

PUBLIC

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

APRIL 22, 2020

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 2019 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 on 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, an Inspector in the Real Time Operations Center 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;*
 - (iii) the Deputy Chief of Administration;*
 - (iv) the Deputy Chief of Investigations;*
 - (v) the Deputy Chief of Support.*

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

Summary of the 2019 Use of Force Study:

- In 2019, members of York Regional Police had 486,027 interactions with members of the public. These included traffic stops, citizen generated calls for service and officer initiated contacts. Of those interactions, 242 resulted in the submission of Use of Force Reports. Consequently, only 0.0005 percent of police interactions with the public resulted in a Use of Force Report being submitted. In comparison, 210 incidents were submitted in 2018. There was a 15.2 percent increase of the number of incidents requiring Use of Force Reports from 2018 to 2019.
- The following is a five year comparison of the total number of incidents where Use of Force Reports were submitted:
 - 2015 - 293
 - 2016 - 234
 - 2017 - 224
 - 2018 - 210
 - 2019 - 242
- A total of 242 use of force incidents were recorded on 409 Use of Force Reports that were filed in 2019, involving a total of 1,804 officers. In 2018, there were 210 use of force incidents that were recorded on 342 Use of Force Reports submitted, involving a total of 1,440 officers. This change reflects a 15.2 percent increase of the number of incidents requiring Use of Force Reports from 2018 to 2019 and a 25.3 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 increased in 2019 (36 incidents in 2019 compared to 20 incidents in 2018).
- Displaying a Conducted Energy Weapon (CEW) decreased (47 incidents in 2019 compared to 59 incidents in 2018). The displaying of CEW effectively works to de-escalate incidents and minimize the potential for injury to the community and officers.
- In 2019, there were 49.8 incidents requiring Use of Force Reports for every 100,000 demands for service (Rate). In 2018, there were 52.5 incidents requiring Use of Force Reports for every 100,000 demands for service. This represents a 5.14 percent decrease of incidents requiring Use of Force per 100,000 demands for service, from 2018. This can be attributed to a decrease in the use of the Conducted Energy Weapon (CEW), a decrease in the use of the Baton (Impact weapon) and a decrease in the use of physical control tactics that would have previously required the submission of a Use of Force report.

- 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.
 - 2014 – 45.2 per 100,000
 - 2015 – 83.5 per 100,000
 - 2016 – 69.4 per 100,000
 - 2017 – 60.1 per 100,000
 - 2018 – 52.5 per 100,000
 - 2019 – 49.8 per 100,000
- The types of calls for service resulting in use of force were as varied in 2019 as it was in 2018. 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			
	2018	2019	Variance (%)
			1 Year
Animals	20	36	80.0
Assaults	3	2	-33.3
Break and Enters	15	26	73.3
Domestic Disputes	30	19	-36.7
Emotionally Disturbed Persons	48	47	-2.1
Other Disturbances	5	7	40.0
Robberies	16	26	62.5
Search Warrants	0	3	0
Suspicious Persons	1	26	2500.0
Traffic Stops	15	23	53.3
Weapons	128	167	30.5
Other*	51	29	-43.1

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

- In 2019, 59.2 percent of all use of force incidents involved more than one officer. In 2018, 76.3 percent of all use of force incidents involved more than one officer; this represents a 22.4 percent decrease 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 2019, firearms were drawn and pointed at a person 284 times, compared to 222 times in 2018. This represents a 27.9 percent increase. This increase can be directly attributed to quicker uniform response, better 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 2019, a total of 39 incidents resulted in 95 firearm rounds being discharged. Thirty six of these incidents were required to humanely destroy injured animals. Two incidents were related to a police involved shootings and the last incident involved an accidental discharge in the course of storing the firearm in York Regional Police facility, no injuries were sustained. In 2018, a total of 22 incidents resulted in 39 firearm rounds being discharged. The result is 143.6 percent increase in the total number of rounds involving the discharge of firearms over last year.
- In 2019, 161 use of force incidents involved a suspect armed with a weapon, compared to 116 use of force incidents in 2018. This represents a 38.8 percent increase in the number of use of force incidents involving suspects armed with weapons.
- In 2019, officers encountered suspects armed with a weapon in 161 of 242 use of force incidents which represents 66.5 percent of the incidents. The most common weapons encountered were edged weapons at 47.2 percent and firearms at 36.6 percent. Comparatively, in 2018, officers encountered suspects armed with a weapon in 116 of 210 use of force incidents which represents 55.23 percent. The most common weapons encountered were edged weapons at 63.4 percent and firearms at 20.7 percent.
- In 2019, officers were confronted with edged weapons a total of 76 times versus 74 times in 2018 representing a 2.7 percent increase.
- In 2019, 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 79 times in 2018. This represents an overall decrease of 22.8 percent. Forty seven of these uses of the CEW were “displayed” only. Fourteen of these uses involved deployment of the CEW to assist in gaining control of assaultive persons. There were no accidental/negligent discharges in York Regional Police facilities. In all cases, no injuries were sustained.
- In 2019, there were 3,449 calls regarding emotionally disturbed persons. Of these calls only 47 required the submission of a Use of Force report which represents 19.4 percent of the Use of Force reports submitted in 2019. In 2018, there were 3,191 calls regarding emotionally disturbed persons. Of these calls only 48 required a Use of Force report which represented 22.8 percent of the incidents. This represents an increase of 8.1 percent in the amount of calls for service regarding emotionally disturbed persons with a 2.1 percent decrease 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 2019, there were four incidents requiring a Use of Force report where Canine was utilized as an option to assist officers in the arrest of a subject versus two times in 2018 representing a 100.0 percent increase. This increase can be attributed to the increased size of the Canine Unit providing more support for the front line members as well as the improved front line response times.

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	2018	2019	Variance (%)
			1 Year
Firearm Discharged	22	39	77.2
Firearm Pointed at Person	177	208	17.5
Firearm Drawn	45	76	68.9
Aerosol Weapon	4	4	0.0
Impact Weapon – Hard	4	0	-100.0
Impact Weapon – Soft	2	0	-100.0
Empty Hand – Hard	20	13	-35.0
Empty Hand – Soft	27	13	-51.9
Conducted Energy Weapon - displayed	59	47	-20.3
Conducted Energy Weapon - deployed	20	14	-30.0
Canine	2	4	100.0
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 2019, there were 14 officers injured in use of force incidents, compared to nine officers in 2018. This represents a 55.6 percent increase. In each of these instances, the officer’s injuries were minor in nature.
- In 2019, 46 subjects were injured in use of force incidents, compared to 54 subjects in 2018. This represents a 14.8 percent decrease in injuries to subjects. This decrease in the number of reported injuries to subjects in 2018 are primarily as a result of more efficient physical control techniques being utilized by the police to control subjects.
- In 2019, 86.3 percent of the use of force incidents involved uniform personnel and 13.7 percent of officers assigned to plain clothes duties. In 2018, 86.1 percent of the use of force incidents involved uniform personnel and 13.9 percent of officers assigned to plain clothes duties.
- In 2019, the largest percentage (44.3 percent) of use of force incidents took place on a roadway.
- In 2019, 64.7 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 2019:

De-Escalation Strategies – Although there was a 15.2 percent increase in incidents requiring the submission of a Use of Force report, there was a 14.8 percent reduction in injuries to subjects involved in incidents where the Use of Force is reported. Additionally, while there was an 8.1 percent increase in calls for service related to emotionally disturbed persons, there was a 2.1 percent decrease in incidents requiring the submission of use of force reports. These reductions in injuries to subjects and submissions of reports can be attributed to a greater focus on communication skills and a better use of physical control techniques during the training that formed part of our 2019 annual requalification training.

Physical Control Techniques – There was an average of 43.5 percent decrease in the use of physically controlling subjects from 2018 to 2019.

Impact Weapon ASP Baton – There was a 100.0 percent decrease in the use of the Expanded ASP Baton from 2018 to 2019.

Conducted Energy Weapon – There was a 22.8 percent decrease in the reported use of the Conducted Energy Weapon from 2018 to 2019. This decrease in use can be attributed to better de-escalation strategies being used by front line officers.

The continued decreases in the various uses of force options can be attributed to officers using de-escalation methods more effectively, as opposed to using a higher level use of force option. Additionally, 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, physical control 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, communication skills and the ongoing development of the physical control 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.

As of January 1, 2020 the Province of Ontario is now compiling yearly use of force statistics. York Regional Police is required by the Province of Ontario to complete Use of Force Reports and is now required to submit these reports.

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).

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Accessible formats or communication supports are available upon request