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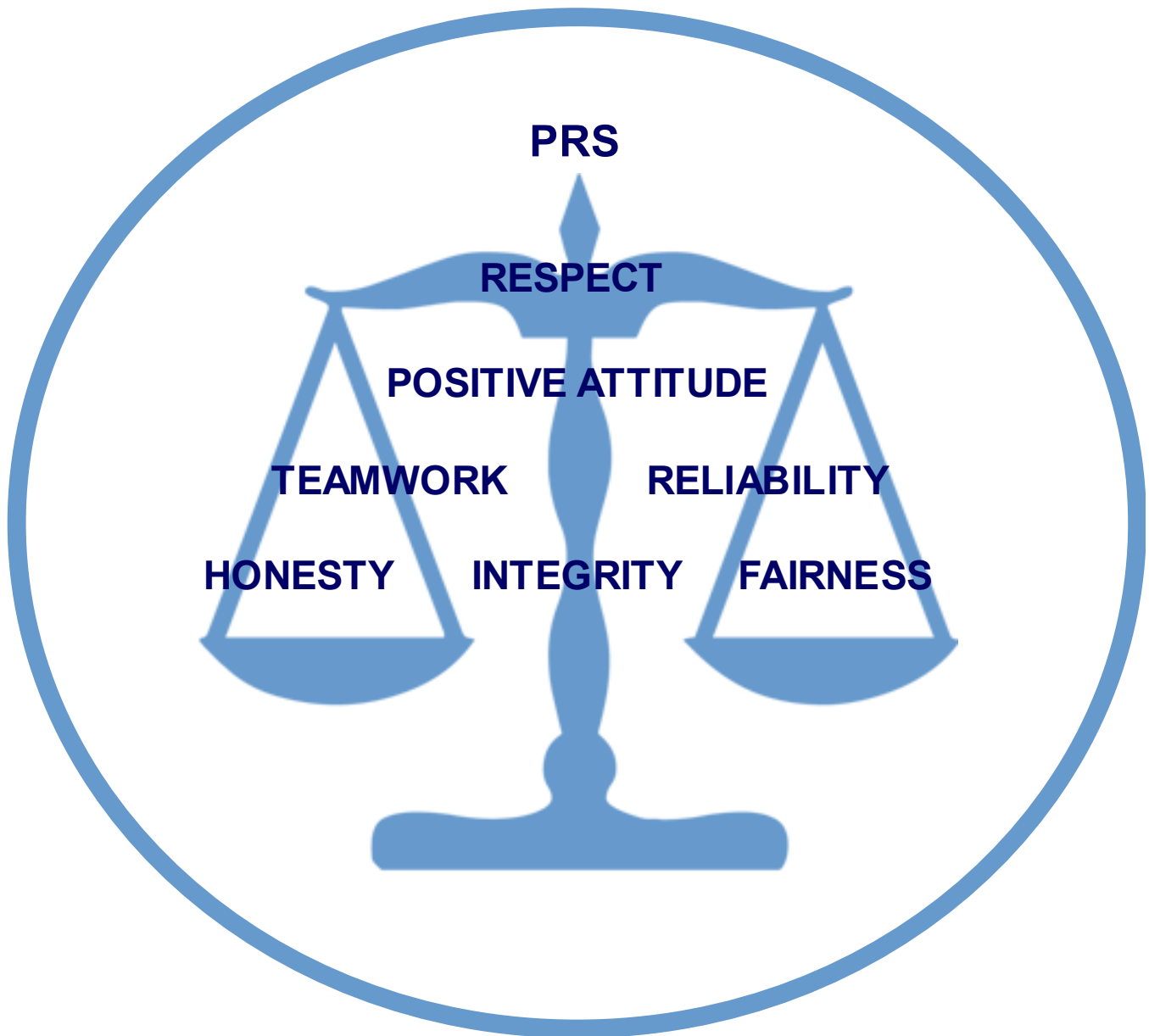
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PROFESSIONAL STANDARDS Annual Report

2010



Toronto Police Service
To Serve and Protect

Professional Standards
Semper Vigilis



Statistical information included in the Professional Standards Annual Report has been compiled from data contained in the Professional Standards Information System (PSIS) with additional data from individual units, including:

- Prosecution Services
- PRS-Investigations (Criminal and Conduct)
- Legal Services
- Awards
- Special Investigations Liaison Unit
- Toronto Police College
- Human Resources Management

The data contained in this report includes records entered into PSIS between January 1 and December 31, 2010 inclusive.

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Executive Summary

Professional Standards (PRS) provides effective support to the Toronto Police Service (TPS), ensuring that prescribed Service standards concerning the administration, promotion and support of professionalism are upheld. These standards include the practices, conduct, appearance, ethics and integrity of its members, with a goal to strengthen public confidence and co-operation within the community.

PRS is comprised of the Investigative Unit and the Risk Management Unit. The Investigative Unit investigates all forms of complaints (criminal and conduct) alleged against Toronto Police members and is comprised of the following sub-units: Complaints Administration; Conduct Investigations; Criminal Investigations and Investigative Support Unit. The Risk Management Unit is comprised of Awards, Information Security, Inspections Unit, Prosecution Services, SIU Liaison, Analysis & Assessment and the Duty Desk. The unit performs a number of essential duties for the organization including: pro-actively analysing and reviewing trends and patterns in relation to high risk behavioural factors; conducting inspections; liaising with the province's Special Investigations Unit (SIU) and preparing and prosecuting disciplinary charges against police officers. Professional Standards also provides a liaison function to other TPS units and committees (Legal Services, Disciplinary Hearings Office, Crime Information Analysis, the Use of Force committee), as well as other external agencies (The Office of the Independent Police Review Director, SIU).

G20 Risk Management

The G20 Summit was held in downtown Toronto on June 26 and June 27, 2010. PRS was actively engaged prior to, during and after the Summit to provide advice and guidance regarding the handling of public complaints and SIU investigations.

Public Complaints

The Office of the Independent Police Review Director (OIPRD) is an independent agency responsible for receiving, managing and overseeing all public complaints about police in Ontario. On May 13, 2010, the TPS OIPRD liaison (a member of PRS-Investigative Unit) met with the Director of the OIPRD and members of his team to discuss the process for dealing with public complaints against police arising from the G20 Summit. The TPS also extended an invitation to members of the OIPRD to tour the temporary Prisoner Processing Centre (PPC) that was constructed to facilitate large numbers of arrests that could occur during the Summit. On June 22, 2010, the Director and the Manager of Investigations of the OIPRD met with the TPS OIPRD liaison officer and site lead of the PPC for an extensive tour of the facility. This provided OIPRD members with an understanding of the facility, including its layout and physical conditions.

PRS responded to the influx of complaints assigned to the TPS by the OIPRD following the G20 Summit by augmenting its investigative staff. Four officers—one Detective Sergeant and three Detectives—were temporarily assigned to PRS to investigate these complaints. Each officer received training on PRS investigations and was provided with a PRS external investigation process document. In 2010, 272 public complaints were received concerning the conduct of

TPS officers and/or the policy/service of the TPS related to the G20 Summit. PRS anticipates additional G20 related complaints will be received in 2011.

Special Investigations Unit

The Special Investigations Unit (SIU) is a civilian law enforcement agency, independent of the police, that investigates circumstances involving police and civilians across Ontario which have resulted in serious injury, including sexual assault, or death. In advance of the G20 Summit, the PRS-SIU Liaison office recognized the need to establish a coordinated and systematic response to any SIU-related incident. The TPS SIU Liaison had several meetings with the SIU prior to the G20 Summit and formed an agreement which would provide guidance to all the involved police services.

On May 28, 2010, members of the PRS-SIU Liaison office met with representatives of all of the Ontario police services involved in the G20 Summit. Matters such as the reporting of injuries/deaths, evaluation of notification, memo books, access to events and legal representation was discussed and agreements were established. All of the out of province police services were notified and provided with guidance with respect to their role and our responsibilities should an SIU-related incident occur.

The SIU invoked its mandate in seven incidents that occurred during the G20 Summit. At the time of writing: the SIU withdrew their mandate in one case; officers were exonerated in three cases; one case resulted in the officer being charged criminally and two cases are ongoing. The SIU Liaison Unit has facilitated the coordination of notes,

documents and other evidence between the TPS, the SIU and partner police agencies in order to fulfil our obligation to the SIU.

Risk Management Initiatives

Investigative Unit

In 2010, the Investigative Unit modified its complaint intake and investigations to incorporate legislative changes made to the *Occupational Health & Safety Act*. Bill 168 came into effect June 15, 2010 and requires all employers in Ontario to prepare written policies with respect to workplace violence and workplace harassment. PRS, with assistance from Occupational Health & Safety, Toronto Police College and Corporate Planning, developed two new procedures—(8-11) Workplace Violence and (8-12) Workplace Harassment—to ensure the TPS is in compliance with the legislation. Bill 168 also requires employers to assess risks of workplace violence that may arise and develop procedures to control these risks. To that end, the Investigative Unit has designated a Workplace Violence & Harassment Coordinator who is responsible for reviewing all reports and complaints of workplace violence within the Service and reporting on this information when required.

Prosecutions

In 2010, Prosecution Services participated in a more enlightened approach to discipline that considers alternatives to lengthy and costly prosecutions brought before the Tribunal. The goal of this approach is to have the officer return to work earlier as a positive productive employee, while also satisfying the principles of specific and general deterrence.

The process employed by Prosecution Services includes monthly information meetings between the Investigative Unit and prosecutors to discuss both trends and conduct issues. Prosecutors also meet frequently with the RMU Unit Commander to communicate the identified trends in misconduct and relative penalties both from within the Service and from police services across the province. This sharing of information informs the decision-making process determining the appropriate paths for conduct while keeping in mind the overarching need to correct behaviour (such as suspension, diversion, pursuit of dismissal, etc).

The successful development of an electronic database of decisions from PSA matters both internal and external to the TPS in 2010 has enhanced the ability of prosecutors to identify trends. The database is searchable with keywords and provides consistent information in a timely manner that informs the decision process both before during and after a path of internal discipline. Efforts are constant in updating the database with new decisions to increase the value of this tool.

Inspections

The Inspections Unit continued to deliver risk management lectures to frontline officers on divisional training days. In addition, risk management lectures were given at the Toron-

to Police College (TPC) to attendees at the Advanced Leadership course, and to cadets in-training at Headquarters on the cadet orientation days. An additional lecture was provided to senior officers on the senior officer training day at the TPC. The risk management information provided included information on Inspections Unit protocol when attending stations and the long list of items examined in the course of Inspections. Attention was drawn to members properly securing all issue equipment, and the safe storage and handling of firearms and conducted energy weapons, as well as the use of electronic Service equipment. The theme of guaranteed arrival was also addressed.

As a result of information received in a divisional lecture, a business case was prepared and turned over to the Marine Unit for their consideration to commence training in making officers aware of the dangers of all types of water rescue.

The Inspections Unit continued with divisional inspections which led to reports that ultimately informed unit commanders of the status of their units with regard to risk management issues dealing with firearms, conducted energy weapons, seized property, other police issue property, station security and other building issues and concerns.

Information Security

During 2010, Information Security developed and delivered a proactive computer security education and awareness strategy. Netpresenter was used each month to publish security posters relating to information privacy, identity theft, passwords, viruses and other topical security issues. Additionally, posters, pamphlets and a display at Headquarters were used to bring awareness to Cyber Security Month, in October, and in November over 100 members attended the Headquarters auditorium for “Computer Security Day,” an event dedicated to identity theft, internet security and Facebook privacy presentations.

Throughout the year, Information Security delivered educational sessions to the Advanced Leadership course at the TPC, Unit Complaint Coordinators and the OACP Corporate Security Seminar.

Awards

In 2010, the Awards section continued to administer the TPS awards program, recognizing outstanding contributions and achievements by Service members and the public. The TPS, in partnership with the Toronto Board of Trade, created the Business Excellence Award in 2010 to recognize Service members who have made significant contributions to the TPS and the City of Toronto based on innovation, community service, technical achievement and customer service & reliability.

SIU Liaison

In 2010, the SIU Liaison Unit worked with the provincial SIU to ensure the TPS was in compliance with legislative changes to O. Reg. 673/98, the regulation governing SIU investigations. Effective July 5, 2010, O. Reg. 267/10 states

that officers appointed under the *Interprovincial Policing Act 2009* can be the subject of SIU investigations. They continue to proactively educate members of the Service, particularly those involved in high risk areas.

Duty Desk

The Duty Desk Inspectors continued to visit police facilities to inspect unit operations and had meetings with other police services to discuss topics of mutual operational relevance including conduct investigations and wellness issues. By its very nature, the duty desk is a unit which is in a state of constant flux as it relates to staffing. This phenomenon, if not properly managed, can place inordinate stress on field units who are requested to assign personnel to the duty desk in this capacity. Accordingly, a system has been developed which incorporates headquarters personnel to provide replacements.

Analysis & Assessment

The Analysis & Assessment Unit introduced an Early Intervention Program that identifies and assists officers with performance problems in a non-disciplinary format. To facilitate the program, upgrades were made to the Professional Standards Information System (PSIS) software, and the unit underwent a restructuring of personnel. Testing of early intervention capabilities in the database software was completed and a prototype Early Intervention Package developed in the first half of the year. The first phase of the project was initiated in the second half of 2010.

Trends

The PRS Annual Report provides statistical comparisons and trend analysis on the following topics: awards, public complaints, civil litigation, *Police Service Act* charges, use of force reporting, SIU investigations, and suspect apprehension pursuits.

Awards

In 2010, 391 awards were presented to members of the TPS, the community and other police services by the Toronto Police Services Board. While this is a decrease from the 493 awards given in 2009, and 578 given in 2008, it should be noted that two awards presentations were cancelled in 2010. TPS members also received 284 awards from external agencies in 2010.

Public Complaints

Complaints made against Toronto Police officers are processed by the PRS-Complaints Administration. In 2010, a total of 1134 public complaints were received concerning the conduct of uniform members and/or the policy/service of the Toronto Police Service. Of this total, 272 complaints related to the G20 Summit. The remaining 862 complaints show a significant increase from 712 complaints received in 2009. Contributing factors influencing this increase include the establishment of the OIPRD in October 2009, which established new criteria for accepting complaints. The majority of complaints were received in the months following the

G20 Summit where there was an increase in public awareness of the public complaints process.

Civil Litigation

Civil actions against TPS members are processed by Legal Services. The number of civil actions has increased steadily over the past three years. Changes to the Small Claims Court process may have contributed to the increase in 2010, with a monetary limit increase imposed and court forms and rules improved to make the process of filing claims simpler to complete. As well, ten Statements of Claim were received by the TPS that related to the G20 Summit.

Police Services Act Charges

Prosecution Services reviews disciplinary investigations to determine the appropriateness of holding a hearing and prosecutes disciplinary charges against officers. In 2010, there was a decrease in the number of new cases and officers charged. Of charges dealt with at Tribunal, there was a decrease in the number of findings of guilt and a corresponding increase in the number of charges withdrawn. This is indicative of Prosecution Services' initiative to seek resolution for misconduct issues at the unit-level where appropriate in order to avoid lengthy and costly Tribunal matters.

Use of Force

Officers are required to submit the Ministry standard Use of Force Form 1 report when they use force in the performance of their duties. In 2010, there was a significant decrease in the number of incidents in which officers reported force used, but only a slight decrease in the number of Form 1's submitted, indicating an increase in the number of incidents involving more than one officer. Considering the overall number of encounters police have with the public (such as arrests, calls for service, and contact cards), an extremely low proportion of encounters result in the use of force.

SIU Investigations

There was a decrease in the number of incidents involving TPS officers where the SIU invoked its mandate in 2010. This decrease is consistent with a decrease of SIU investigations province-wide. The SIU invoked its mandate to investigate eight deaths, compared to five deaths in 2009. Of the deaths investigated by the SIU in 2010, officers were exonerated in four incidents, the SIU withdrew its mandate in two incidents, one incident resulted in criminal charges laid against the officer involved and one incident is still under investigation.

Suspect Apprehension Pursuits

The Ontario Ministry of the Solicitor General has established detailed guidelines regarding police pursuits, including when and how pursuits are to be commenced and continued. In these instances, officers are required to submit the ministry standard Fail to Stop Report. In 2010, there was a decrease in the number of fail to stop reports submitted, which is consistent with a three year decreasing trend. This trend can be attributed to training initiatives undertaken by

the Police Vehicle Operations unit to educate TPS members of the risks involved with pursuing vehicles and to offer alternative strategies to engaging in pursuits. Subject officers and/or supervisors continue to discontinue the majority of pursuits in the interest of public safety.

Moving Forward

Professional Standards will continue to be proactive in identifying strategic issues, goals and actions to build upon the initiatives embarked upon this year. PRS will continue to educate members to raise their awareness of the potential risk exposures they face and ways to mitigate that risk.

PRS is committed to identifying and rectifying areas of risk exposure to the Service. To that end, the Analysis & Assessment unit will expand the Early Intervention program in 2011 to include more performance indicators and criteria for the identification and assistance of at-risk members.

To ensure continued alignment with the TPS mandate, PRS plans to conduct a number of reviews of our policies and

processes. As a result of new case law relating to Level 3 searches, the Inspections Unit—in conjunction with the Central Field Command and Area Field Command Planners—is developing a monitoring tool to assist in the audit of Level 3 searches authorized.

Several members of PRS will sit on working groups as part of the Executive Command Strategic Plan (2011-2013). These groups will work towards various goals including: improved risk management programs; enhanced customer service and increased public trust. The initiatives mentioned, and the many others that the unit is planning, support the commitment Professional Standards has made to promote safety for both TPS members and the citizens we serve.

Professional Standards Information System

The mandate of the PRS-Risk Management Unit is to act as an effective support unit and to contribute to the achievement of the TPS' overall priorities and core values. To accomplish this, the Professional Standards Information System (PSIS) was implemented in 2003 to collect data pertinent to the conduct of all Service members in order to pro-actively analyze and review trends surrounding the practices, conduct, ethics and integrity of TPS members. PSIS utilizes database software designed specifically for the law enforcement industry and contains data pertaining to Complaints, Civil Litigations, Use of Force reports, Suspect Apprehension Pursuits, Service Vehicle Collisions, and additional investigative files.

Data Collection and Statistical Reporting

The Analysis & Assessment Unit (A&A) within the Risk Management Unit of Professional Standards is responsible for maintaining the data integrity of PSIS and uses the system to produce statistical and trend analysis reports to Service management, individual members, and the community at large on indicators related to the performance of members and the Service as a whole.

In 2010, A&A continued to use PSIS to provide trend analysis and statistical information to assist various Service units such as the Toronto Anti-Violence Intervention Strategy (TA-VIS), Corporate Planning, Police Vehicle Operations, and the Emergency Task Force. The information given to these units was used in the development of targeted training programs and the revision of Service procedures. Members of A&A sat on the Use of Force committee and the Service Vehicle Collision and Pursuit Reduction committee to provide ongoing assistance in mitigating risk exposure to the Service.

A review of PSIS was conducted in 2010 to evaluate established processes of data collection and analysis and to look for areas of innovation within the PSIS software application and other business intelligence systems. This review will continue in 2011 as part of the Executive Command Strategic Plan. One goal of this plan is to both upgrade PSIS software and integrate with other systems to improve statistical and trend analysis and provide predictive analysis in support of early intervention

Early Intervention

Early Intervention (EI) is a proactive process that seeks to identify Service members with potential conduct or performance issues and provide the member with assistance to correct the issue in a non-disciplinary format. This approach is intended to guide and support employees that may be at risk for entering the disciplinary process.

PSIS software is used to automatically identify members in breach of established thresholds of performance indicators (including number of complaints received and number of use of force incidents). The previous EI system, then called Alerts, was discontinued in 2009 so that best practices could be determined to maximize success. In the first half of 2010, research into EI systems continued, and focus groups met to discuss the elements of a successful process. Testing was conducted on updated PSIS software, and a prototype of an Early Intervention Report package created. The Analysis and Assessment unit was restructured to support the enhanced EI process.

Phase one of the EI program commenced in November, 2010 service-wide to test the product and gain feedback from the field. Phase one will conclude in February 2011 and the feedback gained will allow A&A to create an even stronger product with the ultimate goal to reduce conduct and performance issues among Service members and mitigate risk.

Awards

The Awards Program is coordinated by Professional Standards to recognize outstanding contributions and achievements by Service members and the public. Recipients are recognized individually or in groups for acts of excellence, bravery, altruism and innovative contributions to community policing, public safety and professional excellence. Members are also recognized for their dedicated long service with milestone awards such as the 25-year watch, and 20, 30 and 40 year commemorative pins. In 1998, the Board approved a formal Awards process that is administered by PRS. In 2010, the Toronto Board of Trade in partnership with the Toronto Police Services Board expanded the Police Officer of the Month/Year awards, to include a Business Excellence Award. A Standing Awards Committee, comprised of uniform and civilian members (of various ranks and positions) from across the Service, reviews eligibility of awards to ensure fairness and consistency. In 2010, there were seven award ceremonies hosted by the Toronto Police Services Board in which 391 awards were presented to members of the TPS, the community and other police services. In addition, TPS members received 284 awards from external agencies.

Internal Awards

In 2010, 391 internal awards were presented to members of the Toronto Police Service, the community and other police services by the Service and the Toronto Police Services Board. While this is a decrease from 493 awards given in 2009, and 578 given in 2008, it should be noted that two awards presentations were cancelled in 2010. These presentations will take place in 2011. The internal awards presented in 2010 are listed below.

Chief of Police Letter of Recognition

Granted by the Chief of Police to a police officer or a civilian member in acknowledgment of excellence in performance of duty, community policing or innovations or initiatives that assist or enhance the image or operation of the Service. 3 awards presented.

Commendation

Granted by the Board to a police officer or a civilian member for exceptional performance of duty, community policing initiatives, or innovations/initiatives that enhance the image or operation of the Service. 13 awards presented.

Medal of Merit

Granted by the Board to a police officer or a civilian member for outstanding Acts of bravery or the highest level of performance of duty. 9 awards presented.

Teamwork Commendation

Granted by the Board to a group of police officers and/or civilian members for exceptional performance of duty, community policing initiatives, or innovations that enhance the image or operation of the Service. 86 awards presented.

Auxiliary Commendation

Granted by the Board to an auxiliary officer for outstanding or meritorious police service. 2 awards presented.

Community Member Award

Granted by the Board to a citizen for grateful acknowledgement of unselfish assistance rendered to the Service or for an initiative/innovation that had a positive affect on the image or operation of the Service. 43 awards presented.

Civilian Long Service Recognition Pin

Granted by the Board and presented to civilian members upon the completion of 20, 30 and 40 years of employment with the Board. 168 presented.

25-Year Commemorative Watch

Granted by the Board and presented to police officers, civilian members and Auxiliary officers upon completion of 25 years of full-time employment. 69 presented.

In addition to the above awards for outstanding performance, the Service presented 243 members with their retirement plaques.

External Awards

There were 284 awards presented to Service members by external agencies or organizations in 2010, compared to 384 external awards given in 2009. The external awards presented in 2010 are listed below.

Canadian Banks' Law Enforcement Award

Awarded by the Canadian Bankers Association to recognize outstanding police performance in fighting crime against Canadian banks. 4 awards presented.

Canadian Banks' Law Enforcement Certificate

3 awards presented.

Glendene & Jessie Foster Award

Presented to Canadian heroes who are dedicated to helping victims of human trafficking. 1 award presented.

Islamic Foundation of Toronto Award

Awarded by the Islamic Foundation of Toronto for outstanding volunteer and humanitarian efforts by an officer. 1 award presented.

OHIA - Award of Merit

Awarded by the Ontario Homicide Investigators Association (OHIA) to persons that throughout the Province of Ontario have made a significant contribution to homicide investigations or to OHIA homicide training and education. 1 award presented.

OHIA – Major Case Management Award

Awarded by the Ontario Homicide Investigators Association (OHIA) to an individual, team, or Service that has exhibited outstanding innovation and achievement in case management during an investigation. 1 award presented.

OHIA - Mike Matthews Award

Presented to the Homicide Investigator who displayed the courage, tenacity, and compassion that are the hallmarks in a homicide investigation. 1 award presented.

Ontario Auxiliary Police Medal

Presented by the Chief of Police of Toronto on behalf of the Ontario Government to auxiliary members for the dedication to 20, 25, 30, 35 and 40 years of service. 6 awards presented.

Ontario Medal for Police Bravery

Presented by the Lieutenant-Governor to police officers to recognize acts of courage and bravery performed in the line of duty without concern for personal safety. 2 awards presented.

Ontario Women in Law Enforcement Award

Presented in recognition of outstanding achievements made by women, uniform and civilian, in Ontario law enforcement. Categories include: valour, community, mentoring, and leadership. 1 award presented.

Order of Merit of the Police Forces

Presented by the Governor General on behalf of the Sovereign to recognize conspicuous merit and exceptional service by members and of Canadian police forces whose contributions extend beyond protection of the community. Three levels of membership – Commander (C.O.M.), Officer (O.O.M.) and Member (M.O.M.) reflect long-term outstanding service in varying degrees of responsibility. 2 awards presented.

Police Exemplary Service Medals

Granted by the Governor General of Canada to recognize long and meritorious service of active police officers. The medal is presented to eligible police officers who have attained 20 years of service; a silver bar is presented upon completion of every 10-year period. 229 medals presented.

Police Officer of the Month 2009

Presented since 1967 by the Toronto Board of Trade in partnership with the Toronto Police Service to recognize officers who make significant contributions to the safety of citizens of Toronto. 22 awards presented.

Police Officer of the Year 2009

Presented annually since 1967 by the Toronto Board of Trade in partnership with Toronto Police Service to recognize the individual efforts of outstanding police officers on behalf of the Toronto community. The recipient is selected from the list of Police Officer of the Month Awards. 5 awards presented.

TPS Business Excellence Award

Presented by the Toronto Board of Trade in partnership with the Toronto Police Service to members who have made significant contributions to the TPS and the city of Toronto based on innovation, community service, technical achievement and customer service & reliability. 4 awards presented.

Webber Seavey Award (nominee)

Presented annually in recognition of a law enforcement agency's contribution and dedication to the quality of life in its local communities.

Civil Litigations

Lawsuits against police officers are commenced by plaintiffs for a variety of reasons, including allegations of false arrest, negligent investigations, malicious prosecutions, misfeasance in public office, excessive use of force, and Charter of Rights violations as defined in the Glossary of Terms section of this report. Legal Services represents the Toronto Police Service in these lawsuits.

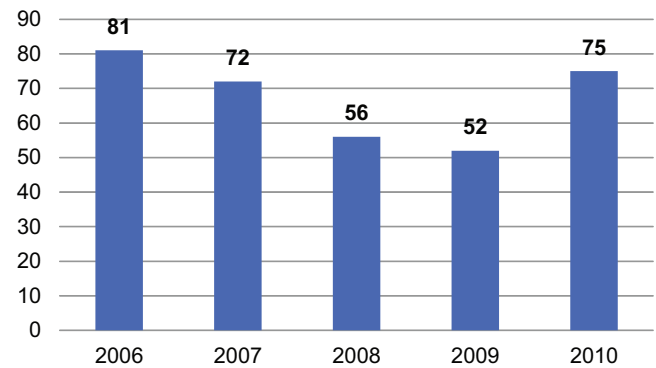
Trend Analysis

In 2010, a total of 130 civil actions were issued against the Toronto Police Services Board, the Chief of Police, or named officers compared to 99 in 2009, a 31.3% increase. This follows a 3-year increasing trend since 2008 (Fig. 1.1).

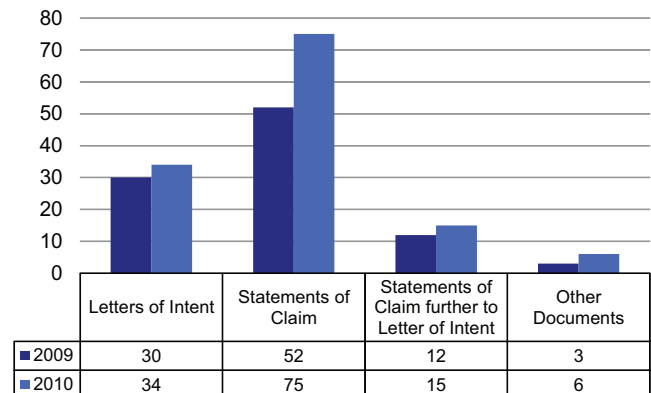
Of the civil actions received in 2010, 75 (57.7%) were new Statements of Claim, an increase from 52 (52.5%) in 2009. It should be noted that 10 statements of claim received in 2010 were related to the G20 Summit.

On January 1, 2010, new court rules and revised forms under the Rules of Small Claims Court came into effect. The goal of these revisions is to streamline processes in the Small Claims Court. 11 court rules have been changed and 42 court forms have been improved to make the process of filing claims simpler to complete. A monetary limit increase of the Small Claims Court was implemented on January 1, 2010 as well, increasing the limit to \$25,000 from \$10,000. These changes to Small Claims Court legislation may be a contributing factor to the rise in civil actions in 2010.

**Figure 1.1
Statements of Claim**



**Figure 1.2
Civil Actions Received**



Public Complaints

The *Police Services Act* governs all police services across the province of Ontario. Section 80 of the Act defines police misconduct. Misconduct includes any violation of the code of conduct described in Ontario Regulation 268/10. The code of conduct categorized misconduct as discreditable conduct, insubordination, neglect of duty, deceit, breach of confidence, corrupt practices, unlawful or unnecessary exercise of authority, damage to clothing or equipment and consuming drugs or alcohol in a manner prejudicial to duty.

Ontario Regulation 3/99 (Adequacy and Effectiveness of Police Services) requires every chief of police to prepare an annual report for their police services board reflecting information on public (external) complaints from the previous fiscal year. This section of the report is intended to address the annual reporting requirement.

The Office of the Independent Police Review Director (OIPRD) is a civilian-staffed independent agency that acts as an objective, impartial office to accept, process, investigate and oversee the investigation of public complaints against police officers in Ontario. In addition to processing and investigating public complaints, the OIPRD is responsible for setting up and administering the public complaints system, including oversight, systemic reviews, audits, education and outreach. Investigation of complaints received by the OIPRD may be conducted by OIPRD investigators, an outside police service or may be sent to the Service in question for investigation. The OIPRD reviews all complaints to determine their classification as either a conduct, policy or service complaint.

The legislative amendments to the PSA and corresponding changes to the public complaint process have impacted the TPS public complaint process and the criteria by which complaints are investigated. For example, prior to the inception of the OIPRD, complaints could be concluded without investigation in instances where the complainant was not directly affected or the complaint was over six months old. Presently, the OIPRD permits the investigation of complaints made by third party complainants and those received beyond the six month limitation period.

Trend Analysis

The following trend analysis excludes G20-related complaints to enable a more accurate analysis of long-term trends. Information regarding G20-related complaints is included in a separate section of the report (pg. 19). Additional statistical data can be found in the supplementary Data section of the report (pg. 33).

Classification of Complaints

In 2010, 862 public complaints were received (excluding G20-related complaints) concerning the conduct of uniform members and/or the policy/service of the Toronto Police Service, a 21.0% increase from 2009, following a five-year increasing trend (Fig. 2.1). While the complaints included in this total do not relate to the G20 Summit, it should be noted that the majority of complaints were received in the months following the Summit (Fig. 2.2). This may be due to the heightened scrutiny of police action and/or height-

Figure 2.1
Number of Complaints Received

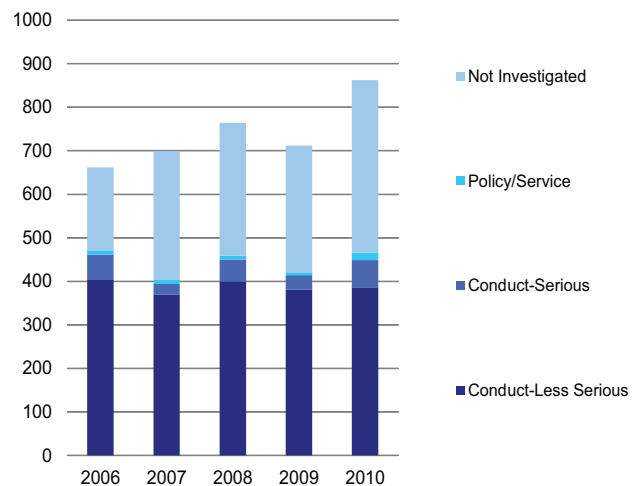


Figure 2.2
Complaints Received by Month

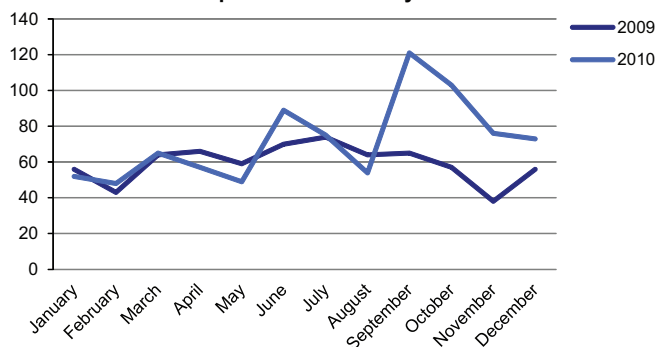


Figure 2.3
Classification of Alleged Misconduct

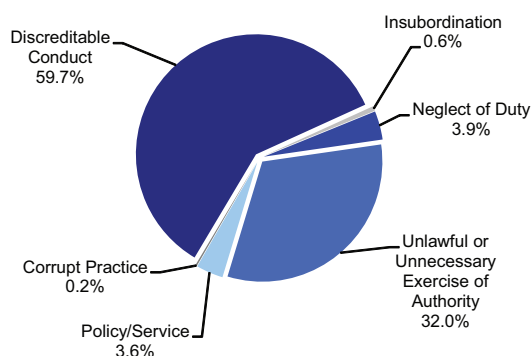
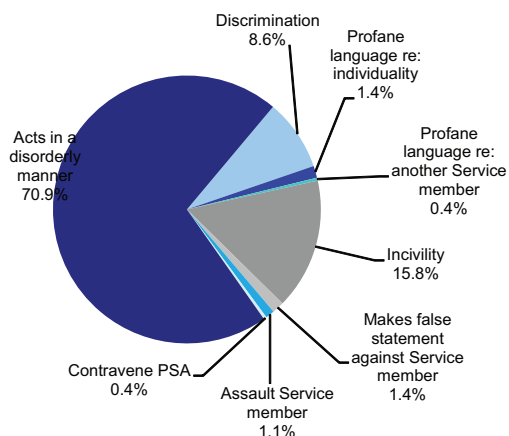


Figure 2.4
Discreditable Conduct Allegations



ened awareness of the OIPRD and the public complaints process.

In relation to investigated complaints, the percentage categorized as conduct of a serious nature has increased to 13.7% of investigated complaints received in 2010, from 7.8% in 2009. The number of complaints investigated pertaining to the policy and/or service provided by the TPS account for 3.6% of complaints investigated in 2010, representing an increase from the previous four years. This increase may be attributed to the OIPRD now classifying complaints received as either conduct or policy/service related.

Classification of Alleged Misconduct

The PSA Code of Conduct is used as a means of classifying complaints. A single complaint may involve one or more subject officers who in turn may be alleged of multiple categories of misconduct. The most serious allegation in a single complaint is used to classify the complaint as a whole. It should be noted that a public complaint is classified on the initial allegations provided by the complainant and information gathered during the intake process. Complaint classifications may be revised based on investigative findings upon conclusion.

Discreditable conduct was cited more frequently than any other type of misconduct, comprising 59.7% of complaints investigated in 2010. While there has been an increasing trend in classifications of discreditable conduct since 2007, the percentage of these complaints has dropped slightly in 2010 to 59.7% from 62.0% in 2009. Allegations of excessive use of force and unnecessary arrest account for 32.0% of investigated complaints in 2010, a 2.1% increase from 2009. The percentage of neglect of duty continues a five year decreasing trend from 21.5% in 2006 to 3.9% in 2010. Figure 2.3 details the classifications of alleged misconduct in investigated complaints received in 2010.

Figure 2.4 shows investigated complaints received in 2010 that have been classified as discreditable conduct further categorized by specific charges under the PSA Code of Conduct. A description of these charges is included in the Glossary of Terms section of the report (pg. 41). In 2010, allegations of incivility accounted for 15.8% of discreditable conduct allegations, which reflects a decreasing trend over the past five years from a high of 47.6% in 2006. Conversely, allegations of disorderly conduct have increased over the past 5 years, from a low of 37.3% in 2007 to 70.9% in 2010.

Years of Service and Rank of Subject Officer

In 2010, TPS officers with ten years of service or less accounted for the majority (69.8%) of subject officers named in public complaints. This can, in part, be attributed to the fact that officers with ten years of service or less represent nearly half of uniform strength Service-wide at 48.3% and reflect those that are most likely to be in contact with the public on a daily basis (Fig. 2.5). Police constables continue to account for the majority (86.8%) of subject officers named

in public complaints. This can be explained by the fact that the majority of uniform strength Service-wide (75.8%) are constables and, by nature of their roles and responsibilities, are the first line of police interaction with the public. Figure 2.6 shows a comparison of the percentage of officers named in public complaints to the percentage of officers by rank service-wide.

Complaints by Command and Unit

Complaints classified to Divisional Policing Command accounted for almost half (49.5%) of public complaints received in 2010. Divisional officers assigned to primary response duties fall under this command, and these officers are responsible for responding to calls for service and general patrols that afford them frequent daily interaction with the public.

Subject officers and/or Commands have not yet been identified in 44.3% of complaints received in 2010. This number is expected to decrease as more investigations are concluded. Complaints that have not been investigated have been classified as Not Applicable and complaints received without a subject officer identified, have been classified as Not Identified. Figure 2.7 displays the breakdown of complaints received by Command in 2010. Figure 2.8 compares the number of complaints received by divisions in 2010. An expanded chart comparing the number and percentage of complaints for all divisions and units is contained in the Supplementary Data section of the report (pg. 37).

Disposition of Investigated Complaints

Unsubstantiated allegations and those withdrawn by the complainant represent the disposition for 62.0% of concluded complaints received in 2010. The number of complaints where misconduct is identified continues to represent a small proportion of all investigated complaints from 2006-2010 (Fig 2.9). Of the 11 complaints received in 2010 where misconduct was identified, 10 had penalties imposed at the unit level and 1 has been forwarded to the police tribunal for a disciplinary hearing. PSA violations brought before the police tribunal are discussed in further detail in the Police Services Act Charges section of the report.

Complaint Review and Appeal Bodies

Public complaints against police officers can be appealed to independent civilian agencies on the basis of the complaint classification and/or disposition. The OIPRD currently oversees the investigation of public complaints against police officers in Ontario. The Ontario Civilian Police Commission (OCPC) was the primary appeal body prior to the inception of the OIPRD on October 19, 2009. OCPC is an independent oversight agency reporting to the Solicitor General. OCPC is still accepts appeals stemming from complaints occurring prior to the OIPRD inception date.

Upon review of a public complaint investigation, the OIPRD or OCPC (established by the date of complaint) may determine that the classification or disposition of the complaint requires more action and can refer the decision back to the

Figure 2.5
Years of Service of Subject Officer

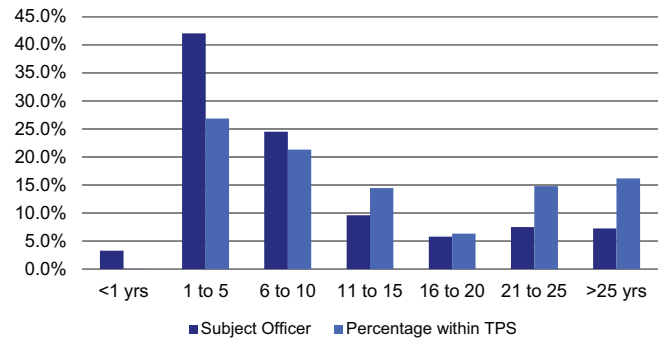


Figure 2.6
Rank of Subject Officer

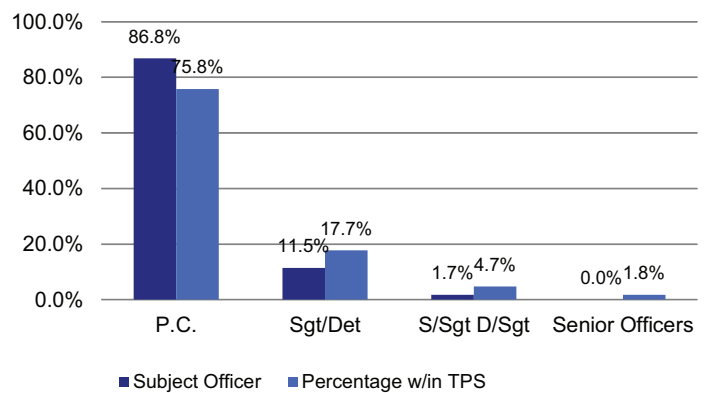


Figure 2.7
Complaints by Command

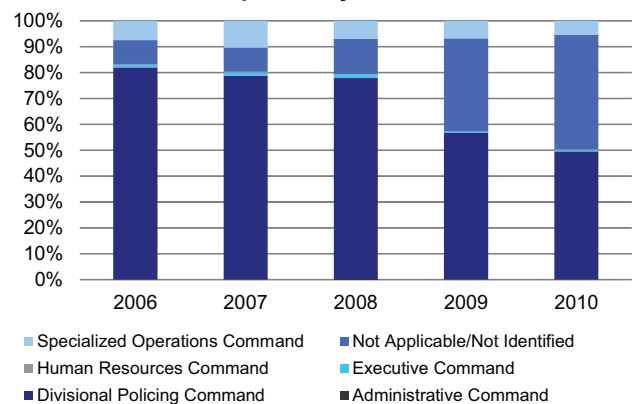


Figure 2.8
Complaints by Division

	2006	2007	2008	2009	2010
11 Division	23	24	21	19	19
12 Division	15	17	17	15	14
13 Division	23	32	39	18	15
14 Division	35	55	41	34	40
22 Division	27	32	21	23	30
23 Division	37	18	26	22	19
31 Division	38	50	56	30	33
32 Division	27	30	24	16	11
33 Division	29	32	30	19	16
41 Division	17	27	34	20	22
42 Division	37	23	27	13	19
43 Division	26	19	30	21	35
51 Division	69	48	49	33	37
52 Division	50	54	63	54	42
53 Division	22	18	25	13	14
54 Division	21	17	33	20	19
55 Division	33	38	19	24	21

originating Service for further investigation, or retain the complaint to conduct their own investigation.

For complaints received in 2010, 38 (4.4%) have been appealed to OCPC for review, an expected decrease from 140 (19.4%) complaints appealed in 2009, given the changes to the public complaints process in October 2009. OCPC has overruled 5 (0.6%) of the dispositions of complaints received in 2010, compared to 11 in 2009. In 2010, 20 cases were appealed to the OIPRD. In 1 case, the OIPRD directed that the TPS conduct a new investigation.

Time Taken to Conclude Complaints

TPS procedures outline that complaint investigations and dispositions shall be completed within 90 days. However, provisions are indicated for investigations that may take additional time. For complaints received in 2010, 86.7% have been concluded. Of the concluded investigations, 78.0% of investigations were completed within 90 days, an increase from 68.0% in 2009 and higher than the 5 year average of 67.6%. A lengthier time to conclude can be attributed to the complainant's ability to appeal dispositions. Figure 2.10 compares the time taken to conclude complaints that were received between 2006 and 2010.

Figure 2.9
Disposition of Investigated Complaints

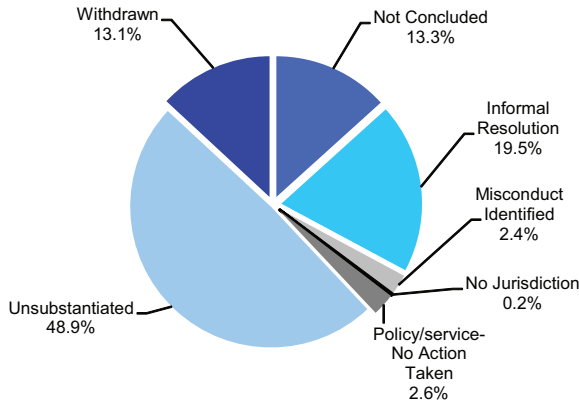


Figure 2.10
Days to Conclude Investigations

	2006	2007	2008	2009	2010
0 to 30 days	29.5	43.5	40.4	40.7	49.9
31 to 60 days	13.6	12.4	14.9	14.5	15.6
61 to 90 days	15.3	11.5	10.8	12.8	12.5
91 to 120 days	13.0	10.5	8.7	10.3	11.5
121 to 150 days	5.9	5.6	6.9	6.4	5.9
151 to 180 days	5.3	5.6	4.0	4.2	2.5
Over 180 days	17.4	10.9	14.3	11.1	2.1

G20 Related Public Complaints

The G20 Toronto Summit took place on June 26-27—the largest policing operation in Canadian history. The TPS anticipated and prepared for a potential increase in public complaints. The Professional Standards Unit (PRS) was part of the G20 Planning team, providing advice on the public complaint process. PRS members also provided presentations to officers at the Toronto Police College on professionalism and the public complaint process.

Prior to the Summit, PRS formed a continuity plan to accommodate complaint intake, establish a communication process with the field, and plan for additional staffing requirements to investigate the anticipated G20-related complaints assigned to the TPS from the OIPRD.

PRS also met with the Director of the OIPRD and members of his team to refine the process for dealing with public complaints against police. Prior to the Summit the Director and the Manager of Investigations of the OIPRD met with members of PRS for an extensive tour of the established Prisoner Processing Centre (PPC). This provided OIPRD members with an understanding of the facility, including its layout and physical conditions. As a result of a number of meetings with the Director of the OIPRD, a process was developed between the TPS and OIPRD for public complaints.

PRS responded to the influx of complaints assigned to the TPS by the OIPRD following the G20 Summit by augmenting its investigative staff. Four officers—one Detective Sergeant and three Detectives—were temporary assigned to PRS to investigate these complaints. Each officer received training on PRS investigations and was provided with a PRS external investigation process document.

On July 22, 2010, the OIPRD announced that it would conduct a review of G20 Summit police complaints in addition to the intake and management of individual complaints received by the public. The OIPRD review will investigate common issues in relation to complaints against police during the G20 Summit. These include issues related to allegations of unlawful searches, unlawful arrests, improper detention and issues related to the PPC during the G20 Summit. The TPS continues to assist the OIPRD with this review.

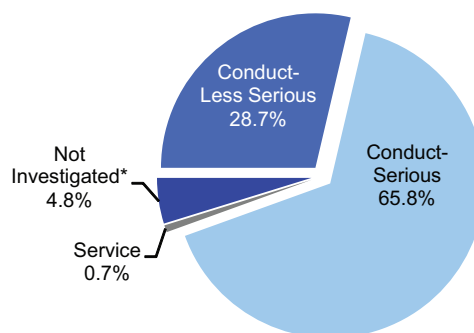
Trend Analysis

The following analysis includes G20 related public complaints received by the TPS from the OIPRD on or before December 31, 2010. It is expected that more complaints will be received in 2011.

Classification of Complaints

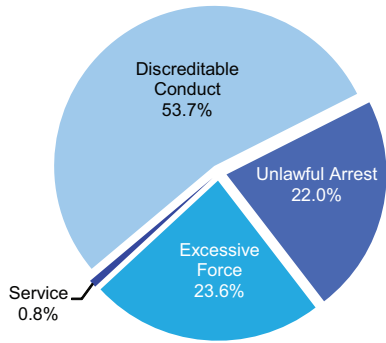
In 2010, 272 public complaints were received concerning the conduct of TPS officers and/or the policy/service of the TPS related to the G20 Summit. The OIPRD classified complaints as related to conduct, policy or service and determined whether the complaint would be investigated by the TPS or retained by the OIPRD. Of the 272 complaints received, 193 were initially retained by the OIPRD for investigation and 66 were sent to the TPS for investigation. The OIPRD did not pursue an investigation in 13 complaints that did not meet their criteria for investigation. Of the complaints received, 179 (65.8%) were categorized as conduct of a serious nature, 78 (28.7%) were categorized as conduct of a less-serious nature and 2 (0.7%) were categorized as service complaints (Fig 2.11).

Figure 2.11
Classification of G20 Related Complaints



*Includes complaints withdrawn by complainants those deemed frivolous or "not directly affected" by the OIPRD

Figure 2.12
Alleged Misconduct in G20 Related Complaints



Categories of Alleged Misconduct

Of the 259 complaints investigated, 57 have been categorized as unlawful or unnecessary arrest, 61 have been categorized as unnecessary or excessive use of force, 2 have been categorized as service complaints and 139 (52.9%) have been categorized as discreditable conduct. Discreditable conduct complaints include allegations of incivility, failure to wear nametags or provide identification, and conditions/treatment at the PPC.

At the time of writing the majority of G20 related complaint investigations are still ongoing. The statistics related to the results of these complaints will be provided in future reports.

Police Service Act Charges

Part V of the *Police Services Act* (PSA) outlines the complaints process and defines misconduct for the purpose of the Act. Part V of the Act also defines the responsibilities of the Chief of Police or designate with respect to alleged officer misconduct and outlines the penalties and resolution options in the event that serious misconduct is proven in a police tribunal. The Toronto Police Service discipline tribunal is an administrative tribunal that is further governed by the *Statutory Powers and Procedures Act* of Ontario.

The objectives of police discipline are to correct unacceptable behaviour, deter others from similar behaviour and, most importantly, to maintain public trust. The Professional Standards Unit utilizes a case conferencing process to determine the appropriate course of discipline that matters of misconduct will take. Those matters deemed most serious, in keeping with the legislation, are then made the subject of a public disciplinary hearing in the Service's administrative tribunal. The majority of conduct issues are deemed to be of a less-serious nature and are managed at the unit-level. The following data relates to matters of a serious nature that were handled at the Tribunal.

Trend Analysis

Officers Charged in 2010

In 2010, 60 officers were charged by Prosecution Services, which reflects a decrease of 10.4% from the previous year but is 5.3% higher than the 5 year average of 57 officers charged, as indicated in figure 3.1. The number of charges laid has decreased significantly from 2009, more consistent with the number of charges laid in 2008. The charge-to-officer ratio has decreased from 2.4 in 2009 to 1.6 in 2010, compared to the 5 year average of 2.7 charges per officer.

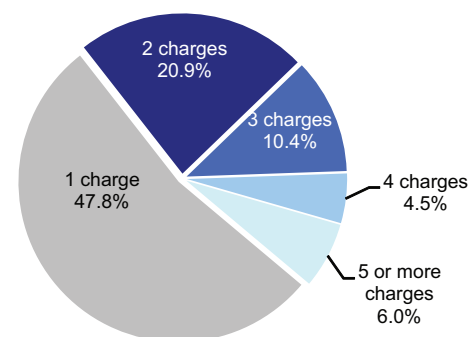
**Figure 3.1
Officers Charged**

	2006	2007	2008	2009	2010	5 Yr Avg.
Number of Officers	51	58	48	67	60	57
Total Charges	220	152	104	160	119	151
Charge/officer ratio	4.3	2.6	2.2	2.4	1.6	2.7

Number of Charges Laid per Officer

Of the officers charged in 2010, 32 (47.8%) faced a single charge, 14 officers (20.9%) had two charges laid against them, 7 officers (10.4%) had three charges laid against them, 3 officers (4.5%) faced four charges, and 4 officers (6.0%) had five or more charges (Fig. 3.2).

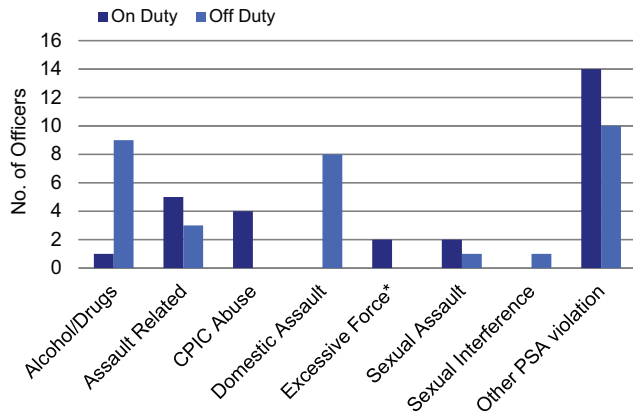
**Figure 3.2
Number of Charges Laid per Officer**



Category of Charges Laid in New Cases

In 2010, a total of 119 PSA charges were laid. Of the charges laid, 61.3% were for discreditable conduct, showing a slight increasing trend since 2008. The percentage of charges of insubordination has remained constant over the past three years, representing 27.7% of charges laid. Charges of neglect of duty represent 4.2% of charges laid in 2010, following a decreasing trend since 2007.

Figure 3.3
Duty Status and Precipitating Factors



*only applies to on-duty incidents

Figure 3.4
Disposition of Officers Charged

Disposition	2009		2010	
	No.	%	No.	%
Acquitted/Dismissed	3	5.6	1	2.1
Guilty Plea	21	38.9	17	35.4
Found Guilty	5	9.3	2	4.2
Withdraw n	25	46.3	26	54.2
Stayed	0	0.0	2	4.2
Total # of Officers	54	100.0	48	100.0

Figure 3.5
Penalties Imposed for PSA Convictions

Discreditable Conduct

- 1 Officer: Forfeiture of 2 days/16 hours
- 1 Officer: Forfeiture of 3 days/24 hours
- 1 Officer: Forfeiture of 5 days/40 hours
- 1 Officer: Forfeiture of 10 days/80 hours
- 4 Officers: Forfeiture of 15 days/120 hours
- 1 Officer: Forfeiture of 17 days/136 hours
- 1 Officer: Forfeiture of 20 days/160 hours
- 1 Officer: Gradation 1st to 2nd class PC 1 year
- 1 Officer: Gradation Sgt to 1st class PC 1 year

Insubordination

- 4 Officers: Forfeiture of 5 days/40 hours
- 1 Officer: Forfeiture of 6 days/48 hours

Damage to Clothing or Equipment

- 1 Officer: Forfeiture of 3 days/24 hours off and mandatory driving course

Combined Charges

- 1 Officer: Forfeiture of 5 days/40 hours off and 5 days/120 hours off served consecutively

Duty Status in New Cases and Precipitating Factors

Of the officers charged in 2010, 46.7% arose from on-duty incidents, a 5.5% decrease from 2009. The duty status and precipitating factors of cases initiated in 2010 are detailed in Figure 3.3.

Cases Concluded

In 2010, 48 officers had cases concluded in tribunal. Of the concluded cases, 2 were initiated in 2006, 6 in 2007, 9 in 2008, 25 in 2009, and 6 were initiated in 2010. It should be noted that some officers had multiple cases brought before tribunal stemming from different situations.

Disposition

Of the 48 officers that had cases concluded in 2010, 19 officers were found guilty or entered a guilty plea, representing 39.6% of officers charged. This is a decrease from 26 (48.2%) officers who were found guilty or entered guilty pleas in 2009 (Fig. 3.4). It is significant to note that only 1 officer was acquitted in 2010. There were 26 officers that had their charges withdrawn. Charges may be withdrawn by the prosecutor due to resignation or retirement of the officer, as part of a plea agreement, when the matter can be resolved at the unit level and when there is no reasonable prospect of conviction

Penalties Imposed for PSA Convictions

Of the 19 officers who were found guilty or pled guilty in 2010, 12 officers were convicted of discreditable conduct, 5 with insubordination, 1 with damage to clothing or equipment and 1 officer was guilty of multiple charges. The penalties imposed range from forfeiture of 2 days/16 hours to gradation from Sgt. to PC, and are listed in Figure 3.5.

Use of Force

Police officers may be required to use force to protect the public and themselves and, as such, are granted authority by the Criminal Code of Canada to use as much force as is necessary to carry out their duties. Regulations issued by the Ministry of Community Safety and Correctional Services, and Policing Services Division specifically address the use of force in the performance of policing duties with a focus on ensuring sufficient and appropriate training for all officers. Reporting requirements are aimed at identifying and evaluating training requirements in general or specific to an individual.

The Ontario Use of Force Model

The Ontario Use of Force Model depicts the process by which an officer assesses, plans, and responds to situations that threaten officer and public safety (TPS procedure 15-01, appendix b). The Model was developed to assist in the training of officers and act as a reference when making decisions about use of force. It outlines the incident assessment process and notes the situation, subject behaviours, tactical considerations, and the officer's perception to be dynamic factors that contribute to the determination of use of force. Assessment of these factors assists in understanding why two officers may respond differently in similar situations.

Situation factors for consideration may include the environment, the number of subjects involved, the perceived abilities of the subject, knowledge of the subject, time and distance, and potential attack signs. Subject behaviour may be characterized as co-operative, passively resistant, actively resistant, assaultive, and/or exhibiting actions that may cause serious bodily harm or death. Tactical considerations may include the availability of equipment, additional officers, cover, communications and special units, as well as officer appearance, geographic considerations, practicality of containment, agency policies and agency guidelines.

The officer's perceptions interact with situational, behavioural, and tactical factors and impact the officer's beliefs regarding their ability to respond to the situation. Factors including strength/overall fitness, personal experience, skills, fears, gender, fatigue, injuries, critical incident stress symptoms, sight/vision, and training may be unique to the individual officer and impacts perceptions of the situation.

These dynamic factors are integral in a situation where force may be required as they shape the officer's determination on force necessity and type. It is important to note that officer safety is an essential factor in the overall goal of public safety, and so it is intertwined as a significant component of the assessment process described in the Ontario Use of Force Model. As a result of the close relationship between officer and public safety, when reporting uses of force it is

common for officers to note protect self as the primary reason for using force. It should be noted that members have the responsibility to use only that force which is necessary to bring an incident under control effectively and safely.

Training Requirements

The Equipment and Use of Force Regulation (R.R.O. 1990, Regulation 926) prohibits a member of a police service from using force on another person unless the member has successfully completed the prescribed training course on the use of force. Use of Force re-qualification is mandatory for every member who uses, or may be required to use, force or carry a weapon. The Ministry of Community Safety and Correctional Services has approved the use of force training courses provided by the TPS. Each member is required to pass a re-qualification course every 12 months.

Reporting

Regulation 926 and Service procedure 15-01 (Use of Force and Equipment) compel each member to submit a report to the Chief of Police whenever he/she:

- Uses physical force on another person that results in an injury that requires medical attention
- Draws a handgun in the presence of a member of the public, excluding a member of the police force while on duty
- Discharges a firearm
- Points a firearm regardless if the firearm is a handgun or a long gun
- Uses a weapon other than a firearm on another person

Note: For the purpose of reporting a use of force incident, the definition of a weapon includes a police dog or police horse that comes into direct physical contact with a person.

Figure 4.1
Use of Force Incidents and Reports

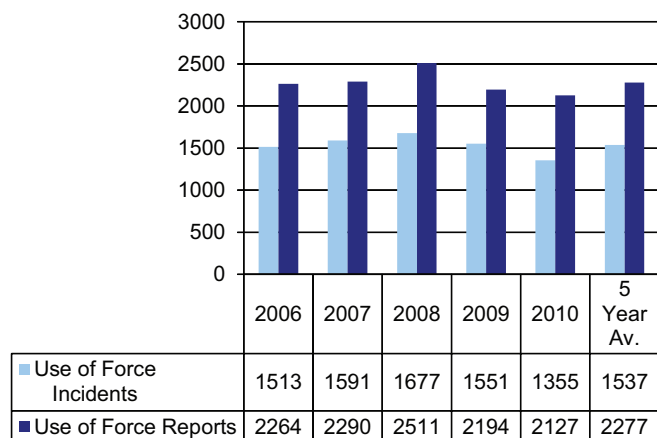


Figure 4.2
Type of Force Used

Type of Force Used	2009	2010
Conducted Energy Weapons		
Demonstrated Presence	124	95
Drive Stun	37	28
Full Deployment	112	87
Physical Control		
Hard only	89	76
Soft only	421	322
Both Hard & Soft	130	123
Firearm Discharge - Intentional	24	24
Firearm Pointed at Person	943	828
Handgun - Draw n only	262	117
Impact Weapons Used		
Hard only	51	60
Soft only	13	15
Both Hard & Soft	3	1
Oleoresin Capsicum Spray	81	68
Other Type of Force	68	91

Additionally, members are required to submit a Use of Force Form 1 report (UFR Form 1) and a TPS 584 to the Chief of Police when the member uses a Conducted Energy Weapon (CEW):

- As a “demonstrated force presence”
- In drive stun mode or full deployment, whether intentionally or otherwise

A Team Report UFR Form 1 is restricted to members of the Emergency Task Force (ETF), Public Order Unit (POU) and the Mounted Unit. An incident in which force was actually used including the Demonstrated Force Presence of a CEW requires a separate UFR Form 1 from each individual member involved.

Submitted use of force reports are forwarded to the Toronto Police College and reviewed by the Use of Force analyst to assist in identifying possible equipment or training issues and to further develop the annual use of force re-qualification program for Service members. The reports are then sent to PRS and the information captured in PSIS for further statistical analysis, in accordance with the above regulation.

Trend Analysis

The Use of Force incidents detailed in this report pertain to incidents that involve TPS uniform members only and do not include incidents where only Special Constables and/or civilian members are involved. Additional statistical data is located in the Supplementary Data section of this report (pg. 38).

Use of Force Incidents and Reports

In 2010, 2127 UFR Form 1 reports were submitted, representing 1355 use of force incidents. While the number of use of force incidents has decreased 12.6% from 2009, the number of use of force reports submitted has only decreased 3.1% indicating an increase in the number of incidents involving more than one officer. Figure 4.1 compares the number of reports submitted and the number of incidents annually from 2006-2010.

G20 Use of Force Reporting

In 2010, there were 12 UFR Form 1 reports submitted by TPS officers related to use of force employed during the G20 Summit. All of these reports were submitted by POU commanders as team reports, in compliance with the reporting requirements detailed above.

Use of Force Option

The most frequent Use of Force option indicated on the UFR Form 1 in 2010 was pointing a Service issued firearm, similar to 2009. Physical control options were the second most frequent Use of Force option, used in 38.5% of incidents compared to 41.3% in 2009 (Fig. 4.2). It is important to note that officers are not required to complete a UFR Form 1 when physical control soft options (which include handcuffing a suspect) are the only use of force option used and did

not result in injury.

Firearm Discharges

Officers discharged firearms in 24 use of force incidents in 2010 as well as 24 incidents in 2009.

Incidents of intentional discharge of Service firearms during 2010 (24) include the following:

- 18 incidents of wounded or aggressive animals
- 2 vehicle related incidents
- 1 robbery related incident
- 1 wanted person call
- 1 stabbing call
- 1 emotionally disturbed person call

Conducted Energy Weapons

Conducted energy weapons (CEW's) were used in 15.5% (210) of use of force incidents in 2010, a decrease from 17.6% (273) in 2009. Uniform frontline supervisors, members of the Emergency Task Force, and supervisors in high-risk units such as the Hold-Up Squad, Intelligence, Drug Squad, Major Crime Enforcement, and the Fugitive Squad carry Service issued CEW's.

CEW training continues to be conducted by an instructor certified on the specific device approved by the Service. Initial training for approved members involves a minimum of 8 hours of instruction including theory, practical scenarios, and a practical and written examination. All training is conducted in accordance with the guidelines established by the Ministry of the Solicitor General. Recertification training takes place at least once every 12 months, in accordance with Ministry guidelines and Ontario Regulation 926 of the PSA. Use of force options employed by officers in use of force incidents in 2010 are outlined in figure 4.2 and compared to data from 2009 in the Supplementary Data section (pg. 38).

Initial Reason Force was Used

The UFR Form 1 issued by the Ministry of the Solicitor General permits the selection of one initial reason for the use of force. The Ontario Use of Force Model indicates that police officer safety is essential to ensuring the primary objective of using force: public safety. For this reason, the majority of UFR Form 1 reports cite protect self as the initial reason for using force. However, the percentage of UFR's submitted in 2010 citing this reason has decreased significantly to 53.2% from 84.7% in 2009, with an increase of officers reporting effect arrest as the primary reason force was used with 34.1% in 2010 compared to 11.2% in 2009.

Initial reasons for use of force that are indicated as other may include incidents of aggressive animals or assaultive prisoners. Figure 4.3 illustrates the initial reasons for using force in incidents occurring in 2010.

Figure 4.3
Initial Reason for Use of Force

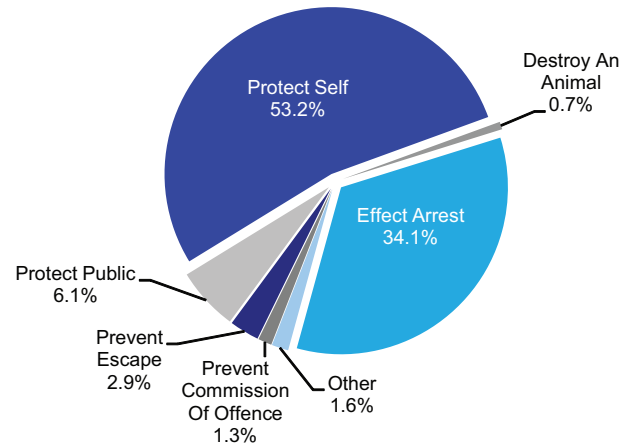


Figure 4.4
Use of Force by Sub-Command

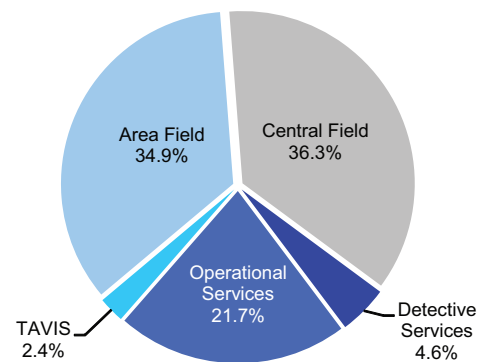


Figure 4.5
Officer Assignment at Time of Incident

2010	no.	%
Directed Patrol	35	1.6
Foot Patrol	47	2.2
G20 Crowd Control	12	0.6
General Patrol	1102	51.7
Investigation - Drugs	54	2.5
Investigation - Other	280	13.1
Off-Duty	1	0.1
Other-Type Of Assignment	115	5.6
Tactical	399	18.7
Traffic Patrol	82	3.8
Total # of Reports	2127	100.0

Summary of Injuries

Use of Force reports require officers to record any injuries sustained by any party involved in the incident and whether medical attention was required during the use of force incident. Use of Force reports for incidents occurring in 2010 indicate that subjects were injured in 20.0% of use of force incidents compared to 24.0% in 2009, an 4.0% decrease. There were seven deaths associated to a use of force incident in 2010, an increase from four in the previous year. Of those deaths, four were the result of firearms, one from physical control and two from tactical communication. In 2010, UFR Form 1 reports indicate 64 police officers received injuries, compared to 116 in 2009. Of the 64 injured in 2010, 49 officers required medical attention.

Use of Force by Sub-Command

Members of Central Field Command submitted 36.3% of all use of force reports in 2010 compared to 30.5% in 2009, a 5.8% increase. Members of Area Field Command submitted 34.9% of use of force reports in 2010 compared to 35.9% in 2009, a 1.0% decrease. Members of Operational Services (including the Emergency Task Force) submitted 21.7% of use of force reports in 2010 compared to 24.6% in 2009, a 2.9% decrease (Fig. 4.4).

Officer Assignments

In 2010, general patrol was the most common assignment of an officer at the time of a use of force incident (51.7%). The second most common duty of an officer was classified as tactical (18.7%), the majority of which are from the Emergency Task Force. Other investigations may include projects conducted by the Guns and Gangs Taskforce, Intelligence, or Hold-up Squad (Fig. 4.5).

Category of Incidents

Weapons calls accounted for 22.5% of incidents in which officers were required to use force in 2010, a decrease from the previous year (27.8%). Search warrant calls also account for a large proportion of use of force incidents in 2010 (17.7%), a slight increase from 2009 (15.5%). Use of Force incidents categorized as other accounted for 16.7% of incidents compared to 30.0% in 2009. This decrease can be partially explained by enhancements made to the UFR Form 1 to account for a larger variety of categories.

Number of Subjects Involved per Incident

Of the 1355 use of force incidents that occurred in 2010, 64.9% involved a single subject, compared to 62.2% in 2009. Animals are noted as the subject involved in 1.0% of Use of Force incidents in 2010.

Perceived Weapons Carried by Subject

In 2010, weapons were perceived to be carried by subjects in 77.5% of use of force incidents compared to 73.5% in 2009. Perceived weapons classified as other pertain to other items that are used as offensive weapons that threaten public and officer safety, including: vehicles, small projectiles, and weapons of opportunity (ex. chair, cup, etc). Note: A subject may be perceived to be carrying multiple weapons in a single incident. Statistical data concerning category of incidents and weapons carried by subject is detailed in the Supplementary Data section of the report (pg. 40).

Special Investigations Unit

The Ontario Special Investigations Unit (SIU) is a civilian law enforcement agency, independent of the police, that investigates circumstances involving police and civilians which have resulted in serious injury, sexual assault or death as defined by Part VII of the PSA. The mandate of the SIU is to maintain confidence in Ontario's police services by assuring the public that police actions resulting in serious injury or death are subjected to rigorous, independent investigations. Any incident which may reasonably fall within the jurisdiction of the SIU must be reported to the SIU by the police service involved.

Trend Analysis

In 2010, the SIU invoked its mandate to investigate 70 incidents, compared to a four-year increasing trend, with 76 incidents in 2009. Of incidents occurring in 2010: 40 cases were concluded with the subject officer exonerated; the SIU withdrew its mandate in 21 cases; officers were charged in 4 cases and 5 cases are ongoing (Fig. 5.1). The decrease in SIU investigations involving TPS members is consistent with an overall decrease in the number of SIU investigations across the province, from 312 in 2009 to 281 in 2010. It should be noted that an extremely low proportion of the encounters police have with the public result in injury serious enough to invoke the SIU mandate.

The SIU invoked its mandate to investigate eight deaths in 2010, compared to five deaths in 2009. Of the deaths investigated by the SIU in 2010, officers were exonerated in two firearm related deaths and two custody deaths. The SIU withdrew its mandate in two custody deaths. One firearm death resulted in criminal charges laid and one firearm death is still under investigation (Fig 5.2).

Figure 5.1
Number of SIU Investigations

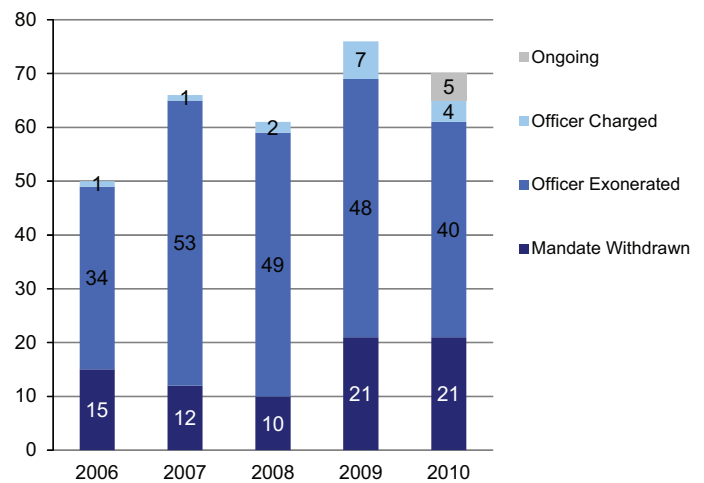


Figure 5.2
Reasons for SIU Investigations

	2006		2007		2008		2009		2010	
	Death	Injury	Death	Injury	Death	Injury	Death	Injury	Death	Injury
Firearm incident	1	2	2	8	2	2	1	1	4	2
Vehicle incident	1	3	2	5	0	4	0	8	0	2
Custody incident	4	38	8	37	2	41	4	54	4	50
Allegation of sexual assault	n/a	1	n/a	4	n/a	10	n/a	8	n/a	8
Total	6	44	12	54	4	57	5	71	8	62

G20 Related SIU Investigations

This report includes incidents in which the SIU invoked their mandate on or before December 31, 2010 and includes seven custody injuries related to G20 Summit incidents. At the time of writing: the SIU withdrew their mandate in one case; officers were exonerated in three cases; one case resulted in the officer being charged criminally and two cases are ongoing.

Section 11 Investigations

Pursuant to Section 11 of Ontario Regulation 267/10, the Chief of Police conducts an administrative investigation into any incident for which the SIU is involved. The administrative investigation is intended to examine the policies of and/or services provided by the police service along with the conduct of its police officers. These reviews are commonly referred to as Section 11 investigations. Subject matter experts are drawn from various units within the Service including Homicide, Sex Crimes, Traffic Services and Professional Standards to carry out these investigations.

The TPS completed a total of 44 Section 11 investigations in 2010. Misconduct was identified in 4 completed investigations, including 2 SIU policy violations and 2 use of force policy violations. These numbers are subject to change as more of the 2010 Section 11 investigations are completed.

Subject Apprehension Pursuits

The Ontario Ministry of the Solicitor General has established detailed guidelines regarding police pursuits, including when and how pursuits are to be commenced and continued, supervisory obligations during the pursuit process, and reporting requirements.

Recognizing the inherent risk to both officers and members of the public when pursuits are initiated, the Toronto Police Service has undertaken several strategies to both reduce the number of pursuits initiated and develop targeted training to enhance safe driving practices.

Ontario Regulation 266/10

Legislation governing police pursuits in Ontario is found in Ontario Regulation 266/10 entitled Suspect Apprehension Pursuits (which replaced O. Reg. 546/99 effective July 1, 2010).

O. Reg. 266/10 identifies a suspect apprehension pursuit to occur when a police officer attempts to direct the driver of a motor vehicle to stop, the driver refuses to obey the police officer, and the police officer pursues in a motor vehicle for the purpose of stopping the fleeing motor vehicle, or identifying the vehicle or an individual in the vehicle.

The Regulation allows an officer to pursue, or continue to pursue, a fleeing vehicle that fails to stop: if the officer has reason to believe that a criminal offence has been committed or is about to be committed or for the purposes of motor vehicle identification or the identification of an individual in the vehicle.

The Regulation further requires that each police service establish written procedures on the management and control of suspect apprehension pursuits. TPS Procedure 15-10 (Suspect Apprehension Pursuits) was specifically amended to address this requirement. O. Reg. 266/10 also directs every officer who initiates a pursuit to complete a Provincial Fail to Stop Report. The report provides a comprehensive description of the pursuit, including reasons for and results of the pursuit, charge information and various other environmental factors involved.

Pursuit Reduction Initiatives

Pursuit Reduction Committee

Comprising members from PRS, Traffic Services, Communications Services and Police Vehicle Operations (PVO), the Pursuit Reduction Committee works towards mitigating risks associated with pursuits by conducting trend analysis and explores technological and training opportunities to find effective alternatives to pursuits. Initiatives undertaken by the committee in 2010 include enhanced tracking of fail to stop reporting to ensure compliance with procedure 15-10 and identifying Service units who could benefit from enhanced training opportunities.

In-Car Camera System

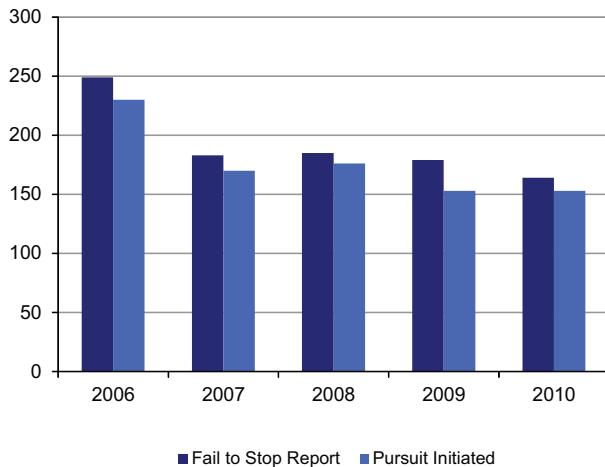
The TPS In-Car Camera System was initiated as a pilot project for Traffic Services and 13 Division and is now expanding Service-wide. Officers at PVO and Traffic Services believe the addition of the in-car camera will provide officers with a valuable tool to allow for quick and accurate identification of fleeing vehicles and/or vehicle occupants, as outlined in O. Reg. 266/10, avoiding a lengthy pursuit.

Subject Apprehension Pursuit Training

Suspect Apprehension Pursuit (SAP) training is a mandatory requirement for any officer who may engage in a pursuit. PVO provides training for both uniform officers and civilian communication operators that has been accredited by the Ministry of Community Safety and Correctional Services. The training ensures members are conversant with TPS procedure with a focus on identifying risks associated with pursuits and instruction on alternative strategies. Beginning in 2009 and continuing this year, PVO has incorporated e-learning training modules (online courses) into the SAP training program in order to educate more Service members in a shorter amount of time. PVO has also purchased pursuit simulators for incorporation into new recruit training.

Trend Analysis

Figure 6.1
Fail to Stop Reports and Pursuits Initiated



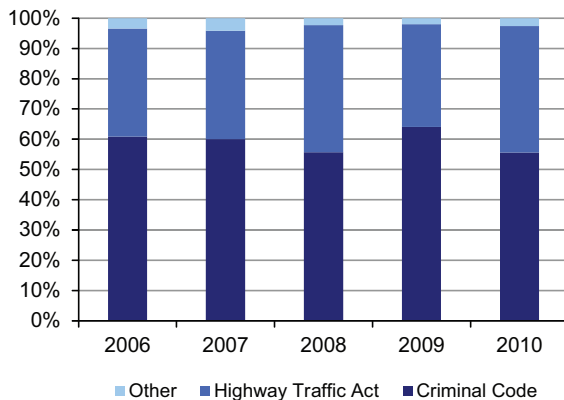
Number of Pursuits

In 2010, 164 Fail to Stop Reports were submitted representing an 8.4% decrease from 2009 and is 14.6% less than the five year average. Of the reports submitted in 2010, 93.3% (153) resulted in the initiation of a pursuit, slightly higher than the five year average of 91.7% (Figure 6.1).

Reasons for Initiating Pursuits

Of the 153 pursuits initiated in 2010, 55.6% resulted from the commission of Criminal Code offences. Within the Criminal Code category, the majority of pursuits were initiated as a result of the dangerous operation of a motor vehicle and stolen vehicles. However, while stolen vehicles had consistently contributed to the majority of pursuits initiated in the previous four years, the number of pursuits relating to stolen vehicles decreased significantly in 2010 comprising 15.7% of pursuits initiated compared to 26.8% in 2009. This is consistent with SAP training principles, which emphasize the unique risks involved with engaging in pursuits of stolen vehicles.

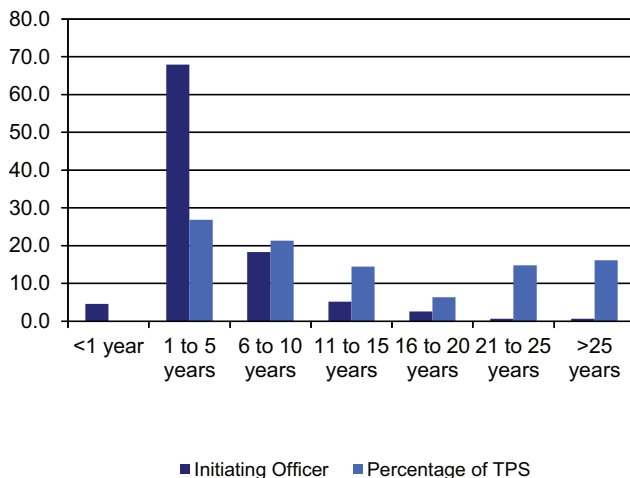
Figure 6.2
Pursuit Initiation Reasons



Offences under the Highway Traffic Act (HTA) accounted for 41.8% of pursuits initiated, a 7.8% increase from 2009, and 3.8% higher than the 5 year average. Moving violations for the purpose of identifying the driver remain the most common HTA reason for initiating a pursuit.

Miscellaneous circumstances, including reports from the public and suspicious vehicles, accounted for 2.6% of all reasons cited for initiating a pursuit, as indicated in Figure 6.2.

Figure 6.3
Years of Service of Initiating Officer



Primary Police Vehicle

TPS Procedure 15-10 outlines that officers operating an unmarked motor vehicle shall not engage in a pursuit unless a marked motor vehicle is not readily available and the police officer believes that it is necessary to engage in a pursuit (for reasons defined in O. Reg. 266/10). There was only one pursuit initiated in 2010 in which officers were in an unmarked vehicle.

Years of Service

In 2010, TPS officers with 1 to 5 years of service initiated the majority (68.0)% of pursuits, a 19.0% increase from 2009, and 12.0% higher than the five year average. This is due to the fact that officers in this demographic are primarily deployed to divisional policing duties which include responding to calls for service, general patrols and traffic enforcement. Nonetheless, in recognition of this trend, PVO is exploring enhanced training opportunities to this demographic. Figure 6.3 illustrates the years of service of subject officers in initiated pursuits, compared to the percentage of officers employed by the TPS.

Results of Initiated Pursuits

There was an increase in the percentage of pursuits discontinued by the initiating officer in 2010, from 21.6% of pursuits initiated in 2009 to 32.7% in 2010. This increase is in keeping with O. Reg. 266/10 that states an officer may pursue a fleeing vehicle for the purpose of identification, and the technological and training enhancements the Service has made to assist officers in this regard.

The designated pursuit supervisor terminated 24.8% of pursuits that were initiated, comparable to the five year average of 25.4%. In 3.9% of initiated pursuits, officers were able to stop suspect vehicles using specific techniques (e.g. rolling block, intentional contact, etc.), falling below the five year average of 5.0%. In 26.8% of pursuits initiated the vehicle was stopped by the driver, a decrease from 30.1% in 2009. The results of initiated pursuits are indicated in figure 6.4.

Collisions and Pursuit Related Injuries

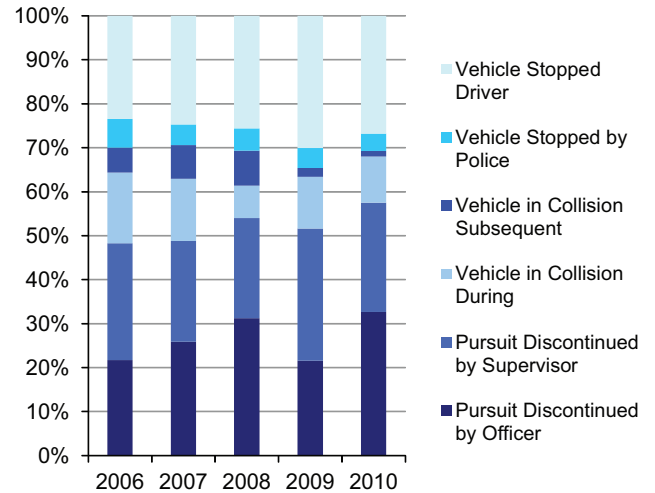
In 2010, 18 pursuits resulted in collisions, 11.8% of all pursuits initiated. Individuals received injuries as a result of 10 initiated pursuits: 8 individuals in pursued vehicles, 3 in police vehicles and 5 in a third party vehicle. There was 1 fatality resulting from pursuits initiated in 2010 (Fig. 6.5).

Charges Laid in Initiated Pursuits

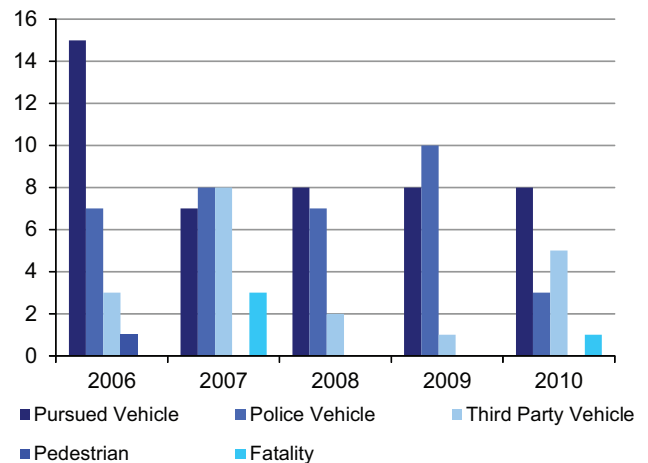
There were 86 people charged with a Criminal Code offence and 37 with an HTA offence as a result of initiated pursuits in 2010, compared to 97 and 43 respectively in 2009, following a five year decreasing trend in both categories.

A total of 457 charges were laid in 2010, compared to 436 charges in 2009. Criminal Code charges continue to represent the majority (84.0%) of the total charges laid, consistent with previous years (Fig 6.6).

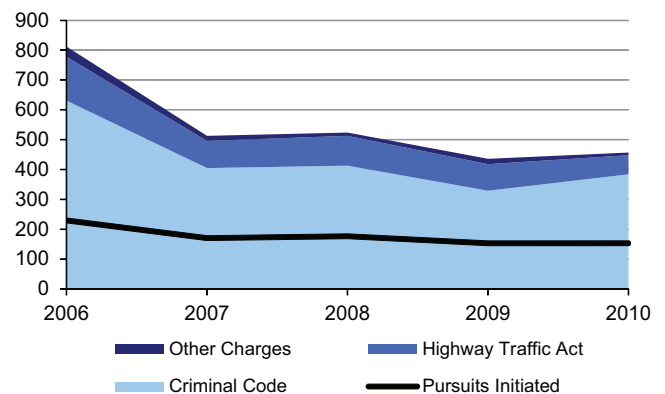
**Figure 6.4
Pursuit Results**



**Figure 6.5
Pursuit Related Injuries**



**Figure 6.6
Number of Charges Laid**



Supplementary Data

Public Complaints

Excludes G20-related complaints

Classification of Complaints					
Complaints Investigated	2006	2007	2008	2009	2010
Conduct-Police Officer-Less Serious	403	369	400	381	385
Conduct-Police Officer-Serious	58	25	50	33	64
Policy	5	4	8	3	3
Service	4	5	1	4	14
Number and Percentage of Complaints (Investigated)	470	403	459	421	466
	71.0%	57.7%	60.1%	59.1%	54.1%
Complaints Not Investigated	2006	2007	2008	2009	2010
Complaint Over Six Months	37	37	47	40	69
Frivolous	122	209	213	200	247
Made In Bad Faith	1	7	10	11	0
No Jurisdiction	4	2	3	5	35
Not Directly Affected	26	39	23	32	35
Not Signed	1	0	1	1	1
Other	0	1	0	0	0
Vexatious	1	1	8	2	7
Withdrawn	0	0	0	0	2
Number and Percentage of Complaints (Not Investigated)	192	296	305	291	396
	29.0%	42.3%	39.9%	40.9%	45.9%
Total Number of Public Complaints	662	699	764	712	862
5 Year Average	740				

Complaint Sub-Classifications based on Alleged Misconduct										
Sub-Classification	2006		2007		2008		2009		2010	
	No.	%	No.	%	No.	%	No.	%	No.	%
Breach of Confidence	3	0.6%	0	0.0%	5	1.1%	1	0.2%	0	0.0%
Corrupt Practice	4	0.9%	1	0.2%	1	0.2%	0	0.0%	1	0.2%
Deceit	2	0.4%	1	0.2%	0	0.0%	0	0.0%	0	0.0%
Discreditable Conduct	233	49.6%	244	60.5%	289	63.0%	261	62.0%	278	59.7%
Insubordination	2	0.4%	3	0.7%	1	0.2%	3	0.7%	3	0.6%
Neglect of Duty	101	21.5%	50	12.4%	47	10.2%	23	5.5%	18	3.9%
Unlawful or Unnecessary Exercise of Authority	116	24.7%	95	23.6%	107	23.3%	126	29.9%	149	32.0%
Policy/Service	9	1.9%	9	2.2%	9	2.0%	7	1.7%	17	3.6%
Total	470	100	403	100	459	100	421	100	466	100

Top 3 Sub-Classifications of Alleged Misconduct										
Sub-Classification of Alleged Misconduct	2006		2007		2008		2009		2010	
	No.	%	No.	%	No.	%	No.	%	No.	%
Discreditable Conduct										
Discrimination	10	4.3	16	6.6	15	5.2	31	11.9	24	8.6
Profane language re: individuality	5	2.1	7	2.9	6	2.1	1	0.4	4	1.4
Profane language re: another Service member	2	0.9	1	0.4	1	0.3	2	0.8	1	0.4
Incivility	111	47.6	128	52.5	112	38.8	65	24.9	44	15.8
Makes false statement against Service member	0	0.0	0	0.0	0	0.0	0	0.0	4	1.4
Assault Service member	1	0.4	0	0.0	0	0.0	0	0.0	3	1.1
Found guilty of criminal offence	0	0.0	0	0.0	0	0.0	2	0.8	0	0.0
Contravene PSA	1	0.4	1	0.4	1	0.3	0	0.0	1	0.4
Acts in a disorderly manner	103	44.2	91	37.3	154	53.3	160	61.3	197	70.9
Total	233	100	244	100	289	100	261	100	278	100
Neglect of Duty										
Neglects to perform a duty as member of the Service	96	95.0	49	98.0	42	89.4	21	91.3	11	61.1
Leaves place of duty without permission	1	1.0	0	0.0	1	2.1	1	4.3	2	11.1
Fails to report a matter that is duty to report	4	4.0	1	2.0	0	0.0	1	4.3	3	16.7
Fails to disclose evidence re: criminal activity	0	0.0	0	0.0	0	0.0	0	0.0	1	5.6
Omits to make necessary entry in a record	0	0.0	0	0.0	2	4.3	0	0.0	0	0.0
Improperly dressed while on duty	0	0.0	0	0.0	0	0.0	0	0.0	1	5.6
Absent without leave or late for duty	0	0.0	0	0.0	2	4.3	0	0.0	0	0.0
Total	101	100	50	100	47	100	23	100	18	100
Unlawful/Unnecessary Exercise of Authority										
Unlawful/unnecessary arrest	35	30.2	11	11.6	20	18.7	24	19.0	38	25.5
Unnecessary force	81	69.8	84	88.4	87	81.3	102	81.0	111	74.5
Total	116	100	95	100	107	100	126	100	149	100

Disposition - Investigated Complaints										
Complaint Disposition	2006		2007		2008		2009		2010	
	No.	%	No.	%	No.	%	No.	%	No.	%
Informal Resolution	63	13.5	85	21.4	85	18.8	78	18.8	91	22.5
Misconduct Identified	13	2.8	14	3.5	23	5.1	8	1.9	11	2.7
No Further Action Required	1	0.2	0	0.0	0	0.0	0	0.0	0	0.0
No Jurisdiction	3	0.6	1	0.3	1	0.2	1	0.2	1	0.2
Policy/service - Action Taken	2	0.4	1	0.3	1	0.2	0	0.0	0	0.0
Policy/service-No Action Taken	7	1.5	8	2.0	5	1.1	4	1.0	12	3.0
Unsubstantiated	257	54.9	202	50.9	233	51.4	235	56.6	228	56.4
Withdrawn	122	26.1	86	21.7	105	23.2	89	21.4	61	15.1
Investigation not Concluded*	2	0.4	6	1.5	6	1.3	6	1.4	62	15.3
Total	468	100	397	100	453	100	415	100	404	100

*Number is anticipated to decrease as the 90 day investigation period is reached.

Comparison of Number of Days to Conclude Complaints										
Days to Conclude	2006		2007		2008		2009		2010	
	No.	%	No.	%	No.	%	No.	%	No.	%
0 to 30 days	195	29.5	301	43.4	306	40.4	286	40.7	398	49.9
31 to 60 days	90	13.6	86	12.4	113	14.9	102	14.5	124	15.5
61 to 90 days	101	15.3	80	11.5	82	10.8	90	12.8	100	12.5
91 to 120 days	86	13.0	73	10.5	66	8.7	72	10.3	92	11.5
121 to 150 days	39	5.9	39	5.6	52	6.9	45	6.4	47	5.9
151 to 180 days	35	5.3	39	5.6	30	4.0	29	4.1	20	2.5
Over 180 days	114	17.3	75	10.8	108	14.3	78	11.1	17	2.1
Total	660	100	693	100	757	100	702	100	798	100

Comparison of Complaints by Division

Division	2006		2007		2008		2009		2010	
	No.	%	No.	%	No.	%	No.	%	No.	%
11 Division	23	3.5	24	3.4	21	2.7	19	2.7	19	2.2
12 Division	15	2.3	17	2.4	17	2.2	15	2.1	14	1.6
13 Division	23	3.5	32	4.6	39	5.1	18	2.5	15	1.7
14 Division	35	5.3	55	7.9	41	5.4	34	4.8	40	4.6
22 Division	27	4.1	32	4.6	21	2.7	23	3.2	30	3.5
23 Division	37	5.6	18	2.6	26	3.4	22	3.1	19	2.2
31 Division	38	5.7	50	7.2	56	7.3	30	4.2	33	3.8
32 Division	27	4.1	30	4.3	24	3.1	16	2.2	11	1.3
33 Division	29	4.4	32	4.6	30	3.9	19	2.7	16	1.9
41 Division	17	2.6	27	3.9	34	4.5	20	2.8	22	2.6
42 Division	37	5.6	23	3.3	27	3.5	13	1.8	19	2.2
43 Division	26	3.9	19	2.7	30	3.9	21	2.9	35	4.1
51 Division	69	10.4	48	6.9	49	6.4	33	4.6	37	4.3
52 Division	50	7.6	54	7.7	63	8.2	54	7.6	42	4.9
53 Division	22	3.3	18	2.6	25	3.3	13	1.8	14	1.6
54 Division	21	3.2	17	2.4	33	4.3	20	2.8	19	2.2
55 Division	33	5.0	38	5.4	19	2.5	24	3.4	21	2.4

Comparison of Complaints by Division										
Unit	2006		2007		2008		2009		2010	
	No.	%	No.	%	No.	%	No.	%	No.	%
Chief of Police	0	0.0	0	0.0	3	0.4	0	0.0	0	0.0
Communications Services	3	0.5	7	1.0	0	0.0	1	0.1	2	0.2
Corporate Planning	2	0.3	5	0.7	7	0.9	3	0.4	1	0.1
Court Services	2	0.3	2	0.3	1	0.1	2	0.3	0	0.0
Detective Services	1	0.2	1	0.1	0	0.0	0	0.0	0	0.0
Diversity Management Unit	0	0.0	2	0.3	0	0.0	0	0.0	0	0.0
Divisional Policing Command	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Drug Squad	5	0.8	5	0.7	3	0.4	11	1.5	8	0.9
Emergency Task Force	3	0.5	0	0.0	1	0.1	5	0.7	3	0.3
Employment	1	0.2	0	0.0	2	0.3	0	0.0	1	0.1
Financial Crimes Unit	3	0.5	1	0.1	3	0.4	2	0.3	1	0.1
Hold Up Squad	1	0.2	1	0.1	4	0.5	2	0.3	1	0.1
Homicide Squad	0	0.0	2	0.3	3	0.4	0	0.0	0	0.0
Human Resources Management	1	0.2	1	0.1	0	0.0	0	0.0	1	0.1
Intelligence Division	1	0.2	2	0.3	0	0.0	1	0.1	0	0.0
Investigative Unit	0	0.0	0	0.0	1	0.1	0	0.0	0	0.0
Marine Unit	1	0.2	0	0.0	0	0.0	0	0.0	2	0.2
Mounted & Police Dog Services	0	0.0	3	0.4	0	0.0	1	0.1	1	0.1
Operational Services	0	0.0	0	0.0	0	0.0	1	0.1	0	0.0
Organized Crime Enforcement	0	0.0	0	0.0	1	0.1	2	0.3	7	0.8
Parking Enforcement	0	0.0	1	0.1	1	0.1	1	0.1	0	0.0
Professional Standards	1	0.2	1	0.1	0	0.0	0	0.0	0	0.0
Provincial ROPE	0	0.0	2	0.3	0	0.0	0	0.0	0	0.0
Public Information	0	0.0	1	0.1	0	0.0	0	0.0	0	0.0
Public Safety & Emergency Management	2	0.3	1	0.1	0	0.0	0	0.0	1	0.1
Purchasing Support Services	0	0.0	0	0.0	1	0.1	0	0.0	0	0.0
Records Management Services	2	0.3	0	0.0	0	0.0	0	0.0	3	0.3
Risk Management Unit	0	0.0	1	0.1	1	0.1	0	0.0	0	0.0
Sex Crimes Unit	4	0.6	2	0.3	2	0.3	0	0.0	1	0.1
Special Investigation Services	6	0.9	9	1.3	6	0.8	2	0.3	0	0.0
TAVIS	7	1.1	7	1.0	9	1.2	8	1.1	21	2.4
Toronto Police College	1	0.2	0	0.0	0	0.0	1	0.1	0	0.0
Traffic Services	20	3.0	33	4.7	27	3.5	17	2.4	19	2.2
Unit Complaints Total	67	10.1	90	12.9	76	9.9	60	8.4	73	8.5
Not Applicable/Not Identified	66	10.0	75	10.7	133	17.4	258	36.2	383	44.4
Total	662	100	699	100	764	100	712	100	862	100

Use of Force

Type of Force Used				
Force Option	NUMBER AND PERCENTAGE OF INCIDENTS			
	2009		2010	
	NO.	%	NO.	%
Conducted Energy Weapons				
<i>Demonstrated Presence</i>	124	7.9	95	7.0
<i>Drive Stun</i>	37	2.4	28	2.1
<i>Full Deployment</i>	112	7.1	87	6.4
Physical Control				
<i>Hard only</i>	89	5.7	76	5.6
<i>Soft only</i>	421	26.8	322	23.6
<i>Both Hard & Soft</i>	130	8.3	123	9.0
Firearm Discharge - Intentional	24	1.5	24	1.8
Firearm Pointed at Person	943	60.1	828	60.8
Handgun - Drawn only	262	16.7	117	8.6
Impact Weapons Used				
<i>Hard only</i>	51	3.3	60	4.4
<i>Soft only</i>	13	0.8	15	1.1
<i>Both Hard & Soft</i>	3	0.2	1	0.1
Oleoresin Capsicum Spray	81	5.2	68	5.0
Other Type of Force	68	4.3	91	6.7

Reason for Use of Force				
Initial Reason for Use of Force	2009		2010	
	No.	%	No.	%
Destroy An Animal	13	0.8	10	0.7
Effect Arrest	174	11.2	462	34.1
Other	9	0.6	21	1.5
Preserve Life	0	0.0	1	0.1
Prevent Commission Of Offence	7	0.5	18	1.3
Prevent Escape	13	0.8	39	2.9
Protect Public	21	1.4	83	6.1
Protect Self	1314	84.7	721	53.2
Total # of Incidents	1551	100	1355	100

Officer Duties at Time of Incident				
Type of Assignment	2009		2010	
	No.	%	No.	%
Directed Patrol	0	0.0	35	1.6
Foot Patrol	60	2.6	47	2.2
G20 Crowd Control	0	0.0	12	0.6
General Patrol	1053	46.3	1102	51.8
Investigation - Drugs	68	3.0	54	2.5
Investigation - Other	315	13.8	280	13.2
Off-Duty	1	0.0	1	0.0
Other-Type Of Assignment	697	30.6	115	5.4
Tactical	0	0.0	399	18.8
Traffic Patrol	82	3.6	82	3.9
Total	2276	100	2127	100

Category of Incidents when Force Used				
Type of Incident	2009		2010	
	No,	%	No.	%
Arrest/Prisoner Related	14	0.9	21	1.5
Assault/Serious Injury	23	1.5	57	4.2
Break And Enter	45	2.9	62	4.6
Domestic Disturbance	61	3.9	59	4.4
Drug Related	1	0.1	35	2.6
Emotionally Disturbed Person	47	3.0	77	5.7
Robbery Call	94	6.1	93	6.9
Search Warrant/Warrant Related	241	15.5	240	17.7
Stolen Vehicle	0	0.0	39	2.9
Suspicious Person Call	46	3.0	37	2.7
Traffic Stop	81	5.2	61	4.5
Wanted Person	1	0.1	43	3.2
Weapons Call	431	27.8	305	22.5
Other	466	30.0	226	16.7
Total	1551	100	1355	100

Perceived Weapons Carried by Subject				
Perceived Weapon	2009		2010	
	No.	%	No.	%
Animal - No Weapon	1	0.1	5	0.4
Baseball Bat/club	16	1.0	38	2.8
Bottle	1	0.1	7	0.5
Knife/edged Weapon	266	17.2	264	19.5
Firearms	949	61.2	846	62.4
Pistol	2	0.1	0	0.0
Revolver	104	6.7	96	7.1
Rifle	17	1.1	44	3.2
Semi-Automatic	733	47.3	625	46.1
Shotgun	51	3.3	43	3.2
Other-Firearm	42	2.7	38	2.8
None	409	26.4	299	22.1
Other	101	6.5	62	4.6
Other-Replica	6	0.4	4	0.3
Unknown	694	44.7	596	44.0
Total	1551	100	1355	100

Subject Apprehension Pursuits

Pursuit Initiation Reason										
Pursuit Initiation Reason	2006		2007		2008		2009		2010	
	No.	%	No.	%	No.	%	No.	%	No.	%
CC-BREAK AND ENTER	8	3.5	3	1.8	4	2.3	2	1.3	5	3.3
CC-DANGEROUS OPERATION	28	12.2	28	16.5	19	10.8	18	11.8	23	15.0
CC-IMPAIRED OPERATION	19	8.3	7	4.1	10	5.7	19	12.4	10	6.5
CC-OTHER	21	9.1	16	9.4	17	9.7	13	8.5	16	10.5
CC-OTHER - ESCAPE LAWFUL	0	0.0	0	0.0	0	0.0	1	0.7	0	0.0
CC-Other-Drugs	0	0.0	0	0.0	0	0.0	0	0.0	1	0.7
CC-PROHIBITED OPERATION	0	0.0	0	0.0	0	0.0	1	0.7	1	0.7
CC-ROBBERY	5	2.2	1	0.6	5	2.8	3	2.0	5	3.3
CC-STOLEN VEHICLE	59	25.7	47	27.6	43	24.4	41	26.8	24	15.7
HTA - R.I.D.E	1	0.4	0	0.0	1	0.6	1	0.7	1	0.7
HTA-EQUIPMENT VIOLATION	10	4.3	7	4.1	9	5.1	9	5.9	13	8.5
HTA-MOVING VIOLATION	58	25.2	47	27.6	50	28.4	29	19.0	38	24.8
HTA-OTHER	12	5.2	4	2.4	13	7.4	9	5.9	7	4.6
HTA-SUSPENDED DRIVER	1	0.4	3	1.8	1	0.6	4	2.6	5	3.3
OTHER-OTHER	0	0.0	1	0.6	0	0.0	0	0.0	2	1.3
OTHER-REPORT FROM PUBLIC	0	0.0	2	1.2	0	0.0	0	0.0	1	0.7
OTHER-SUSPICIOUS VEHICLE	8	3.5	4	2.4	4	2.3	3	2.0	1	0.7
Total	230	100	170	100	176	100	153	100	153	100

Glossary of Terms

Police Services Act Definitions

Discreditable Conduct

- 2(1)(a)(i) Fails to treat or protect a person equally without discrimination.
- 2(1)(a)(ii) Uses profane, abusive or insulting language that relates to a person's individuality.
- 2(1)(a)(iii) Is guilty of oppressive or tyrannical conduct towards an inferior in rank.
- 2(1)(a)(iv) Uses profane, abusive or insulting language to any other member of the Service.
- 2(1)(a)(v) Uses profane, abusive or insulting language or is otherwise uncivil to a member of the public.
- 2(1)(a)(vi) Wilfully or negligently makes any false complaint or statement against any member of the Service.
- 2(1)(a)(vii) Assaults any other member of the Service.
- 2(1)(a)(viii) Withholds or suppresses a complaint or report against a member of the Service or about the policies of, or services provided by, the Service.
- 2(1)(a)(ix) Accused, charged or found guilty of an indictable criminal offence or criminal offence punishable upon summary conviction.
- 2(1)(a)(x) Contravenes any provision of the Act or the regulations.
- 2(1)(a)(xi) Acts in a disorderly manner or in a manner prejudicial to discipline or likely to bring discredit upon the reputation of the Service.

Neglect of Duty

- 2(1)(c)(i) Without lawful excuse, neglects or omits promptly and diligently to perform a duty as a member of the Police Service.
- 2(1)(c)(i.1) Fails to comply with any provision of Ontario Regulation 673/98 (Conduct and Duties of Police Officers Investigations by the Special Investigations Unit).
- 2(1)(c)(ii) Fails to work in accordance with orders, or leaves an area, detachment, detail or other place of duty, without due permission or sufficient cause.
- 2(1)(c)(iii) By carelessness or neglect permits a prisoner to escape.
- 2(1)(c)(iv) Fails, when knowing where an offender is to be found, to report him or her or to make due exertions for bringing the offender to justice.
- 2(1)(c)(v) Fails to report a matter that is his or her duty to report.
- 2(1)(c)(vi) Fails to report anything that he or she knows concerning a criminal or other charge, or fails to disclose any evidence that he or she, or any person within his or her knowledge, can give for or against any prisoner or defendant.
- 2(1)(c)(vii) Omits to make any necessary entry in a record.
- 2(1)(c)(viii) Feigns or exaggerates sickness or injury to evade duty.
- 2(1)(c)(ix) Is absent without leave from or late for any duty, without reasonable excuse.
- 2(1)(c)(x) Is improperly dressed, dirty or untidy in person, clothing or equipment while on duty.

Unlawful or Unnecessary Exercise of Authority

- 2(1)(g)(i) Without good and sufficient cause makes an unlawful or unnecessary arrest.
- 2(1)(g)(ii) Uses any unnecessary force against a prisoner or other person contacted in the execution of duty.

Civil Litigation Definitions

Charter of Rights Violations:

The breach of a right that is afforded under the Charter of Rights and Freedoms.

False arrest:

An arrest made without proper legal authority.

Malicious Prosecution:

To succeed in a claim for malicious prosecution, a plaintiff must establish: 1) That the defendant initiated the proceedings; 2) That the proceedings terminated in favor of the plaintiff; 3) The absence of reasonable and probable cause, and; 4) Malice, or a primary purpose other than that of carrying the law into effect.

Misfeasance in Public Office:

The elements that must be established include: 1) Deliberate and unlawful conduct in the exercise of public functions, and; 2) Awareness that the conduct is unlawful and likely to injure the plaintiff. A plaintiff must also prove that the conduct was the legal cause of his or her injuries, and that the injuries suffered are compensable in tort law.

Negligent Investigations:

To succeed in a claim for negligent investigation, a plaintiff must establish that: 1) The investigating officers owed the plaintiff a duty of care; 2) The investigating officers failed to meet the standard of care; 3) the plaintiff suffered compensable damage, and; 4) The damage was caused by the investigating officers' negligent act or omission.

Excessive Use of Force:

A police officer has the right to use as much force as reasonably necessary to carry out his or her law enforcement duties. Excessive use of force would be any use of force that is more than reasonably necessary in the circumstances.

Use of Force Definitions

Demonstrated Force Presence (CEW):

The CEW is utilized as a demonstration only and does not make contact with the subject. The CEW may be un-holstered, pointed in the presence of the subject, sparked as a demonstration, and/or have its laser sighting system activated.

Drive Stun Mode (CEW):

The CEW is utilized by direct contact with the subject and the current applied; the probes are not fired.

Full Deployment (CEW):

The CEW is utilized by discharging the probes at a subject and the electrical pulse applied.