



# Annual Use of Force Report

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TO: Barrie Police Services Board

FROM: Chief Wayne C. FRECHETTE

DATE: January 28, 2008

SUBJECT: 2007 Annual Use of Force Report

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## **BACKGROUND**

Provincial Adequacy Standard #AI-012 requires that the Chief of Police report annually to the Board on the use of force by members of the Service. "Conducted Energy Weapons" (CEW) or TASERS continue to be the subject of controversy and as a result, I have provided some additional data for the Board's information.

"Use of Force" reports are required to be submitted by every member of the Service who uses force in any one of the following situations:

- A firearm is drawn in the presence of a member of the public (excluding other police officers or auxiliary members while on duty or a "ride along" observer);
- A firearm is pointed at any person;
- A firearm is discharged;
- A weapon other than a firearm, including a weapon of opportunity is used on another person;
- A CEW is pointed at a subject to gain compliance; and,
- Physical force is used on a person resulting in an injury requiring medical attention.

Statistics on the use of force are maintained by the Training Unit. The statistics are compiled from the review, evaluation and analysis of mandated "Use of Force" reports and internal "Barrie Police Taser" reports.

## **USE OF FORCE MODEL**

The Province of Ontario provides police services in Ontario with a standard "Use of Force Model." This model depicts the use of force options which are appropriate based on the situation the officer encounters. The model considers that the same situation faced by differing officers may lead to the use of different force options based on the perception of the officers and their individual characteristics. It does not mandate single specific force options; rather it provides a range of options that may be appropriate for the situation based on the subject behaviours.



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## **SUBJECT BEHAVIOURS**

### *Co-operative*

The subject responds appropriately to the officers' presence. Direction and control.

### *Resistant (Passive)*

The subject refuses, with little or no physical action, to cooperate with the officer's lawful direction.

### *Resistant (Active)*

The subject uses non-assaultive physical action to resist, or while resisting, the officer's lawful direction.

### *Assaultive*

The subject attempts to apply, or applies force to any person; attempts or threatens by an act or gesture to apply force to another person.

### *Serious Bodily Harm or Death*

The subject exhibits actions that the officer reasonably believes are intended to or likely to cause serious bodily harm or death to any person.

## **USE OF FORCE OPTIONS**

### *Officer Presence*

While not strictly a use of force option the simple presence of an officer can affect both the subject and the situation.

### *Communication*

An officer can use verbal and non-verbal communication to control and/or resolve the situation.

### *Physical Control (Soft)*

Control oriented techniques including restraining techniques, joint locks and non-resistant handcuffing.

### *Physical Control (Hard)*

Techniques intended to stop a subject's behaviour or allow application of a control technique. Hard control has a higher probability of causing injury and includes empty hand strikes such as punches and kicks.

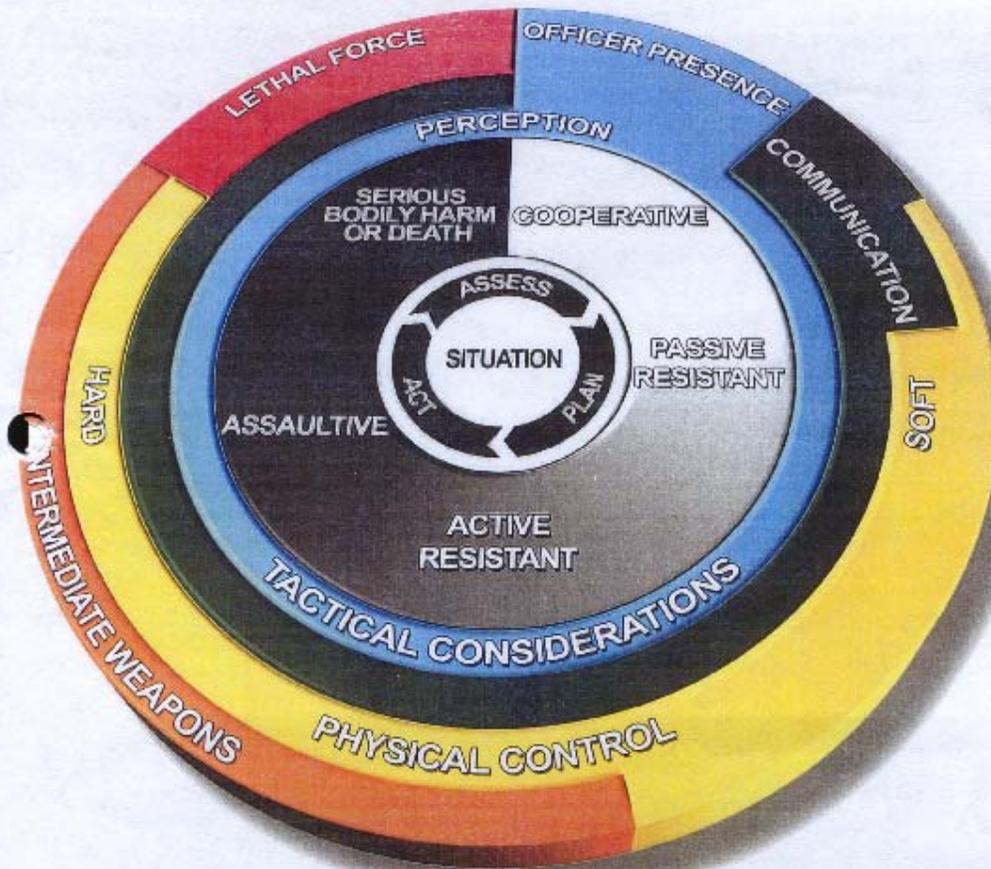
### *Intermediate Weapons*

Force option that involves the use of a less-lethal weapon. Less lethal weapons are those whose use is not intended to cause serious injury or death.

### *Lethal Force*

The use of a force option involving any weapon or technique intended to or reasonably likely to cause serious bodily harm or death.

## Ontario Use of Force Model (2004)



The officer continuously assesses the situation and selects the most reasonable option relative to those circumstances as perceived at that point in time.



## 2006 / 2007 USE OF FORCE STATISTICS ANALYSIS

It should be noted that the "Use of Force" reports do not capture the vast majority of police/subject interactions which are resolved without having to use force at a level requiring the submission of a "Use of Force" report. As well the situations involving use of force are dynamic and many involve the use of more than one use of force option.

- The total number of reports fell (-5%) year to year
  - 2007 - 99
  - 2006 - 104
  
- Communication was effective in resolving an increased number of incidents in 2007
  - 2007 - 23 effective of 67 incidents (34%)
  - 2006 - 8 effective of 55 incidents (15%)
  
- Use of impact weapons (batons) remains very low however its use was effective in each use
  - 2007 - 0 effective of 0 incidents
  - 2006 - 3 effective of 3 incidents (100%)
  
- Physical control remained the most used option and increased slightly in effectiveness
  - 2007 - 29 effective of 49 incidents (59%)
  - 2006 - 33 effective of 61 incidents (54%)
  
- Aerosol use remains very low with moderate effectiveness
  - 2007 - 1 effective of 2 incidents (50%)
  - 2006 - 4 effective of 5 incidents (80%)
  
- Intermediate weapon use declined from 2006 to 2007 but use remained highly effective
  - Conducted Energy Weapons (CEW)
    - 2007 - 29 effective of 31 incidents (94%)
    - 2006 - 38 effective of 43 incidents (88%)
  - ARWEN
    - 2007 - 0 effective of 0 incidents
    - 2006 - 1 effective of 1 incident (100%)
  - Canine
    - 2007 - 3 effective of 3 incidents (100%)
    - 2006 - 3 effective of 5 incidents (60%)



- Use of lethal force options increased 168% from 2006 (32 incidents) to 2007 (54 incidents). These include incidents where a handgun is drawn or a firearm is pointed at a person. There were no discharges of firearms involving persons in either year. All firearms discharges were to destroy injured or dangerous animals.
  - Drawn / Pointed
    - 2007 – 48 effective of 54 incidents (89%)
    - 2006 – 28 effective of 32 incidents (88%)
  - Firearms Discharges
    - 2007 – 3 effective of 3 incidents (100%)
    - 2006 – 4 effective of 4 incidents (100%)
- The number of suspects involved in use of force incidents fell from 2006 to 2007, however, the number of suspects with weapons increased significantly.
  - 2007 – 21 with weapons of 153 suspects (14%)
  - 2006 – 13 with weapons of 224 suspects (6%)
- Injuries to suspects fell from 2006 to 2007 while officer injures increased
  - 2007 - 5 officer / 24 suspect injuries
  - 2006 – 3 officer / 27 suspect injuries

Intermediate weapons are the most effective when dealing with actively resistant / assaultive subjects.

Use of force training covering all use of force options is provided to all members of the Service annually by our training unit.

The rates of effective deployment and relative moderate injury rates indicate members are able to use their knowledge, skills and abilities effectively when confronted with a situation requiring the use of force.

## **CONDUCTED ENERGY WEAPONS**

The Barrie Police Service has been equipping officers with “TASER” conducted energy weapons since 2004 after the Ministry approved the use of the weapon by members of containment teams and front line supervisors.

All officers that carry the TASER are initially required to be trained and qualified in the weapon and they must also re-qualify annually. All training and administration of the TASER program is the responsibility of our Tactical Support Unit.



Late in 2007 the issue of allowing “acting” frontline supervisors to carry TASERs was explored by the service. This issue was considered to be important because of the regular requirement to use constables in an “acting sergeant” position due to holidays, illness, training, etc. Queries were made with the Ontario Police College and numerous other services to determine approval and provincial practice. The College confirmed that issuing TASERs to acting sergeants was well within the intent of the Ministry directive as long as they receive the required training and that they only carry a TASER while engaged as in an acting sergeant capacity. Many other police services confirmed this to be a common occurrence and as a result we are following this practice.

## **OPERATIONAL DEPLOYMENT STATISTICS**

Whenever an officer deploys a TASER during the course of his/her duties, there is an attached reporting requirement. In addition to the Provincial “Use of Force Report,” a TASER Use Form is also required. This form provides additional data pertaining to a TASER deployment that is not contained in the U.O.F. report. This data includes information on the unit used, the cartridge type and serial number, and specifics of the deployment type. There are four deployment types; laser display, spark test, drive stun, or probe deployment. Each TASER also records the number of cycles required, and whether or not the application was successful.

### **DEPLOYMENTS - 2006**

Display	- 12 (of these four were followed by a drive stun or probes)
Spark	- 1
Drive Stun	- 9
Probe	- 21

Seven (7) incidents required multiple applications and five (5) were not effective. Twenty-three (23) of the deployments were by TSU members and twenty (20) were by front line supervisors. (One (1) of which were from Court Services)

### **DEPLOYMENTS - 2007**

Display	- 11
Spark	- 0
Drive Stun	- 12
Probe	- 8

Four (4) incidents required multiple applications and Two (2) were not effective.

\* A provincial use of force report may not be required for an incident involving display or spark test only providing no additional force is used on the subject



Twenty (20) of the deployments were by TSU members and eleven (11) by front line supervisors.

## INCIDENT TYPES

Over the two years contained in this report, TASERs have been used on a variety of incident types. These types include weapons/violent subjects, domestics, disturbances, barricaded persons, emotionally disturbed persons (EDP), warrants, or other criminal incidents.

The following are the numbers of deployments to each of the above incident types;

Weapons/Violent Subjects	– 21
Domestics	- 5
Disturbances	- 19
Barricaded Persons	- 2
EDP	- 16
Warrants	- 5
Other Criminal	- 6

The application of a TASER has to date, never been determined to directly cause the death of any person. What has been determined is that the application of TASER has saved the lives of numerous persons in crisis as well as police officers. They have also reduced the incidence of injury to officers and subjects alike.

It is our experience that the TASER is an extremely valuable use of force option that has been used only in rare circumstances given that our service responded to over 50,000 calls for service in 2007.

WAYNE C. FRECHETTE  
Chief of Police