



## 2009 Annual Use of Force Report

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TO: Barrie Police Services Board  
FROM: Chief Wayne C. FRECHETTE  
DATE: January 25, 2010  
SUBJECT: 2009 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. These Use of Force reports are collected and used only to identify individual and group training requirements, or organizational Use of Force policy requirements.

Barrie Police Officers interact on a daily basis with members of the public in which their issues and concerns are resolved without having to use force at a level that would require the submission of a report as indicated above. There are also times when the interactions are dynamic and more than one use of force option may be required to control and resolve the situation.

### **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.

### **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*

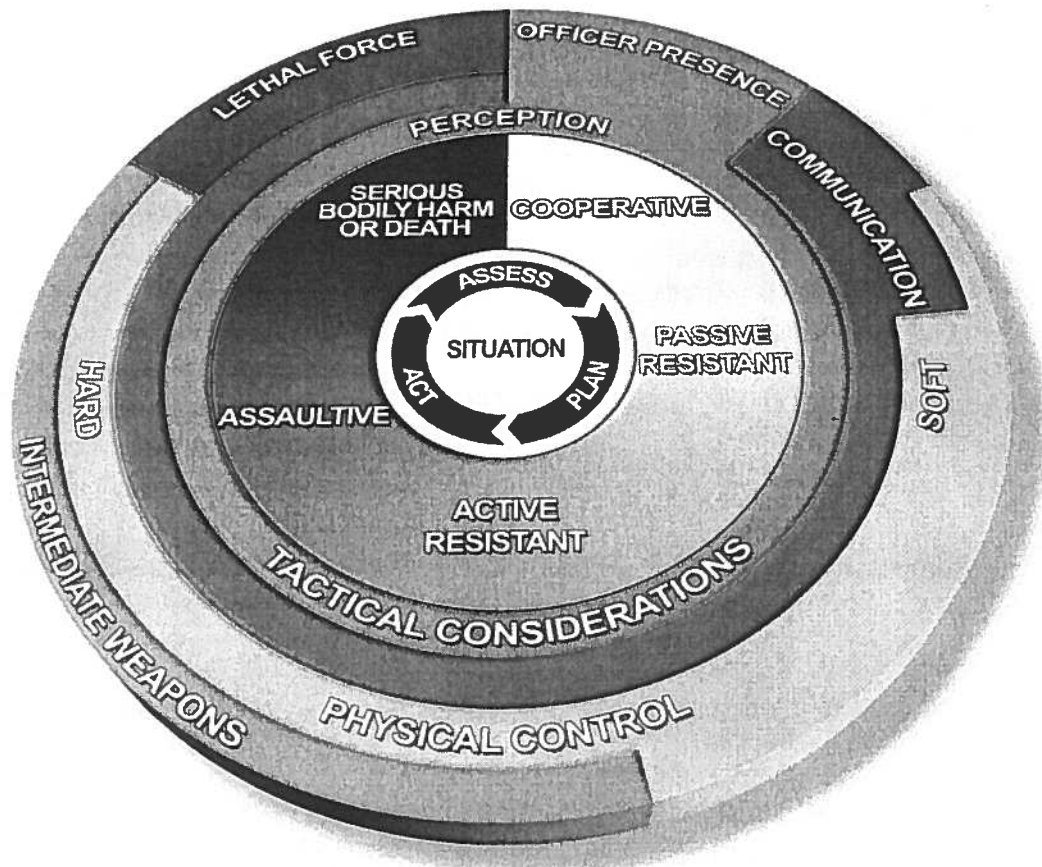
Force option that involves the use of a less-lethal weapon. Less lethal weapons are those whose use is not intended to cause serious injury or death.

#### *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.



## 2008 / 2009 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. 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 decreased from 2008 to 2009
  - 2009 - 92
  - 2008 - 102
- Communication was effective in resolving a number of incidents in 2009.
  - 2009 - 25 effective of 92 incidents (27%)
  - 2008 - 43 effective of 96 incidents (45%)
- The use of impact weapons (batons) was not utilized in 2009.
  - 2009 - 0 effective of 0 incidents
  - 2008 - 3 effective of 3 incidents (100%)
- Physical control has had a decrease in use however, it is still the most used option and its effectiveness has increased.
  - 2009 - 31 effective of 38 incidents (81%)
  - 2008 - 33 effective of 42 incidents (77%)
- Aerosol use was constant with last year and was effective in all incidents.
  - 2009 - 4 effective of 4 incidents (100%)
  - 2008 - 4 effective of 4 incidents (100%)
- The uses of Intermediate weapons has increased slightly in 2009, but continued to be highly effective
  - Conducted Energy Weapons (CEW)
    - 2009 - 16 effective of 21 incidents (76%)
    - 2008 - 14 effective of 14 incidents (100%)
  - ARWEN
    - 2009 - 0 effective of 0 incidents
    - 2008 - 0 effective of 0 incidents
  - Canine
    - 2009 - 1 effective of 1 incident (100%)
    - 2008 - 5 effective of 5 incidents (100%)



- The use of lethal force options has **decreased 22%** from 2008 (41 incidents) to 2009 (32 incidents) Included in these are when a handgun is drawn or a firearm is pointed at a person. The discharges of firearms in 2009 included the destruction of several injured or dangerous animals and the fatal shooting of an armed suspect.
  - Drawn/Pointed
    - **2009 – 32 effective of 32 incidents (100%)**
    - **2008 – 37 effective of 41 incidents (90%)**
  - Firearms Discharges
    - **2009 – 3 effective of 3 incidents (100%)**
    - **2008 – 4 effective of 4 incidents (100%)**
- The number of suspects involved in use of force incidents continued to fall from 2007 to 2008. The number of suspects with weapons had decreased in 2009.
  - **2009 – 31 with weapons of 116 suspects (27%)**
  - **2008 – 40 with weapons of 133 suspects (30%)**
- The number of injuries to officers has increased slightly compared to suspects in 2009.
  - **2009 – 12 officers / 43 suspects**
  - **2008 – 10 officers / 45 suspects**

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 equipped 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 Training Unit and the Tactical Support Unit.

This past year has perhaps been the most controversial surrounding the use of conducted energy weapons by police officers in Canada. There are a growing number of



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citizens who are concerned about this use of force option. One can deduce that it is a result of the volume of negative media that it has received.

From a Barrie Police Service perspective, it has allowed us to confirm with our community that our user training and TASER maintenance exceeds not only the manufacturer's recommended standards, but exceeds the practice of some Canadian police agencies.

### Inventory

In 2009 the department converted all their TASERs to the model X26 which includes all frontline supervisors and TSU members. This brought the total inventory to 42 from 36 the previous year. There was a TASER course completed in Nov 2009 for several new Sargeants and designate personnel. All model M26 TASERs have been removed from service and any older model X26 TASERs have also been taken out of service due to malfunction issues. The department is in the process of obtaining several more X26 TASERs in the effort to deploy them in several other units such as Sexual Assault, Ident and Community Service.

### Operational Deployment Statistics

#### **Applications**

The 2009 statistics revealed an increase in the application of probes during the deployment of the TASER. When used in the display mode, the TASER continues to be an effective option in resolving situations.

#### **Reporting**

As in previous years, whenever an officer deploys a TASER during the course of his/her duties, there is an attached reporting requirement. In addition to a provincial use of force report\*, a TASER Use Form is required. The form provides additional data pertaining to a TASER deployment not contained in the UOF 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. As such the deployment stats are listed under those four types. Also recorded is the number of cycles required, and whether or not the application was successful in bringing the situation to a peaceful end.



TASER Usage – 2009

<u>Type</u>	<u>Usage</u>	<u>Success</u>
Display	8	5
Spark	0	0
Drive Stun	3	3
Probe	10	8

In 2009 Taser usage resulted in 8 display only events of which 5 resulted in compliance. The TASER was actually deployed (either drive stun or probe mode) a total of 13 times. Of the 13 deployments the 3 drive stun deployments were all successful in gaining compliance. Of the 10 probe deployments 8 were successful in gaining compliance however; one of these deployments required multiple probe applications with the subject eventually complying after the third cycle. On one occasion, both probe deployment and drive stun application were utilized on the same subject.

TASER Usage – 2007

Display	11
Spark	0
Drive Stun	12
Probe	8

TASER Usage – 2008

Display	6
Spark	0
Drive Stun	5
Probe	3

\* 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

Incident Types involving drive stun and probe deployment

Although our TASER Deployments increased, the types of incidents in which they were deployed have remained consistent. The 2008 numbers are included as a reference.

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

<u>Type</u>	<u>2009</u>	<u>2008</u>
Weapons/Violent Subjects	3	2
Domestics	0	0
Disturbances	1	1
Barricaded Persons	1	0
EDP	5	4
Warrants	2	0
Other Criminal	<u>1</u>	<u>1</u>
	13	8



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The 2009 statistics reveal that there was a marginal increase of TASER applications. The increase is a result of more officers being trained and more TASERS being operational in the field. The complement of TASERS utilized by the Barrie Police Service currently stands at 42. All Tactical Support Unit members and Frontline Supervisors are equipped with the TASER X26 Model.

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 2009.

A handwritten signature in black ink, appearing to read "WCF", is positioned above the printed name.

WAYNE C. FRECHETTE  
Chief of Police