Ground Defenses – Baton, OC, and Transitions to be covered
 1200-1300 - Lunch
 1300-1430 - Stop the Bleed (Phase 2) Scenarios and Training
 1430-1445 - Two (2) Judgmental Scenarios (two-officer scenarios)
 1545-1615 - Debrief, Equipment Replacement, Dismissal

Firearms Training Program

0800-0900 – Safety Briefing and Pistol Lecture
 0900-0930 – Pistol Warm-Up Courses of Fire
 0930-1030 – Provincial Pistol Requalification
 1030-1045 – Break (Longer Break to address any remedial issues or reshoots)
 1100-1200- Shotgun
 1200-1300 – Lunch
 1300-1600 – C8 Carbine Requalification and Courses of Fire
 1600-1615 – Debrief and Dismissal – post-weapon cleaning

Report Approval Details

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Attachments:	
Final Approval Date:	May 10, 2023

This report and all of its attachments were approved and signed as outlined below:

Joseph Maiorano

A handwritten signature in black ink, appearing to read 'Peter Moreira', with a stylized flourish at the end.

Peter MOREIRA