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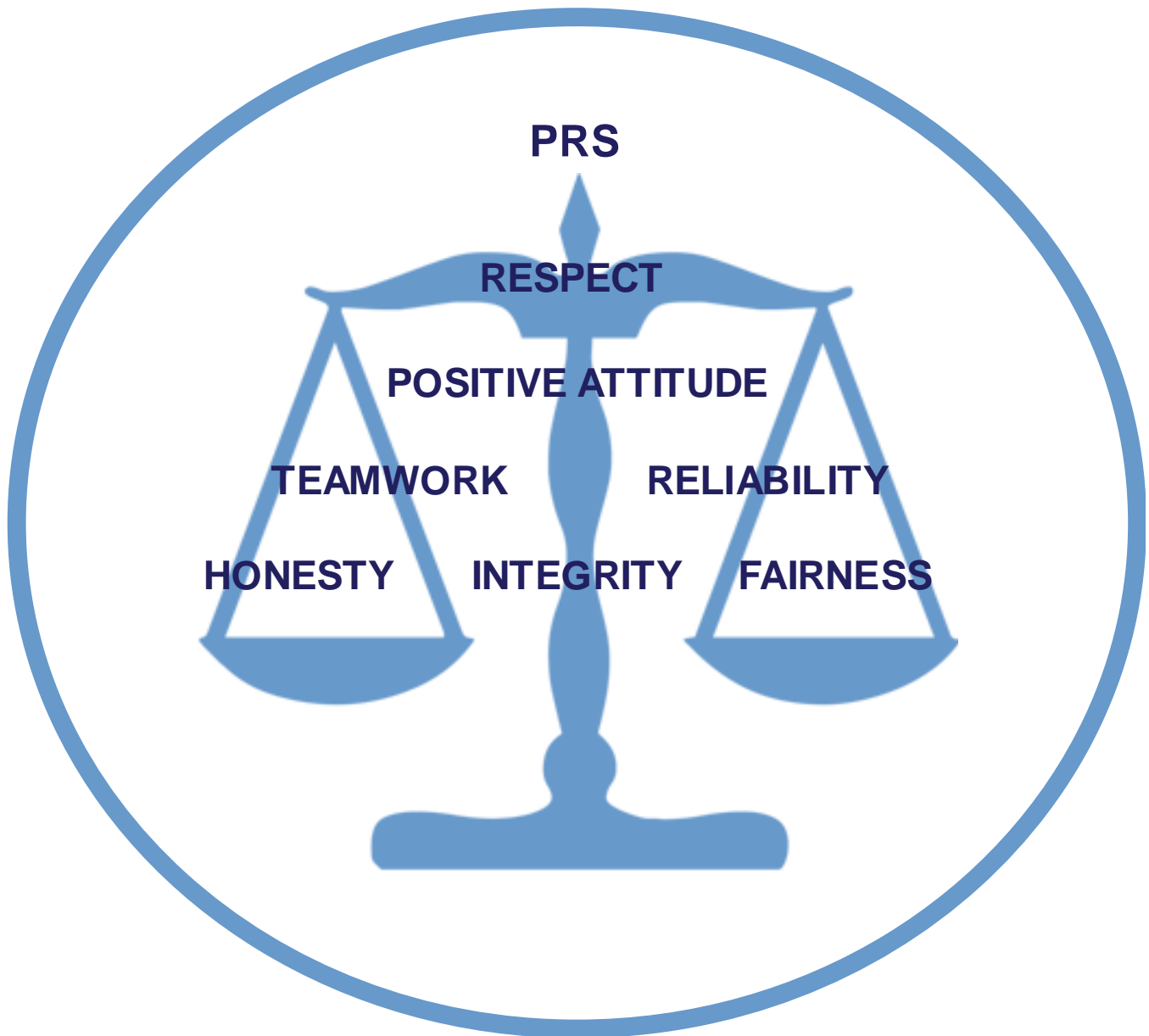
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PROFESSIONAL STANDARDS Annual Report

2012



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 the following units:

- Awards
- Corporate Planning
- Human Resources Management
- Investigative Unit
- Legal Services
- Prosecution Services
- Special Investigations Unit Liaison
- Toronto Police College

The data contained in this report includes records entered into PSIS between January 1 and December 31, 2012.

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Executive Summary

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

Under the direction of the Staff Superintendent, Professional Standards is comprised of the Investigative Unit (INV), Legal Services (LSV), and the Risk Management Unit (RMU).

The Investigative Unit investigates all forms of complaints (criminal and conduct) alleged against TPS members and is comprised of the following sub-units: Complaints Administration, Conduct Investigations, Criminal Investigations, and the Investigative Support Unit.

Legal Services is comprised of the following sub units:

- Main Office which includes Counsel, a Legal Researcher and Law Clerks.
- Court Process Office
- Civil Litigation Section
- Human Rights Section

The Risk Management Unit is comprised of the following sub-units: Awards, Information Security, Inspections Unit, Prosecution Services, Special Investigations Unit (SIU) Liaison, Analysis & Assessment, and the Duty Desk. The unit performs a number of essential duties for the TPS including, pro-actively analyzing and reviewing trends and patterns in relation to high risk behavioural factors, conducting inspections, liaising with the SIU, and preparing and prosecuting disciplinary charges against police officers.

PRS also provides a liaison function to other TPS units and committees such as the Disciplinary Hearings Office, the Business Intelligence Unit, the Use of Force Review Committee, as well as external agencies such as the Office of the Independent Police Review Director (OIPRD) and the SIU.

PRS Unit Initiatives

The Investigative Unit

In 2012, the Investigative Unit (INV) continued to track side issues identified during investigations. The process includes a requirement for Unit Commanders to respond to the Unit Commander-INV and advise of actions taken to address identified side issues. In 2012, members of INV continued to deliver on-going training, guidance, and support to Unit Complaint Coordinators (UCC) at all TPS Divisions and Units. This training has been expanded to include presentations to frontline officers. These presentations are in response to identified trends and issues regarding conduct concerns that appear to be common throughout the Service.

Complaints Administration

The Complaints Administration sub-unit implemented a number of changes in 2012 to improve the efficiency of its processes. The unit has also expanded its use of the Professional Standards Information System (PSIS) to improve the reporting relationship with the OIPRD. To ensure a consistent approach in *Police Services Act (PSA)* investigations, PRS and the Toronto Police College (TPC) initiated a comprehensive training program for PRS investigators. Due to the success of this initiative, police agencies from across the province have taken advantage of this highly specialized training.

Prosecutions

In 2012, Prosecution Services continued to liaise with the Investigative Unit and the Risk Management Unit regarding trends in conduct issues. These same units also met quarterly to review the status of suspended and restricted officers with a view to returning the officers to full duties tempered against the principles of specific and general deterrence.

Information Security

Throughout 2012, the Information Security Unit continued their security awareness campaign by providing training sessions and by publishing monthly security messages. Subjects covered included information privacy, identity theft, password security and other topical security issues. In November a "Computer Security Day" was held in the lobby of Police Headquarters during which Service members were tested on their information security knowledge by participating in an interactive contest.

The Information Security Section conducted a Preliminary Privacy Impact Assessment on the new records management system and presented it to the Integrated Records and Information System (IRIS) Steering Committee. A member of the Information Security Section has been assigned to the IRIS project to prepare the Logical Privacy Impact Statement which is due in 2013.

Awards

The Awards section administers the TPS Awards Program, recognizing outstanding achievements by Service members and the Public. The section also monitors and administers external awards that Service members may be eligible to receive.

SIU Liaison Unit

The SIU Liaison Unit works with the SIU to facilitate SIU-mandated investigations. The SIU Liaison Unit lectured to Coach Officers and to a group of Court Officers who were assigned to Divisional Booking duties commencing in September of 2012. These presentations emphasized the frontline officer and booking officer roles and responsibilities when involved in incidents where the SIU mandate has been or may be invoked.

Analysis & Assessment

In 2012, the Analysis and Assessment Unit provided trend analysis and statistical information to various TPS units relating to the evaluation of work performance, compliance with TPS procedures, pursuit training and use of force training. Enhancements were made to the Early Intervention (EI) Reports to provide a more comprehensive analysis to assist supervisors in developing risk reduction strategies when dealing with identified trends.

Inspections Unit

In 2012, the Inspections Unit provided a pro-active monitoring function to identify, analyze, and respond to risk issues associated with members' non-compliance with TPS governance. In the first full year of the Inspections Unit's new approach to conducting risk-management inspections, assessments were made of a number of potentially high-risk issues across the TPS as a whole.

Legal Services

Legal Services continues to provide advice, direction, and guidance to the Chief of Police, Command Officers and members of the TPS in relation to all aspects of criminal, civil and corporate law, including managing all new and outstanding civil actions and external human rights applications.

Highlights

The PRS Annual Report provides statistical comparisons and trend analysis on the following topics: awards, public complaints, civil litigation, external Applications to the Human Rights Tribunal of Ontario, *PSA* charges, use of force reporting, SIU investigations, and suspect apprehension pursuits.

Awards

In 2012, 610 awards were presented to members of the TPS, the community, and other police services by the Toronto Police Services Board and the Chief of Police. This is an increase from 518 awards presented in 2011 and 391 awards presented in 2010. TPS members also received 737 awards from external agencies in 2012.

Public Complaints

Public complaints made against TPS officers are processed by the TPS Professional Standards Complaints Administration Unit. In 2012, a total of 764 public complaints were re-

ceived concerning the conduct of uniform members and/or the policies/services of the TPS, a decrease of 10% from 2011. In an attempt to reduce the number of investigations and to improve customer service, the unit also provides information and training sessions to front-line supervisors on local resolution options. There were 13 successful local resolutions in 2012, compared with just five in 2011.

Police Services Act Charges

Prosecution Services reviews conduct investigations to determine the appropriateness of holding hearings and prosecutes disciplinary charges against officers. In 2012, there was a decrease in the number of new cases and officers charged. Of the charges dealt with at the Tribunal, there was an increase in the number of findings of guilt.

Inspections Unit

In 2012, the Inspections Unit conducted Service-wide inspections in the areas of firearms, paid duties, and in-car cameras. The unit will continue to focus on and assess areas of potential high risk across the Service.

Use of Force

Officers are required to submit the Ministry standard Use of Force Form 1 report (UFR) when they use force in the performance of their duties. In 2012, there was an increase in the number of incidents during which officers reported force was used. There was also an increase in the number of incidents in which a conducted energy weapon (CEW) was used in full deployment.

SIU Investigations

The Ontario SIU is a civilian law enforcement agency, independent of the police, that investigates circumstances involving police and civilians which have resulted in serious injury, including sexual assault, or death. In 2012, the SIU invoked its mandate to investigate ten deaths in which TPS officers were involved. In all ten cases the involved officers were exonerated.

Suspect Apprehension Pursuits

The Ontario Ministry of Community Safety and Correctional Services has established detailed guidelines regarding police pursuits, including when and how they are to be initiated, continued, and abandoned.

In 2012, there was a decrease in the number of pursuits initiated, consistent with a five year declining trend. This trend can be attributed to training initiatives undertaken by the Police Vehicle Operations unit to educate TPS members about the risks involved in pursuing vehicles and to offer alternative strategies to engaging in pursuits. In the interest of public safety, officers and/or supervisors continue to call off the majority of pursuits.

Public Contact

Community-based policing is a priority for the TPS. Service members have extensive contact with members of the community in order to ensure public safety. In 2012, TPS Communications Services received over 2 million calls for service, officers issued over 580,000 provincial offence tickets, completed over 400,000 field information reports (FIRs), and made more than 54,000 arrests. In total, TPS officers had more than 3 million documented contacts with members of the public last year. As well, many positive interactions between the police and the community were not formally documented.

It is important to consider the amount of interaction TPS members have with members of the public when evaluating the statistics presented in this report. At a minimum, Service members made over 3 million community contacts in 2012. With 764 public complaints, only a very small fraction (less than 0.1%) of those contacts resulted in a complaint. When considering 1,401 use-of-force incidents relative to 54,000 arrests, force was required in less than 3% of arrests made. The SIU invoked its mandate on 78 occasions relative to 54,000 arrests made in 2012, or approximately once every 692 arrests.

Moving Forward

PRS will continue to proactively identify strategic issues, goals and actions to build upon the initiatives underway in 2012.

PRS will continue to educate members to raise their awareness of the potential risks they face and ways to mitigate those risks. Complaints Administration, for example, is developing an information package for dissemination to all Unit Complaint Coordinators (UCCs) within the TPS. This package contains a comprehensive list of legal authorities to assist and guide the UCCs when conducting their investigations.

To ensure continued alignment with the TPS mandate, PRS plans to conduct reviews of our procedures and processes as well as participating on committees such as the Civil Litigation Review Committee, the Human Rights Case Review Committee, the Use of Force Review Committee, and the Service Vehicle Collision and Pursuit Reduction Committee.

PRS is also currently participating in a number of initiatives with the Canadian Association of Chiefs of Police and the Ontario Association of Chiefs of Police. PRS is working with police services across Canada to identify commonalities and trends in public complaints to assist in targeting and preventing specific behaviour and compliance issues.

Commencing January 2013, PRS began tracking judicial complaints of officer misconduct or dishonesty and these will be reported on in future PRS annual reports.

PRS is committed to identifying and rectifying areas of risk exposure to the TPS. To this end, Information Security has undertaken the development of an analysis tool and report framework to complete Privacy Impact Assessments on all new programs, systems and/or service delivery where personal information is collected, used and disclosed.

The initiatives cited above, and others that the unit is planning, support the PRS commitment to promoting professional and ethical conduct.

Professional Standards Information System

The mandate of the Professional Standards (PRS) Risk Management Unit (RMU) is to act as an effective support unit and to contribute to the achievement of the Toronto Police Service's (TPS) overall priorities and core values. To assist in accomplishing this, the Professional Standards Information System (PSIS) was implemented in 2003 to collect salient data to pro-actively identify and analyze 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 Litigation, Use of Force reports, Suspect Apprehension Pursuits, Service Vehicle Collisions, and additional investigative files.

Data Collection and Statistical Reporting

The Analysis and Assessment Unit (A & A) within RMU is responsible for maintaining the data integrity of PSIS and producing statistical and trend analysis reports for TPS management. A & A also provides statistical information on the performance of members and the TPS as a whole.

In 2012, A & A utilized PSIS to provide trend analysis and statistical information to assist various TPS units. The information given to these units is used for a variety of purposes, including the development of targeted training programs and to ensure compliance with Service procedures. Members of A & A participate in the Use of Force Review Committee and the Service Vehicle Collision and Pursuit Reduction Committee in order to provide ongoing assistance in mitigating risk exposure to the Service.

In 2012, members from A & A began working with the Canadian Association of Chiefs of Police Professional Standards Prevention Sub-Committee. This sub-committee is working to identify conduct trends across Canada and develop strategies targeting specific behaviours that lead to complaints.

Early Intervention

Early Intervention (EI) is a proactive process that seeks to identify TPS members with potential conduct or performance issues. It provides the identified members' units with comprehensive reports to assist in the development of strategies to help the members. In 2012, improvements were made to the review process pertaining to EI alerts and reports. An alert is triggered when an officer exceeds a preset threshold for incidents monitored through PSIS. Following upon an alert being triggered, a report may be generated to address potential conduct or performance issues. In 2012, there were 1090 alerts triggered and 56 EI reports generated, compared to 581 alerts triggered and 70 EI reports generated in 2011. The decrease in the number of reports can be explained by the new review process. These improvements will further strengthen the risk reduction capability of the EI program. The Early Intervention process is intended, in a non-disciplinary and holistic way, to guide and support employees who may be at risk of entering the disciplinary process.

Awards

The Awards Program is coordinated by Professional Standards (PRS) to recognize outstanding contributions and achievements by Toronto Police Service (TPS) members and members of the public. Recipients are recognized individually or in groups for acts of excellence, bravery, altruism, innovative contributions to community policing, public safety and professional excellence. TPS 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 Toronto Police Services Board (TPSB) approved a formal Awards process that is administered by PRS. In 2009, the Toronto Board of Trade, in partnership with the TPS, 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 TPS, reviews eligibility for awards to ensure fairness and consistency. In 2012, there were six award ceremonies hosted by the TPSB in which 610 awards were presented to members of the TPS, the community and other police services. In addition, TPS members received 737 awards from external agencies.

Internal Awards

In 2012, 610 internal awards were presented to members of the TPS, the community and other police services by the TPS and the TPSB. This is an increase from 518 awards given in 2011. In addition to these awards for outstanding performance, the TPSB presented 123 members with their retirement plaques. The internal awards presented in 2012 are listed below.

Chief of Police Excellence Award

Granted by the Chief of Police to any person for acknowledgement of achievement through dedication, persistence or assistance to the Service. 12 awards presented.

Chief of Police Letter of Recognition (for external police agencies)

Granted by the Chief of Police to a police officer or a civilian member for excellence in the performance of duty, community policing initiatives, innovations or initiatives that enhance the image or operation of the TPS. 10 awards presented.

Medal of Merit

Granted by the TPSB to a police officer or a civilian member for outstanding acts of bravery or the highest level of performance of duty. One award presented.

Merit Mark

Granted by the TPSB to a police officer or a civilian member for exemplary acts of bravery, performance of duty, community policing initiatives, innovations or initiatives that enhance the image or operation of the TPS. Three awards presented.

Commendation

Granted by the TPSB to a police officer or a civilian member for exceptional performance of duty, community policing initiatives, innovations or initiatives that enhance the image or operation of the TPS. 31 awards presented.

Teamwork Commendation

Granted by the TPSB to a group of police officers and/or civilian members for exceptional performance of duty, community policing initiatives, innovations or initiatives that enhance the image or operation of the TPS. 158 awards presented.

Community Member Award

Granted by the TPSB to citizens for grateful acknowledgement of unselfish assistance rendered to the TPS or for an initiative or innovation that had a positive effect on the image or operation of the TPS. 90 awards presented.

Civilian Long Service Recognition Pin (20, 30 & 40 years)

Granted by the TPSB and presented to civilian members upon the completion of 20, 30 and 40 years of employment with the TPS. 154 presented.

25 Year Commemorative Watch

Granted by the TPSB and presented to police officers, civilian members and Auxiliary officers upon completion of 25 years of full-time employment. 151 presented.

External Awards

There were 737 awards presented to TPS members by external agencies or organizations in 2012, compared to 371 external awards given in 2011. The external awards presented in 2012 are listed below.

ASIS (formerly known as the American Society for Industrial Security) International Law Enforcement & Security Practitioners Award

Recognizes the commitment and service of a police officer to the public in outstanding circumstances that can exceed the ordinary line of duty and is awarded in various categories. This year's award recognized significant accomplishments in the area of robbery investigation. Three awards presented.

Commissioner's Commendation for Exemplary Performance of Duty (Ontario Provincial Police)

Presented for actions that unquestioningly exceed what other officers would do in a similar circumstance. One award presented.

Federal Medal of Bravery

Recognizes acts of bravery in hazardous circumstances and is presented to people who risked their lives to try to save or protect another. Four medals presented.

Intercultural Dialogue Institute – Public Heroes Award

Presented for recognition of dedication and excellence of individual members of TPS, Toronto Fire Services (TFS) & Toronto Emergency Medical Services (EMS) in delivering their services in an ethnically and culturally diverse environment. Three criteria have been identified – altruism, diversity and community service. One award presented.

International Association of Women Police Award - Mentoring

Presented to an officer who distinguishes herself with her support and assistance to women in law enforcement, development of programs or policies favourable to women or serving on committees or organizations that review women's issues. One award presented.

Ontario Homicide Investigators Association (OHIA) – Award of Merit

Presented to a person(s) who has made a significant contribution to homicide investigations or to OHIA homicide training and education. One award 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. Four medals presented.

Ontario Auxiliary Police Medal

Presented by the Chief of Police on behalf of the Ontario Government to auxiliary members for dedicated service upon the completion of 20, 25, 30, and 40 years of service. 11 medals presented.

Ontario Volunteer Service Award

Presented by the Ontario government to recognize Ontarians who volunteer. Two 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. Two awards 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 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. Two awards presented.

Police Exemplary Service Medals

Granted by the Governor General of Canada to recognize long and meritorious service of 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 additional 10-year period. 307 medals presented.

Police Officer of the Month 2011

Presented since 1967 by the Toronto Board of Trade in partnership with the TPS to recognize officers who make significant contributions to the safety of the citizens of Toronto. 12 awards presented to 34 recipients.

Police Officer of the Year 2011

Presented annually since 1967 by the Toronto Board of Trade in partnership with TPS to recognize the efforts of outstanding police officers on behalf of the Toronto community. Recipients are selected from the list of Police Officer of the Month Awards. Two recipients.

Queen's Diamond Jubilee Medal

A commemorative medal created to mark the 60th anniversary of Her Majesty Queen Elizabeth II's accession to the Throne as Queen of Canada. Presented for significant contributions and achievement by Canadians. 321 medals presented.

St. John Ambulance Award

Gold Lifesaving Award / Lifesaving Award

Presented to an individual(s) who saves or attempts to save a life by means of their knowledge of first aid and where the application of first aid was involved. Recipients also receive a gold or silver lapel pin. 18 awards presented.

Scarborough Rotary Club – Service Before Self Award

Presented to an individual who has rendered exemplary humanitarian service with an emphasis on personal volunteer efforts. One award presented.

School Resource Officer Award of Excellence

Presented by the Ontario Association of Chiefs of Police to recognize an officer who has contributed in an exemplary manner to the overall well-being of students and the community at large. One award presented.

TPS Business Excellence Award

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

TPS Business Excellence Award of the Year 2011

Presented by the Toronto Board of Trade in partnership with the TPS to recognize significant contributions to the TPS and the City of Toronto based on innovation, community service, technical achievement or customer service and reliability. The recipient is selected from the list of TPS Business Excellence Awards. One award presented.

Toronto Emergency Medical Services - Allied Service Award

Presented to members of the Allied Services who displayed outstanding assistance to Toronto EMS and the citizens of Toronto. 16 awards presented.

Toronto Fire Services - Certificate of Merit

Presented in recognition of a civilian's role during a rescue attempt where the act was meritorious and the civilian faced personal danger. One award presented.

Civil Litigation

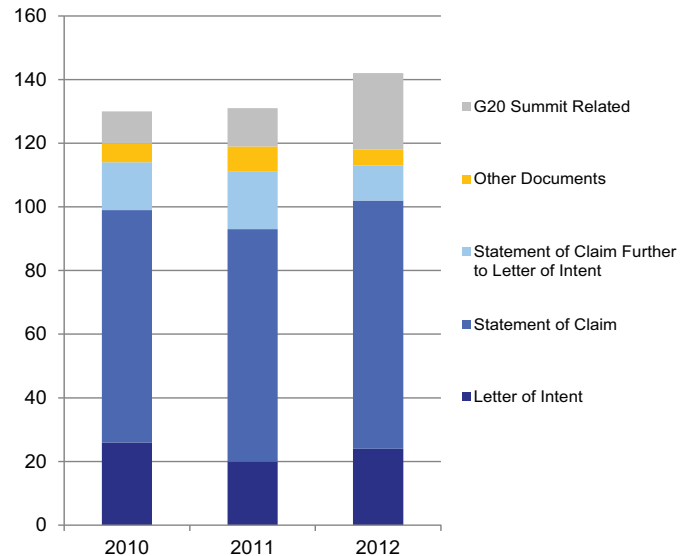
The Legal Services unit is responsible for overseeing all civil actions commenced against the Toronto Police Services Board (TPSB), the Chief of Police and Toronto Police Service (TPS) members. Typically, claims are made on the basis of allegations of false arrest, negligent investigation, malicious prosecution, misfeasance in public office, excessive use of force, and Charter violations contrary to the *Charter of Rights and Freedoms*.

Trend Analysis

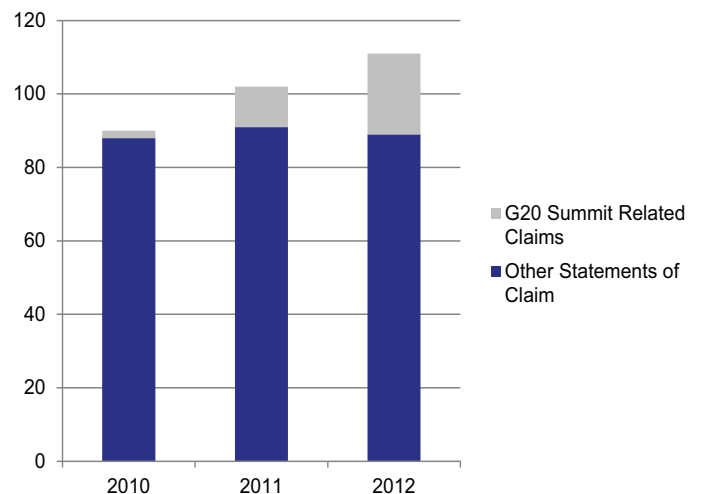
In 2012, Legal Services received notification of 142 civil actions and potential claims against the TPSB and TPS members. This constitutes an 8.4% increase compared to 2011, when there were a total of 131 civil actions and potential claims received (Figure 1.1). Of the 142 civil actions received in 2012, 111 Statements of Claim were served. This is an increase from the number of claims served in 2011 (102) and 2010 (90). Although Statements of Claim received over the past three years have increased in number, it is important to consider the effect of the 2010 G20 Summit in this area.

Excluding the G20 Summit related claims, there were 89 claims received in 2012, compared with 91 received in 2011 and 88 received in 2010. (Figure 1.2).

**Figure 1.1
Civil Actions Received**



**Figure 1.2
Statements of Claim**



Human Rights

Human Rights Applications filed at the Human Rights Tribunal of Ontario (HRTO) by a member of the public against the Toronto Police Services Board (TPSB), the Chief of Police, the Toronto Police Service (TPS), or one of its members are managed by Legal Services. These Applications relate to the provision of “services” and an alleged breach of the Ontario *Human Rights Code* (Code).

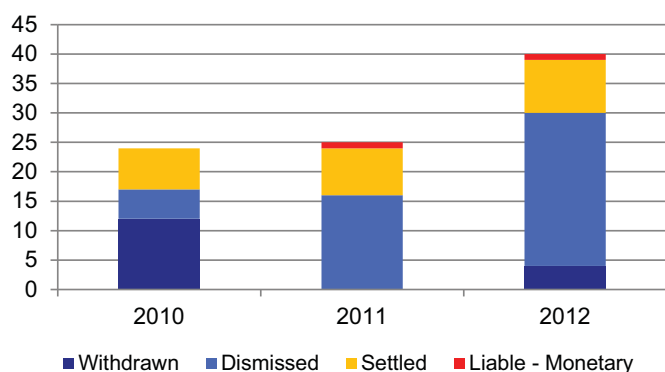
Figure 2.1
Grounds of Discrimination Alleged in Human Rights Applications

Grounds of Discrimination*	2010	2011	2012
Race	24	21	18
Colour	21	20	16
Ancestry	11	11	5
Place of Origin	10	8	8
Citizenship	5	3	5
Ethnic Origin	17	15	12
Disability	5	13	8
Creed	0	5	2
Sex	2	4	4
Sexual Solicitation	0	0	0
Sexual Orientation	1	0	1
Gender Identity**	n/a	n/a	1
Gender Expression**	n/a	n/a	0
Family Status	5	2	1
Marital Status	4	1	1
Age	8	4	3
Associated with a Person Identified by a Prohibited Ground	5	1	0
Reprisal	6	5	9
Total applications filed	27	32	27

*Applicants can select multiple grounds in each application.

**As of June 19, 2012, the *Code* was amended to include two new prohibited grounds of discrimination.

Figure 2.2
Resolution of Human Rights Application



Trend Analysis

Human Rights Applications Received

In 2012, there were 27 Human Rights Applications filed against the TPSB, the Chief of Police, the TPS, or TPS members by members of the public. This is a decrease from 32 applications filed in 2011 and is consistent with the 27 applications filed in 2010.

Classification of Applications

An applicant can allege discrimination on multiple grounds in a single Human Rights Application. Figure 2.1 compares the grounds of discrimination alleged in Human Rights Applications for 2010, 2011 and 2012. In 2012, the grounds of race and colour remained the most common categories of alleged discrimination, with 18 applicants alleging discrimination based on race and 16 applicants alleging discrimination based on colour. For the sake of comparison, in 2012, 66.7% of applicants alleged discrimination based on race compared to 88.8% of applicants in 2010 and 65.6% of applicants in 2011. In 2012, 59.3% of applicants alleged discrimination based on colour compared to 77.8% in 2010 and 62.5% in 2011.

In 2012, there was a significant decrease in the number of applicants who alleged discrimination based on ancestry, 18.5% compared to 34.4% in 2011 and 40.7% in 2010.

Resolution of Applications

There were 40 Human Rights Applications resolved by the HRTO in 2012. Of those 40, four were withdrawn and 26 were dismissed, compared to 2011 when no applications were withdrawn and 16 were dismissed. Nine applications were settled in 2012, compared to eight in 2011 and seven in 2010. The HRTO found the TPSB and a TPS member in breach of the Code in relation to one application in 2012. To date, the HRTO has not ordered any public interest remedies from the TPSB or a TPS member. Figure 2.2 compares the resolutions of the Applications for 2010, 2011 and 2012.

Public Complaints

The Ontario *Police Services Act (PSA)* governs all police services across the province. Section 80 of the *PSA* defines police misconduct, which includes any violation of the code of conduct described in Ontario Regulation 268/10. The code of conduct categorizes 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 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)

The Office of the Independent Police Review Director (OIPRD) is a civilian-staffed, independent agency that acts as an objective, impartial office responsible for receiving, managing and overseeing all public complaints against police officers in Ontario. It ensures complaints are dealt with in a transparent, effective and fair manner for both the public and the police. In addition to managing 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 the police service in question. The OIPRD reviews all complaints to determine their classification as either a conduct, policy, or service complaint. Section 60 of the *PSA* grants the OIPRD the discretion to screen out complaints, for example, if the complaint is found to be frivolous, vexatious or made in bad faith. The complaints that are screened out by the OIPRD are captured as “not investigated” in this report.

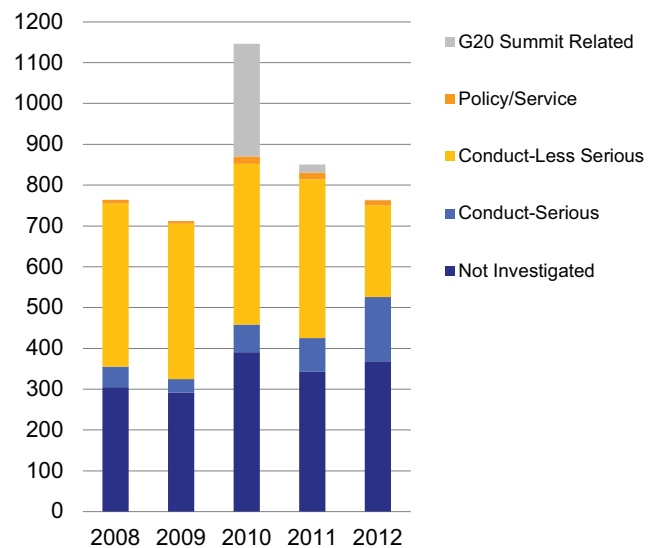
The OIPRD was established under the *Independent Police Review Act* which replaced Part V of the *PSA*, establishing new guidelines for public complaints. The OIPRD began work on October 19, 2009. The legislative amendments to the *PSA* and corresponding changes to the public complaint process have impacted 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

In 2012, a total of 764 public complaints were received concerning the conduct of uniform members and/or the policies/services of the Toronto Police Service (TPS). Of the 764 complaints, 395 were investigated and 369 were screened out by the OIPRD. The total number of complaints (both investigated and screened out) represents a decrease of 10% from 2011 and a decrease of 33.3% from 2010 (Figure 3.1).

In order to produce a more accurate year to year comparison, complaints directly related to the G20 Summit have been omitted from the following trend analysis. As such, for the purposes of this report, in 2012 there was a decrease of 8.2% in the number of complaints received compared to 2011 and a decrease of 12.3% from 2010.

Figure 3.1
Number of Complaints Received



Sub-Classification of Complaints based on Alleged Misconduct

The *PSA Code of Conduct* is used by the TPS as a means of sub-classifying conduct complaints received by the OIPRD. A single complaint may involve one or more subject officers who, in turn, may be accused of multiple categories of misconduct. The most serious allegation in a single complaint is used to sub-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 and sub-classifications may be revised based on subsequent investigative findings.

In 2012, discreditable conduct was cited more frequently than any other type of misconduct, comprising 66.1% of complaints investigated, similar to the five-year trend. This broad sub-classification captures conduct that may bring discredit to the TPS but does not fall within one of the more specific classifications.

Allegations of unlawful and/or unnecessary exercise of authority accounted for 23.5% of investigated complaints in 2012. The percentage of investigated complaints categorized as neglect of duty has decreased from 8.6% in 2011 to 6.1% in 2012. Figure 3.2 details the sub-classifications of investigated complaints received in 2012.

Figure 3.3 shows investigated complaints received in 2012 that have been sub-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 this report.

In 2012, allegations of incivility accounted for 20.3% of discreditable conduct allegations, reflecting an increase from 2011, but a decrease when compared to the five-year average of 22.8%. Allegations of disorderly conduct have remained the most common allegation under the category of discreditable conduct. In 2012, 62.8% of discreditable conduct allegations were in relation to acting in a disorderly manner, which is comparable to the five-year average of 66.5%.

Years of Service and Rank of Subject Officer

In 2012, TPS officers with up to five years of service accounted for almost a third (34%) of the subject officers named in public complaints. This can, in part, be attributed to the fact that officers with up to five years of service are more likely to be in contact with the public more often on a daily basis (Figure 3.4).

Police Constables continue to account for the majority (86.9%) of subject officers named in public complaints. This can be explained by the fact that the majority of the TPS uniform strength (76%) are police constables and that, by the nature of their roles and responsibilities, they are usually the first line of police interaction with the public. Figure 3.5 shows a comparison of the percentage of officers named

Figure 3.2
Classification of Alleged Misconduct

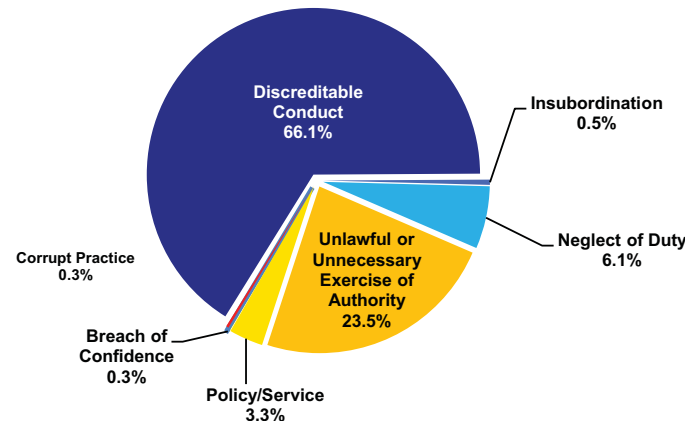


Figure 3.3
Discreditable Conduct Allegations

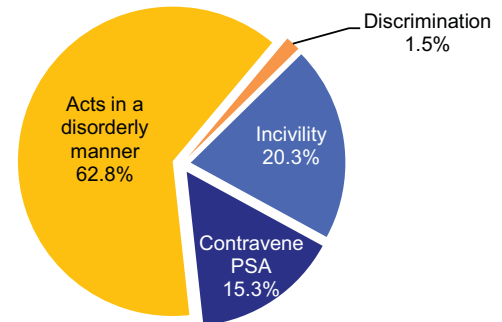


Figure 3.4
Years of Service of Subject Officer

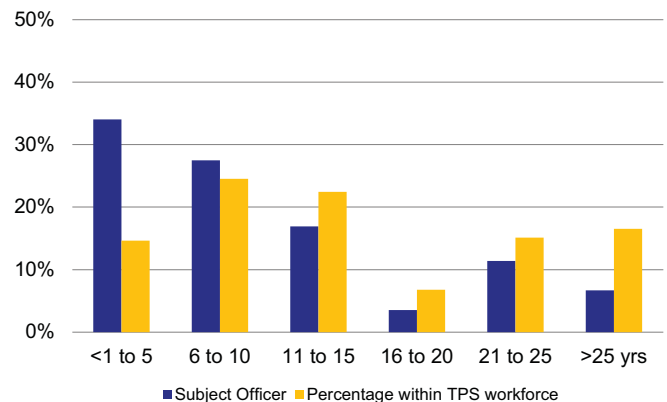


Figure 3.5
Rank of Subject Officer

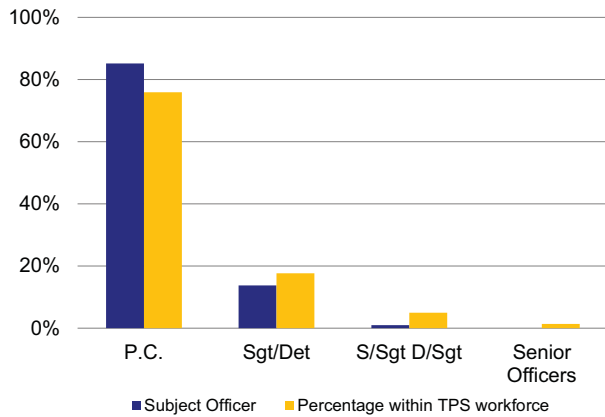


Figure 3.6
Investigated Complaints by Command

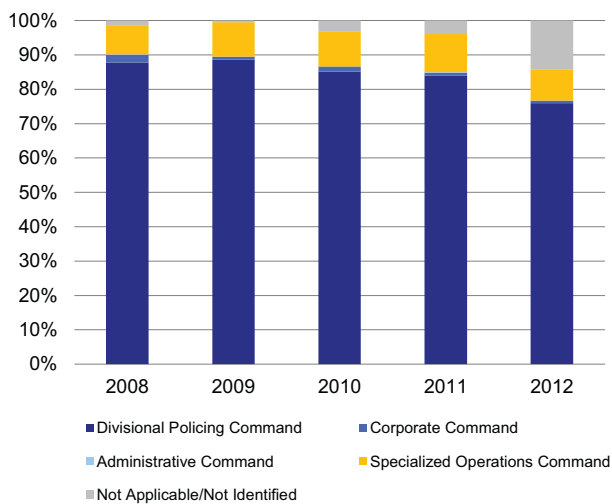
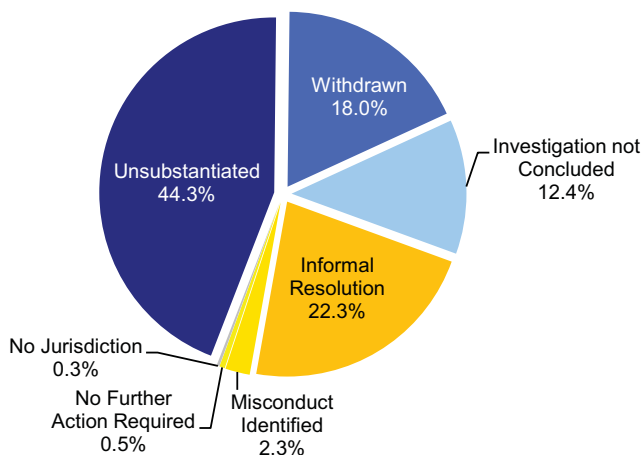


Figure 3.7
Disposition of Investigated Complaints



in public complaints to the percentage of officers by rank Service-wide.

Investigated Complaints by Command

Investigated complaints in relation to officers attached to Divisional Policing Command accounted for 75.9% of public complaints received in 2012. Divisional primary response officers 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.

It should be noted that in 2011, Executive Command and Human Resources Command were combined to create Corporate Command. For comparison purposes these commands are combined in Figure 3.6.

Subject officers and/or commands that have not yet been identified or are not applicable account for 14.2% of complaints received in 2012. This number is expected to decrease as more investigations are concluded. Figure 3.6 displays the breakdown of complaints received by command in 2012.

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.

Disposition of Investigated Complaints

To date, 44.3 % of the investigated complaints received in 2012 have been concluded with the allegations unsubstantiated, a decrease from 59.5% in 2011. It should be noted that 12.4% of investigated 2012 complaint files remain open and that as these files are concluded the disposition numbers will be affected.

Complaint withdrawals represent 18% of concluded 2012 complaints, compared to 16.2% in 2011. Informal resolutions made up 22.3% of complaints concluded last year, an increase from 2011 when 17.2% were resolved in this manner.

The number of complaints where misconduct is identified continues to represent a small proportion of all investigated complaints. Misconduct has been identified in just 2.3% of concluded 2012 complaints thus far, similar to the five-year average of 2.8%.

Complaint Review Bodies

Public complaints against police officers can be reviewed by an independent civilian agency on the basis of the complaint classification and/or disposition.

A complainant can request that the OIPRD conduct a review of their complaint if they disagree with the findings only if it was investigated by police and found to be unsubstantiated or less serious. If the complaint was investigated by the OIPRD the decision is final and no review will be conducted. During a review the OIPRD may determine

that the classification or disposition of the complaint requires more action, and can refer the decision back to the originating police service for further investigation or retain the complaint to conduct their own investigation.

If the complainant is dissatisfied with the results of a disciplinary hearing, he or she can appeal to the Ontario Civilian Police Commission (OCPC), an independent agency under the Ministry of Community Safety and Correctional Services.

Of the complaints received in 2012, there have been 33 cases to date where the complainant has requested that the file be reviewed by the OIPRD, compared to 47 cases in 2011. With respect to the 33 reviews conducted, the OIPRD has upheld 21 decisions, overturned two and ten reviews are currently still underway.

In relation to the review of a policy or service complaint, the complainant can appeal to the appropriate police services board.

Time Taken to Conclude Complaints

TPS procedures stipulate that complaint investigations and dispositions shall be completed within 90 days. However, there are provisions for investigations that may take additional time. For all complaints received in 2012, 93.6% have been concluded to date. Of the concluded investigations, 79.6% were completed within 90 days, an increase from 69.4% in 2010 and 72.4% in 2011 and higher than the five year average of 70.1%. Figure 3.8 compares the time taken to conclude complaints that were received between 2008 and 2012.

Comparison to Other Police Services

The OIPRD releases an annual report on the number of external complaints they receive in relation to all Ontario police services. The OIPRD reporting period is April 1 to March 31. Figure 3.9, depicts the information contained in the 2011-2012 OIPRD annual report comparing the TPS to other police services.

Figure 3.8
Days to Conclude Complaints

	2008	2009	2010	2011	2012
0 to 30 days	301	285	383	363	400
31 to 60 days	113	102	121	100	76
61 to 90 days	82	90	99	108	92
91 to 120 days	66	73	95	96	70
121 to 150 days	52	45	58	74	38
151 to 180 days	30	29	44	48	16
Over 180 days	119	84	67	40	22

Figure 3.9

OIPRD Statistics* - Comparison to other Police Services

Police Service	Number of Officers	Type of Complaint			Total Complaints	Screened Out	Investigated	Complaints per 100 Officers
		Conduct	Policy	Service				
Durham Regional	920	113	1	6	120	44	76	13.0
Hamilton	816	185	1	7	193	113	80	23.7
Niagara Regional	728	108	1	4	113	46	67	15.5
Ottawa	1,273	217	6	10	233	113	120	18.3
Peel Regional	1,908	214	3	2	219	99	120	11.5
Toronto	5,604	983	10	19	1,012	542	470	18.1
York Regional	1,466	128	6	5	139	59	80	9.5
Total Complaints received by OIPRD**	24,622	3,243	43	92	3,378	1,632	1,746	13.7

*Statistics from OIPRD Annual Report April 1, 2011, to March 31, 2012

**This number includes all Police Services in Ontario, not just the ones detailed above.

Police Services Act Charges

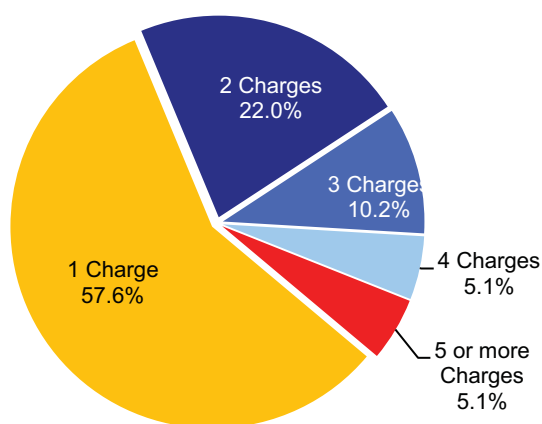
Part V of the *Police Services Act (PSA)* outlines the complaints process and defines misconduct for the purpose of the *Act*. Part V of the *PSA* also defines the responsibilities of the Chief of Police, or designate, with respect to alleged officer misconduct and outlines the penalties and resolution options in the event that serious misconduct is proven in a police tribunal. The Toronto Police Service (TPS) discipline tribunal is an administrative tribunal that is further governed by the *Statutory Powers 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 for matters of misconduct to take. Those matters deemed most serious, in keeping with the legislation, are made the subject of a public disciplinary hearing in the Service's tribunal. Most 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.

Figure 4.1
Officers Charged

	2008	2009	2010	2011	2012	5 Year Average
Number of Officers	48	67	60	64	59	59.6
Total Charges	104	160	119	153	105	128.2
Charge/officer ratio	2.2	2.4	2.0	2.4	1.8	2.1

Figure 4.2
Number of Charges Laid per Officer



Trend Analysis

Officers Charged in 2012

In 2012, 59 officers were charged by Prosecution Services, the lowest number since 2008. This is a decrease from 64 officers charged in 2011. There were also 48 fewer charges laid in 2012 compared to 2011. The charge-to-officer ratio also decreased, from 2.4 in 2011 to 1.8 in 2012, and is lower than the 5 year average of 2.1 charges per officer. Figure 4.1 shows the number of officers charged and the number of charges per officer.

Number of Charges Laid per Officer

Of the officers charged in 2012, 34 (57.6%) faced a single charge, 13 officers (22.0%) had two charges laid against them, six officers (10.2%) had three charges laid against them, three officers (5.1%) faced four charges, and three officers (5.1%) had five or more charges (Fig. 4.2).

Category of Charges Laid in New Cases

In 2012, a total of 105 *PSA* charges were laid. Of the charges laid, 43.8% were for discreditable conduct, a decrease from 45.8% in 2011. The percentage of charges of insubordination has decreased from 36.6% in 2011 to 12.4% in 2012. Charges in relation to unlawful and/or unnecessary exercise of authority increased from 4.6% in 2011 to 36.2% in 2012. It should be noted that the 2012 charges in this category stem from incidents connected to the G20 Summit directed hearings.

Duty Status in New Cases and Precipitating Factors

Of the officers charged in 2012, 45 (76.3%) were charged as a result of on-duty incidents, while 14 (23.7%) were charged as a result of off-duty incidents. In 2011, there were 38 (59.4%) officers charged as a result of on-duty incidents and 26 (40.6%) charged in relation to off-duty incidents. The duty status and precipitating factors of cases initiated in 2012 are detailed in Figure 4.3.

Cases Concluded

There were 76 cases concluded in the tribunal in 2012. Of these, five were commenced in 2012, 35 in 2011, 23 in 2010, 11 in 2009, one in 2008, and one in 2006.

Disposition

In 2012, 58 officers had cases concluded in the tribunal. Two officers were found guilty (3.4%), 23 officers submitted guilty pleas (39.7%), seven officers' charges were stayed (12.1%), and 26 officers had their charges withdrawn (44.8%).

Charges may be withdrawn or stayed by the prosecutor due to resignation or retirement of the officer, as part of a plea agreement, or may be resolved at the unit level. In addition, matters may be withdrawn when there is no reasonable prospect of conviction. Figure 4.4 depicts the disposition of the cases concluded in 2011 and 2012.

Penalties Imposed for PSA Convictions

Of the 25 officers who were found guilty or pled guilty in 2012, 17 officers were guilty of discreditable conduct, five of insubordination, and three of neglect of duty. The penalties imposed ranged from forfeiture of eight hours to dismissal and are listed in Figure 4.5.

Figure 4.3
Duty Status and Precipitating Factors 2012

Other factors affecting charges	On-duty		Off-duty	
	#	%	#	%
Alcohol/Drugs	1	2.2%	5	35.7%
Assault	1	2.2%	3	21.4%
Domestic Assault	0	0.0%	1	7.1%
OIPRD Ordered*	31	68.9%	0	0.0%
OCPC Ordered	1	2.2%	0	0.0%
Other PSA violation	11	24.4%	5	35.7%
Total	45	100.0%	14	100.0%

*All OIPRD Ordered Hearings relate to G20 Incidents

Figure 4.4
Disposition of Officers Charged

Disposition	2011		2012	
	#	%	#	%
Acquitted/Dismissed	2	3.3	0	0.0
Found Guilty	1	1.7	2	3.4
Guilty Plea	31	51.7	23	39.7
Stayed	0	0.0	7	12.1
Withdrawn	26	43.3	26	44.8
Total # of Officers	60	100.0	58	100.0

Figure 4.5
Penalties Imposed for PSA Convictions

Discreditable Conduct

- 1 Officer: Forfeiture of 1 day or 8 hours
- 1 Officer: Forfeiture of 2 days or 16 hours
- 1 Officer: Forfeiture of 5 days or 40 hours
- 1 Officer: Forfeiture of 6 days or 48 hours
- 1 Officer: Forfeiture of 12 days or 96 hours
- 1 Officer: Forfeiture of 14 days or 112 hours
- 1 Officer: Forfeiture of 15 days or 120 hours
- 1 Officer: Forfeiture of 16 days or 128 hours
- 2 Officers: Forfeiture of 17 days or 136 hours
- 3 Officers: Forfeiture of 20 days or 160 hours
- 1 Officer: Gradation from 1st to 2nd class PC for 1 year
- 1 Officer: Gradation from 1st to 3rd class PC for 6 months then 3rd to 2nd class PC for 1 year; consecutively
- 1 Officer: Gradation from 2nd to 3rd class PC for 1 year
- 1 Officer: Dismissal

Insubordination

- 1 Officer: Forfeiture of 2 days or 16 hours
- 1 Officer: Forfeiture of 3 days or 24 hours
- 1 Officer: Forfeiture of 12 days or 96 hours
- 2 Officers: Gradation from 1st to 3rd class PC for 1 year

Neglect of Duty

- 1 Officer: Forfeiture of 3 days or 24 hours
- 1 Officer: Forfeiture of 6 days or 48 hours
- 1 Officer: Forfeiture of 8 days or 64 hours

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* to use as much force as is necessary to carry out their duties. Regulations issued by the Ministry of Community Safety and Correctional Services (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. A copy of this model is appended to Toronto Police Service (TPS) Procedure 15-01. The provincial model was developed to assist in the training of officers and act as a reference when making decisions about the use of force. It outlines the incident assessment process and notes the situation, subject behaviours, tactical considerations, and officer's perception to be dynamic factors that contribute to the determination of use of force. Assessment of these factors assists in understanding why, for example, two officers may respond differently in similar situations.

Situational 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.

Officers' perceptions interact with situational, behavioural, and tactical factors and impact officers' beliefs regarding their ability to respond to the situation. Factors including, but not limited to, strength, overall fitness, personal experience, skills, fears, gender, fatigue, injuries, critical incident stress symptoms, sight and/or vision, and training are unique to individual officers and may impact perceptions of the situation.

These dynamic factors are integral to situations where force may be required as they shape officers' determinations on force necessity and type. As officer safety is an essential factor in the overall goal of public safety, 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 carries 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 requalification course every 12 months.

Reporting

Regulation 926 and TPS Procedure 15-01 (Use of Force and Equipment) compel members to submit a Use of Force Report (UFR) to the Chief of Police whenever a member:

- 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.

Additionally, members are required to submit a UFR and a TPS Form 584 to the Chief of Police when a Conducted Energy Weapon (CEW) is used by the member:

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

A Team UFR 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 from each individual member involved.

Submitted 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 requalification program. The reports are then sent to Professional Standards and the information captured in the Professional Standards Information System for further statistical analysis.

Trend Analysis

The use of force incidents detailed in this report pertains to TPS members only. This group includes both officers and certain civilian members who have received Use of Force training (such as court officers). Additional statistical data is located in the Supplementary Data section of this report.

Use of Force Incidents and Reports

In 2012, 2000 UFRs were submitted, representing 1401 use of force incidents. The number of incidents increased 6.4% from 2011. Figure 5.1 compares the number of reports submitted and the number of incidents annually from 2008-2012.

Use of Force Option

The most frequent use of force option indicated on the UFR in 2012 was pointing a firearm, similar to 2011. Physical control tactics remain the second most frequent use of force option, used in 38.8% of incidents compared to 31.4% in 2011 (Figure 5.2). It is important to note that officers are not required to complete a UFR when physical control soft options (which include handcuffing a suspect) are the only use of force option used and there are no injuries. Use of force options employed by officers in 2012 are outlined in Figure 5.2 and further compared to data from 2011 in the Supplementary Data section of this report.

Firearm Discharges

Officers discharged firearms in relation to 23 use of force incidents in 2012, a decrease of 34.3% compared to 35 incidents in 2011. There were no unintentional discharges in 2012.

Firearm discharges in 2012 (Figure 5.3):

- 14 incidents of wounded animals
- 5 incidents of aggressive animals
- 3 incidents involving armed persons
- 1 incident involving a vehicle stop

Figure 5.1
Use of Force Incidents and Reports

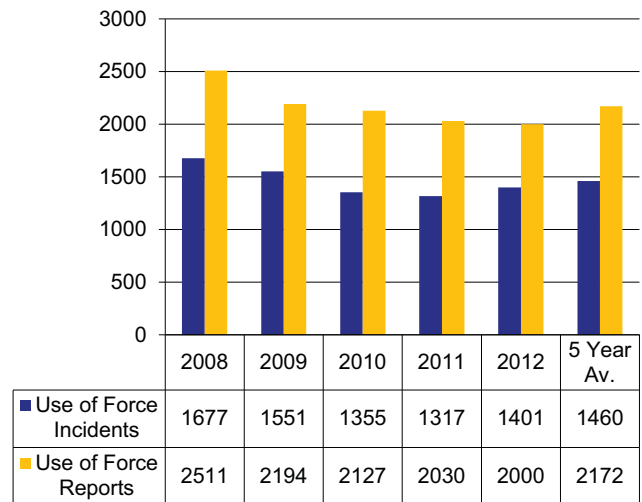


Figure 5.2
Type of Force Used

Type of Force Used	2011	2012
Conducted Energy Weapons		
Demonstrated Presence	127	131
Drive Stun	21	32
Full Deployment	74	92
Physical Control		
Hard only	60	75
Soft only	343	403
Both Hard & Soft	71	64
Firearm Discharge - Intentional	35	23
Firearm Pointed at Person	842	889
Handgun - Draw n only	104	97
Impact Weapons Used		
Hard only	41	42
Soft only	7	17
Both Hard & Soft	2	7
Oleoresin Capsicum Spray	65	65
Other Type of Force	47	35
Police Dog	20	11

Figure 5.3
Incident of Intentional Firearm Discharge

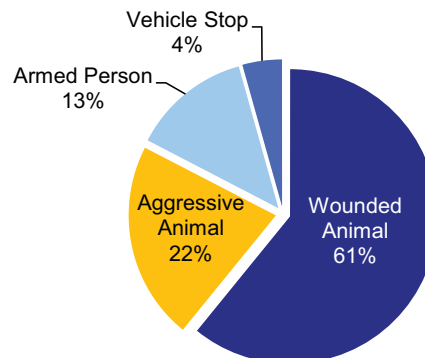


Figure 5.4
Initial Reason for Use of Force

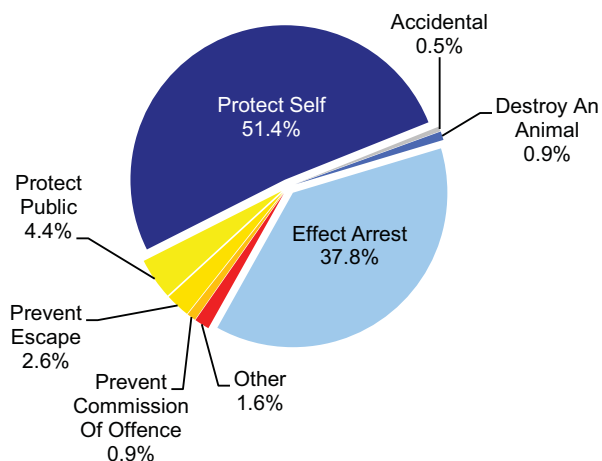


Figure 5.5
Use of Force by Sub-Command

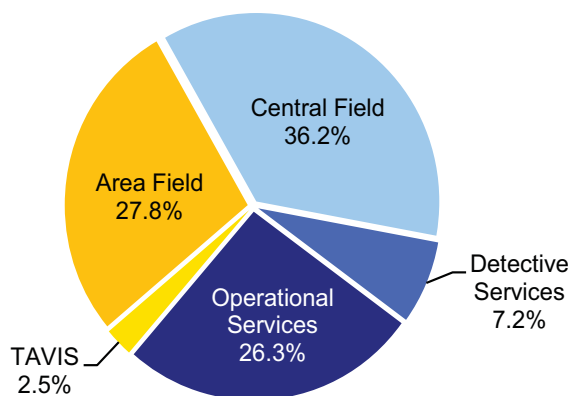


Figure 5.6
Officer Assignment at Time of Incident

2012	#	%
Directed Patrol	34	1.7
Foot Patrol	42	2.1
General Patrol	950	47.5
Investigation - Drugs	49	2.5
Investigation - Other	227	11.4
Off-Duty	4	0.2
Other Type Of Assignment	97	4.9
Paid Duty	12	0.6
PDS/Mounted	7	0.4
Special OPS (eg. G&G,ROPE)	40	2.0
Tactical	484	24.2
Traffic Patrol	54	2.7
Total # of Reports	2000	100.0

Conducted Energy Weapons

Uniform frontline supervisors, members of the ETF, and supervisors in high-risk units such as the Hold-Up Squad, Intelligence, Drug Squad, Organized Crime Enforcement, and the Fugitive Squad carry conducted energy weapons (CEWs).

CEW training continues to be delivered by an instructor certified on the specific device approved by the TPS. Initial training for approved members involves a minimum of eight 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 Community Safety and Correctional Services. Recertification training takes place at least once every 12 months, in accordance with Ministry guidelines and Ontario Regulation 926 of the *Police Services Act*.

CEWs were used in 255 use of force incidents in 2012, an increase from 222 incidents in 2011. In more than half (51.4%) of incidents involving CEWs in 2012, the device was used as a “demonstrated force presence” only. Front-line supervisors made up 67.8% of officers who used CEWs in 2012.

Initial Reason Force was Used

The UFR issued by the Ministry of Community Safety and Correctional Services 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, “protect self” was selected as the initial reason for using force in 51.4% of UFRs submitted in 2012. “Effect arrest” was selected in a further 37.8% of UFRs. Figure 5.4 illustrates the initial reasons for using force in incidents occurring in 2012.

Use of Force by Sub-Command

Members of Central Field Command submitted 36.2% of all use of force reports in 2012, comparable to 35.8% in 2011. Members of Area Field Command submitted 27.8% of UFRs in 2012, compared to 31% in 2011. Members of Operational Services (primarily members of the ETF) submitted 26.3% of UFRs in 2012, compared to 23.7% in 2011 (Figure 5.4).

Officer Assignments

In 2012, general patrol was the most common assignment of an officer at the time of a use of force incident (47.5%), comparable to previous years. The second most common duty of an officer was classified as tactical (24.2%), the majority of which involve the ETF. Other areas represent 11.4% of UFRs submitted (Figure 5.5).

Category of Incidents

Warrant-related calls accounted for the largest proportion of use of force incidents in 2012 (25.7%). Weapons calls accounted for the second largest category at 19.3%, a decrease from the previous year (24.3%). Use of force incidents categorized as “other” accounted for 12% of those

that occurred in 2012. This category includes: suicide and/or attempt suicide, address checks, and other types of calls for service.

Number of Subjects Involved per Incident

Of the 1401 incidents that occurred in 2012, 61.1% involved a single subject, while 37.5% involved two or more subjects. Animals are noted as being involved in 1.4% of use of force incidents in 2012 (Figure 5.7).

Perceived Weapons Carried by Subject

In 2012, weapons were perceived to be carried by subjects in 81.3% of incidents, compared to 74.2% in 2011. Subjects may be perceived to be carrying multiple weapons in a single incident. Statistical data concerning categories of incidents and weapons carried by subjects is detailed in the Supplementary Data section of this report.

Summary of Injuries

Officers are required to record any injuries sustained by any party in a use of force incident and whether medical attention was required as a result. Reports submitted for 2012 indicate that citizens were injured in 17.6% of incidents (246 of 1401). Of the 246 incidents where citizens were injured, 97.6% led to medical attention being required.

Ten deaths occurred in relation to incidents that involved the TPS in 2012, comparable to nine deaths in 2011. Three of the ten deaths in 2012 involved officers using force while seven related to situations where officers were present only. This is a decrease from seven use of force related deaths in 2011.

Officers were injured in 3.7% of use of force incidents in 2012 (52 of 1401), compared to 2.8% of incidents (36 of 1317) in 2011. Officers required medical attention in 11 incidents in 2012 compared with 21 incidents in 2011, a decrease of 47.6%. (Figure 5.8)

Figure 5.7
Number of Suspects per Incident

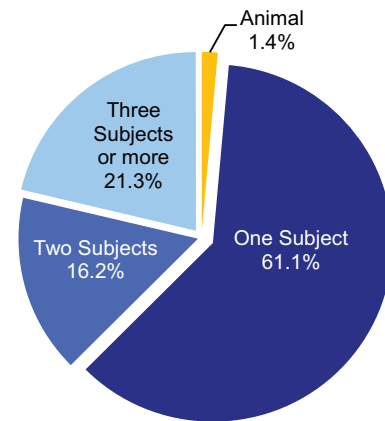


Figure 5.8
Use of Force Injuries

Subject Injuries		
	2011	2012
No Injuries	1142	1155
Injuries	175	246
Total Incidents	1317	1401
Medical Attention Required		
No	10	6
Yes	165	240
Total Injuries	175	246

Officer Injuries		
	2011	2012
No Injuries	1281	1349
Injuries	36	52
Total Incidents	1317	1401
Medical Attention Required		
No	1296	1390
Yes	21	11
Total	1317	1401

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 *Police Services Act (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.

SIU Investigations

In 2012, the SIU invoked its mandate to investigate 78 incidents, compared with 64 incidents in 2011. Of the incidents occurring in 2012, 55 cases were concluded with the subject officer(s) exonerated; the SIU withdrew its mandate in 18 cases; two cases resulted in officers being charged criminally; and investigations are ongoing in three cases (Figure 6.1). The SIU withdraws its mandate, in cases that do not meet the threshold for SIU intervention, such as where the injury was not serious or the actions of the officer did not contribute to the injury.

It should be noted that an extremely low proportion of encounters police have with the public result in the SIU mandate being invoked. When comparing the number of SIU investigations to the documented number of community contacts officers had in 2012, there was one incident investigated for every 44,667 contacts with members of the public.

The number of custody-related injuries increased to 51 last year, from 35 in 2011. The number of allegations of sexual assault increased from 11 incidents in 2011 to 12 in 2012. Figure 6.2 below provides a five-year perspective on SIU investigations of TPS officers.

The SIU invoked its mandate to investigate ten deaths in 2012, compared to nine deaths in 2011. Officers were exonerated in relation to all ten deaths in 2012. Last year only 2.6% of incidents investigated by the SIU resulted in officers being charged criminally, less than half the five year average of 5.3%.

Figure 6.1
Number of SIU Investigations

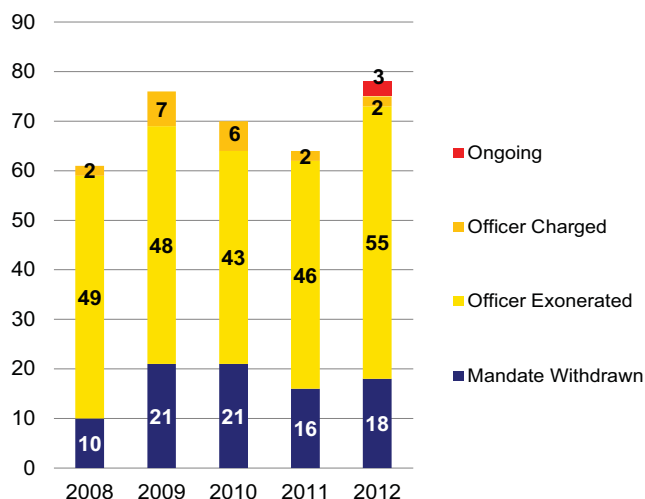


Figure 6.2
Reasons for SIU Investigations

	2008		2009		2010		2011		2012	
	Death	Injury	Death	Injury	Death	Injury	Death	Injury	Death	Injury
Firearm incident	2	2	1	2	4	2	2	6	3	1
Vehicle incident	0	4	0	8	0	2	0	3	1	4
Custody incident	2	41	4	53	4	50	7	35	6	51
Allegation of sexual assault	n/a	10	n/a	8	n/a	8	n/a	11	n/a	12
Total	4	57	5	71	8	62	9	55	10	68

Section 11 Investigations

Pursuant to Section 11 of Ontario Regulation 267/10, the Chief of Police conducts an administrative investigation into any incident in 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 Toronto Police Service completed a total of 57 Section 11 investigations for incidents that occurred in 2012. PSA violations (misconduct) were identified in two of these investigations.

Comparison to Other Police Services

For the purpose of comparison, Professional Standards contacted other Ontario police services and requested the number of 2012 SIU investigations pertaining to each service. Figure 6.3 depicts the findings.

Figure 6.3
SIU Cases - Comparison to Other Police Services

Police Service	Number of Officers	Total Investigated	Cases per 100 Officers
Hamilton	816	16	2.0
Niagara Regional	728	11	1.5
Peel Regional	1,908	33	1.7
Toronto	5,604	78	1.4
York Regional	1,466	12	0.8

Suspect Apprehension Pursuits

The Ontario Ministry of Community Safety and Correctional Services has established detailed guidelines regarding police pursuits, including when and how pursuits are to be commenced or 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 (TPS) has undertaken a number of strategies to both reduce the number of pursuits initiated and to 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. According to O. Reg. 266/10 a suspect apprehension pursuit occurs 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. Regulation 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 the environmental conditions prevailing at the time of the pursuit.

Pursuit Reduction Initiatives

Driver Activation Lectures

Police Vehicle Operations (PVO) partnered with Drive for Life™ in the development of a new driver training system targeting better decision-making while increasing awareness of the limitations officers face while driving. This innovative training is being continuously refined and is now included in all PVO courses.

Recruit Simulator Training Pilot Project

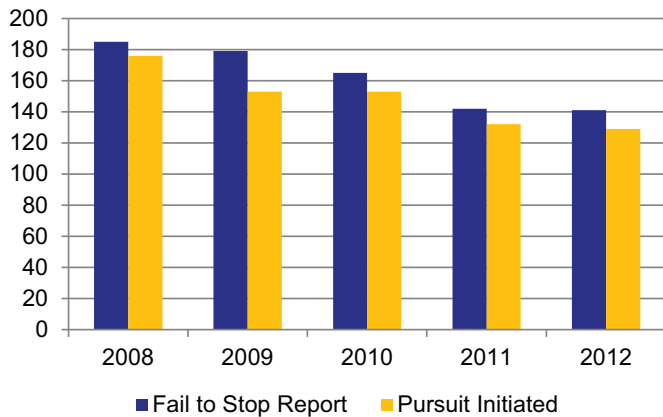
In 2011, PVO, in partnership with Drive for Life, initiated a pilot project targeting a reduction in collisions by new Toronto Police recruits. Half of recruit class 11-01 (72 officers) attended four hours of simulator based training with Drive for Life™. The other half of the class did not receive any additional training beyond that normally given, thereby acting as a control group. In May 2012, this project reached its one year milestone and the initial results were promising, as the recruits who took the training had a Service vehicle collision rate 45% lower than those who did not receive the training.

Suspect 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 front line officers, supervisors and civilian communications personnel 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. SAP training is incorporated into all emergency vehicle driving instruction, including the Safe Skills and Emergency Driving Course (SSED) and the Police Officer Driving Course (PODC).

Trend Analysis

Figure 7.1
Fail to Stop Reports and Pursuits Initiated



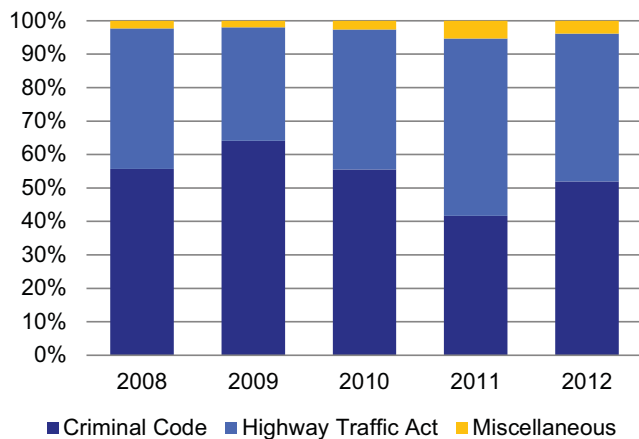
Number of Pursuits

In 2012, 141 Fail to Stop Reports were submitted, representing a 0.7% decrease from 2011 and a 13.2% decrease from the five year average. Of the reports submitted in 2012, 91.5% (129) resulted in the initiation of a pursuit, identical to the five year average of 91.5% (Figure 7.1).

Reasons for Initiating Pursuits

Of the 129 pursuits initiated in 2012, 51.9% 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 or stolen vehicles. While pursuing a stolen vehicle was the top reason for initiating a pursuit under the *Criminal Code*, the number of pursuits so initiated decreased 23.8% compared to the five year average. In 2012, there were 23 pursuits for stolen vehicles, compared to the five year average of 30.2 pursuits. This decrease is consistent with the SAP training officers receive which highlights the potential risks and unique challenges associated with engaging in pursuits of stolen vehicles.

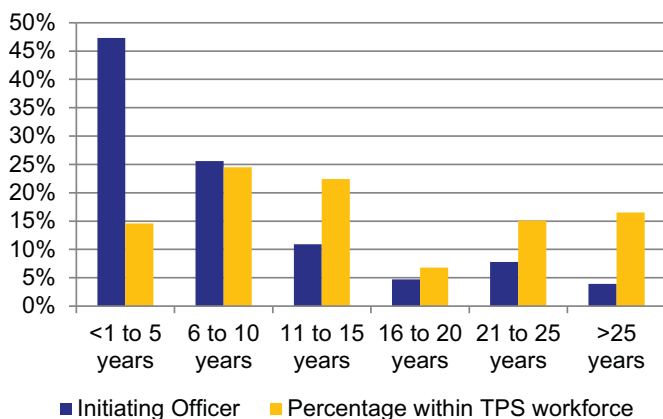
Figure 7.2
Pursuit Initiation Reasons



Of the pursuits initiated in 2012, 44.2% resulted from the commission of offences under the *Highway Traffic Act (HTA)*. This represents a decrease from 2011 (53%), but is close to the five year average of 43.0%. Within the *HTA* category, the most common reason for initiating a pursuit was in relation to moving violations, representing 32.6% of all pursuits initiated in 2012. Moving violations have consistently been the most common reason for initiating a non-criminal pursuit over the last five years, representing 29.0% of all pursuits in that time.

Miscellaneous circumstances, including reports from the public and suspicious vehicles, accounted for 3.9% of pursuits initiated, as indicated in Figure 7.2.

Figure 7.3
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 were four pursuits initiated in 2012 in which officers were in unmarked vehicles, which is a decrease of 42.9% from 2011 when seven pursuits were initiated by officers in unmarked vehicles.

Years of Service

In 2012, TPS officers with up to five years of service initiated the majority of pursuits (47.3%). This is in part due to the fact that officers in this demographic are primarily deployed to uniform policing duties. Figure 7.3 illustrates the years of service of subject officers involved in pursuits.

Results of Initiated Pursuits

There was a slight decrease in the percentage of pursuits discontinued by the initiating officer last year, from 40.2% of pursuits initiated in 2011 to 36.4% in 2012. When compared to the five-year average, pursuits discontinued by the initiating officer increased by 4.0% in 2012. This increase is in keeping with the technological and training enhancements the Service has made to assist officers in this regard. The designated pursuit supervisor terminated 17.8% of pursuits initiated in 2012, compared to 20.5% in 2011.

In 7.8% of pursuits in 2012, officers were able to stop suspect vehicles using specific techniques (e.g. rolling block, intentional contact, etc.), an increase compared to the five year average of 5.2%. In 20.2% of pursuits initiated in 2012, the vehicle was stopped by the driver, a decrease from 26.8% in 2010 and 25% in 2011. Pursuit results are indicated in figure 7.4.

Collisions and Pursuit Related Injuries

In 2012, 23 pursuits resulted in collisions, representing 17.8% of all pursuits initiated. Of the 129 pursuits last year, four (3.1%) resulted in injuries with a total of eight individuals injured: five individuals in pursued vehicles and three individuals in third party vehicles. The eight individuals injured in 2012 is a decrease from 14 injuries in 2011 and is well below the five-year average of 15 injuries per year. (Figure 7.5).

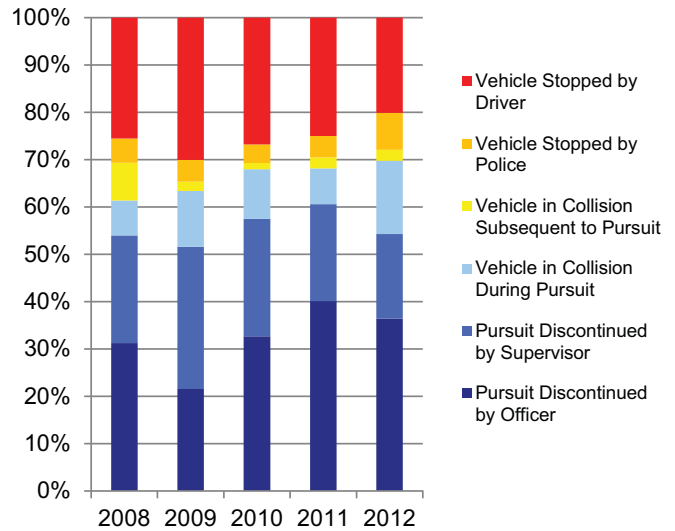
Charges Laid in Initiated Pursuits

In 2012, 65 pursuits resulted in charges being laid in relation to offences under the *Criminal Code*, the *HTA* and/or other statutes, compared with 62 pursuits in 2011.

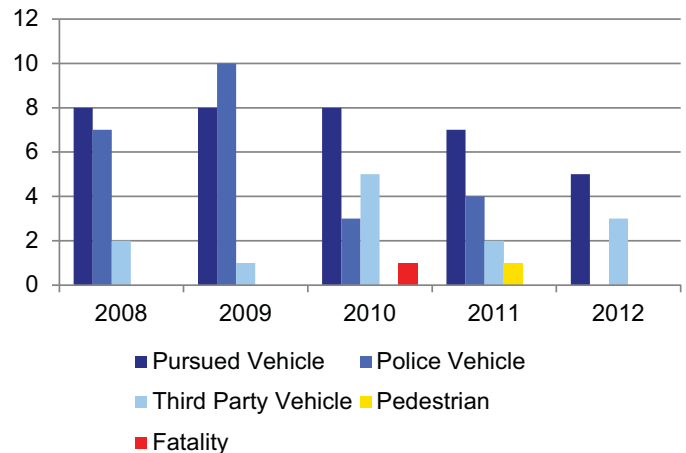
The 65 pursuits in 2012 leading to charges resulted in 68 people being charged with *Criminal Code* offences and 43 people with *HTA* offences, compared to 60 and 41 respectively in 2011.

In total, 351 combined *Criminal Code* and *HTA* charges were laid in 2012, representing an increase from 317 charges in 2011. *Criminal Code* charges constituted the majority of those laid in 2012 (65.7%).

**Figure 7.4
Pursuit Results**



**Figure 7.5
Pursuit Related Injuries**



Supplementary Data

Public Complaints

Classification of Complaints					
Complaints - Investigated	2008	2009	2010	2011	2012
G20 Related	n/a	n/a	263	13	0
Conduct-Less Serious	400	380	394	389	225
Conduct-Serious	50	33	67	81	157
Policy	8	3	3	6	4
Service	1	4	15	11	9
Number and Percentage of Complaints (Investigated)	459	420	742	500	395
	60.1%	59.0%	64.7%	58.8%	51.7%
Complaints - Not Investigated	2008	2009	2010	2011	2012
G20 Related	n/a	n/a	13	6	1
Complaint Over Six Months	47	40	67	38	39
Frivolous	213	201	243	132	69
Made In Bad Faith	10	11	0	0	1
No Jurisdiction	3	5	35	131	176
Not Directly Affected	23	32	34	6	22
Not in the Public Interest	0	0	1	29	60
Not Signed	1	1	1	0	0
Vexatious	8	2	7	5	0
Withdrawn	0	0	3	3	1
Number and Percentage of Complaints (Not Investigated)	305	292	404	350	369
	39.9%	41.0%	35.3%	41.2%	48.3%
Total Number of Public Complaints	764	712	1146	850	764
5 Year Average	847				

Alleged Misconduct - Investigated Complaints										
	2008		2009		2010		2011		2012	
	#	%	#	%	#	%	#	%	#	%
Breach of Confidence	5	1.1	1	0.2	0	0.0	1	0.2	1	0.3
Corrupt Practice	1	0.2	0	0.0	1	0.2	1	0.2	1	0.3
Deceit	0	0.0	0	0.0	0	0.0	3	0.6	0	0.0
Discreditable Conduct	289	63.0	261	62.1	281	58.7	283	58.1	261	66.1
Insubordination	1	0.2	3	0.7	4	0.8	6	1.2	2	0.5
Neglect of Duty	47	10.2	23	5.5	20	4.2	42	8.6	24	6.1
Unlawful or Unnecessary Exercise of Authority	107	23.3	125	29.8	155	32.4	134	27.5	93	23.5
Policy/Service	9	2.0	7	1.7	18	3.8	17	3.5	13	3.3
Total	459	100	420	100	479	100	487	100.0	395	100

Number of Days to Conclude Complaint Investigations										
	2008		2009		2010		2011		2012	
	#	%	#	%	#	%	#	%	#	%
0 to 30 days	301	39.4	285	40.3	383	44.2	363	43.8	400	56.0
31 to 60 days	113	14.8	102	14.4	121	14.0	100	12.1	76	10.6
61 to 90 days	82	10.7	90	12.7	99	11.4	108	13.0	92	12.9
91 to 120 days	66	8.7	73	10.3	95	11.0	96	11.6	70	9.8
121 to 150 days	52	6.8	45	6.4	58	6.7	74	8.9	38	5.3
151 to 180 days	30	3.9	29	4.1	44	5.1	48	5.8	16	2.2
Over 180 days	119	15.6	84	11.9	67	7.7	40	4.8	22	3.1
Total	763	100	708	100	867	100	829	100	714	100

Top Three Sub-Classifications of Alleged Misconduct

	2008		2009		2010		2011		2012	
	#	%	#	%	#	%	#	%	#	%
Discreditable Conduct										
Discrimination	15	5.2	31	11.9	23	8.2	4	1.4	4	1.5
Profane language re: individuality	6	2.1	1	0.4	4	1.4	0	0.0	0	0.0
Profane language re: another Service member	1	0.3	2	0.8	1	0.4	1	0.4	0	0.0
Incivility	112	38.8	65	24.9	50	17.8	34	12.0	53	20.3
Makes false statement against Service member	0	0.0	0	0.0	4	1.4	1	0.4	0	0.0
Assault Service member	0	0.0	0	0.0	3	1.1	0	0.0	0	0.0
Found guilty of criminal offence	0	0.0	2	0.8	0	0.0	0	0.0	0	0.0
Contravene PSA	1	0.3	0	0.0	1	0.4	0	0.0	40	15.3
Acts in a disorderly manner	154	53.3	160	61.3	195	69.4	243	85.9	164	62.8
Total	289	100.0	261	100.0	281	100.0	283	100.0	261	100.0
Neglect of Duty										
Neglects to perform a duty	42	89.4	21	91.3	12	60.0	41	97.6	22	91.7
Leaves place of duty without permission	1	2.1	1	4.3	2	10.0	0	0.0	0	0.0
Fails to report a matter	0	0.0	1	4.3	3	15.0	1	2.4	1	4.2
Fails to disclose evidence	0	0.0	0	0.0	1	5.0	0	0.0	0	0.0
Omits to make entry in a record	2	4.3	0	0.0	0	0.0	0	0.0	0	0.0
Absent without leave or late for duty	2	4.3	0	0.0	0	0.0	0	0.0	0	0.0
Improperly dressed while on duty	0	0.0	0	0.0	2	10.0	0	0.0	1	4.2
Total	47	100.0	23	100.0	20	100.0	42	100.0	24	100.0
Unlawful/Unnecessary Exercise of Authority										
Unlawful/unnecessary arrest	20	18.7	23	18.4	43	27.7	42	36.0	39	41.9
Unnecessary force	87	81.3	102	81.6	112	72.3	113	98.0	54	58.1
Total	107	100.0	125	100.0	155	100.0	155	134.0	93	100.0

Disposition - Investigated Complaints

	2008		2009		2010		2011		2012	
	#	%	#	%	#	%	#	%	#	%
Informal Resolution	88	19.2	78	18.6	98	20.5	84	17.2	88	22.3
Misconduct Identified	18	3.9	8	1.9	15	3.1	14	2.9	9	2.3
No Further Action Required	1	0.2	1	0.2	9	1.9	10	2.1	2	0.5
No Jurisdiction	4	0.9	0	0.0	1	0.2	4	0.8	1	0.3
Policy/service - Action Taken	1	0.2	0	0.0	0	0.0	1	0.2	0	0.0
Policy/service-No Action Taken	5	1.1	4	1.0	12	2.5	3	0.6	0	0.0
Unsubstantiated	236	51.4	235	56.0	276	57.6	290	59.5	175	44.3
Withdrawn	106	23.1	90	21.4	65	13.6	79	16.2	71	18.0
Investigation not Concluded*	0	0.0	4	1.0	3	0.6	2	0.4	49	12.4
Total	459	100.0	420	100.0	479	100.0	487	100.0	395	100.0

*Number is anticipated to decrease as complaints are concluded, this will effect the final dispositions.

Investigated Complaints by Unit										
	2008		2009		2010		2011		2012	
	#	%	#	%	#	%	#	%	#	%
11 Division	13	2.8	19	4.5	17	3.5	18	3.7	14	3.5
12 Division	12	2.6	14	3.3	14	2.9	22	4.5	15	3.8
13 Division	28	6.1	18	4.3	15	3.1	17	3.5	12	3.0
14 Division	30	6.5	32	7.6	39	8.1	41	8.4	26	6.6
22 Division	12	2.6	23	5.5	30	6.3	20	4.1	27	6.8
23 Division	18	3.9	20	4.8	19	4.0	24	4.9	11	2.8
31 Division	44	9.6	26	6.2	31	6.5	33	6.8	24	6.1
32 Division	16	3.5	14	3.3	12	2.5	17	3.5	15	3.8
33 Division	17	3.7	18	4.3	15	3.1	16	3.3	8	2.0
41 Division	24	5.2	18	4.3	21	4.4	19	3.9	13	3.3
42 Division	18	3.9	11	2.6	17	3.5	22	4.5	13	3.3
43 Division	18	3.9	17	4.0	36	7.5	18	3.7	15	3.8
51 Division	29	6.3	33	7.9	33	6.9	40	8.2	32	8.1
52 Division	55	12.0	50	11.9	41	8.6	36	7.4	27	6.8
53 Division	16	3.5	11	2.6	12	2.5	17	3.5	9	2.3
54 Division	24	5.2	18	4.3	17	3.5	15	3.1	12	3.0
55 Division	16	3.5	21	5.0	18	3.8	13	2.7	17	4.3
Chief of Police	3	0.7	0	0.0	0	0.0	0	0.0	0	0.0
Communication Services	0	0.0	1	0.2	2	0.4	1	0.2	2	0.5
Community Mobilization	0	0.0	0	0.0	0	0.0	1	0.2	0	0.0
Corporate Planning	7	1.5	3	0.7	1	0.2	0	0.0	0	0.0
Court Services	0	0.0	1	0.2	0	0.0	0	0.0	0	0.0
Drug Squad	3	0.7	10	2.4	9	1.9	8	1.6	2	0.5
Emergency Task Force	1	0.2	5	1.2	3	0.6	5	1.0	2	0.5
Employment Unit	2	0.4	0	0.0	1	0.2	0	0.0	0	0.0
Financial Crimes Unit	1	0.2	2	0.5	1	0.2	2	0.4	2	0.5
Hold Up Squad	4	0.9	2	0.5	1	0.2	1	0.2	0	0.0
Homicide Squad	2	0.4	0	0.0	0	0.0	2	0.4	1	0.3
Human Resource Management	0	0.0	0	0.0	1	0.2	0	0.0	0	0.0
Intelligence Division	0	0.0	1	0.2	0	0.0	0	0.0	0	0.0
Marine Unit	0	0.0	0	0.0	2	0.4	0	0.0	2	0.5
Mounted & Police Dog Services		0.0	1	0.2	1	0.2	1	0.2	0	0.0
Not Applicable/Not Identified	9	2.0	3	0.7	15	3.1	19	3.9	56	14.2
Organized Crime Enforcement	1	0.2	2	0.5	7	1.5	4	0.8	6	1.5
Parking Enforcement	0	0.0	0	0.0	0	0.0	0	0.0	1	0.3
Professional Standards	1	0.2	0	0.0	0	0.0	2	0.4	3	0.8
Provincial ROPE	0	0.0	0	0.0	0	0.0	2	0.4	0	0.0
Public Safety & Emergency Mgmt	0	0.0	0	0.0	1	0.2	0	0.0	0	0.0
Purchasing Support Services	1	0.2	0	0.0	0	0.0	0	0.0	0	0.0
Records Management Services	0	0.0	0	0.0	3	0.6	0	0.0	0	0.0
Sex Crimes Unit	2	0.4	0	0.0	1	0.2	6	1.2	1	0.3
Special Investigation Services	4	0.9	2	0.5	0	0.0	0	0.0	0	0.0
TAVIS	8	1.7	8	1.9	21	4.4	22	4.5	10	2.5
Toronto Police College	0	0.0	1	0.2	1	0.2	1	0.2	0	0.0
Traffic Services	20	4.4	15	3.6	21	4.4	22	4.5	17	4.3
Total	459	100	420	100	479	100	487	100	395	100

Use of Force

Use of Force Options Employed				
Type of Force Used	2011		2012	
	#	%	#	%
Conducted Energy Weapons				
<i>Demonstrated Presence</i>	127	9.6	131	9.4
<i>Drive Stun</i>	21	1.6	32	2.3
<i>Full Deployment</i>	74	5.6	92	6.6
Physical Control				
<i>Hard only</i>	60	4.6	75	5.4
<i>Soft only</i>	343	26.0	403	28.8
<i>Both Hard & Soft</i>	71	5.4	64	4.6
Firearm Discharge - Intentional	35	2.7	23	1.6
Firearm Pointed at Person	842	63.9	889	63.5
Handgun - Drawn only	104	7.9	97	6.9
Impact Weapons Used				
<i>Hard only</i>	41	3.1	42	3.0
<i>Soft only</i>	7	0.5	17	1.2
<i>Both Hard & Soft</i>	2	0.2	7	0.5
Oleoresin Capsicum Spray	65	4.9	65	4.6
Other Type of Force	47	3.6	35	2.5
Police Dog	20	1.5	11	0.8
Total Use of Force Incidents	2011		2012	
	1317		1401	

Note: An officer may employ multiple force options in a single use of force incident. As such, the total number of force options used may exceed the total number of use of force incidents in a year. This chart reflects the percentage of time a force option is used in total annual use of force incidents. For example, in 2012, Conducted Energy Weapons were used 131 times as a demonstrated presence within the 1401 use of force incidents (9.4% of incidents).

Initial Reason for Use of Force				
Initial Reason for Use of Force	2011		2012	
	#	%	#	%
Accidental	5	0.4%	7	0.5%
Destroy An Animal	25	1.8%	13	0.9%
Effect Arrest	499	35.6%	529	37.8%
Other	5	0.4%	22	1.6%
Prevent Commission Of Offence	25	1.8%	13	0.9%
Prevent Escape	52	3.7%	36	2.6%
Protect Public	59	4.2%	61	4.4%
Protect Self	647	46.2%	720	51.4%
Total # of Incidents	1317	100.0%	1401	100.0%

Officer Duties at Time of Incident				
	2011		2012	
	#	%	#	%
Directed Patrol	36	1.8%	34	1.7%
Foot Patrol	35	1.7%	42	2.1%
Crowd Control	7	0.3%	0	0.0%
General Patrol	992	48.9%	950	47.5%
Investigation - Drugs	50	2.5%	49	2.5%
Investigation - Other	288	14.2%	227	11.4%
Off-Duty	0	0.0%	4	0.2%
Other Type Of Assignment	78	3.8%	97	4.9%
Paid Duty	13	0.6%	12	0.6%
PDS/Mounted	18	0.9%	7	0.4%
Special OPS (eg. G&G,ROPE)	39	1.9%	40	2.0%
Tactical	415	20.4%	484	24.2%
Traffic Patrol	59	2.9%	54	2.7%
Total # of Reports	2030	100.0%	2000	100.0%

Category of Incidents Where Force Used				
Type of Incident	2011		2012	
	#	%	#	%
Animal Related	22	1.7	11	0.8
Arrest/Prisoner Related	20	1.5	26	1.9
Assault/Serious Injury	62	4.7	58	4.1
Break And Enter	40	3.0	47	3.4
Domestic Disturbance	53	4.0	59	4.2
Drug Related	43	3.3	41	2.9
EDP	98	7.4	113	8.1
Pursuit	16	1.2	6	0.4
Robbery Call	84	6.4	67	4.8
Search Warrant/Warrant Related	262	19.9	360	25.7
Stolen Vehicle	37	2.8	20	1.4
Suspicious Person Call	26	2.0	35	2.5
Traffic Stop	52	3.9	53	3.8
Unknown Trouble Call	29	2.2	23	1.6
Wanted Person	34	2.6	43	3.1
Weapons Call	320	24.3	271	19.3
Other	119	9.0	168	12.0
Total # of Incidents	1317	100.0	1401	100.0

Perceived Weapons Carried by Subject				
Type of Weapon	2011		2012	
	#	%	#	%
Animal - No Weapon	4	0.3	6	0.4
Baseball Bat/Club	19	1.4	17	1.2
Bottle	6	0.5	8	0.6
Knife/Edged Weapon	262	19.9	238	17.0
<i>Firearms</i>				
Handgun	95	7.2	183	13.1
Rifle	36	2.7	36	2.6
Semi-Automatic	529	40.2	722	51.5
Shotgun	56	4.3	35	2.5
Other-Firearm	66	5.0	33	2.4
None	340	25.8	262	18.7
Other	59	4.5	86	6.1
Unknown	562	42.7	643	45.9
Total Use of Force Incidents	2011		2012	
	1317		1401	

Note: A single use of force incident may involve multiple subjects with multiple weapons. As such, the total number of perceived weapons carried by subjects may exceed the total number of use of force incidents in a year. This chart reflects the percentage of time a perceived weapon is involved in total annual use of force incidents. For example, in 2012, a bottle was involved 8 times in the 1401 incidents (0.6% of incidents).

Suspect Apprehension Pursuits

Pursuit Initiation Reason										
	2008		2009		2010		2011		2012	
	#	%	#	%	#	%	#	%	#	%
Criminal Code										
Break and Enter	4	2.3	2	1.3	5	3.3	3	2.3	5	3.9
Dangerous Operation	19	10.8	18	11.8	23	15.0	16	12.1	21	16.3
Impaired Operation	10	5.7	19	12.4	10	6.5	2	1.5	4	3.1
Other	17	9.7	14	9.2	17	11.1	10	7.6	9	7.0
Prohibited Operation	0	0.0	1	0.7	1	0.7	1	0.8	0	0.0
Robbery	5	2.8	3	2.0	5	3.3	3	2.3	5	3.9
Stolen Vehicle	43	24.4	41	26.8	24	15.7	20	15.2	23	17.8
Sub-total	98	55.7	98	64.1	85	55.6	55	41.7	67	51.9
Highway Traffic Act										
Equipment Violation	9	5.1	9	5.9	13	8.5	6	4.5	10	7.8
Moving Violation	50	28.4	29	19.0	38	24.8	53	40.2	42	32.6
Other	13	7.4	9	5.9	7	4.6	8	6.1	5	3.9
R.I.D.E.	1	0.6	1	0.7	1	0.7	1	0.8	0	0.0
Suspended Driver	1	0.6	4	2.6	5	3.3	2	1.5	0	0.0
Sub-total	74	42.0	52	34.0	64	41.8	70	53.0	57	44.2
Miscellaneous										
Other	0	0.0	0	0.0	2	1.3	5	3.8	3	2.3
Report from Public	0	0.0	0	0.0	1	0.7	0	0.0	0	0.0
Suspicious Vehicle	4	2.3	3	2.0	1	0.7	2	1.5	2	1.6
Sub-total	4	2.3	3	2.0	4	2.6	7	5.3	5	3.9
Total	176	100.0	153	100.0	153	100.0	132	100.0	129	100.0

Glossary of Terms

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.

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)(ii) Fails to comply with any provision of Ontario Regulation 267/10 (Conduct and Duties of Police Officers Investigations by the Special Investigations Unit).
- 2(1)(c)(iii) 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)(iv) By carelessness or neglect permits a prisoner to escape.
- 2(1)(c)(v) 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)(vi) Fails to report a matter that is his or her duty to report.
- 2(1)(c)(vii) 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)(viii) Omits to make any necessary entry in a record.
- 2(1)(c)(ix) Feigns or exaggerates sickness or injury to evade duty.
- 2(1)(c)(x) Is absent without leave from or late for any duty, without reasonable excuse.
- 2(1)(c)(xi) 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.

Use of Force Definitions

Demonstrated Force Presence (Conducted Energy Weapon [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.