

PUBLIC

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

APRIL 25, 2018

Use of Force Statistics

RECOMMENDATION

1. That the Board receive this report pursuant to Use of Force Board Policy No. 01/14.

SYNOPSIS

As per the Board's Use of Force Policy No. 01/14, a summary of the statistical information collected along with identified trends and issues related to Use of Force during 2017 are contained in this report.

FINANCIAL IMPLICATIONS

Not applicable.

BACKGROUND

Police officers are authorized to use a range of use of force options in response to an event or incident in order to protect life, preserve the peace, prevent crimes, maintain order and apprehend suspects.

When an incident occurs and an officer uses any of these force options, a Use of Force Report must be completed. Depending upon the number of officers involved, there may be several Use

of Force Reports submitted for each incident. The Use of Force Report provides a province-wide standardized method for the collection of local data by individual police services from use of force incidents that occur as a result of the day-to-day operations of a police service.

The authority and direction to collect use of force information are found in the Policing Standards Manual (AI-012), the *Police Services Act* (O. Reg. 926 s. 14.5) and York Regional Police Use of Force Procedure (AI-012/AI-014). In accordance with the Policing Standards Manual and the *Police Services Act*, York Regional Police Use of Force Procedure (AI-012/AI-014) states, in part, the following:

A member shall submit a Use of Force Report when:

- a) a member draws 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. A member of the public includes a suspect or arrested person;*
- b) a member uses a weapon other than a firearm on another person;*
- c) a Conductive Energy Weapon is unholstered and displayed in the demonstrated force presence mode; or*
- d) a member uses physical force on another person, not in relation to training conducted by the Training and Education Bureau, that results in an injury requiring medical attention.*

After a Use of Force Report is submitted by an officer, the member's immediate supervisor reviews it. The report is then forwarded to the Training and Education Bureau and then to the Use of Force Review Committee. The Use of Force Review Committee is comprised of the Officer-in-Charge of the Training and Education Bureau, a Staff Sergeant in the Training and Education Bureau, a Sergeant in the Practical Skills Unit, the Practical Skills Training Analyst, a Duty Inspector and a Patrol Sergeant.

York Regional Police Use of Force Procedure (AI-012/ AI-14) sets out the duties of the Use of Force Review Committee as follows:

The Use of Force Review Committee shall:

- a) meet quarterly and review a Use of Force summary;*
- b) evaluate procedures relating to:*
 - (i) drawing, exhibiting and discharging of a firearm; and*
 - (ii) use of force.*
- c) evaluate training methods;*
- d) annually produce a Use of Force Study that provides critical use of force data and trends which does not contain information that identifies reporting police officers;*
- e) direct the findings of the Use of Force Study to:*
 - (i) the Chief of Police;*
 - (ii) the Deputy Chief of Operations; and*
 - (iii) the Deputy Chief of Administration.*

The Training and Education Bureau compiles the data collected from the Use of Force Reports and this information is used to establish trends and identify problems that may be corrected through training or other administrative procedures.

Summary of the 2017 Use of Force Study:

- In 2017, York Regional Police members had 372,892 interactions with members of the public. These included traffic stops, citizen generated calls for service and officer initiated contacts. Of these interactions, 224 resulted in the submission of Use of Force Reports. Consequently, only 0.06 percent of police interactions with the public resulted in a Use of Force Report being submitted. In comparison, 234 incidents were submitted in 2016. There was a 4.27 percent decrease of the number of incidents requiring Use of Force Reports from 2016 to 2017.
- The following is a five year comparison of the total number incidents where Use of Force Reports were submitted:
 - 2013 – 161
 - 2014 – 165
 - 2015 – 293
 - 2016 – 234
 - 2017 – 224
- A total of 224 use of force incidents, recorded on 333 Use of Force Reports were filed in 2017, involving a total of 1,036 officers. In 2016, there were 234 use of force incidents, recorded on 337 Use of Force Reports submitted, involving a total of 733 officers. This change reflects a 4.27 percent decrease of the number of incidents requiring Use of Force Reports from 2016 to 2017 and a 41.2 percent increase in the number of officers involved in incidents that required Use of Force Reports (Chart 1). The factors contributing to the increase are described in more detail within the Trending Section of this Report.
- The humane dispatching of injured animals decreased in 2017 (25 incidents in 2017 compared to 46 incidents in 2016).
- The displaying of firearms increased in 2017 (206 incidents in 2017 compared to 169 incidents in 2016).
- Displaying a Conducted Energy Weapon (CEW) decreased (39 incidents in 2017 compared to 52 incidents in 2016). The displaying of CEW effectively works to de-escalate incidents and minimize the potential for injury to the community and officers.
- In 2017, there were 60.1 incidents requiring Use of Force Reports for every 100,000 demands for service. In 2016, there were 69.4 incidents requiring Use of Force Reports for every 100,000 demands for service. This represents a 13.4 percent decrease of incidents requiring Use of Force per 100,000 demands for service, from 2016. This can be attributed to a 47.8 percent decrease in humane dispatching of injured animals and a 18.7 percent decrease in CEW use.
- The following is a five year comparison of the total number of incidents where a Use of Force Report was submitted for every 100,000 calls for service.
 - 2013 – 45.7 per 100,000
 - 2014 – 45.2 per 100,000
 - 2015 – 83.5 per 100,000
 - 2016 – 69.4 per 100,000
 - 2017 – 60.1 per 100,000

- The types of calls for service resulting in use of force were varied in 2017 as it was in 2016. The percentage of calls that officers responded to that resulted in the submission of a Use of Force Report is as follows in Chart 1.

Chart 1

Types of Calls for Service			
	2016	2017	Variance (%)
			1 Year
Animals	46	25	-45.7%
Assaults	6	9	50.0%
Break and Enters	28	29	3.6%
Domestic Disputes	16	25	56.3%
Emotionally Disturbed Persons	45	34	-24.4%
Other Disturbances	17	9	-47.1%
Robberies	8	24	200.0%
Search Warrants	3	5	66.7%
Suspicious Persons	3	9	200.0%
Traffic Stops	10	15	50.0%
Weapons	105	100	-4.8%
Other*	49	59	20.4%

*Other includes: Theft of Vehicle, Wanted Person, Intoxicated Person, Negligent discharges and various other arrests.

- In 2017, 95.0 percent of all use of force incidents involved more than one officer. In 2016, 60.1 percent of all use of force incidents involved more than one officer; this represents a 58.10 percent increase over last year.
- Members draw their firearms when they believe on reasonable grounds that it is necessary to protect against loss of life or serious bodily harm, or to destroy an animal. In 2017, firearms were drawn and pointed at a person 206 times, compared to 178 times in 2016. This represents a 15.7 percent increase. This increase can be directly attributed to better uniform response, management of weapons calls and arrests of subjects during break and enter calls.
- The above-mentioned incidents include; weapons calls, silent 911 calls, robbery calls, break and enter calls, armed and suspicious person calls, high risk search warrants and high risk vehicle stops.
- In 2017, a total of 27 incidents resulted in 33 firearm rounds being discharged. 25 of these incidents were required to humanely destroy injured animals, and one incident involved an accidental/negligent discharge in the course of storing the firearm in a police facility.
- The remaining incident where firearms were discharged was a fatal police involved shooting related to a hostage situation at a bank in the City of Vaughan. As per the *Police Services Act*, any time there is an incident involving the police where there has been a death, this incident is being examined by the Special Investigations Unit.

- In 2016, 46 incidents resulted in 69 firearm rounds being discharged. In all of the 2016 incidents, firearms were discharged to humanely dispatch injured animals. In 2017 there has been a 45.7 percent decrease in the total number of incidents involving the discharge of firearms over last year.
- The decrease related to the humane dispatch of ill or injured animals continues to be attributed to the Regional Municipality of York Police Services Board sending a letter in 2016 to the Ministry of Natural Resources and Forestry and our nine municipalities advising York Regional Police would no longer respond to complaints related to sick or injured animals that do not pose a risk to public safety. An exception would be if the animal is injured in relation to a motor vehicle collision.
- In 2017, 96 use of force incidents involved a suspect armed with a weapon, compared to 73 use of force incidents in 2016. This represents a 31.5 percent increase in the number of use of force incidents involving suspects armed with weapons.
- In 2017, officers encountered suspects armed with a weapon in 96 of 224 use of force incidents which represents 43.0 percent of the incidents. The most common weapons encountered were edged weapons at 49.0 percent and firearms at 31.3. Comparatively, in 2016, officers encountered suspects armed with a weapon in 73 of 234 use of force incidents which represents 31.2 percent. The most common weapons encountered were edged weapons at 41.1 percent and firearms at 23.2 percent.
- In 2017, officers were confronted with edged weapons a total of 47 times versus 30 times in 2016 representing a 56.7 percent increase.
- In 2017, CEWs were used (drawn, displayed, and discharged) a total of 61 times by front line officers and members of the Emergency Response Unit (ERU) compared to 75 times in 2016. This represents a decrease of 18.7 percent.
- In 2017, there were 2,329 emotionally disturbed persons apprehended. In these incidents there were only 34 requiring a Use of Force report which represents 13.9 percent of the incidents. In 2016, there were 1,983 emotionally disturbed persons apprehended. In these incidents there were 45 requiring a Use of Force report which represents 19.1 percent of the incidents. This represents an increase of 17.4 percent in apprehensions with a decrease of 24.4 percent of incidents requiring the submission of reports.
- There are several factors that contribute to the success of a canine assisted arrest of a subject. In 2017, there were 14 incidents requiring a Use of Force report where Canine was utilized as an option to assist in officers in the arrest of a subject versus 16 times in 2016 representing a 12.5 percent decrease. This decrease can be attributed to subjects hiding as a result of improved front line response and having less time to escape prior to officers arriving.

The chart below illustrates the variety of use of force options that were employed by officers during the past two years.

Chart 2

Type of Force Used			
Use of Force Option	2016	2017	Variance (%)
			1 Year
Firearm Discharged	46	27	-41.3%
Firearm Pointed at Person	135	167	23.7%
Firearm Drawn	34	39	14.7%
Aerosol Weapon	6	3	-50.0%
Impact Weapon – Hard	9	5	-44.4%
Impact Weapon – Soft	1	3	200.0%
Empty Hand – Hard	33	31	-6.1%
Empty Hand – Soft	33	42	31.3%
Conducted Energy Weapon	75	61	-18.7%
Canine	16	14	-12.5%
Other*	0	0	0.0%

*Other includes: Items of opportunity that were accessible to the officer in an emergent situation that were not issued or listed equipment. Examples include: tables, chairs and Muzzle Blast (a Less Lethal Powder Dispersion deployed by ERU)

- In 2017, there were eight officers injured in use of force incidents, compared to seven officers in 2016. This represents a 14.3 percent increase. In each of these instances, the officer’s injuries were minor in nature.
- In 2017, 60 subjects were injured in use of force incidents, compared to 76 subjects in 2016. This represents a 21.1 percent decrease in injuries to subjects. This decrease in the number of reported injuries to subjects in 2017 were primarily as a result of more soft physical control techniques being used to control subjects.
- In 2017, 90.0 percent of the use of force incidents involved uniform personnel and 10.0 percent of officers assigned to plain clothes duties. In 2016, 90.5 percent of the use of force incidents involved uniform personnel and 9.5 percent of officers assigned to plain clothes duties.
- In 2017, the largest percentage (43.0 percent) of use of force incidents took place on a roadway.
- In 2017, 58.3 percent of all use of force incidents took place between 6:00 pm and 6:00 am.

Trending – Use of Force

The following areas were noted as trends in Use of Force categories for 2017:

De-Escalation Strategies – There was a 24.4 percent decrease in incidents requiring the submission of a Use of Force report, despite an increase of 17.4 percent in the apprehension of Emotionally Disturbed Persons. This decrease can be attributed to a greater focus on communicating with people in crisis during the scenarios that formed part of our 2017 annual requalification training.

Empty Hand – Soft – There was a 31.3 percent increase in Soft Empty Hand techniques (physical control) from 2016 to 2017.

Impact Weapon – Hard - There was a 44.4 percent decrease in the use of the Expanded ASP Baton from 2016 to 2017.

Conducted Energy Weapon – There was a 18.7 percent decrease in the reported use of the Conducted Energy Weapon from 2016 to 2017.

Firearms Discharged – There was a 41.3 percent decrease in firearms discharged from 2016 to 2017.

The continued decreases in the various uses of force can be attributed to officers using de-escalation methods more effectively, as opposed to using a higher level of force option. As well, better scene management and utilization of resources continue to contribute to the decrease.

The Training and Education Bureau continues to monitor information provided by the Use of Force Review Committee in order to adapt practical skills training where required. This is often conducted through firearms skills, defensive tactics and scenario-based training exercises, that emphasize de-escalation and communication. This skills-based training is delivered on the Annual Uniform Requalification Training Program. Through data gathered from the Use of Force Reports, the Training and Education Bureau is able to provide officers with the knowledge and skills based training required to protect the public and themselves.

Recommendations

The continued ongoing commitment to de-escalation techniques and training will continue to be a focus of practical skills training.

The Use of Force Review Committee will continue to review all Use of Force Reports and assess the circumstances and outcomes for trends and patterns. This information will be integrated into various training opportunities to ensure members are properly prepared to deal with situations that arise requiring the appropriate tactical considerations.

The Province of Ontario does not compile yearly use of force statistics. York Regional Police is required by the Province of Ontario to complete Use of Force Reports, but there is no requirement to submit these reports unless requested.

In conclusion, the review of the processes and methods that York Regional Police employ in reporting and dealing with use of force incidents are in compliance with the Policing Standards Manual, the *Police Services Act* and York Regional Police Use of Force Procedure (AI-012).

EJ:bg

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Accessible formats or communication supports are available upon request