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Use of Force Advisory Committee 2012 Annual Report

Co-Chairs: Michael Federico, Deputy Chief, Toronto Police Service
Hugh Stevenson, Superintendent, Ontario Provincial Police

Members: Nathalie Barbeau, Capitaine, Surete De Quebec
Dr. Christine Hall, MD, Canadian Police Research Centre
Joel Johnston, Sergeant, Vancouver Police Department
Jay Judin, Staff Sergeant, Force Review Officer, Calgary Police
Chris Lawrence, Ontario Police College
Lisa Sabourin, Ontario Ministry of Community Safety and Correctional Services
Pierre Savard, Commandant, Montreal Police
Bruce Stuart, Sergeant, Royal Canadian Mounted Police
Mike Tillotson, Staff Sergeant, Calgary Police Service
Dave Walsh, Superintendent, Royal Canadian Mounted Police

Advisors: Vesna Knezevic, Public Safety Canada
Donna Woods, Defence Research and Development Canada

Introduction

Committee Name

In 2012, the Canadian Law Enforcement Forum (CLEF) formally changed its name to the CACP Use of Force Advisory Committee (UFAC, the Committee). This name more accurately reflects its focus on providing advice and counsel to the CACP on matters related to police use-of-force. Its mandate includes the consideration of use-of-force technology and use-of-force modalities (i.e. policies, procedures, practices, training, and techniques).

Meetings

The Committee continues to meet twice a year. In 2012 it met in April and September, in Toronto.

Accomplishments

Use-of-Force Reporting

During 2012 the Committee explored the development of a national use-of-force reporting process. It was agreed that in order to help the CACP develop consistent use-of-force reporting the Committee could review and identify common traits or distinguishing features that are present in use-of-force reports across Canada. To do so the Committee has made this subject a standing agenda item. Work being done in Ontario may form the basis of further discussions. This item remains ongoing.

Training

The Committee also reviewed police training and skills retention and perishability. Members were advised that the Police Sector Council literature review is close to completion and publication. Of interest is that the RCMP is considering moving from live fire training to simulation training. Preliminary studies suggest there is no loss in competence in those trained and there are savings associated to the reduction in range supervisors required and ammunition consumed. The RCMP is also researching whether annual recertification is necessary based on empirical data. The Federal Law Enforcement Training Centre in the USA is also reviewing live fire practice. The Committee will continue to watch these developments in future meetings.

While the Committee is monitoring use of force training generally, it is paying particular attention to Conducted Energy Weapons training, and training around police encounters with emotionally disturbed persons (EDP).

National Approach for Selecting Police Use-of-Force Technology

As was noted in the 2011 annual report Canadian police services continue to work with the Federal, Provincial, and Territorial Working Group to develop a common, defensible approval processes for the introduction of new use-of-force technologies (particularly less lethal technologies) into police inventory. During 2012 the Committee continued to help refine the latest draft proposal developed by the Canadian Police Research Centre and Defence Research and Development Canada (DRDC).

A Statement of Requirement (SOR) document was also drafted. The SOR would be the first step in assessing any technology or equipment that is being considered for approval. The draft SOR is being tested in Alberta to assess the need for a device that can assist with cell extractions, in Ontario to assess the need to replace the TASER X26, and for the RCMP to assess the need for distraction devices for their tactical squads.

On Saturday August 18, 2012, Ms. Vesna Knezevic, Manager Firearms and Operational Policing Policy Division, Public Safety Canada, Ms. Donna Wood, Project Manager, Conducted Energy Weapons Strategic Initiative, DRDC Centre for Security Science, and

Committee Co-Chair, Deputy Chief Mike Federico, Toronto Police Service, participated in a conference call with the CACP Executive.

The call

- provided an overview of the work Public Safety Canada has been leading, in collaboration with Federal, Provincial, and Territorial Governments, to address how less lethal weapons (LLW) are approved for use by law enforcement in Canada, the context for that work, and the benefits to stakeholders;
- updated CACP on the status of a collaborative research project between Public Safety Canada and DRDC to develop a LLW approval process that could be applied to emerging less lethal technologies; and
- received feedback on the approach recommended by DRDC, the role proposed for police services and the role that could be played by CACP in supporting implementation.

No decisions were needed but the CACP was informed of the progress of the LLW approval process and most of the outstanding issues.

Since then, the Committee has received the recently completed draft DRDC report on *Testing of Conducted Energy Weapons – Recommended Practices to Ensure Consistent and Quality Results* and was asked for its comments. This report discussed the need to regularly test issued CEWs against manufacturer specifications, particularly for electrical output, and suggested testing methodologies for police services and laboratories to follow when conducting tests (Authors: Donna Wood, Dr. Joey R. Bray, Dr. Bill Simms - Publication Type: Technical Report)

While not commenting on the testing methodologies directly, the chair of the Committee remarked that:

... based on operational experience, there is no proven need to test the weapons, particularly for output (although there is certainly an interest in testing). The interest in testing the weapon's electrical output was motivated, largely, by a public safety concern that persons might be at higher risk of harm from any variance in current that might be associated with any particular weapon; however, even if variances are detected the results are, at most, inconclusive and variances themselves are, arguably, so small as to have negligible impact on public safety. To me, the report overstates the case for testing.

Committee Next Steps

The committee continues to focus on its established agenda, specifically:

- 1) Effective communication strategies that reflect the realities of operational police use of force – in particular highlighting what we do well.

- 2) Developing a national use of force reporting guideline. This item is considered a high priority because the development of consistent reporting criteria and methodology will help police officers articulate and justify their use of force; and a greater degree of national consistency around the relevant data collection can benefit research, training, policy, accountability, supervision, governance, and public trust.
- 3) Use of force training - in particular issues of knowledge and skills perishability and the development of evidence based curriculum.
- 4) Studying the organizational impacts of the introduction of new training/techniques/technologies, particularly on police operations, budgets and infrastructure.
- 5) Police encounters with persons who are emotionally disturbed or suffering from mental illness.
- 6) Threat analysis related to officer/public safety on emerging or existing technology (e.g. lasers used against the public, and other new unlawful weapons).

In the immediate future, the Committee will focus on police use-of-force when responding to emotionally disturbed persons.

Submitted by:

Co-Chairs

Superintendent Hugh Stevenson and Deputy Chief Mike Federico