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Unclassified

# **2008 RCMP Annual Report on Conducted Energy Weapons**

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## Executive Summary

The 2008 annual report on the RCMP's use of the conducted energy weapon (CEW) covers the period January 1, 2008, to December 31, 2008, ("the reporting period") and provides details on: deployment type, effectiveness, occurrence type, perceived subject behavior, subject injuries, and perceived presence of alcohol and/or other substances. In the majority of cases, the CEW proved to be an effective intervention option in addressing subject behaviour. There were situations where the CEW was ineffective, due to factors such as: weapon malfunction, heavy or loose clothing worn by the subject, or ineffective probe deployments.

The statistical information for this report was derived from the data contained in the RCMP's CEW database.

### Key findings:

- There were 1087 CEW reports involving 1069 subjects during 2008.
- The overall usage rates of the CEW trended downward after the second quarter of 2008.
- 956 of the 2008 deployments (87.9%) were effective in de-escalating the subjects' behaviour.
- The presence of a CEW (i.e., displayed but not deployed in push stun or probe mode) proved to be an effective de-escalation tool in 47.1% of the cases where the weapon was used.
- Incidents of cause disturbance, assault and domestic disputes accounted for 533 (49.0%) of all occurrence types in which a CEW was deployed.
- Responses to mental health or suicidal subjects accounted for 176 (16.2%) of all CEW deployments.
- 97.3% of the 1069 subjects who received a CEW deployment sustained no injury other than the superficial effect of the CEW, such as a slight burn or probe mark.
- In 270 incidents (24.8%) members deployed the CEW even though they reported facing a threat of death or grievous bodily harm (i.e., justify using lethal force).
- One incident of death proximal to the use of a CEW was reported. The subsequent investigation found that the subject died as a result of self-inflicted stab wounds.
- Alcohol and/or the use of other substances was suspected or confirmed in 900 incidents (84.2%).
- All of the CEW usages reviewed for this report were found to be consistent with the RCMP CEW policy for the reporting period.



## Conducted Energy Weapon – Introduction

The activation or cycling of the CEW is possible in two different modes, namely:

- **Push stun mode:** pressing or pushing an activated CEW onto an individual's body, allowing electrical energy to be transferred to that individual; or
- **Probe mode:** deploying an activated CEW by discharging two electrical probes, equipped with small barbs that hook onto a person's clothing or skin, allowing electrical energy to be transferred to that person.

Usage of a CEW is articulated in Operational Manual Policy (OM) Part 17. The “usage” of a CEW as an intervention option is explained in OM 17.7.2. and occurs when:

- The CEW Challenge is issued. The CEW Challenge is the declaration by a member before using the CEW: “Police, stop or you will be hit with 50,000 volts of electricity!” \*; or
- The CEW is presented. Presence is when the CEW is drawn from its holster and restores control in a situation by presence alone, whether or not the CEW Challenge is given; or
- The CEW is activated. Activation occurs when the safety is released on the CEW and/or the CEW is cycled in push stun or probe mode.

After each CEW usage, members are required by policy to notify their supervisor as soon as practicable and to complete the Form 3996 (CEW Usage Report) prior to the end of their shift. Form 3996 documents the details concerning the use of the CEW in a given incident.

\*(Note: As of February 3<sup>rd</sup>, 2009 the CEW Challenge was removed from policy; however, during this reporting period the CEW Challenge was in effect. Nonetheless, members are taught to use verbal intervention and conflict resolution when feasible, as well as use simple commands such as “police stop” to potentially de-escalate a subject’s behaviour).



To address the issue of proper completion of form 3996, the National Use of Force Section provided all RCMP divisions with a template describing the information required to complete the form properly and reinforced the circumstances under which the report is required. Any outstanding reports are tracked nationally and updated as they are successfully uploaded to the data base.

- The National Use of Force Section continually reviews submitted reports to enhance and emphasize full and accurate CEW reporting. While conducting our review for the 2008 annual report several CEW usage reports were located that were either duplicates or completed after the publication of the quarterly report cutoff dates. Upon completing our analysis, the 2008 totals have been revised as follows: there were 1087 CEW reports on 1069 subjects, as opposed to the 1081 deployments on 1058 subjects, as published in the quarterly reports. The slight adjustments with regard to the totals presented in this report, compared to the sum of the totals published in the quarterly reports, are accounted for in this report.



## Conducted Energy Weapon - Deployments

Chart 1 shows the trend of total CEW deployments on a quarterly basis for 2008. The chart shows decreasing deployment totals after the second quarter.

### Chart 1 - Number of CEW Deployments by Quarter

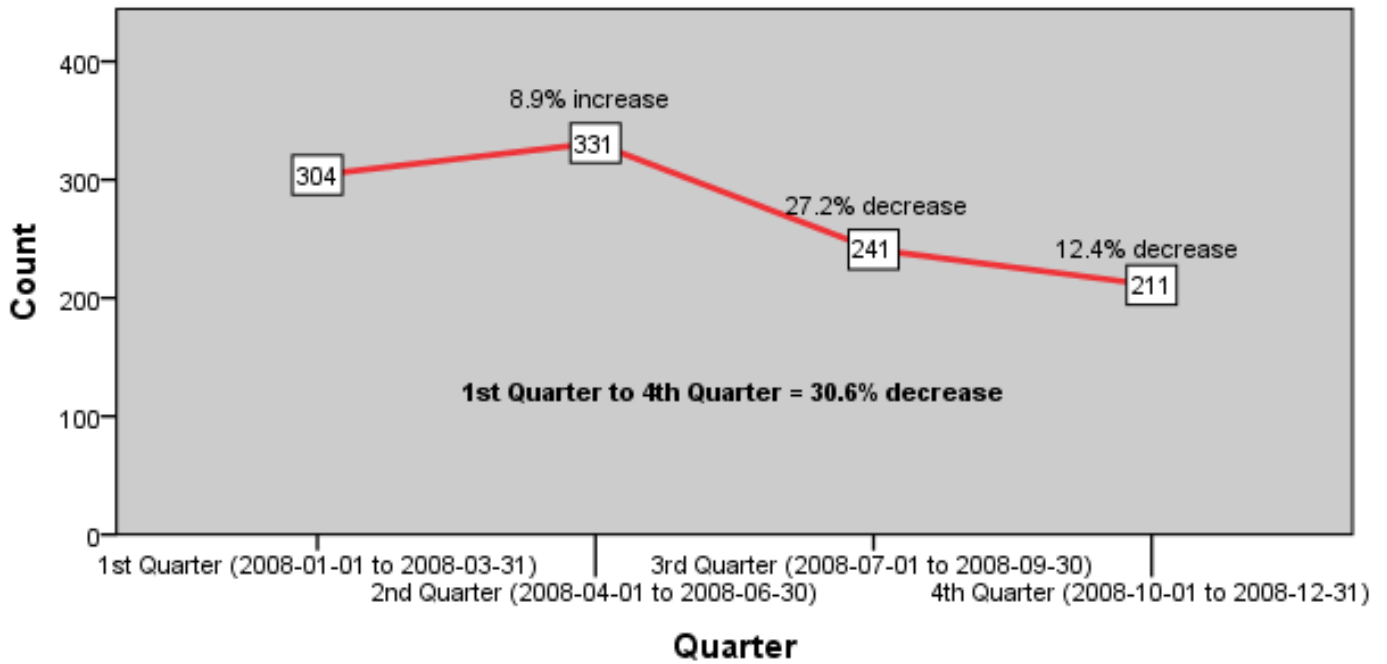




Table 1 below reports CEW deployments by division on a quarterly basis for the reporting period. Table 2 outlines the types of deployments by division for the reporting period.

**Table 1 – Deployments by Division**

Province	Division	Quarter				Total:	
		1st Quarter (2008-01-01 to 2008-03-31)	2nd Quarter (2008-04-01 to 2008-06-30)	3rd Quarter (2008-07-01 to 2008-09-30)	4th Quarter (2008-10-01 to 2008-12-31)		
NL	B	11	5	20	6	42	3.9%
MB	D	26	27	23	17	93	8.6%
BC	E	105	116	87	74	382	35.1%
SK	F	51	49	32	41	173	15.9%
NWT	G	12	11	11	4	38	3.5%
NS	H	14	16	7	10	47	4.3%
NB	J	12	24	11	9	56	5.2%
AB	K	61	67	44	40	212	19.5%
PEI	L	0	1	2	5	8	0.7%
YK	M	4	2	2	3	11	1.0%
NU	V	8	13	2	2	25	2.3%
<b>Total:</b>		304	331	241	211	1,087	100.0%
		28%	30%	22%	19%	100%	

**Table 2 – Types of Deployments by Division**

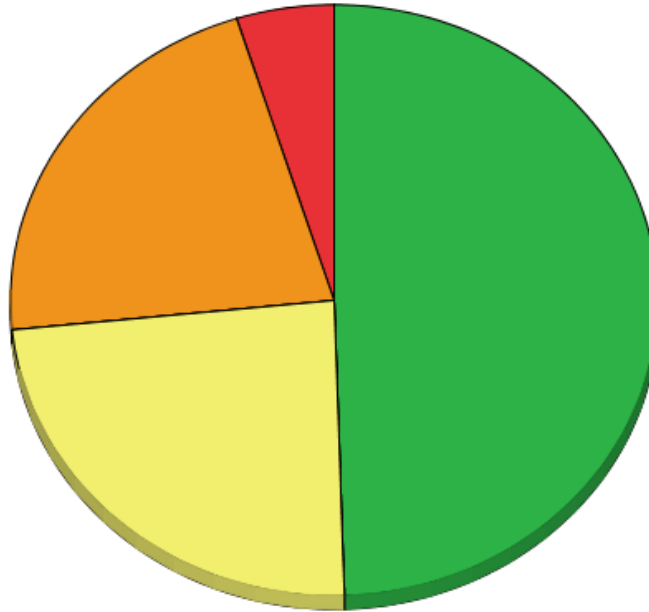
Province	Division	Deployment Type				Total:
		Presence/ Challenge Only	Push Stun	Probe	Both Push Stun & Probe	
NL	B	22	9	10	1	42
MB	D	40	30	21	2	93
BC	E	177	104	83	18	382
SK	F	110	33	26	4	173
NWT	G	24	9	4	1	38
NS	H	24	14	9	0	47
NB	J	26	14	12	4	56
AB	K	98	38	59	17	212
PEI	L	5	0	2	1	8
YK	M	5	1	4	1	11
NU	V	7	8	6	4	25
<b>Total:</b>		538	260	236	53	1,087
		49%	24%	22%	5%	100%





Chart 2 shows the breakdown of 2008 CEW deployments in terms of the type of deployment. Almost half (49.5%) of the 2008 deployments were reported as presence/challenge only.

### Chart 2 - Deployment Type



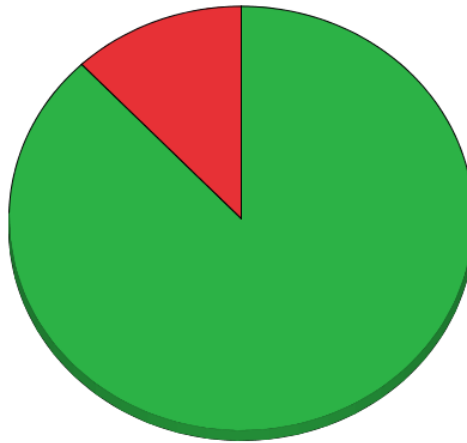
Deployment Type	Frequency	Percent
Presence/Challenge Only	538	49.5
Push Stun	260	23.9
Probe	236	21.7
Both Push Stun & Probe	53	4.9
Total	1087	100.0





## Conducted Energy Weapons - Effectiveness

Table 3 reports on the overall effectiveness of the CEW. For the purposes of this analysis “effectiveness” means that deployment of the CEW resulted in control of the subject’s behaviour. Chart 4 provides a further breakdown of the CEW effectiveness in relation to the type of deployment. Chart 5 represents the analysis of 131 instances when the CEW was reported to be ineffective.

**Chart 3 - Overall Effectiveness of the CEW**

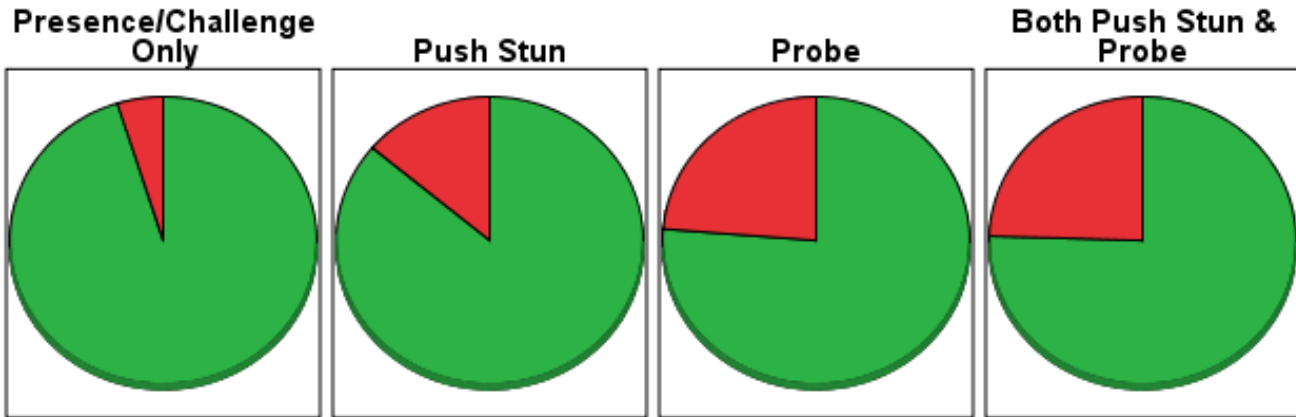


CEW Effectiveness	Frequency	Percent
 Effective	956	87.9
 Not Effective	131	12.1
Total	1087	100.0



### Chart 4 - Deployment Type Effectiveness

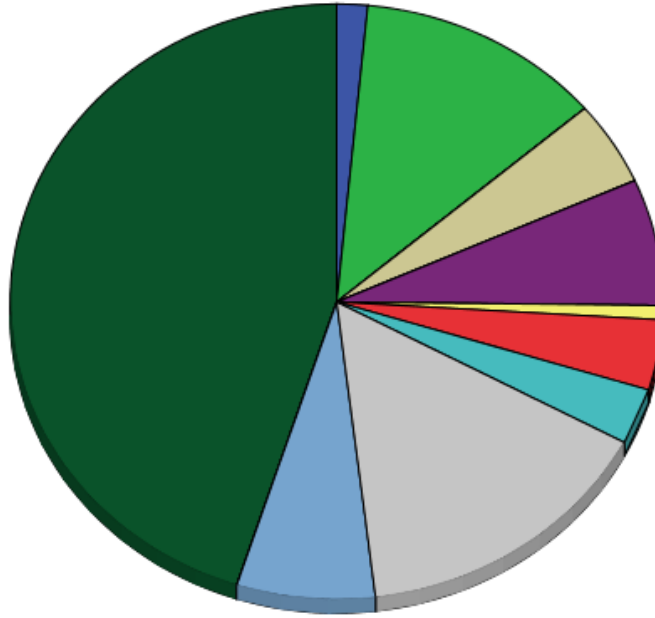
#### Deployment Type



CEW Effectiveness	Deployment Type									
	Presence/Challenge Only		Push Stun		Probe		Both Push Stun & Probe		Total	
	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %
<span style="color: green;">■</span> Effective	512	95.2%	224	86.2%	180	76.3%	40	75.5%	956	87.9%
<span style="color: red;">■</span> Not Effective	26	4.8%	36	13.8%	56	23.7%	13	24.5%	131	12.1%
<b>Total</b>	<b>538</b>	<b>100.0%</b>	<b>260</b>	<b>100.0%</b>	<b>236</b>	<b>100.0%</b>	<b>53</b>	<b>100.0%</b>	<b>1087</b>	<b>100.0%</b>



### Chart 5 - Impediments to Effective Outcomes



Impediments	Frequency	Percent
Outside Distant Parameters	2	1.5
Moving Target	16	12.2
Deflection (Foreign Object)	6	4.6
Operator Error	9	6.9
Wind	1	.8
Malfunction	5	3.8
Training Issue	4	3.1
Clothing	20	15.3
Insufficient Power	9	6.9
Subject Not Affected (compliance was not obtained after CEW deployment)	59	45.0
<b>Total</b>	<b>131</b>	<b>100.0</b>

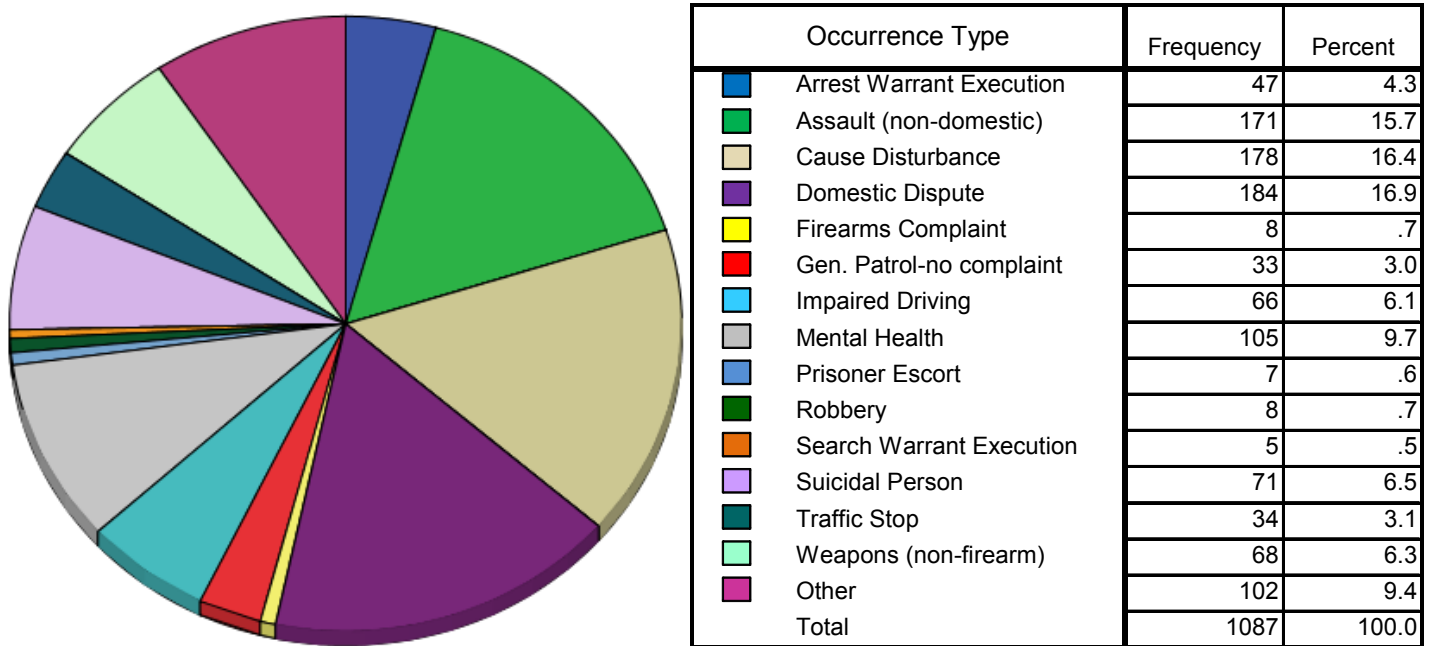
(Note: “Effective Outcomes” means that deployment of the CEW resulted in control of the subject’s behavior)



## Conducted Energy Weapon - Occurrence Type

Chart 6 outlines the occurrence type of the initial call for service in which a CEW was deployed. There are 15 different occurrence types used to describe a call for service that a member either observes or is dispatched to attend. Although the circumstances and situational factors may change during an occurrence, the initial occurrence type is the category that members are instructed to select for their report.

**Chart 6 - Occurrence Type**



(Note: The “Other” category includes incidents for which there is no occurrence type such as Mischief, Break and Enter and Threats.)



## Conducted Energy Weapon - Subject Behaviour

The CEW database does not have a specific data field to capture subject behavior or perceived threat. Information from the summary narratives on completed Forms 3996 was used to determine subject behavior, which is the overt action(s) taken by the subject. There is a distinction between what a subject does overtly, and the threat that can reasonably be inferred by a responding police officer based on a totality of the circumstances that are perceived or can reasonably be perceived. An example of this distinction is provided in the following hypothetical scenario: Three members respond to a call involving a suicidal person who has been violent to the police in the past and is known to carry weapons. The person reporting the incident has overheard death threats being made by the subject and hears him threaten the use of a knife against the police. When the police arrive, one of the members provides lethal overwatch with their service pistol while a second member points a CEW at the subject and gives commands to take his hands out of his pockets. The subject is cooperative with this and all ensuing commands and is arrested and taken into custody without further incident. This is an example of cooperative behaviour and yet the threat that the subject poses is actually death or grievous bodily harm. It is the totality of the circumstances and their risk assessment, not behavior alone that a police officer takes into account when making decisions on how to respond to a subject. The new Subject Behaviour Officer Response (SB/OR) reporting form, currently being piloted, will include the identification of behaviour. Chart 7 displays the reported behaviour of individuals subject to CEW usage.

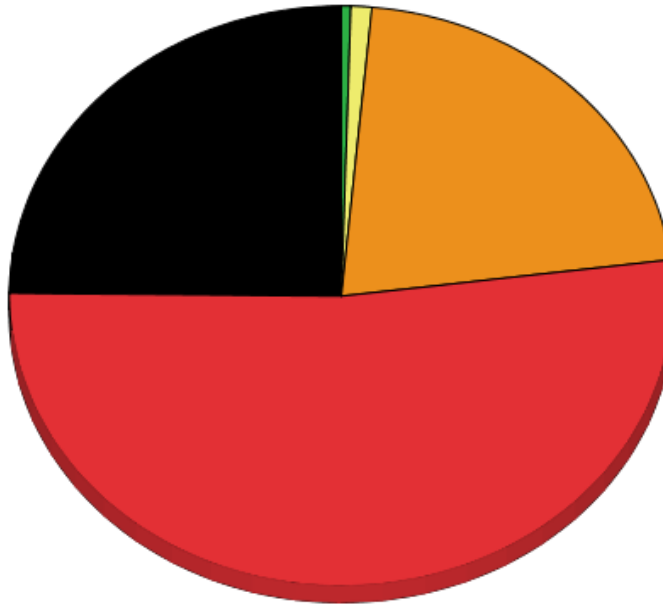
Chart 8 displays the subject behavior associated with the type of CEW deployment as well as the breakdown of the deployment types for the five listed subject behaviors. In 2008, there were five instances reported where a CEW was deployed on subject displaying cooperative behavior as well as 11 instances where a CEW was deployed on subjects displaying passive resistant behavior. If reported out of context it would appear that these types of deployments would be contrary to RCMP policy governing the deployment of the CEW. These reports have been reviewed and describe situations where a member drew and displayed and/or threatened the use of the CEW. The review confirmed that the members' decision to use the CEW was based on a perceived threat. For example, several of the instances involved arresting individuals suspected of murder or committing violent crimes. Other instances involved threat cues where subjects were inside houses or sheds with access to weapons and were not immediately responding to verbal commands. While this is not a comprehensive list of all the situational factors and threat cues perceived during a member's risk assessment, it does provide some insight into the totality of the circumstances police officers observe or perceive during CEW deployments. There was one reported probe deployment on a passive resistant subject in the first quarter of 2008. This report has been reviewed and the deployment was found to be accidental. The physical size of the subject and the nature of the call (domestic dispute) gave cause for the member involved to display the CEW. As a second member was gaining control of the subject the CEW was being re-holstered and the member accidentally pulled the trigger. One probe entered the ground and the second went into the material of a thick jacket worn by the subject. The subject did not feel the effect of the CEW.

Presence/challenge only is included in the analysis of subject behaviour in order to highlight the fact that in 377 instances subjects were displaying behavior that was at the level of combative or death or grievous bodily harm and the act of presenting the CEW resulted in control being obtained over the subject. Using the CEW in these instances avoided the possibility of injury to these subjects by means of a more forceful intervention option.



There is also a higher instance of probe type deployments against subjects displaying behavior of death or grievous bodily harm which is consistent with members maintaining a safe distance from the subject.

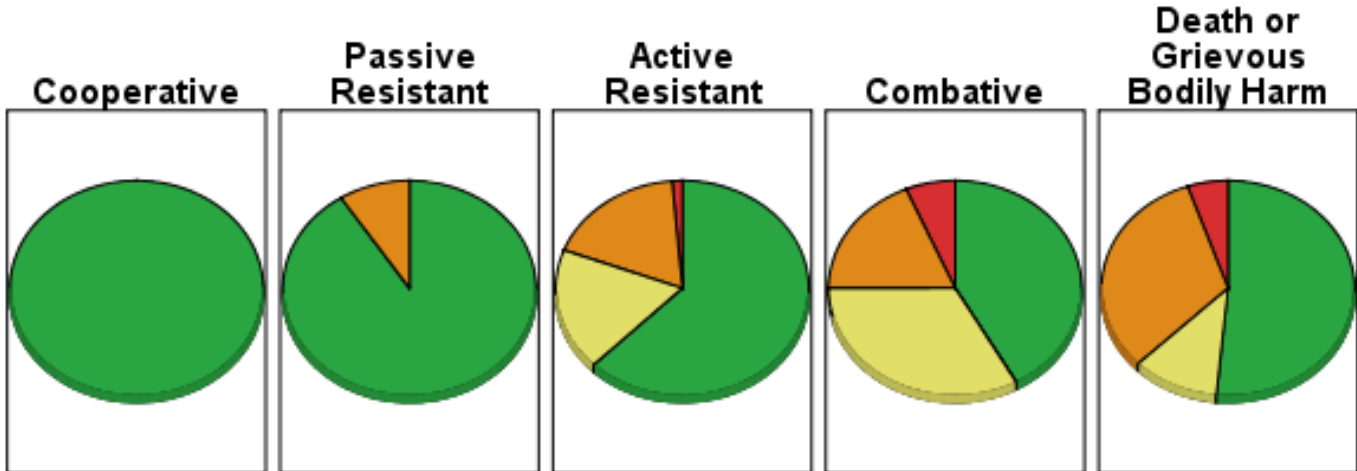
### Chart 7 - Subject Behaviour



Subject Behaviour	Frequency	Percent
Cooperative	5	.5
Passive Resistant	11	1.0
Active Resistant	234	21.5
Combative	567	52.2
Death or Grievous Bodily Harm	270	24.8
Total	1087	100.0



### Chart 8 - Subject Behaviour Associated with Deployment Type



Deployment Type	Subject Behaviour											
	Cooperative		Passive Resistant		Active Resistant		Combative		Death or Grievous Bodily Harm		Total	
	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %
Presence/Challenge Only	5	100.0%	10	90.9%	146	62.4%	238	42.0%	139	51.5%	538	49.5%
Push Stun	0	.0%	0	.0%	43	18.4%	187	33.0%	30	11.1%	260	23.9%
Probe	0	.0%	1	9.1%	42	17.9%	106	18.7%	87	32.2%	236	21.7%
Both Push Stun & Probe	0	.0%	0	.0%	3	1.3%	36	6.3%	14	5.2%	53	4.9%
<b>Total</b>	<b>5</b>	<b>100.0%</b>	<b>11</b>	<b>100.0%</b>	<b>234</b>	<b>100.0%</b>	<b>567</b>	<b>100.0%</b>	<b>270</b>	<b>100.0%</b>	<b>1087</b>	<b>100.0%</b>





## Conducted Energy Weapon - Subject Injuries

Injuries associated with CEW usage are categorized as follows:

- No injury
- Minor primary injury - includes the immediate effects of CEW usage, such as slight burns, probe marks or slight bruising and cuts due to falls or physical struggles with police.
- Outpatient injury - any instance where a subject received medical attention and was not admitted to a health care facility.
- Inpatient injury - any instance where an injury related to the use of a CEW resulted in the subject being admitted to a health care facility.
- Death proximal to CEW usage - death occurring after the deployment of the CEW.

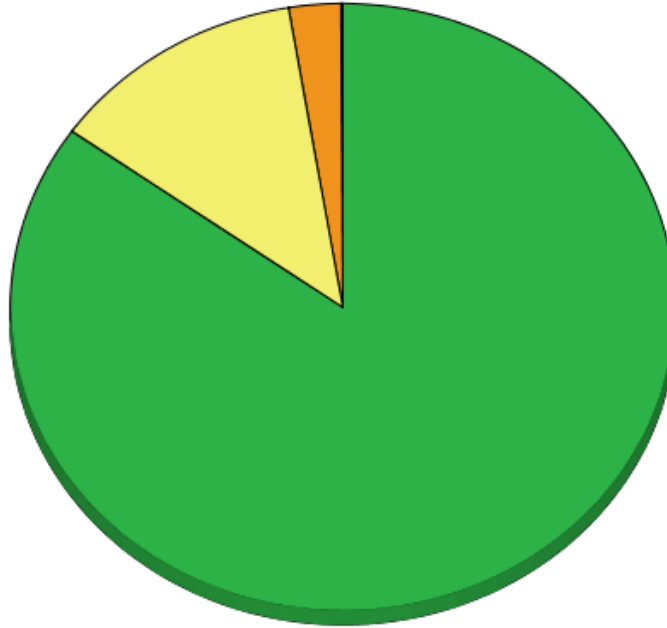
For the purposes of this report all injuries that meet the criteria above are being reported. This includes a number of instances where subjects were taken to receive outpatient care either as a result of a subject feigning an injury, at the subject's request, or for precautionary reasons at the discretion of the arresting officer. This criteria has resulted in an over-reporting of injuries and/or treatment being attributed to the actual deployment of the CEW, particularly with instances of "outpatient injury" as the criteria for reporting does not require that the treatment be attributable to the use of the CEW. In the interest of being as inclusive as possible, the above injury categories are being used despite the potential for over-reporting.

Chart 9 indicates that of the 1069 subjects that received a CEW deployment in 2008, 907 (84.8%) were uninjured, minor primary injuries were sustained by 134 (12.5%) of the subjects and 27 (2.5%) subjects received outpatient treatment. One incident of death proximal to the deployment of the CEW was reported. This situation involved a subject who had a severe self-inflicted stab wound, had fallen through a second story window to the ground and was suspected of committing a recent robbery with a weapon. The police engaged the subject outside the residence after he had fallen. The CEW was deployed to prevent the subject, who was ignoring police commands, from re-entering a residence where it was believed he would have ready access to a firearm. The subsequent medical examination on the subject of this incident confirmed that the cause of death was due to a self-inflicted knife wound to the chest.

Chart 10 displays the correlation between subject behavior and subject injuries as well as the numerical breakdowns for the injuries associated with five listed subject behaviors.



### Chart 9 - Reported Injuries Associated with CEW Usage



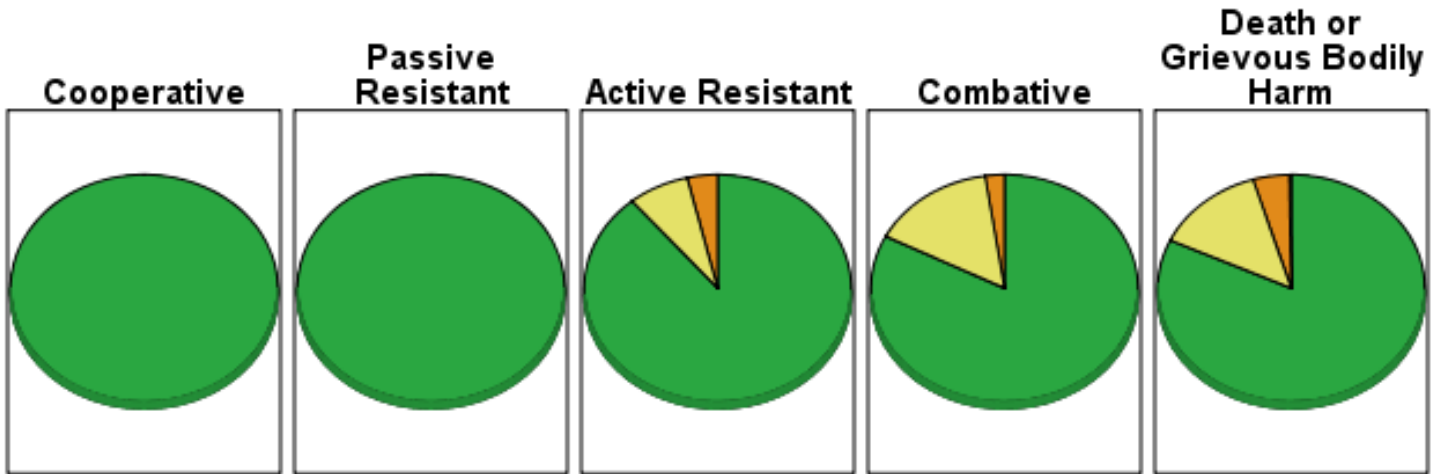
Subject Injury/Treatment	Frequency	Percent
No injury	907	84.8
Minor Primary Injury	134	12.5
Outpatient	27	2.5
In-patient	0	.0
Death Proximal	1	.1
Total	1069	100.0

(Note: The circumstances describing the subject whose death was proximal to the CEW can be found on page 16).



## Chart 10 - Reported Injuries Associated with Subject Behaviour

### Subject Behaviour



Subject Injury/Treatment	Subject Behaviour											
	Cooperative		Passive Resistant		Active Resistant		Combative		Bodily Harm		Total	
	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %
No injury	5	100.0%	11	100.0%	211	90.2%	472	83.2%	220	81.5%	919	84.5%
Minor Primary Injury	0	.0%	0	.0%	17	7.3%	83	14.6%	39	14.4%	139	12.8%
Outpatient	0	.0%	0	.0%	6	2.6%	12	2.1%	10	3.7%	28	2.6%
In-patient	0	.0%	0	.0%	0	.0%	0	.0%	0	.0%	0	.0%
Death Proximal	0	.0%	0	.0%	0	.0%	0	.0%	1	.4%	1	.1%
<b>Total</b>	<b>5</b>	<b>100.0%</b>	<b>11</b>	<b>100.0%</b>	<b>234</b>	<b>100.0%</b>	<b>567</b>	<b>100.0%</b>	<b>270</b>	<b>100.0%</b>	<b>1087</b>	<b>100.0%</b>

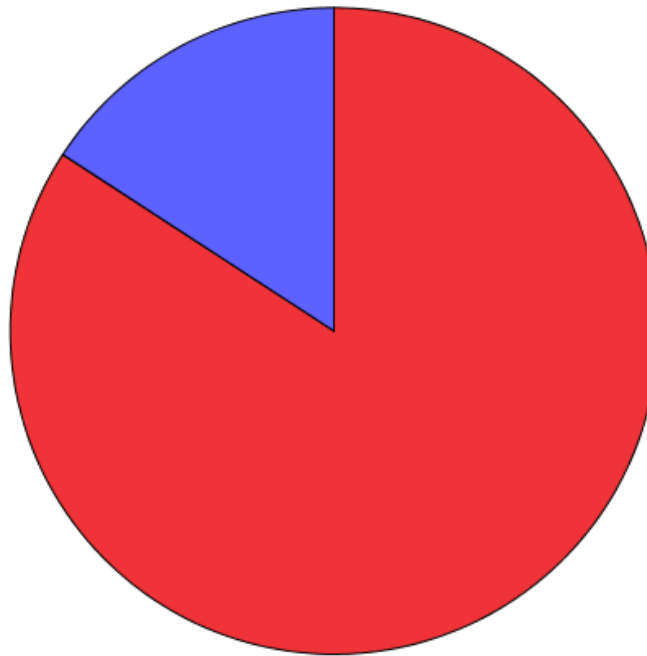
(Note: The circumstances describing the subject whose death was proximal to the CEW can be found on page 16).





## Conducted Energy Weapon – Perceived Presence of Alcohol and/or other Substances

Chart 11 reports the perceived presence of alcohol or other substances within the 1069 subjects. The presence of alcohol or other substances was reported in 900 subjects or 84.2% of this period’s CEW deployments. The 169 (15.8%) reported as “No” does not mean alcohol or other substances were not present, but rather that they were not detected by the reporting member in his/her interaction with the subject. Chart 12 shows the detailed breakdown of the types of substances that were reported as well as the overall percentage that the substance represents.

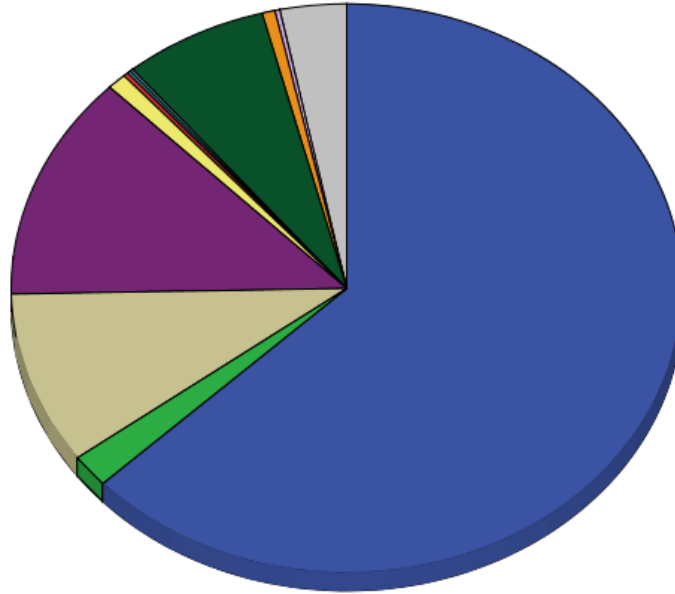
**Chart 11 - Perceived Presence of Alcohol and/or other Substances**



Alcohol or Substance Noted	Frequency	Percent
 Yes	900	84.2
 No	169	15.8
Total	1069	100.0



### Chart 12 – Type of Perceived Substances



Substance	Frequency	Percent
Alcohol	806	63.0
Amphetamines	24	1.9
Cannabis	126	9.8
Cocaine	164	12.8
Ecstasy	12	.9
Heroin	3	.2
LSD	2	.2
Steroids	3	.2
PCP	2	.2
Prescription Drugs	89	7.0
Solvents and Inhalants	8	.6
Other	41	3.2
Total	1280	100.0

<p>Approved By:                  Insp. D. Smith                  OIC National Use of Force and Operational Programs                  CCAPS</p>	<p>Prepared By:                  Sgt. K. Beson                  Cpl. K Lackie                  CM Simon Baldwin                  National Use of Force Unit                  CCAPS</p>
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## APPENDIX A

### Total number of regular members employed during the reporting period

Province	Division	RCMP REGULAR MEMBERS ON STRENGTH AS OF 2008-12-31
OTTAWA	A	242
NL	B	506
QC	C	975
MB	D	1152
BC	E	6129
SK	F	1167
NWT	G	191
NS	H	1099
NB	J	894
AB	K	2542.5
PEI	L	131
YK	M	128
HQ	N	1815.5
ON	O	1278
REGINA	DEPOT	141
NU	V	111
Total:		18502



## APPENDIX B

Province Division		CEW Types Procured per Division January to December 2008		
		M26	X26	Total:
OTTAWA	A	1	0	1
NL	B	0	9	9
QC	C	0	2	2
MB	D	0	163	163
BC	E	2	125	127
SK	F	0	114	114
NWT	G	0	19	19
NS	H	0	14	14
NB	J	0	17	17
AB	K	0	88	88
PEI	L	0	5	5
YK	M	0	0	0
HQ	N	0	3	3
ON	O	0	17	17
REGINA	DEPOT	0	11	11
NU	V	0	2	2
Procured:		3	589	592

Province Division		CEW Disposed per Division January to December 2008		
		M26	X26	Total:
MB	D	0	2	2
BC	E	1	1	2
SK	F	0	5	5
NWT	G	0	1	1
NS	H	0	2	2
NB	J	0	1	1
AB	K	0	1	1
REGINA	DEPOT	0	1	1
Disposed:		1	14	15



## APPENDIX C

Region	Number of Members Trained on the CEW User Course (000028) between January 1, 2008 and December 31, 2008				
	January 1 to March 31	April 1 to June 30	July 1 to September 30	October 1 to December 31	2008 Total:
Pacific	98	55	33	56	242
North West	123	99	15	72	309
NHQ	4	22	0	0	26
Central	30	6	10	0	46
Atlantic	135	40	6	8	189
<b>Total:</b>	<b>390</b>	<b>222</b>	<b>64</b>	<b>136</b>	<b>812</b>

Region	Number of Members Recertified on the CEW * (000279) between January 1, 2008 and December 31, 2008				
	January 1 to March 31	April 1 to June 30	July 1 to September 30	October 1 to December 31	2008 Total:
Pacific	38	57	8	59	162
North West	228	131	159	189	707
NHQ	2	15	2	1	20
Central	30	38	7	0	75
Atlantic	58	75	151	61	345
<b>Total:</b>	<b>356</b>	<b>316</b>	<b>327</b>	<b>310</b>	<b>1309</b>

\*Includes Both Users and Instructors, as there is no Instructor's Recertification Course at present

Region	Number of Instructors Trained on the CEW Instructors Course (000029) between January 1, 2008 and December 31, 2008				
	January 1 to March 31	April 1 to June 30	July 1 to September 30	October 1 to December 31	2008 Total:
Pacific	0	0	17	0	17
North West	18	19	1	0	38
NHQ	1	0	3	2	6
Central	1	3	13	0	17
Atlantic	0	0	1	15	16
<b>Total:</b>	<b>20</b>	<b>22</b>	<b>35</b>	<b>17</b>	<b>94</b>





## APPENDIX D



### Divisions

<b>HQ - Headquarters, Ottawa, Ontario</b>	<b>H - Nova Scotia</b>
<b>A - Ottawa, Ontario</b>	<b>J - New Brunswick</b>
<b>B - Newfoundland</b>	<b>K - Alberta</b>
<b>C - Quebec</b>	<b>L - Prince Edward Island</b>
<b>D - Manitoba</b>	<b>M - Yukon Territory</b>
<b>E - British Columbia</b>	<b>O - Ontario</b>
<b>F - Saskatchewan</b>	<b>T - Depot</b>
<b>G - Northwest Territories</b>	<b>V - Nunavut</b>