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**OTTAWA POLICE SERVICE
SERVICE DE POLICE D'OTTAWA**

*Working together for a safer community
La sécurité de notre communauté, un travail d'équipe*

**REPORT
RAPPORT**

DATE: 28 April 2014

TO/DEST: Executive Director, Ottawa Police Services Board

FROM/EXP: Chief of Police, Ottawa Police Service

SUBJECT/OBJET: **CONDUCTED ENERGY WEAPON (CEW) DEPLOYMENT -
POLICY AMENDMENT**

RECOMMENDATIONS

That the Ottawa Police Services Board approve:

1. The deployment of Conducted Energy Weapons to first class constables who meet the criteria specified in Board policy and in accordance with the two year plan described in this report.
2. An amendment to the Board's Use of Force Policy AI-012 to add a new section (c) (iii) as follows:
 - c) The Chief of Police will:
 - iii) be authorized to issue a conducted energy weapon to police officers who are:
 - Front line supervisors
 - Members of tactical/hostage rescue teams
 - Members of preliminary perimeter control and containment teams
 - First class constables who are coach officers or who meet all of the following criteria:
 1. are recommended by their Platoon NCO
 2. have good overall work performance
 3. are assigned to areas or functions where front line ready access can be improved.
 - An experienced officer on patrol with previous experience carrying a CEW and who meets criteria 1 through 3 above.

CONTENT SUMMARY

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BACKGROUND

Conducted Energy Weapons (CEWs) continue to be an important intervention option used by police services assisting in the safe resolution of calls for service where the threat of violence, serious injury, or death is high. The devices reduce the likelihood of injury to both subjects and officers during the apprehension of assaultive subjects, helping to better ensure public safety.

On November 25, 2013, the Ministry of Community Safety and Correctional Services (Ministry) issued revised guidelines associated with the use of CEWs, to allow for the expanded deployment of the devices by police.

The main points of the revised guidelines, entitled “*Revised Use of Force Guideline and Training Standards to Support Expanded Conducted Energy Weapon Use*,” are as follows:

1. Police Services Boards in partnership with Chiefs of Police may now develop a policy on CEW authorization that:
 - Preserves any current deployment
 - Authorizes additional “officer classes” to carry CEWs.
2. Operator training must be increased from 8 hours to 12 hours, with the additional time being devoted to *judgement-based training*, including de-escalation techniques.
3. Police Service Boards are encouraged to invite community input regarding any plans to expand the use of CEWs.
4. The decision on future deployment rests with police services boards.

The revised guidelines were released following the conclusion of a formal review initiated by the Ministry to explore the advisability of expanding deployment of CEWs, and determine

whether restricting these devices to just supervisors and tactical/hostage-containment team members was limiting the ability of police services to respond safely and promptly to situations where the potential for confrontation and injury often escalates quickly.

The Ministry's review took into consideration inquest jury recommendations (12 in total), medical assessments, input from policing stakeholders, as well as community consultation that included the Canadian Civil Liberties Association. Following the review, the Minister concluded it was appropriate to allow police services boards, in partnership with Chiefs of Police, to expand deployment models. In late 2013, the Ministry amended Ontario's *Use of Force Guidelines* and CEW training standards accordingly.

Following the Ministry announcement, an Ottawa Police Service (OPS) Working Group was developed to begin a review on current CEW deployment practices within the OPS and partner agencies. Upon the release of the actual guidelines, Superintendent Uday Jaswal was tasked with leading a team, reporting to Deputy Chief Ed Keeley, to continue the ongoing review and examine potential CEW deployment models. The Team included CEW experts, front-line officers and training staff, and had access to other subject matter experts both within the OPS and externally.

A key part of the OPS review included public consultation and consultation with key identified stakeholder groups. This was in keeping with the Ministry Guidelines, as well as the normal practices of the OPS.

As outlined in the consultation report previously approved by the Ottawa Police Services Board (Board) on January 27, 2014, the OPS launched an online questionnaire, both with the public and with members. As well, the community was invited to submit written submissions.

More targeted outreach was also conducted to ensure a broad range of opinion. The OPS met in person with groups including the Canadian Association for Suicide Prevention, the Ontario Civil Liberties Association, the Canadian Civil Liberties Association, the University of Ottawa Faculty of Law, the Canadian Mental Health Association, COMPAC, the Elizabeth Fry Society and the John Howard Society.

The input and ideas gathered through the consultation formed the basis for the proposed deployment plan, taking into account concerns and recommendations raised around training, potential overuse of the devices, vulnerable populations, accountability and data collection.

In some cases, the OPS had already begun to incorporate some of the feedback collected into current practices, including:

- Providing all officers with additional communication and de-escalation training;
- Including suicide intervention training as part of the new recruit training; and,
- Ensuring internal policies include a provision of medical attention following a CEW deployment.

A number of recommendations are also in the process of being implemented, such as:

- More robust data collection around CEW deployments to ensure use can be accurately evaluated, monitored, and reported on; and,
- Regular audits of the deployment history that is automatically stored in the devices to ensure all deployments are accounted for.

The review of current CEW deployment at the OPS showed that previous restrictions on authorized users was in fact preventing officers from having ready access to CEWs in situations where they were deemed to be the most appropriate intervention option. The OPS review also revealed a number of opportunities around training, accountability, and data collection.

The results of the OPS review and consultation are detailed in this report, followed by recommendations for future deployment that seek to address the gaps in ready access to the devices that have been identified.

DISCUSSION

History of CEWs at the OPS

CEWs have been issued to some OPS members for 14 years.

In 2000, the OPS was chosen to participate in field trials of the devices taking place in both Ottawa and Toronto. The trials proved successful and in 2002, members of police tactical/hostage-containment teams across Ontario were authorized to carry CEWs. By 2004, usage was further expanded to include front line supervisors.

The OPS experience with CEWs continues to demonstrate the safety and effectiveness of the devices as an important intervention option for police officers during calls for service. This has been recognized by the Ministry that not only governs their use in Ontario, but also made the decision to permit expanded deployment last November.

As stated by Madeleine Meilleur, current Attorney General and former Ontario Minister of Community Safety and Correctional Services, *“Our police officers are trained to use de-escalation first whenever possible, but when that approach does not work, we need to equip our officers with another tool. Expanded conducted energy weapon deployment will help protect Ontarians and keep our communities safe.”*

The OPS has an excellent record of members using the device responsibly in carrying out their duty to protect the safety, security, and quality of life in Ottawa. On average, the devices are deployed 19 times a year. More detailed data around CEW deployment is discussed later in the report.

How does a CEW work?

CEWs are designed to gain control over a subject through neuromuscular incapacitation. This is done by delivering a low amperage electrical charge that causes involuntary muscle contractions.

A CEW can be deployed in one of three ways:

- As a displayed force presence;
- Drive stun mode; or,
- Probe deployment.

When a CEW is deployed as a displayed force presence, the device is drawn and usually turned on, activating the laser-lighting system, and shown to the subject. In many cases, this is sufficient in gaining compliance from an assaultive subject.

In drive stun mode, the CEW is applied directly to the body or clothing of a person, targeting a large muscle mass.

In probe deployment, two small barbs are deployed and attach to a subject's skin or clothing. A low amperage, electrical charge is then delivered causing temporary, involuntary muscle contractions. By default, a deployment lasts a maximum of five seconds, allowing officers to move in and safely gain control of the subject. If control is gained more quickly, the deployment time can be reduced.

A key advantage of a CEW is it allows the officer to maintain a safe distance between a subject and responding officer(s), minimizing potential injury to both.

Results from consultation raised some concerns around potential overuse or unwarranted use of the device by OPS should additional officer classes be authorized to carry them. The OPS has been using CEWs since 2000 and records continuously demonstrate that members are using good judgment under difficult circumstances on whether a CEW is appropriate given the threat or based on the totality of the situation. To date, no serious injuries resulting from OPS CEW deployment have been reported.

Records also show that in the last five years, the average annual deployment of CEWs is 19. Table 1 below shows a breakdown by year.

Table 1: CEW Deployments by the OPS between 2009-2013

Year	CEW Deployments
2009	13
2010	24
2011	19
2012	16
2013	25

The above table only captures incidents where a CEW was deployed. A number of front line experiences have been cited demonstrating the effectiveness of the presence of the device in de-escalating dangerous situations (Annex A).

For example, one officer reported a call for service involving a woman who was threatening to jump off the Alexandra Bridge. Officers became involved in a dangerous struggle with the woman as the bridge was very slippery and there was a risk of falling off the bridge for everyone involved. The Sergeant on scene presented the CEW and the woman stopped fighting and complied with officer commands. She was apprehended and taken by ambulance for treatment.

This is just one example that illustrates the effectiveness of CEWs in de-escalating a life-threatening incident by its mere presence. More examples are contained in Annex A. To assist in capturing more data on these types of de-escalations, beginning this year, the OPS

has begun to document instances where a CEW is used as a displayed force presence, in addition to when the device is deployed in either drive stun or probe mode.

The OPS is confident that members will continue to use the device appropriately. Enhanced governance and accountability measures are discussed later in the report.

Needs Assessment

CEWs are recognized as effective and safe tools for law enforcement. The Ministry governing their use in Ontario went as far as to expand deployment of the devices twice since their inception — first to include front line supervisors, and more recently to include additional officer classes deemed appropriate by police services boards, in partnership with their Chiefs of Police.

The decision by the Ministry to allow boards to authorize additional classes removes the restriction of these devices to just supervisors and tactical/hostage-containment team members. This allows flexibility for police services to respond safely and promptly to situations where the potential for confrontation and injury can escalate quickly as a result of violent or assaultive behaviours of subjects which can often be unpredictable.

In the review of current CEW deployment at the OPS, it was determined that officers responding to calls for service in Ottawa do not have ready access to the device.

Availability on the Road

When the availability of CEWs on the road was examined, it was found that there can be as many as 15 available, or as few as 5. This depends on a number of factors such as time of day, overlapping platoons, leave, shifts of Tactical, the amount of non-patrol supervisors in the field, etc. Under the current deployment model, Tactical members and front line supervisors' immediate function is not initial response to calls for service. Consequently, while these units contribute to our figures of availability, they do not always improve ready access on the road.

This range (5 to 15) poses a challenge when considering that Ottawa is one of the largest municipal policing jurisdictions in Canada.

Also, during calls where a CEW would typically be required, the risk of physical confrontation and injury is heightened and the first officer on scene is usually a front line constable. An extended delay, or inability to gain access to the device, poses public and officer safety risks.

The internal consultation showed that 59% of sworn member respondents had attended a call for service where they required a CEW and one was not readily available.

What follows is an example of one case this year that highlights the difficulties with ready access. The OPS received a call for service with regards to an attempted suicide from a woman in the Toronto area who was concerned for her brother in Ottawa. Officers attended the West end home and located the man in a bathtub with deep cuts to his wrists. When officers tried to approach, he waved a razor blade at them. A CEW was requested however the Sergeant was attending from a distance. Fortunately, a member of the Tactical Unit happened to be on his way to an unrelated meeting in the vicinity of the call, and was able to

attend and assist. The CEW was successfully deployed and the man was taken to the hospital for treatment.

Other examples are provided in Annex A.

Police Intervention - Use of Force Model and Training

Police officers are provided with a Provincial Use of Force Model and Guideline to assist them in assessing a situation and acting in an appropriate manner to ensure public safety, as well as officer safety. A diagram of the model is included as Annex B.

Options include officer presence, communication, physical control (including soft and hard techniques), other intermediate weapons such as impact weapons (e.g. baton) and aerosol weapons (e.g. Oleoresin Capsicum [OC] spray, also known as pepper spray), CEWs, and as a last resort, lethal force consisting of a firearm. Use of intermediate weapons, such as a CEW, is only one intervention option. In training and by law, the expectation is that officers use the least amount of force required.

In every call, officers must use their knowledge, skills, abilities and experience. Based on the situation they make a number of assessments on how to plan and act accordingly. For example, is the subject threatening serious bodily harm or death? Are they assaultive? Will they harm themselves? Is there an imminent need to gain control of the subject?

Communication and de-escalation is always the preferred response option and remains so until the situation is resolved. If an officer is required to take physical control, the minimum amount of force necessary should be used. Officers are also taught to transition between the different use of force options should circumstances change, as well as cease use of force once compliance has been gained.

As indicated, use of force by the OPS is reported publicly on an annual basis through the Annual Report.

There are several intervention options available to the officer. The one most often utilized is de-escalation and communication.

When an officer is required to use a form of force, there are a number of options to select from, with each intervention option carrying different strengths and weaknesses depending on the situation. For example, pepper spray may not be an appropriate option in a small confined area where cross-contamination could take place involving innocent bystanders or other officers.

The advantage of having different options available is the ability to employ the proper tool when it is needed and reduce the risks associated with using a less suitable Use of Force option.

Of the 59% of sworn members who responded to the internal questionnaire that they had attended calls for service where a CEW was required and not readily available, most respondents indicated that other use of force options had to be used such as exercising physical control or baton strikes, often causing injuries to the subject as well as officers. In some cases, officers were forced to draw their firearm.

Most respondents indicated that the safety of the subject and responding officers, and in some cases the public, was put at risk by not having the device available when needed. Also, the likelihood of injury increased.

Injured on Duty Reports

A review of OPS *Injured on Duty Reports* (IOD) between 2008 and 2013, found that members are injured while carrying out an arrest or assaulted, on average, 84 times a year. These injuries can include bone fractures, sprains, bruising and swelling, cuts, and exposure to substances such as bodily fluids.

Of these instances, about half resulted in a Workplace Safety and Insurance Board (WSIB) claim, with 40% of claims leading to officers being off work for a period of time.

The majority of the above injuries were directly caused by physical altercations with non-compliant and/or assaultive subjects. With respect to CEWs, the devices have proven to be effective in achieving control of a subject who is assaultive or resisting arrest, while reducing the likelihood of injury to both the subject as well as officers.

As evidenced in our reporting on use of force through our Annual Report, the OPS always strives to resolve situations as peacefully as possible. However, there are instances where officer presence, communication, and de-escalation alone are not sufficient in resolving a situation. It is therefore imperative that all officers are properly trained and given access to the necessary equipment to carry out their duties.

The authorization of First Class Constables (officers with a minimum of three years of experience), in addition to front line supervisors and Tactical Unit members, under this deployment plan, would allow the OPS to improve access to CEWs when officers are faced with a violent or life threatening situation.

Details around the recommended deployment plan are discussed later in the report.

Improving our Overall Police Response

The OPS is continuously looking for ways to improve its overall police response and remain a trusted leader in policing.

There are a number of ongoing initiatives that are aimed at improving the safety, security, and quality of life in Ottawa:

Mental Health Unit – Mobile Response Team

A concern raised through the public CEW consultation is use of the device with vulnerable populations, particularly those suffering from mental health issues. Many police dispatches or encounters involve people with mental health related issues.

The OPS Mental Health Unit (MHU) has been in existence since 2001, supporting front-line members on mental-health-related calls for service and conducting follow-ups as needed. It has more recently been working in partnership with The Ottawa Hospital since 2004 to continue to develop strategies that best support people suffering from mental health problems

in the community. This includes ongoing, specialized training for front line patrol officers on recognizing mental illness, risk assessment tools, and communication techniques. The MHU is also regularly in contact with community organizations, outreach workers, and social workers.

In July of 2012, the OPS, in partnership with The Ottawa Hospital (TOH), piloted a new *Mobile Response Team* to assist people dealing with mental health issues when they come in contact with police by getting them the help and attention they need more rapidly. The pilot had psychiatrists work alongside police officers from the MHU, who could access medical history on site, provide a quick assessment, and help determine whether apprehension was warranted and/or provide appropriate follow up services to the person at the scene. The pilot has proven quite useful in the community and has consequently been extended indefinitely.

Situations where officers are provided with insight into a person's mental state certainly assist in decision making and impact their assessment of, and response to, a given situation. An example of this occurred in December of 2013 where the MHU was called to assist on a call for service involving a man who had barricaded himself in his twelfth floor apartment. He was threatening to jump, had a noose around his neck, and was in possession of a large knife. The MHU was able to acquire information about the mental health history of the subject. This information was then used to tailor the interaction with the male and successfully de-escalate the situation. Through verbal interaction only, the male ended up surrendering and being taken safely into custody.

The OPS will continue to work with the mental health community to ensure those with mental health issues, who come into contact with police, are supported and given the assistance they need.

Targeted Engagement and Diversion (TED) Program

The TED Program provides police and emergency medical responders with a location where persons with substance use or mental health issues that are medically stable and part of the Program can be brought, so they can be put in touch with programs and services.

The main services offered by the TED Program are:

- Supervision and support while under the influence of drugs, alcohol, or when exhibiting symptoms of mental illness, as an alternative to being taken to Emergency or Cell Block;
- Access to community based integrated treatment and care; and,
- Integrated treatment and care system set up to resolve the crisis and move people out of homelessness as quickly as possible.

Increased Communication and De-escalation Training

While communication and de-escalation has always been infused in all aspects of officer training, the OPS implemented new additional, focused training on dealing with people in crisis, including cases involving mental health issues. It also introduces a model to assist officers in articulating why and how they dealt with an individual in crisis. The de-escalation training assists officers in resolving a situation.

The content of the training was developed by the BC Ministry of Justice, in consultation with the Braidwood Recommendation Implementation Committee and a working group of police and non-police subject matter experts.

Service Initiative – Multi-Agency Group (MAG) Model

The OPS currently has an ongoing program called the Service Initiative (SI) aimed at identifying opportunities to improve service. A review took place which concluded last year and identified key areas of focus — one of them being community partnerships.

Under the SI, the MAG Model project was created to look at ways to enhance community partnerships with the goal of reducing crime and incidents in the long-term by getting to the root causes of issues.

The MAG Model seeks to improve information sharing between partner agencies, improving management of OPS resources, minimizing duplication of efforts by multiple agencies, improving flexibility in responding to public demands and expectations, and increasing collaboration, with the goal of reducing crime and incidents.

Training on CEWS

The OPS has always exceeded provincially-mandated CEW training and continues to invest in training opportunities that will ensure members are properly equipped, both physically and mentally, to carry out their duties. This is in line with the results of the public and member consultation. Public and internal consultation found that training was regarded as an important area in which to invest time and resources to ensure a safe and effective future deployment of CEWs.

Some examples of OPS initiated training include the increased Communication and De-escalation training, as well as a three-day Crisis Intervention Training that is offered by the Mental Health Unit and the two-day Applied Suicide Intervention Skills Training (ASIST).

Consistent with recommendations made by the Canadian Association for Suicide Prevention, the OPS recently added the ASIST workshop to the New Recruit intake training.

Specific to CEWs, provincially-mandated CEW training now consists of 12 hours of study and scenario based exercises and includes both practical and written examinations. OPS training has historically exceeded, and will continue to exceed, Ministry standards. The additional training is mainly scenario-based, exposing officers to multiple situations requiring communication and de-escalation tactics, as well as judgment on appropriate and inappropriate use of force options with live role players. As with all use of force training, communication is emphasized as the most important and effective tool available to officers.

Officers must demonstrate knowledge and proficiency on the legislation and regulatory framework, the community context surrounding the weapon's development and introduction, and the structure and function of the weapon and its effects.

Recertification training is five hours and occurs every 12 months.

All training is conducted by Ministry certified use of force instructors at a 2:1 student to instructor ratio.

CEW Usage and Accountability

The OPS usage and accountability standards for CEWs exceed Ministry standards.

No member is permitted to use a CEW without first being fully trained by a Ministry certified instructor.

Currently, every CEW is individually issued to, and signed for, by an officer. The OPS has found that CEWs personally assigned, as opposed to shared or pooled, cause less wear and tear on the devices and ensure additional accountability, which has been a common area of focus throughout the review and consultation. Each CEW is also secured and carried as per Ministry and OPS policy. As per the manufacturer, CEWs are usable for five years.

There are several policy and accountability measures in place following a CEW deployment.

According to OPS policy, paramedics must be requested on scene to check on the condition of the subject as well as to safely remove the probes.

This practice is consistent with recommendations received during the public consultation, requesting that medical assistance be offered in cases where a CEW has been deployed. In extenuating circumstances, where there is a delay in getting medical attention on scene, officers have also been trained on how to safely remove any probes.

The CEW cartridge, wires, and probes are collected and submitted to OPS Evidence Control Services.

The officer must then complete a Use of Force report (Annex C) in addition to a CEW Deployment Report (Annex D). The CEW Deployment Report is specific to the OPS and not provincially mandated. It was created to assist in tracking deployments, trends, and identify any issues of which the chain of command should be aware.

Once the reports are completed, they are first reviewed by the officer's supervisor, followed by the Use of Force Analyst at the OPS Professional Development Centre. The reviews are intended to ensure the reports are completed properly and any issues can be addressed, whether they are training related or otherwise. CEW Deployment Reports undergo a third level review by the OPS CEW Program Coordinator. If issues are identified, they are raised with the involved officer as well as their supervisor.

Statistics are then kept which are used by analyst to see if there are trends with regards to use of force, choice of options, situational factors, etc. The statistics are reported publicly on a yearly basis, through the OPS Annual Report, which is submitted to the Board.

Device-Specific Accountability

By design, CEWs are the most accountable option available to officers. As such, there are additional accountability measures specific to their use.

The device itself has built-in accountability mechanisms. The first being that every time a CEW is deployed, it automatically records and stores information on the date and time of the deployment as well as the amount of firings and duration of firings. This data is immediately downloaded to corroborate information provided in the accompanying Use of Force and Deployment Report.

Another accountability feature inherent in the CEW is when the device is used in probe deployment, dozens of confetti-sized identification tags are released, containing the serial number of the CEW that was deployed. This allows the deployment to be traced back to the specific device that was used.

CEW Cameras

Through the consultation efforts, a number of suggestions were made to equip officers with cameras to improve the current deployment of CEWs at the OPS.

OPS CEWs had previously been equipped with cameras however there were several issues related to them including:

- Audio and video footage that was captured was of poor quality, in black and white, and grainy;
- Since the camera is mounted on the device itself, if the CEW is not held in an idle position, any shakes are also reflected in the footage. In addition, since officers are trained to hold the CEW in the same manner as their firearm, their hands would sometimes obstruct the recording;
- The camera affected performance of the device, causing malfunctions in deployment, and also caused corruption of the data stored in the CEW; and,
- The recording only began when the device was unholstered and after the safety catch was released. This meant that events leading up to the use of the device weren't captured, therefore, failing to provide context around the deployment.

While the cameras were intended to add an additional measure of accountability, these factors prevented them from being effective for this purpose and ultimately contributed to the decision to cease using the cameras in January of 2013.

There is no requirement for CEW cameras by the Ministry. They are considered an accessory only.

There have been technological advancements since the CEW cameras were first used. A number of police agencies across North America are piloting the use of body worn cameras, including Edmonton and Victoria.

While the OPS has no current plans to purchase body worn cameras, we will be monitoring their effectiveness and use by other agencies.

Summary of OPS-Specific Accountability Measures

While the OPS adheres with the Ministry guidelines surrounding CEW use by police services in Ontario, there are a number of additional measures the OPS has initiated to ensure continued safety and accountability around their use:

Training	<ul style="list-style-type: none">• Starting in 2014, all officers are receiving additional Communication and De-escalation training.• As part of the new recruit intake training, new officers joining the OPS are receiving the 2-day suicide intervention training, ASIST (Applied Suicide Intervention Skills Training). The OPS currently has 760
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	<p>members trained.</p> <ul style="list-style-type: none"> • OPS CEW operator training exceeds the standards set by the province.
Data Collection	<ul style="list-style-type: none"> • In addition to the Ministry required Use of Force report, the OPS also files a CEW Deployment Report when a CEW is used to gather additional details regarding usage and context. • The OPS maintains a database of all CEW deployments which is overseen by a CEW Coordinator. Deployments are reported annually.
Policies & Procedures	<ul style="list-style-type: none"> • Whenever a CEW is deployed, paramedics are requested on scene to check on their condition and remove the probes. • Following a CEW deployment, officers must submit the wires and probes to Evidence Control Services.
Accountability	<ul style="list-style-type: none"> • CEW Deployment Reports, as well as Use of Force Reports, are reviewed by Supervisors as well as an Analyst and CEW Coordinator at the OPS Professional Development Centre. If issues are identified, they are raised with the involved officer as well as their supervisor. • The CEW Coordinator conducts a trend analysis with regards to CEW deployment, which is then used to tailor future training. • Each CEW deployment is followed by a download of the information stored in the device, to corroborate the information found in the Use of Force report and the CEW Deployment report. • The OPS regularly tests the functioning of its CEWs using an analysis device that was purchased for quality control purposes. This testing is not a provincial requirement.

Proposed Deployment Plan

The OPS review of current CEW deployment, in addition to the results of the member questionnaire, have demonstrated that while CEWs are currently an available use of force option for officers, they are not an accessible option. The fact that members, particularly officers in front line Patrol, do not have ready access to the device when they need it, poses both a public and officer safety risk. The majority of incidents where a CEW would be an appropriate use of force option are dangerous situations where the threat of injury to either victims, subjects, or officers, is high.

The OPS has developed a two-year deployment plan to gradually improve ready access to CEWs, primarily in front line Patrol where they are needed most. The advantage of a two-year plan, as opposed to a longer term, is the ability to reassess the issue of ready access of CEWs and other aspects such as usage and training.

The key recommendations are as follows:

1. **The OPS is recommending that first class constables, who meet the criteria specified in Board policy, be authorized to carry CEWs in accordance with the two year plan described in this report.** By authorizing an additional class of officer to carry a

CEW, in addition to front line supervisors and members of the Tactical Unit, the OPS can immediately re-assign current CEWs to improve ready access.

The following selection criteria has been developed to assist in identifying priority front line members for receiving a CEW:

- Be a front line patrol member actively working on Platoon;
- Recommended by their Platoon NCO (therefore demonstrating good overall work performance);
- Be assigned to an area or function where front line ready access can be improved;
- Coach officers;
- Experienced officer on Patrol with previous experience carrying a CEW.

2. The OPS is recommending that up to 100 additional CEWs be purchased in the second year of the deployment plan (2015).

Authorizing additional officer classes alone will not improve the issue of ready access to CEWs on the road as Ottawa represents one of the largest municipal policing jurisdictions in Canada. The purchase of up to 100 devices in 2015 will therefore provide an improvement to access, increasing availability on the road from its peak of 15 to 39, and the low of 5 to 29. This is consistent with the current OPS training capacity.

After the two year deployment plan, the OPS will be able to assess how ready access has improved and evaluate the effectiveness of this plan.

The above deployment plan was informed through a variety of inputs including research of best practices, a needs assessment, and the results of the external and internal consultation. In addition, the plan met the following criteria:

- Respected current budgets and was fiscally prudent;
- Considered expanded use of CEWs within the Patrol Directorate first;
- Ensured that front-line members had access to CEWs when appropriate and required;
- Considered the need for strong accountability and governance; and
- Provided for the best maintenance of the weapons to minimize costs.

EXISTING POLICY

The Board's current policy on Use of Force AI-012 (Annex E) does not include a section with respect to CEW authorization.

With the release of the revised CEW guidelines, the Ministry issued a sample Use of Force Policy for use by Police Services Boards (excerpt provided in Annex F).

The OPS met with the Board's Policy and Governance Committee to seek input on the recommendations for CEW deployment. Following the feedback received from the Committee, the OPS is recommending that the Board amend its Use of Force Policy to add a new section c (iii) that would read as follows:

- c) The Chief of Police will:
- iii) be authorized to issue a conducted energy weapon to police officers who are:
- Front line supervisors
 - Members of tactical/hostage rescue teams

- Members of preliminary perimeter control and containment teams
- First class constables who are coach officers or who meet all of the following criteria:
 1. are recommended by their Platoon NCO
 2. have good overall work performance
 3. are assigned to areas or functions where front line ready access can be improved.
- An experienced officer on patrol with previous experience carrying a CEW and who meets criteria 1 through 3 above.

The addition of the CEW wording to the policy would serve to ensure current deployment is captured in the Board's Use of Force policy. As well, it would expand deployment to include first class constables as authorized users.

The Ministry has also provided sample Guidelines for Police Services, with respect to Use of Force. The OPS will ensure that any internal policies with respect to CEWs are amended to remain consistent with the Board's policy, and in keeping with Ministry guidelines.

CONSULTATION

A consultation plan was approved by the Board during its regular meeting on January 27, 2014. It was designed to raise awareness about the revised guidelines, provide some education on CEWs and their use within the OPS, and ensure that both the public and OPS members had an opportunity to provide their feedback through a variety of consultative approaches.

The consultation plan formed an important part of the OPS' efforts to ensure that it respects the direction of the Ministry, as well the Board's role in authorizing the expansion of any deployment of CEWs. It also ensured the OPS had the ability to consider the valuable input of stakeholders in the development of CEW deployment options.

Consultation was carried out externally with the public, partners, and stakeholders, as well internally with the membership.

During the last week of January, an online questionnaire to solicit feedback and opinions was launched with the internal membership, as well as with the public. The questionnaires were initially publicized using an internal email message to members, followed by a media release to the public. A special section on the ottawapolice.ca website was also created to provide key data on the project such as frequently asked questions and important background documents. Written submissions were also accepted, either through cew@ottawapolice.ca, or via the electronic form that was housed on the OPS website.

In addition to being regularly shared through social media platforms such as Facebook and Twitter, the questionnaire was also shared through OPS networks held by various Sections at the OPS such as Community Development, Diversity and Race Relations, Youth, and the Victim Crisis Unit. The Board, as well as community partners such as Crime Prevention Ottawa, were also invited to share the questionnaire with their networks. The electronic Community Information Bulletin 2-1-1, was leveraged to advertise the questionnaire. Contacts reached through the above means included city councillors, community members, COMPAC, and community organizations.

Targeted outreach was also carried out with a variety of groups including agencies serving the mental health community, academics, civil liberties groups, social justice groups, and the Community Police Action Committee (COMPAC).

The questionnaire closed on March 17, 2014. A total of 1200 responses were received from the public, and 645 from members.

Invitations to participate in consultation meetings and interviews were sent out and the OPS subsequently met with representatives from a variety of stakeholder groups including the Canadian Association for Suicide Prevention, the Ontario Civil Liberties Association, the Canadian Civil Liberties Association, the University of Ottawa Faculty of Law, the Canadian Mental Health Association, COMPAC, the Elizabeth Fry Society and the John Howard Society.

The OPS also hosted an interactive Information Session on April 1, 2014, for stakeholders to showcase some of the training offered on police intervention. It included a discussion and display of the communication and de-escalation training, Use of Force training, and CEWs. Attendees were encouraged to ask questions.

In general, results from the public consultation, including the meetings with stakeholders, revealed overall support for the use of CEWs with the appropriate training and accountability measures in place. The main areas of concern were:

- the use of CEWs with vulnerable populations, such as those with a mental illness
- possible overuse of the device
- officer training.

The majority of recommendations that were made touched upon training, policies and procedures around CEW use, data collection, public education, and accountability.

In terms of the member consultation, the overwhelming majority were in favour of CEW expansion, again, with the appropriate training and accountability in place. Members indicated they would like more training on the devices, in addition to more communication training related to people in crisis or vulnerable populations. As noted previously, members also indicated that CEWs were often not readily available in carrying out their duties.

A more detailed summary of the results from the public and member consultation is included as Annex G & H.

The results from the consultation have been used to not only inform the proposed deployment plan for CEW expansion, but also to review training, data collection, accountability measures, and policies and procedures, both specific to CEW use and even more broadly. Some examples of recommendations that have already been incorporated include:

- Ensuring officers receive more training on communication and de-escalation;
- Ensuring thorough baseline data collection on CEW deployments and public reporting of that data;
- Providing new recruits with suicide intervention training;
- Having policies in place to ensure medical attention is sought in cases of CEW deployments;
- Providing opportunities to increase public understanding of Use of Force by police; and,

- Putting appropriate accountability measures in place to monitor the appropriate use of CEWs which exceed provincial requirements.

The OPS plans to continue to review the recommendations and as part of the Service's overall approach to improving police response, address the questions and concerns that have been raised.

FINANCIAL STATEMENT

There are no costs associated with this plan for 2014.

Costs in the second year of the plan will be fully detailed in the 2015 Budget. The cost of one CEW, including required supplementary equipment, is approximately \$2,000.

CONCLUSION

CEWs are an approved and effective use of force option for police officers in Ontario. Today in Ottawa, only front line supervisors and members of Tactical Units, currently carry the devices, making the on the road availability range from 15 to as few as 5. In a city as large as Ottawa, this poses officer and community safety risks when the devices can be required anywhere across the city.

The OPS reviewed current CEW deployment, including a needs assessment and external and internal consultation.

The results of the review support the need for an expanded deployment, with front line Patrol as the focus.

An initial two year deployment plan has been developed, taking into account both public and internal input, to ensure the expansion is well thought out and consistent with feedback brought forward from the public and members.

The OPS respects the Board's role in authorizing additional officer classes to be issued CEWs and will update the Board at the end of the two year deployment plan.

We are confident that the practical approach detailed in this report will increase public and officer safety.

(Original signed by)

Charles Bordeleau
Chief of Police

Responsible for the report: Deputy Chief Ed Keeley

Annexes

Annex A - Front Line Experiences

Annex B - Ontario Use of Force Model

Annex C - Use of Force Report

Annex D - CEW Deployment Report

Annex E - Board's existing Use of Force Policy

Annex F - Ministry's Sample Board Policy

Annex G - Summary of Public Questionnaire Results

Annex H - Summary of Member Questionnaire Results



Ottawa Police Service

Conducted Energy Weapon (CEW) Deployment

Front Line Experiences

In our internal CEW questionnaire, 50% of members indicated they had responded to a call for service where a CEW was required and not readily available on scene. Below is a sampling of some of the incidents:

Example 1:

Ottawa Police officers were called to a disturbance in Dundonald Park. A male was located who was suicidal and extremely violent, holding a broken bottle in his hand and threatening to harm himself and anyone in his vicinity. Officers on scene surrounded the male to prevent him from leaving the park. A CEW was requested but unavailable therefore officers had to use physical force to gain control of the male and prevent him from harming himself or others. An officer was severely cut and injured during the altercation and began to go into shock due to blood loss. Additional assistance eventually arrived on scene.

Example 2:

A male was on railway tracks, holding a knife. He was not responding to officer commands and a passenger train was en route to the area. There was no CEW available on scene. Fortunately, an officer managed to sneak up behind the male and get him off the rails, just prior to the train passing.

Example 3:

Officers were called to a scene involving a male armed with a baseball bat with nails hammered into the end of it. NCO and Tactical were en route. Dispatch received information that the male was about to assault the victim therefore responding officers were forced to enter the premise. There was no CEW yet on scene and the male was arrested at gun point.

Example 4:

A male was running naked through the streets. He appeared physically out of control and in a state of excited delirium, damaging vehicles and harming himself. OC Spray was deployed but proved ineffective, cross-contaminating another officer in the process. Responding officers did not have access to a CEW and a physical altercation ensued. The male was eventually taken into police custody where he was transported to hospital and treated for the medical issues causing the excited delirium, as well as frost bite and minor injuries incurred during the struggle.

The presence of a CEW, in the absence of deployment, has proven to be an effective deterrent, helping to de-escalate situations. Below are some examples from our members where the presence of a CEW assisted in the successful resolution of a call for service:

Example 1:

Officers responded to a call involving a suicidal female armed with hunting knives. When the CEW was displayed, the female gave the knives up.

Example 2:

We received a call for service for a male that was having a psychotic event. There was a fear that he would harm himself. Information received indicated he was a very large male, ex-military, well-versed in martial arts. Responding officers located the male in an open field. He refused to listen to officer commands. A CEW was presented as the officer continued to issue commands. When the male saw the device, he surrendered to officers peacefully.

Example 3:

Officers were on the scene of a call involving a female, armed with a piece of broken glass, threatening to commit suicide. The CEW was presented and she immediately dropped the piece of glass and was apprehended without incident.

Example 4:

A female was threatening to jump off the Alexandra Bridge. Officers became involved in a dangerous struggle with the female. The bridge was very slippery and there was a risk of falling off the bridge for everyone involved. The Sergeant on scene presented the CEW and the female stopped fighting and complied with officer commands. She was apprehended and taken by ambulance for treatment.

Finally, while CEWs are not a substitute for lethal force, they do provide another use of force option that has the potential to save lives. Below are some examples from our members:

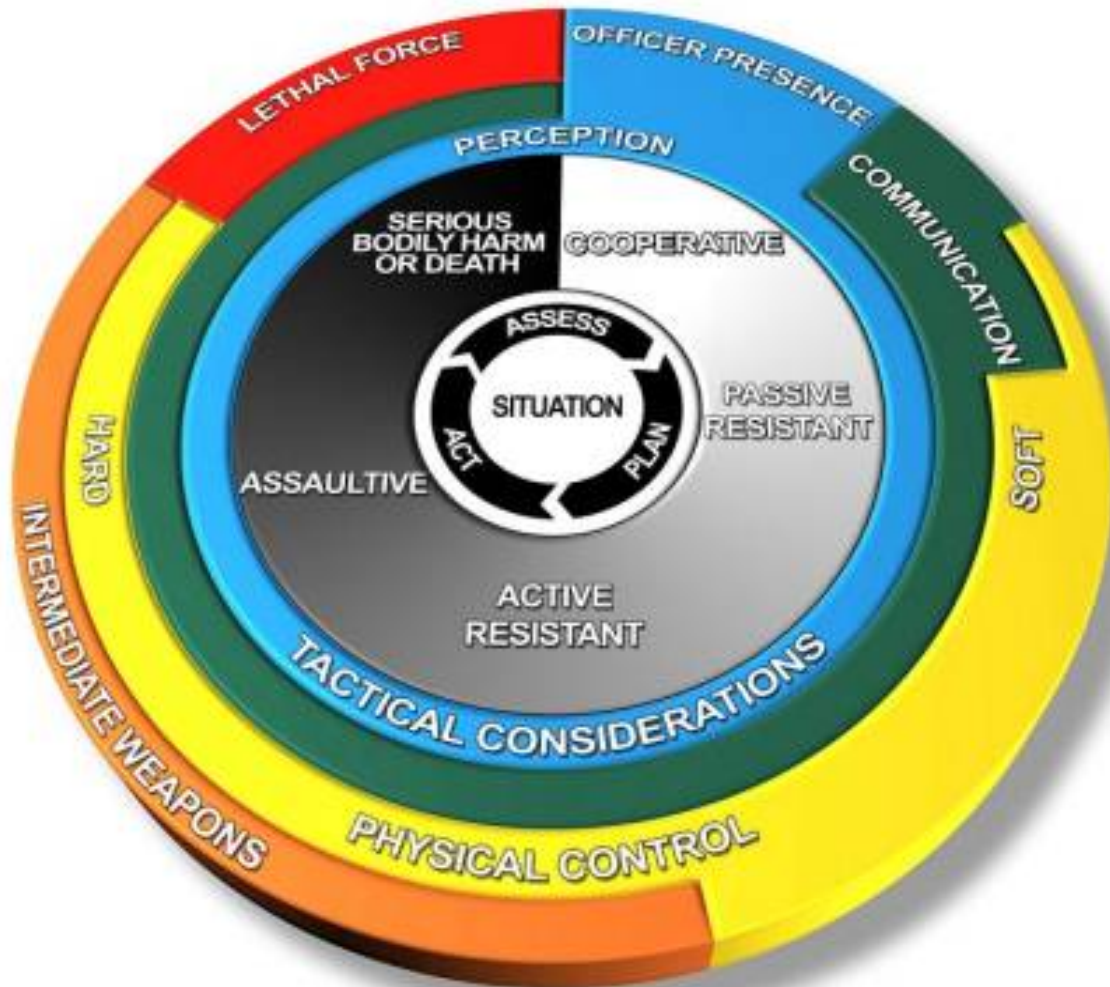
Example 1:

Officer received a call for a male armed with a firearm in a school. The male was located in the main office seated on a desk with what appeared to be a gun in front of him. When asked to get down and move away from where the gun was located, he did not comply. Two officers had their firearms drawn while a third officer successfully deployed a CEW. The male was handcuffed and transported to hospital.

Example 2:

We received a call for service involving a male armed with a knife destroying a residence. The first officer on the scene was confronted by the male who appeared to be in a psychotic state and was wielding the knife. OC Spray was deployed and proved ineffective. A CEW was not readily available and given the circumstances, the responding officer drew his firearm and was prepared to take lethal force. A Sergeant later arrived on scene and was able to successfully deploy the CEW and apprehend the male.

Ontario Use of Force Model



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

Police Services Act

USE OF FORCE REPORT

Check more than one box in each section, where appropriate

	Police Service Ottawa Police Service	<i>Location Code (if applicable)</i>
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Part A

Date (day/month/year)	Time Incident Commenced (24 hr.)	Time Incident Terminated (24 hr.)
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<input type="checkbox"/> Individual Report	Length of Service (years completed)	Rank	Team	Report	Type of Team	# of Police Officers Involved
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Type of Assignment <input type="checkbox"/> General Patrol <input type="checkbox"/> Foot Patrol <input type="checkbox"/> Traffic <input type="checkbox"/> Investigation <input type="checkbox"/> Drugs <input type="checkbox"/> Off-duty <input type="checkbox"/> Other (specify)	Type of Incident <input type="checkbox"/> Robbery <input type="checkbox"/> Break and Enter <input type="checkbox"/> Domestic Disturbance <input type="checkbox"/> Other Disturbance <input type="checkbox"/> Traffic <input type="checkbox"/> Suspicious Person <input type="checkbox"/> Serious Injury <input type="checkbox"/> Homicide <input type="checkbox"/> Weapons Call <input type="checkbox"/> Alarm <input type="checkbox"/> Other (specify)	Police Presence at Time of Incident <input type="checkbox"/> Alone <input type="checkbox"/> Police Assisted (specify #) <hr/> Attire <input type="checkbox"/> Uniform <input type="checkbox"/> Civilian Clothes <hr/> Number of Subject(s) Involved in Incident <input type="checkbox"/> One <input type="checkbox"/> Two <input type="checkbox"/> Three <input type="checkbox"/> Other specify #
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Type of Force Used (include all options used during incident & rank in sequence of use) Firearm – discharged - <input type="checkbox"/> Yes <input type="checkbox"/> No Firearm – pointed at person - <input type="checkbox"/> Yes <input type="checkbox"/> No Handgun – drawn - <input type="checkbox"/> Yes <input type="checkbox"/> No Aerosol Weapon - <input type="checkbox"/> Yes <input type="checkbox"/> No Impact Weapon – Hard - <input type="checkbox"/> Yes <input type="checkbox"/> No Impact Weapon – Soft - <input type="checkbox"/> Yes <input type="checkbox"/> No Empty Hand Techniques – Hard - <input type="checkbox"/> Yes <input type="checkbox"/> No Empty Hand Technique – Soft - <input type="checkbox"/> Yes <input type="checkbox"/> No Other (specify) - <input type="checkbox"/> Yes <input type="checkbox"/> No	Was Force Effective? Yes No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Reason for Use of Force <input type="checkbox"/> Protect Self <input type="checkbox"/> Protect Public <input type="checkbox"/> Effect Arrest <input type="checkbox"/> Prevent Commission of Offence <input type="checkbox"/> Prevent Escape <input type="checkbox"/> Accidental <input type="checkbox"/> Destroy an Animal <input type="checkbox"/> Other (specify)	Alternative Strategies Used (if applicable) <input type="checkbox"/> Verbal Interaction <input type="checkbox"/> Cover <input type="checkbox"/> Concealment <input type="checkbox"/> Other (specify)
		Type of Firearm Used (if applicable) <input type="checkbox"/> Revolver <input type="checkbox"/> Semi-automatic <input type="checkbox"/> Rifle <input type="checkbox"/> Shotgun <input type="checkbox"/> Other (specify)	No. Of Rounds Discharged (if applicable) _____ _____ _____ _____

Distance (Between you & subject at the time The decision was made to use force) <input type="checkbox"/> Less than 2 metres <input type="checkbox"/> 2 to 3 metres <input type="checkbox"/> 3 to 5 metres <input type="checkbox"/> 5 to 7 metres <input type="checkbox"/> 7 to 10 metres <input type="checkbox"/> Greater than 10 metres	Weapons Carried by Subject(s) <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>1</th> <th>2</th> <th>3</th> <th></th> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Unknown</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>None</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Revolver</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Semi-automatic</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Rifle</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Shotgun</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Knife/Edged Weapon</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Baseball Bat/Club</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Other (specify)</td> </tr> </table>	1	2	3		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Unknown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Revolver	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Semi-automatic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rifle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Shotgun	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Knife/Edged Weapon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Baseball Bat/Club	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (specify)	Location of Subject's Weapon (A t time decision was made to use force) <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>1</th> <th>2</th> <th>3</th> <th></th> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>In-hand</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>At hand</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Concealed on person</td> </tr> </table>	1	2	3		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	In-hand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	At hand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Concealed on person	Number of Rounds Fired by Subject(s) (if applicable) Total Number: _____
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<input type="checkbox"/> Hallway	<input type="checkbox"/> Public Institution												
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Person Injured 1. Self 2. Other Police Officer 3. Subject 4. Third Party	Medial Attention Required <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Yes</th> <th>No</th> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nature Of Injuries <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Minor</th> <th>Serious</th> <th>Fatal</th> <th>Unknown</th> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Minor	Serious	Fatal	Unknown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Narrative: (If no occurrence report) – Do not include personal names or information.

If more space is required please continue on back of form

Reviewed by Supervisor	<input type="checkbox"/> Yes	Reviewed by Training Analyst	<input type="checkbox"/> Yes	Recommended Post Traumatic Incident Counselling	<input type="checkbox"/> Yes	Recommended Other Training	<input type="checkbox"/> Yes	Date(day/month/year)
	<input type="checkbox"/> No		<input type="checkbox"/> No		<input type="checkbox"/> No		<input type="checkbox"/> No	

Part B

Officer Involved (name, rank, & badge #)	Incident Number
Date of last use of force refresher training: _____	
Would you like to participate in an interview with a training sergeant/analyst to discuss this incident and/or use of force training?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
Additional Training Recommended By: <input type="checkbox"/> training analyst <input type="checkbox"/> supervisor	Type of training recommended:



Ottawa Police Service Conducted Energy Weapon (CEW) Deployment Report

Type of Call or Incident: _____

Circle all applicable responses

CEW Discharged (probe, drive stun, 3 point): Y / N

Demonstrated Force Presence Only: Y / N *Overt display of CEW with intent to gain compliance

Probes removed by: Officer EMS Hospital N/A EMS Attended Scene: Y / N

Subject: Human / Animal (specify): _____

Subject Condition: Alcohol / Drugs / MHA / Other (specify): _____

CEW Deployment: Effective / Ineffective

If Ineffective, give Possible Reason: _____
(Baggy clothing, probe missed, etc.)

Number of Cartridges fired: _____ or Number of Drive Stuns delivered: _____

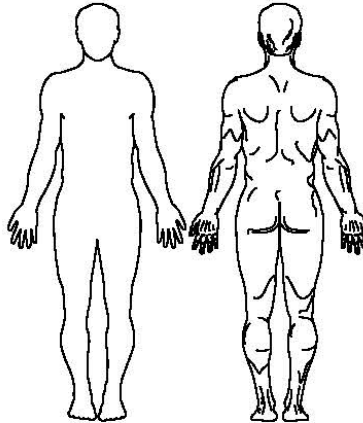
Time of spark test: _____ Time/ date of deployment _____

CEW Serial #	Cartridge Serial #	Probes Deployed	Drive Stun	Number of Cycles
	1.	Y / N	Y / N	
	2.	Y / N	Y / N	
	3.	Y / N	Y / N	

***Insert the probes, sharp end first, into wire well of cartridge, collect all parts, do not wrap wire around cartridge, place in evidence bag and submit to property room

APPLICATION AREAS

(Place "X" where probes hit suspect AND "O" where stunned)



Please Complete a Use of Force Report (Form 1) and mail it, with this form to the Use of Force Analyst

All information below this line is to be removed at the same time as Part B of Form 1

Name: _____

Cadre: _____

Section: _____

Date: _____

Time: _____

Occurrence #: _____

Policy Number:	Policy Subject:
AI-012	USE OF FORCE
LEGISLATIVE AUTHORITY	REFERENCE / <i>Criminal Code of Canada and Ontario Provincial Offences Act; Equipment and Use of Force Regulation 926; Ontario Police Services Act, section 44(1).</i>
DATE APPROVED	25 July 2005
DATE REVIEWED	2007, 2009, 2010, 2013
DATES AMENDED	27 April 2009 01 November 2010
DATE TO BE REVIEWED	2016
REPORTING REQUIREMENT	Annual compliance reporting

BOARD POLICY

It is the policy of the Ottawa Police Services Board with respect to use of force that:

- a) this Board, upon receiving a report on the investigation into an injury or death caused by the discharge of a member's firearm, will:
 - i) review the report and make further inquiries as necessary; and
 - ii) file a copy with the Solicitor General, including any additional inquiries of the Board;
- b) this Board, upon being notified that the Chief of Police has discharged a firearm in the performance of his/her duty, will cause an investigation into the circumstances and file a report on the investigation with the Solicitor General;
- c) the Chief of Police will:
 - i) ensure that members do not use a weapon other than a firearm, with the exception of those used on another member in the course of a training exercise in accordance with procedures, unless:
 - that type of weapon has been approved for use by the Solicitor General;
 - the weapon conforms to technical standards established by the Solicitor General;
 - the weapon is used in accordance with standards established by the Solicitor General.
 - ii) ensure that, at minimum, police officers are:
 - issued a handgun that meets the technical specifications set out in the *Equipment and Use of Force Regulation*;
 - issued oleoresin capsicum aerosol spray;
 - issued a baton; and
 - trained in officer safety, communication, handcuffing and physical control techniques;

- iii) ensure that members do not:
 - use force on another person unless they have successfully completed a training course on the use of force; and
 - carry a firearm unless, they have successfully completed a training course on the use of firearms, and are competent in the use of the firearm;
- iv) ensure that, subject to section 14.3(2) of the Equipment and Use of Force Regulation, at least once every 12 months members:
 - who may be required to use force on other persons receive a training course on the use of force; and
 - authorized to carry a firearm, receive a training course on the use of firearms;
- v) permit the use of reasonable weapons of opportunity by police officers, when none of the approved options is available or appropriate to defend themselves or members of the public;
- vi) establish procedures consistent with the requirements of the *Equipment and Use of Force Regulation 926*;
- vii) immediately cause an investigation to be made where a member unintentionally or intentionally discharges his or her firearm, except on a target range or in the course of weapon maintenance;
- viii) immediately cause an investigation and file a report to this Board where a member, by the discharge of a firearm in the performance of his or her duty, kills or injures another person;
- ix) where the Chief discharges a firearm in the performance of the Chief's duties, promptly report the matter to this Board;
- x) ensure that a written record is maintained of the training courses taken by the members of the police service on the use of force and the use of firearms;
- xi) ensure the reporting of the use of force by members in accordance with the *Equipment and Use of Force Regulation 926*;
- xii) ensure the ongoing review and evaluation of local use of force procedures, training and reporting; and
- xiii) provide a copy of the police service's annual use of force study to this Board for review, and ensure the availability of the study to the community.

Legislative/Regulatory Requirements

The *Criminal Code*, other legislation and case law address the use of force by police and other authorized persons.

The *Equipment and Use of Force Regulation* (R.R.O. 1990, Reg. 926), under the *Police Services Act*, sets out requirements in relation to the use of force including use of approved weapons, training and reporting, as well as use/technical specifications for handguns.

Sample Board Policy

Board Policy # _____

It is the policy of the _____ Police Services Board with respect to use of force that:

- a) this Board, upon receiving a report on the investigation into an injury or death caused by the discharge of a member's firearm, will:
 - i) review the report and make further inquiries as necessary; and
 - ii) file a copy with the Solicitor General, including any additional inquiries of the Board;
- b) this Board, upon being notified that the Chief of Police has discharged a firearm in the performance of his/her duty, will cause an investigation into the circumstances and file a report on the investigation with the Solicitor General;
- c) the Chief of Police will:
 - i) ensure that members do not use a weapon other than a firearm, with the exception of those used on another member in the course of a training exercise in accordance with procedures, unless:
 - that type of weapon has been approved for use by the Solicitor General;
 - the weapon conforms to technical standards established by the Solicitor General; and
 - the weapon is used in accordance with standards established by the Solicitor General;
 - ii) ensure that, at minimum, police officers are:
 - issued a handgun that meets the technical specifications set out in the *Equipment and Use of Force Regulation*;
 - issued oleoresin capsicum aerosol spray;
 - issued a baton; and
 - trained in officer safety, communication, handcuffing and physical control techniques;
 - iii) be authorized to issue a conducted energy weapon to police officers who are:
 - front line supervisors;
 - members of tactical/hostage rescue teams;
 - members of preliminary perimeter control and containment teams; and
 - _____ (other classes of officers deemed appropriate, in consultation with the Chief of Police)



Ottawa Police Service Conducted Energy Weapon (CEW) Deployment Summary of Public Questionnaire Results

- A total of 1200 responses were received, 649 from male respondents and 551 from female respondents.
- The majority of respondents were between the ages of 25-44, and indicated having moderate knowledge of CEWs.
- 53% of respondents indicated support for the revised guidelines issued by the Ontario Ministry of Community and Correctional Services, authorizing expanded deployment of CEWs to additional officer classes (as opposed to only Tactical Unit and Front Line Supervisors); 17% had no comment, 17% indicated they were against the revised guidelines, and 13% indicated some form of concern without taking a position on the guidelines (e.g. training, overuse, vulnerable populations, etc.)
- When respondents were asked what, if any, questions or concerns they had with regards to the revised Ministry guidelines, the top three responses were (*in descending order*):
 - Overuse of device.
 - Risks associated with vulnerable populations (e.g. people with mental health issues or in crisis).
 - Adequacy of training.
- Respondents were provided with information regarding current accountability measures in place for CEW deployments (e.g. Use of Force Report, CEW Deployment Report, automatic storing of data related to deployments). When asked about the current measures in place for CEWs, 57% indicated there is a sufficient amount of accountability in place; 34% indicated there isn't enough accountability in place; and 9% did not know.
- When asked what, if any, measures should be implemented should CEW deployment be expanded to additional officer classes, the top five responses were (*in descending order*):
 - More communication training related to people in crisis or vulnerable populations (e.g. those with a mental illness).
 - More de-escalation training.
 - More training on use of force.
 - More training on the devices.
 - Increased testing of the devices for safety purposes.
- When respondents were asked what effect would knowing an officer has ready access to a CEW have on their feelings of safety, 34% indicated they would feel more safe and confident; 32% said it would have no bearing on feelings of safety; 28% said they would feel less safe and confident; and 6% were unsure.
- Respondents were asked whether they had any other suggestions on ways to improve CEW deployment at the OPS. The main recommendations were:
 - Public education on CEWs.
 - More officer training.
 - More data collection, as well as studying and reporting of the data.



Ottawa Police Service Conducted Energy Weapon (CEW) Deployment Summary of Member Questionnaire Results

- A total of 645 responses were received – 516 from Sworn members, 129 from Civilian members.
- Of the Sworn members who completed the questionnaire, the average number of years spent as an officer was 16.
- 31% of sworn respondents are currently trained on the use of CEWs.
- 26% have previously deployed a CEW.
- 53% of all respondents have witnessed a CEW being deployed, outside of training.
- 86% of respondents indicated support for the revised guidelines issued by the Ontario Ministry of Community and Correctional Services, authorizing expanded deployment of CEWs to additional officer classes (as opposed to only Tactical Unit and Front Line Supervisors).
- 59% of sworn respondents indicated having responded to a call for service where they required a CEW and one was not readily available on scene.
 - 24% of these respondents indicated having to employ other use of force options, resulting in injuries to the subject and/or officer(s).
 - 15% indicated that there was an increased safety risk for the public, subject, and/or officer.
 - 6% indicated they resorted to drawing their firearm.
- 39% of respondents who have been issued a CEW indicated they had previously been forced in an operational environment to present the device and not deploy it, therefore, using it as a demonstrated force presence only.
- When asked what, if any, measures should be implemented should CEW deployment be expanded to additional officer classes, the top five responses were (*in descending order*):
 - More training on the devices.
 - The existing measures are sufficient and can be extended to other officers.
 - More communication training related to people in crisis or vulnerable populations (e.g. those with a mental illness).
 - More training on use of force.
 - More de-escalation training.
- When respondents were asked what effect would knowing all officers have ready access to a CEW have on them in terms of public or officer safety, 78% indicated they would have more comfort and confidence in public or officer safety.
- Respondents were asked whether they had any other suggestions on ways to improve CEW deployment at the OPS. The main recommendations were:
 - Selective issuance to officers (as opposed to equipping all officers).
 - Keep the public informed.
 - Ensure proper officer training and tracking of CEW usage.