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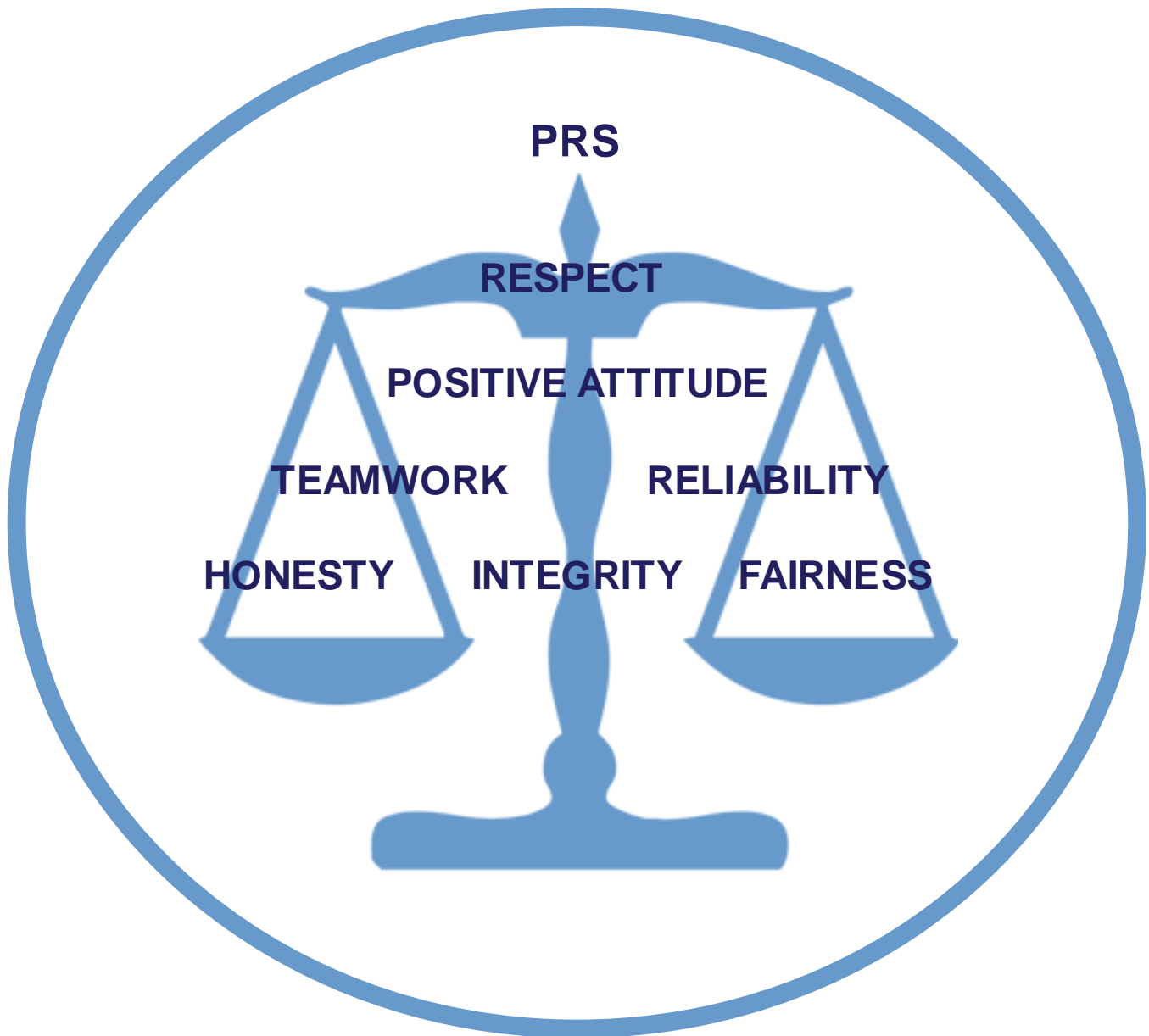
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# PROFESSIONAL STANDARDS Annual Report

2013



**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, 2013.

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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 advanced with the goal to strengthen public trust.

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 made up of the following sub-units: Complaints Administration, Conduct Investigations, Criminal Investigations, and the Investigative Support Unit.

Legal Services includes the following sub-units: the Counsel Advisory Group, a legal researcher and law clerks, the Court Process Office, the Civil Litigation Section, and the Human Rights Section.

The Risk Management Unit consists of the following sub-units: Awards, Information Security, Inspections Unit, Prosecution Services, Special Investigations Unit (SIU) Liaison, Analysis & Assessment, and the Duty Desk.

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 to external agencies such as the Office of the Independent Police Review Director (OIPRD) and the SIU.

As part of an organizational structure review initiated by the Chief's Internal Organizational Review (CIOR), there will be changes made to the structure of Professional Standards in 2014.

## PRS Unit Initiatives

### Judicial Comments

In 2013, as a result of a Toronto Police Services Board (TPSB) minute (Min. No. P74/13), PRS began tracking and reporting judicial comments regarding officer dishonesty or misconduct during judicial proceedings. In 2013, five complaints were investigated in relation to judicial comments. Of the five incidents misconduct was substantiated in three matters, one resulted in criminal charges, one is currently before the Tribunal, and one was disciplined at unit level. Two matters were found to be unsubstantiated.

### The Investigative Unit

In 2013, the Investigative Unit (INV) continued to identify and investigate side issues arising 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. Members of INV continued to deliver on-going training, guidance, and support to unit complaint coordinators at all TPS divisions and units, as well as training that included presentations to frontline officers, and training at the Toronto Police College (TPC) Provincial Statutes course, Organizational Development course, Ethics and Professionalism in Policing course, post-Aylmer recruit training, and during auxiliary officer training. These presentations are in response to identified trends and issues regarding conduct concerns that appear to be common throughout the Service.

In addition to this training, in 2013, members of INV delivered presentations at the TPC on the Advanced Leadership course. As well, presentations are set to be conducted on the Mobile Crisis Intervention Team course in 2014.

### Complaints Administration

The Complaints Administration sub-unit continues its use of the Professional Standards Information System (PSIS) to improve the reporting relationship with the OIPRD. As well, to ensure a consistent approach in *PSA* investigations, PRS and the TPC initiated a comprehensive training program for TPS members and partner police services.

In 2012-2013 the OIPRD implemented the Customer Service Resolution (CSR) program. This program provides complainants and respondent officers an opportunity to resolve complaints voluntarily prior to the complaint becoming formally screened under the *PSA*. Since April 2013, 36 public complaints were resolved through CSR.

In 2014, the TPS is set to conduct mediations as a part of the informal resolution process, becoming the first police service in Ontario to conduct this type of complaint resolution.

### Prosecution Services

In 2013, Prosecution Services continued to liaise with the Investigative Unit and other PRS units 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 where appropriate, while remaining mindful of the principles of specific and general deterrence.

## Information Security

Throughout 2013, the Information Security Unit continued their security awareness campaign by providing training sessions at the TPC and by publishing monthly security messages via Netpresenter. Information privacy and password integrity were the main focus of efforts. Following the Versadex preliminary Privacy Impact Assessment (PIA), the unit completed the logical PIA and will work to complete two smaller scale and final PIAs. Information Security participated in several committees and other Service projects and/or initiatives to ensure requirements related to systems auditing and user and device access were identified.

## Awards

The Awards section administers the TPS Awards Program, recognizing outstanding achievements by TPS members and the public. The section also coordinates with agencies and organizations granting external awards to Service members.

## SIU Liaison Unit

The SIU Liaison Unit works with the SIU to facilitate SIU mandated investigations. The SIU Liaison Unit presented to coach officers, recruit classes at OPC, and to the Toronto Anti-Violence Intervention Strategy - Rapid Response Team officers (TAVIS-RRT). The TAVIS-RRT presentations emphasized the frontline officer roles and responsibilities when involved in incidents where the SIU mandate has been, or may be, invoked. The unit also presented at the Ontario Association of Police Educators conference and an Ontario Association of Chiefs of Police SIU sub-committee workshop.

## Analysis & Assessment

In 2013, the Analysis and Assessment Unit provided trend analysis and statistical information 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 2013, the Inspections Unit continued to provide a proactive monitoring function to identify, analyze, and respond to risk issues associated with members' non-compliance with TPS governance. The continuation of the Inspections Unit's pro-active approach to conducting risk management inspections and assessments, enabled the unit to identify high-risk issues across the TPS as a whole.

## Legal Services

Legal Services continued to provide advice and support to the Chief of Police, command officers and members of the TPS in relation to relevant aspects of criminal, civil, and corporate law. The unit also manages 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 2013, 582 awards were presented to members of the TPS, the community, and other police services by the TPSB and the Chief of Police. This is a decrease from 610 awards presented in 2012 and an increase from 518 awards presented in 2011. TPS members also received 222 awards from external agencies in 2013.

### Public Complaints

Public complaints made against TPS officers are processed by the TPS Professional Standards Complaints Administration Unit. In 2013, a total of 725 public complaints were received concerning the conduct of uniform members and/or the policies/services of the TPS, a decrease of 5.5 % from 2012. 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 22 successful local resolutions in 2013, compared with 13 in 2012.

### Police Services Act Charges

Prosecution Services reviews conduct investigations to determine the appropriateness of holding hearings and prosecutes disciplinary charges against officers. In 2013, there was a decrease in the number of new charges from 105 charges in 2012 to 67 charges, as well as a decrease in officers charged from 59 in 2012 to 37 officers in 2013.

### Inspections Unit

In 2013, the Inspections Unit conducted Service-wide inspections in the areas of Level 3 Searches and memorandum books. In 2014, the Inspections Unit will be moved to Audit and Quality Assurance, under the Operational Support Command as part of the CIOR and will continue to focus on areas of high risk across the Service.

### Use of Force

Officers are required to submit the Ontario Ministry of Community Safety and Correctional Services' standard Use of Force Form 1 report (UFR) when they use force in the performance of their duties. In 2013, there was a decrease in the number of incidents during which officers reported force was used from 1407 incidents in 2012 to 1150 incidents. There was also a decrease in the number of incidents in which a conducted energy weapon (CEW) was used from 255 incidents in 2012 to 192 incidents in 2013.

## SIU Investigations

In 2013, there was a decrease in the total number of incidents where the SIU invoked their mandate, 74 compared to 78 in 2012. In 2013, the SIU invoked its mandate to investigate seven deaths in which TPS officers were involved, a decrease from 10 deaths investigated in 2012.

## Suspect Apprehension Pursuits

There was a decrease in the number of pursuits initiated from 129 in 2012 to 110 pursuits initiated in 2013, this decrease is consistent with the five year declining trend. In part, 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. Officers and/or supervisors continue to call off the majority of pursuits in the interest of public safety.

In December 2013, the TPS purchased a driving simulator. It is the only driving simulator owned by a police service in Ontario. It will be used to deliver driving and Suspect Apprehension Pursuit (SAP) training to front-line officers making the TPS a leader within Ontario in this type of training. As a result, a new driving course has been developed. Delivery to front-line officers will begin in January 2014.

## Public Contact

Community-based policing is a priority for the TPS. The residential population of Toronto is estimated at 2.87 million, however, the daytime population increases to approximately 3.32 million. Service members have extensive contact with members of the community in order to ensure public safety. In 2013, there were over 1.9 million calls for service, just under 400,000 provincial offence tickets issued, over 197,000 Field Information Reports (FIRs) completed, over 8,000 *Mental Health Act* apprehensions, and more than 39,500 arrests. In total, TPS officers had more than 2.5 million documented contacts with members of the public last year (this figure includes repeat contacts).

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. For example, the total number of public complaints filed represents only a small fraction (less than 0.1%) of documented contacts. Further, when considering the total number of use of force incidents relative to arrests made, force was required in less than 3% of arrests. When comparing the number of SIU investigations to the documented contact there was one incident investigated for every 34,583 contacts with members of the public.

## Moving Forward

PRS will continue to proactively identify strategic issues, goals, and actions to build upon the initiatives underway in 2013.

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.

Following several race-based human rights complaints, the TPSB and the TPS, in partnership with the Ontario Human Rights Commission (OHRC), launched the Human Rights Project Charter (HRPC) in May 2007. Members of PRS participated in the HRPC, the goal of the project is to identify and eliminate any discrimination that may exist in the employment practices and in delivery of services that may be contrary to the *Ontario Human Rights Code*. It is anticipated that the final report will be completed in 2014.

The TPS has successfully engaged the community in efforts to reduce crime and develop collaborative partnerships as part of the Police and Community Engagement Review (PACER) project. In 2013, members from PRS became involved in assisting and contributing towards the implementation of the project's recommendations.

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. 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 2013, A & A utilized PSIS to provide trend analysis and statistical information to assist 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.

## Early Intervention

Early Intervention (EI) is a proactive process that seeks to identify TPS members with potential performance or conduct issues. It provides the identified members' units with comprehensive reports to assist in the development of strategies to help members. An EI alert is triggered when a member exceeds a preset threshold for incidents monitored through PSIS. Once an alert is triggered, the member's performance and conduct history is reviewed and a report may be generated to address potential performance or conduct issues.

In 2013, A & A conducted a review of the EI alert thresholds related to use of force. The review resulted in the creation of an additional threshold in relation to the type of force used, which will be implemented in January 2014. Further to the new alert type, additional improvements were made to the review process pertaining to EI alerts and reports.

In 2013, there were 1382 alerts triggered and 44 EI reports generated, compared to 1090 alerts triggered and 56 EI reports generated in 2012. The EI process is dynamic and is continually reviewed and updated to reflect current trends and TPS risk management concerns. This allows A & A to ensure that improvements made continue to strengthen the risk reduction capability of the EI program. The EI process is intended, in a non-disciplinary and holistic way, to assist management in guiding and supporting members 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 Region 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 2013, there were five award ceremonies hosted by the TPSB in which 582 awards were presented to members of the TPS, the community, and other police services. In addition, TPS members received 222 awards from external agencies.

## Internal Awards

In 2013, 582 internal awards were presented to members of the TPS, the community, and other police services by the TPS and the TPSB. This is a decrease from 610 awards given in 2012. In addition to these awards for outstanding performance, the TPSB presented 143 members with their retirement plaques. The internal awards presented in 2013 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. 4 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. 7 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. 33 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. 133 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. 77 awards presented.

### Partnership Award

Granted by the TPSB to a citizen(s) or an organization(s) for unselfish assistance given to the TPS for an initiative or innovation that has a positive impact on the image or operation of the TPS. 54 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. 67 pins 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. 207 watches presented.

## External Awards

There were 222 awards presented to TPS members by external agencies or organizations in 2013, compared to 737 external awards given in 2012. 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. 2 awards presented.

### **Canadian Peacekeeping Service Medal**

Recognizes the unique contributions to peace made by Canadian Peacekeepers. The medal is awarded to all serving and former members of the Canadian Forces, the Royal Canadian Mounted Police, Canadian police services and civilians who have served outside of Canada with an international peacekeeping or observer mission, or those who have served in direct support of such missions. 1 medal 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. 1 medal presented.

### **Imperial Order of the Daughters of the Empire Award (Toronto Chapter)**

Presented to a police officer for outstanding work to improve the quality of life for children, youth, and those in need, through education, social service, and citizenship programs. 1 award 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. 2 awards 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. 2 awards presented.

### **Ontario Medal for Police Bravery**

Presented by the Lieutenant-Governor to police officers to recognize acts of courage and bravery performed in the line of duty without concern for personal safety. 1 medal 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. 15 medals 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. 11 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. 2 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. 125 medals presented.

### **Police Officer of the Month 2012**

Presented since 1967 by the Toronto Region 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 26 recipients.

### **Police Officer of the Year 2012**

Presented annually since 1967 by the Toronto Region 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. 1 recipient.

### **St. John Ambulance Award Lifesaving Award / Certificate of Commendation / Automated External Defibrillator 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. 30 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. 2 awards presented.

### **Superintendent William Bishop Award**

Presented by Detective Services, this award was created in honour of retired Superintendent William Bishop and recognizes investigative excellence by members of the TPS. 2 awards presented.

### **TPS Business Excellence Award 2012**

Presented by the Toronto Region 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. 3 awards presented.

### **TPS Business Excellence Award of the Year 2012**

Presented by the Toronto Region 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. 1 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. 3 awards presented.

### **United Way – Leadership Campaign - Spirit Award 2012**

Presented by the United Way to recognize an organization, campaign, team or individual(s) for outstanding support to the United Way. 2 awards presented.

# Civil Litigation

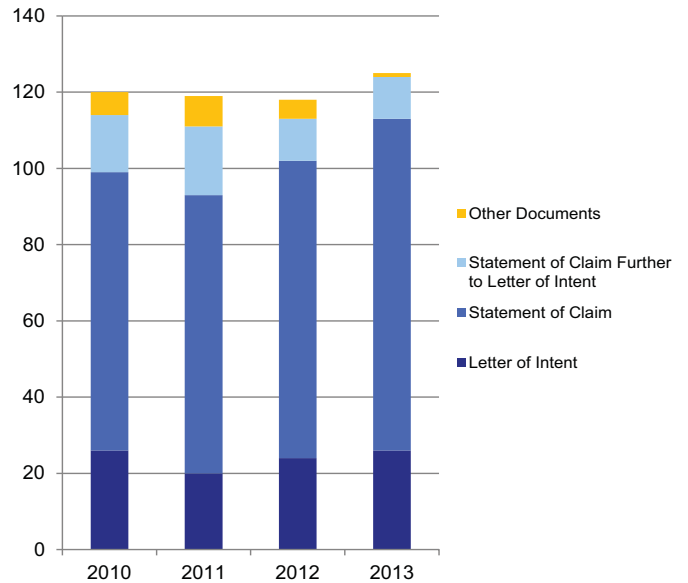
The Legal Services unit is responsible for overseeing all civil actions commenced against the Toronto Police Services Board (TPSB), the Chief of Police, and Toronto Police Service (TPS) members. Typically, claims are made on the basis of allegations of false arrest, negligent investigation, malicious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

## Trend Analysis

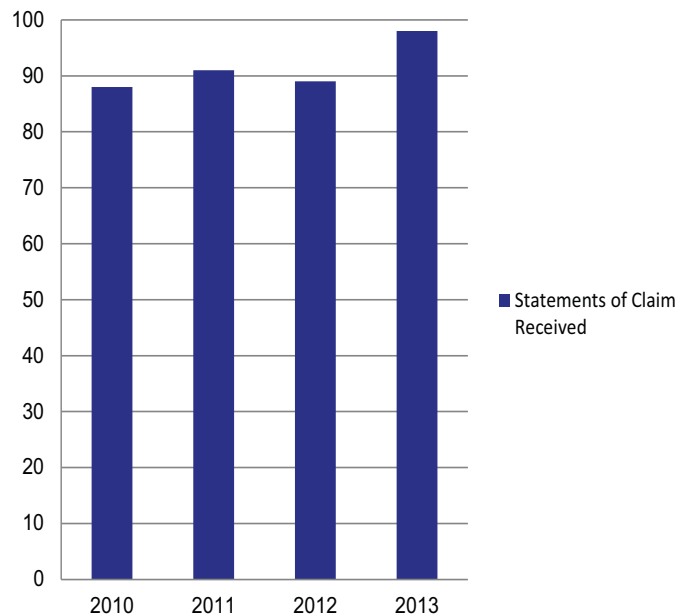
In 2013, Legal Services received notification of 125 civil actions and potential claims against the TPSB and TPS members. In order to produce an accurate year to year comparison, civil actions and potential claims in relation to the G20 Summit have been omitted from the following trend analysis. 2013 constitutes an 5.0% increase compared to 2012, where a total of 118 civil actions and potential claims were received (Figure 1.1). Of the 125 civil actions received in 2013, 98 Statements of Claim were served. This is an increase from the number of claims served in 2012 (89) and 2011 (91) (Figure 1.2).

In November 2010, the Civil Case Review Committee (the CCRC) was formed to review civil actions and identify common trends for the purpose of creating proactive action plans to reduce potential liability in future actions. Since the committee was formed, the CCRC continues to meet monthly to review new claims received to manage risk and reduce exposure to liability. Further to the CCRC, members of Legal Services attend monthly Claims Review Group (CRG) meetings, chaired by the City of Toronto's Insurance and Risk Management section, to discuss issues arising out of claims.

**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**

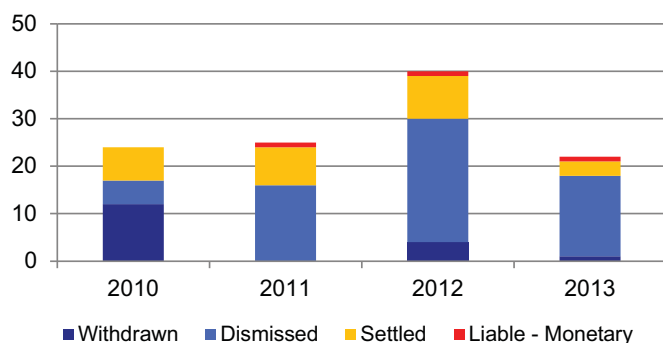
Grounds of Discrimination*				
	2010	2011	2012	2013
Race	24	21	18	15
Colour	21	20	16	13
Ancestry	11	11	5	7
Place of Origin	10	8	8	7
Citizenship	5	3	5	2
Ethnic Origin	17	15	12	10
Disability	5	13	8	7
Creed	0	5	2	2
Sex	2	4	4	5
Sexual Solicitation	0	0	0	0
Sexual Orientation	1	0	1	1
Gender Identity**	n/a	n/a	1	2
Gender Expression**	n/a	n/a	0	0
Family Status	5	2	1	0
Marital Status	4	1	1	1
Age	8	4	3	4
Associated with a Person Identified by a Prohibited Ground***	5	1	0	0
Reprisal***	6	5	9	4
<b>Total applications filed</b>	<b>27</b>	<b>32</b>	<b>27</b>	<b>25</b>

\*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.

\*\*\*Not ground of discrimination, but also prohibited by the *Code*

**Figure 2.2**  
**Resolution of Human Rights Applications**



## Trend Analysis

### Human Rights Applications Received

In 2013, there were 25 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 27 applications filed in 2012 and 32 applications filed in 2011.

### 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, 2012 and 2013. In 2013, the grounds of race and colour remained the most common categories of alleged discrimination, with 15 applicants alleging discrimination based on race and 13 applicants alleging discrimination based on colour. For the sake of comparison, in 2013, 60% of applicants alleged discrimination based on race compared to 88.8% of applicants in 2010, 65.6% of applicants in 2011 and 66.7% of the applicants in 2012. When compared to the four year average of 70.3%, race based allegations have decreased by 10.3% in 2013. In 2013, 52% of applicants alleged discrimination based on colour compared to 77.8% in 2010, 62.5% in 2011 and 59.3% in 2012. When compared to the four year average of 62.9%, colour based allegations have decreased by 10.9% in 2013.

### Resolution of Applications

There were 22 Human Rights applications resolved by the HRTO in 2013. Of those 22, one was withdrawn, 17 were dismissed, three were settled, and one found the TPSB and TPS in breach of the *Code*. In relation to applications that were settled, three applications were settled in 2013 which is a 66.7% decrease when compared to nine in 2012, and a 55.6% decrease when compared to the four-year average. 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, 2012 and 2013.

# 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.

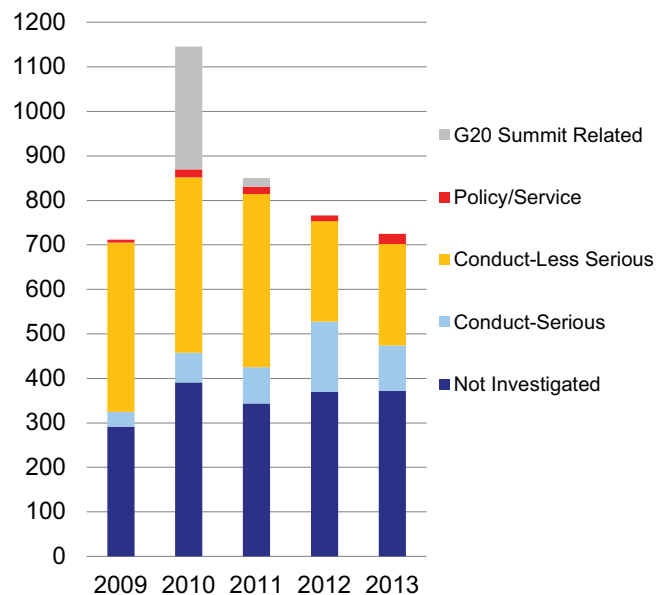
Investigation of complaints received by the OIPRD may be conducted by OIPRD investigators, an outside police service or the police service in question. The OIPRD reviews all complaints to determine their classification as either a conduct, policy or service complaint. Section 60 of the *PSA* grants the 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*, 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 2013, a total of 725 public complaints were received concerning the conduct of uniform members and/or the policies/services of the Toronto Police Service (TPS). Of the 725 complaints, 353 were investigated and 372 were screened out by the OIPRD. The total number of complaints (both investigated and screened out) represents a decrease of 5.5% from 2012 and a decrease of 14.7% from 2011 (Figure 3.1).

**Figure 3.1**  
**Number of Complaints Received**



In order to produce a more accurate year to year comparison, complaints directly related to the G20 Summit can be omitted from the above analysis. With the G20 related complaints removed, in 2013 there was a decrease of 5.4% compared to 2012 and a decrease of 12.8% from 2011. Comparatively, it should be noted that public complaints represent a low proportion of the documented contacts that officers have with the community, less than 0.1% of documented contacts result in a complaint being filed.

## 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 2013, discreditable conduct was cited more frequently than any other type of misconduct, comprising 62.9% of complaints investigated, similar to the five-year trend of 61.5%. 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 25.5% of investigated complaints in 2013. The percentage of investigated complaints categorized as neglect of duty has decreased from 8.6% in 2011 and 6.1% in 2012 to 4% in 2013. Figure 3.2 details the sub-classifications of investigated complaints received in 2013.

Figure 3.3 shows investigated complaints received in 2013 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.

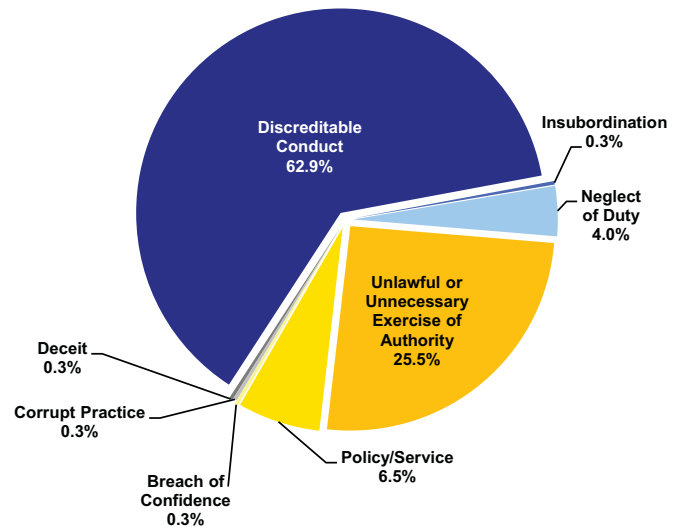
In 2013, allegations of incivility accounted for 15.8% of discreditable conduct allegations, reflecting a decrease from 19.9% in 2012 and a decrease when compared to the five-year average of 18.1%. Allegations of disorderly conduct have remained the most common allegation under the category of discreditable conduct. In 2013, 68.9% of discreditable conduct allegations were in relation to acting in a disorderly manner which is comparable to the five-year average of 69.8%.

## Years of Service and Rank of Subject Officer

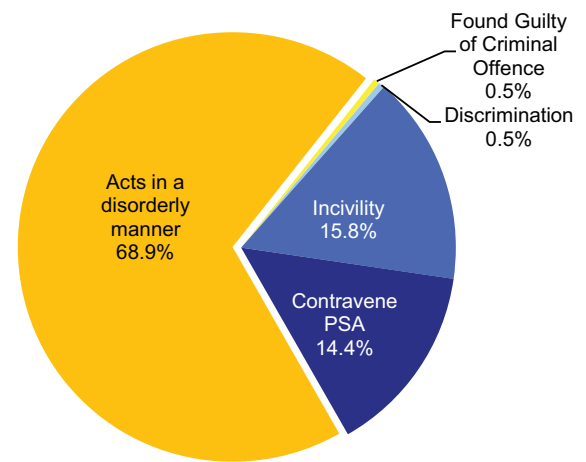
In 2013, TPS officers with up to five years of service accounted for over a quarter (26.6%) of the subject officers named in public complaints. This can, in part, be attributed to the fact that officers with up to five years of service are more likely to be in contact with the public more often on a daily basis (Figure 3.4).

Police constables continue to account for the majority (84.8%) of subject officers named in public complaints. This can be explained by the fact that the majority of the TPS uniform strength (77%) 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

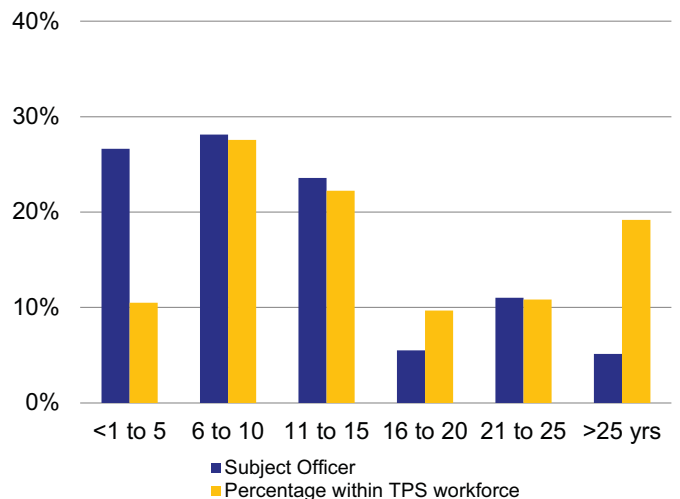
**Figure 3.2**  
**Classification of Alleged Misconduct**



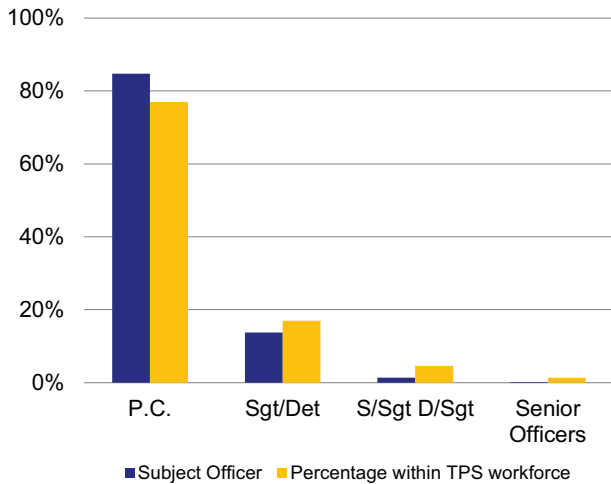
**Figure 3.3**  
**Discreditable Conduct Allegations**



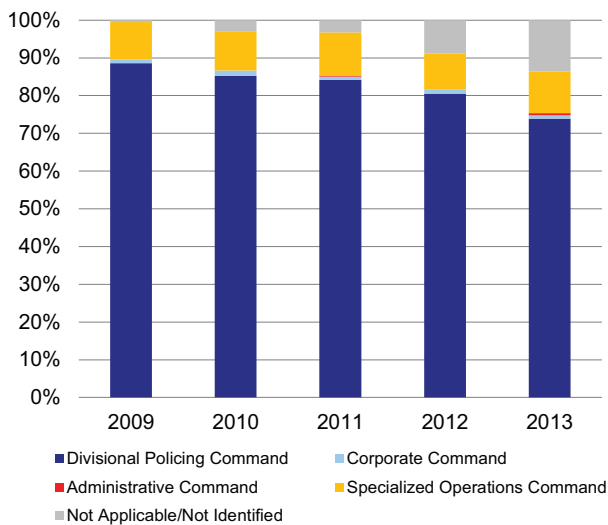
**Figure 3.4**  
**Years of Service of Subject Officer**



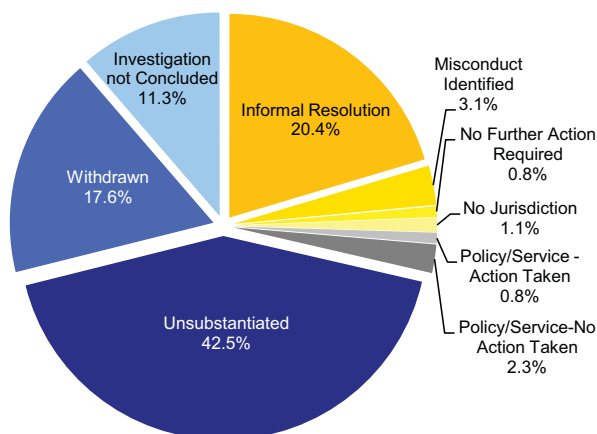
**Figure 3.5**  
**Rank of Subject Officer**



**Figure 3.6**  
**Investigated Complaints by Command**



**Figure 3.7**  
**Disposition of Investigated Complaint**



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 73.9% of public complaints received in 2013. 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 interactions 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 13.6% of complaints received in 2013. This number is expected to decrease as more investigations are concluded. Figure 3.6 displays the breakdown of complaints received by command in 2013.

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, 42.5 % of the investigated complaints received in 2013 have been concluded with the allegations unsubstantiated, a decrease from 54.3% in 2012. It should be noted that 11.3% of investigated 2013 complaint files remain open and that as these files are concluded the disposition numbers will be affected.

Complaint withdrawals represent 17.6% of concluded 2013 complaints, compared to 18.7% in 2012. Informal resolutions made up 20.4% of complaints concluded last year, a decrease from 2012 where 22.2% were resolved in this manner and similar to the five-year average of 19.8%.

The number of complaints where misconduct is identified continues to represent a small proportion of all investigated complaints. Misconduct has been identified in just 3.1% of concluded 2013 complaints thus far, comparable to the five-year average of 2.9% (Figure 3.7).

### 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.

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



mine that the classification or disposition of the complaint requires more action; they then can refer the decision back to the originating police service for further investigation or retain the complaint and 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 2013, there have been 32 cases to date where the complainant has requested that the file be reviewed by the OIPRD, compared to 41 cases from 2012. With respect to the 32 reviews conducted, the OIPRD has upheld 16 decisions and 16 reviews are ongoing.

If a complainant requests a review of a policy or service complaint he or she can appeal to the appropriate police services board.

**Figure 3.8**  
**Days to Conclude Complaints**

	2009	2010	2011	2012	2013
0 to 30 days	285	383	363	401	410
31 to 60 days	102	121	100	76	50
61 to 90 days	90	99	108	92	47
91 to 120 days	73	95	96	70	67
121 to 150 days	45	58	74	45	56
151 to 180 days	29	44	48	28	32
Over 180 days	86	68	39	50	27

### 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 2013, 95% have been concluded to date. Of the concluded investigations, 73.6% were completed within 90 days, an increase from 69% in 2011 and similar to the 74.7% in 2012 and higher than the five-year average of 70.3%. Figure 3.8 compares the time taken to conclude complaints that were received between 2009 and 2013.

### 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 2012-2013 OIPRD annual report comparing the TPS to other police services.

**Figure 3.9**  
**OIPRD Statistics\* - Comparison to other Police Services**

Police Service	Number of Officers	Type of Complaint			Total Complaints	Screened Out	Investigated	Total Complaints per 100 Officers	Investigated Complaints per 100 Officers
		Conduct	Policy	Service					
Durham Regional	923	103	0	1	104	44	60	11.3	6.5
Hamilton	813	144	0	5	149	80	69	18.3	8.5
Niagara Regional	715	109	0	4	113	59	54	15.8	7.6
Ottawa	1,348	228	0	16	244	105	139	18.1	10.3
Peel Regional	1,946	194	1	7	202	95	107	10.4	5.5
Toronto	5,408	847	8	31	886	464	422	16.4	7.8
York Regional	1,528	131	1	7	139	76	63	9.1	4.1
<b>Total Complaints**</b>	<b>24,506</b>	<b>3,087</b>	<b>24</b>	<b>115</b>	<b>3,226</b>	<b>1,703</b>	<b>1,523</b>	<b>13.2</b>	<b>6.2</b>

\*Statistics from OIPRD Annual Report April 1, 2012, to March 31, 2013

\*\*This number is the total number of complaints received by the OIPRD and includes all Police Services in Ontario, not just the ones detailed above.

# Police Services Act Charges

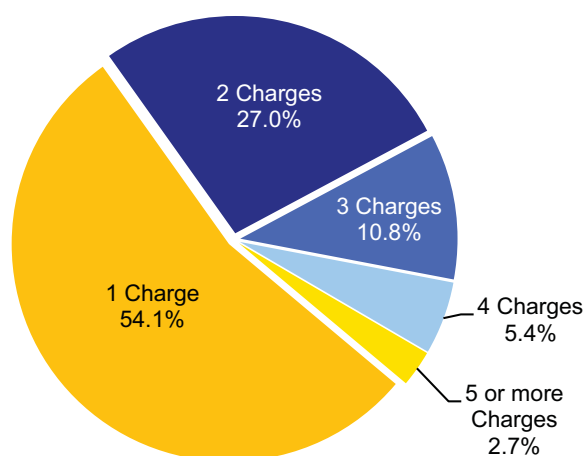
Part V of the *Police Services Act (PSA)* outlines the complaints process and defines misconduct for the purpose of the *Act*. Part V of the *PSA* also defines the responsibilities of the Chief of Police, or designate, with respect to alleged officer misconduct and outlines the penalties and resolution 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, maintain public trust. The Professional Standards Unit utilizes a case conferencing process to determine the appropriate course of discipline for matters. In keeping with the legislation, those matters deemed most serious are made the subject of a public disciplinary hearing in the Service's Tribunal. Conduct issues deemed to be of a less-serious nature are managed at the unit level. The following data relates to matters that were handled at the Tribunal.

**Figure 4.1**  
**Officers Charged**

	2009	2010	2011	2012	2013	5 Year Average
<b>Number of Officers</b>	67	60	64	59	37	57.4
<b>Total Charges</b>	160	119	153	105	67	120.8
<b>Charge/officer ratio</b>	2.4	2.0	2.4	1.8	1.8	2.1

**Figure 4.2**  
**Number of Charges Laid per Officer**



## Trend Analysis

### Officers Charged in 2013

In 2013, 37 officers were charged by Prosecution Services, a decrease from 59 officers charged in 2012 and below the five year average of 57.4 officers. There were also 38 fewer charges laid in 2013 compared to 2012. The charge-to-officer ratio has remained the same from 2012 at 1.8 charges per officer in 2013. The charge-to-officer ratio remains below 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 2013, 20 (54.1%) faced a single charge, 10 officers (27.0%) had two charges laid against them, four officers (10.8%) had three charges laid against them, two officers (5.4%) faced four charges, and one officer (2.7%) had five or more charges (Fig. 4.2).

### Category of Charges Laid in New Cases

In 2013, a total of 67 *PSA* charges were laid. Of the charges laid, 59.7% were for discreditable conduct, an increase from 43.8% in 2012. The percentage of charges of insubordination has increased from 12.4% in 2012 to 22.4% in 2013. Charges in relation to unlawful and/or unnecessary exercise of authority decreased from 36.2% in 2012 to 6.0% in 2013. 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 2013, 21 (56.8%) were charged as a result of on-duty incidents, while 16 (43.2%) were charged as a result of off-duty incidents. In 2012, there were 45 (76.3%) officers charged as a result of on-duty incidents and 14 (23.7%) charged in relation to off-duty incidents. The duty status and precipitating factors of cases initiated in 2013 are detailed in Figure 4.3.

## Cases Concluded

There were 37 cases concluded in the Tribunal in 2013. Of these, four were commenced in 2013, nine in 2012, 15 in 2011, seven in 2010, one in 2009, and one in 2007.

## Disposition

In 2013, 32 officers had cases concluded in the Tribunal. Two officers were found guilty (6.3%), 21 officers submitted guilty pleas (65.6%), four officers had their charges stayed (12.5%), four officers had their charges withdrawn (12.5%), and one officer was acquitted of his charges (3.1%).

Charges may be withdrawn or stayed by the prosecutor due to the resignation or retirement of the officer, as part of a plea agreement or 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 2012 and 2013.

## Penalties Imposed for PSA Convictions

Of the 23 officers who were found guilty or pled guilty in 2013, there were a total of 27 penalties. In 2013, there were 15 penalties for discreditable conduct, five for insubordination, three for neglect of duty, two for deceit, and two for unlawful or unnecessary exercise of authority (Figure 4.5).

Figure 4.3

Duty Status and Precipitating Factors 2013

Other Factors Affecting Charges	On-duty		Off-duty	
	#	%	#	%
Alcohol/Drugs	0	0.0%	9	56.3%
Assault	7	33.3%	2	12.5%
CPIC Abuse	3	14.3%	0	0.0%
OCPC Directed	0	0.0%	1	6.3%
Other PSA Violation	11	52.4%	4	25.0%
<b>Total</b>	<b>21</b>	<b>100.0%</b>	<b>16</b>	<b>100.0%</b>

Figure 4.4

Disposition of Officers Charged

Disposition	2012		2013	
	#	%	#	%
Acquitted/Dismissed	0	0.0	1	3.1
Found Guilty	2	3.4	2	6.3
Guilty Plea	23	39.7	21	65.6
Stayed	7	12.1	4	12.5
Withdrawn	26	44.8	4	12.5
<b>Total # of Officers</b>	<b>58</b>	<b>100.0</b>	<b>32</b>	<b>100.0</b>

Figure 4.5

Penalties Imposed for PSA Convictions

### Discreditable Conduct

- 2 Officers: Forfeiture of 8 days or 64 hours
- 1 Officer: Forfeiture of 10 days or 80 hours
- 3 Officers: Forfeiture of 15 days or 120 hours
- 1 Officer: Forfeiture of 16 days or 128 hours
- 1 Officer: Forfeiture of 17 days or 136 hours
- 5 Officers: Forfeiture of 20 days or 160 hours
- 1 Officer: Gradation from 1<sup>st</sup> to 2<sup>nd</sup> class PC for 6 months
- 1 Officer: Gradation from Sergeant to 1<sup>st</sup> class PC for 1 year

### Insubordination

- 2 Officers: 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
- 1 Officer: Forfeiture of 12 days or 96 hours

### Neglect of Duty

- 3 Officers: Forfeiture of 10 days or 80 hours

### Deceit

- 1 Officer: Forfeiture of 5 days or 40 hours
- 1 Officer: Dismissal

### Unlawful or Unnecessary Exercise of Authority

- 1 Officer: Forfeiture of 5 days or 40 hours
- 1 Officer: Gradation from 1<sup>st</sup> to 2<sup>nd</sup> class PC for 6 months

# 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 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 (Ontario Regulation 926/90) 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 Conducted Energy Weapon Use report (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 is captured in the Professional Standards Information System for further statistical analysis.

## Trend Analysis

The use of force incidents detailed in this report pertain to TPS members only and includes only those incidents that require the submission of a UFR. 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 2013, 1706 UFRs were submitted, representing 1150 use of force incidents. The number of incidents has decreased 18.3% compared to 2012 and is a decrease of 15.2% when compared to the five-year average. The number of incidents in 2013 is the lowest number of incidents over the last five years. Figure 5.1 compares the number of reports submitted and the number of incidents annually from 2009-2013. Further, when considering the total number of use of force incidents relative to arrests made, force was required in less than 3% of arrests.

### Use of Force Option

The most frequent use of force option indicated on UFRs in 2013 was pointing a firearm, similar to 2012. Physical control tactics remain the second most frequent option, used in 33.5% of incidents compared to 32.6% in 2012. Officers are not required to complete a UFR when physical control soft options (including handcuffing a suspect) are the only use of force option used and there are no injuries requiring medical attention. Use of force options employed by officers in 2013 are outlined in Figure 5.2, further comparative data is in the Supplementary Data section of this report.

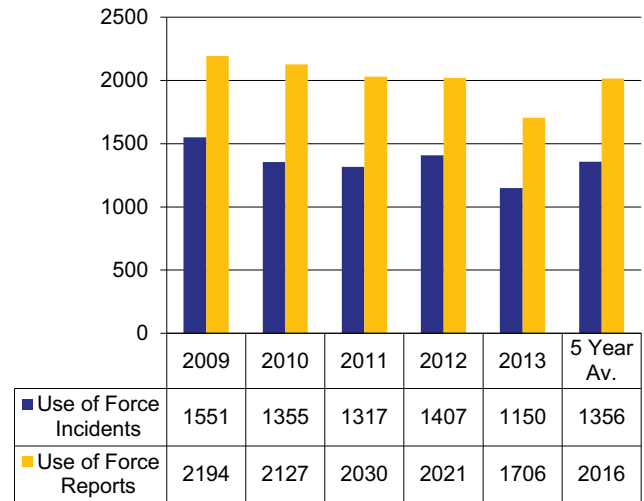
### Firearm Discharges

In 2013, 41 officers discharged firearms in relation to 33 use of force incidents, which is an increase compared to 23 incidents in 2012.

Firearm discharges in 2013 (Figure 5.3):

- 19 incidents of injured/suffering animals
- 2 incidents of aggressive animals
- 11 incidents involving armed persons (5 in relation to edged weapons, 4 in relation to firearms, and 2 in relation to 'other' objects)
- 1 accidental discharge

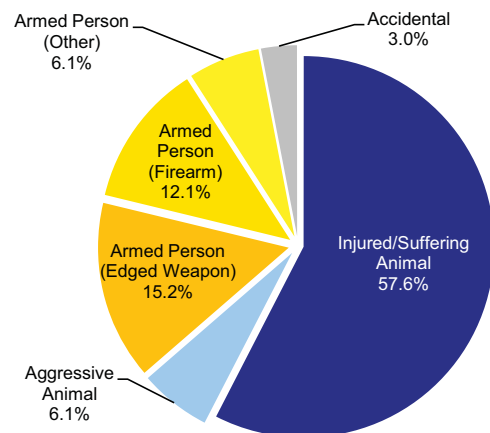
**Figure 5.1**  
Use of Force Incidents and Reports



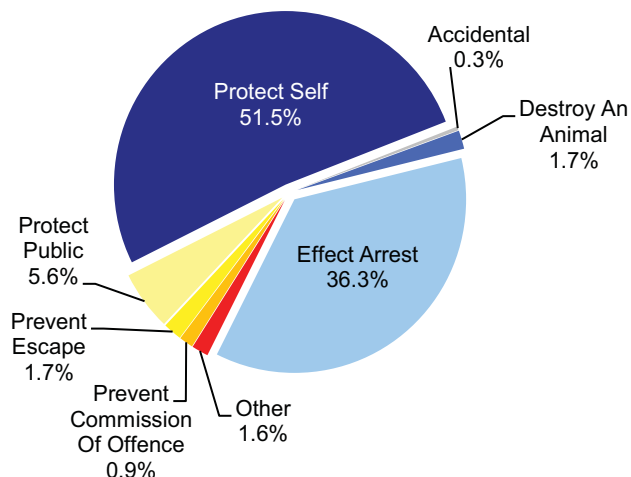
**Figure 5.2**  
Type of Force Used

Type of Force Used	2012	2013
<b>Conducted Energy Weapons</b>		
Demonstrated Presence	131	107
Drive Stun	32	20
Full Deployment	92	65
<b>Physical Control</b>		
Hard only	116	99
Soft only	470	395
Both Hard & Soft	72	77
Firearm Discharge - Intentional	23	41
Firearm Pointed at Person	1268	1037
Handgun - Draw n only	184	211
<b>Impact Weapons Used</b>		
Hard only	54	36
Soft only	19	7
Both Hard & Soft	5	3
Oleoresin Capsicum Spray	68	57
Other Type of Force	31	7
Police Dog	11	7

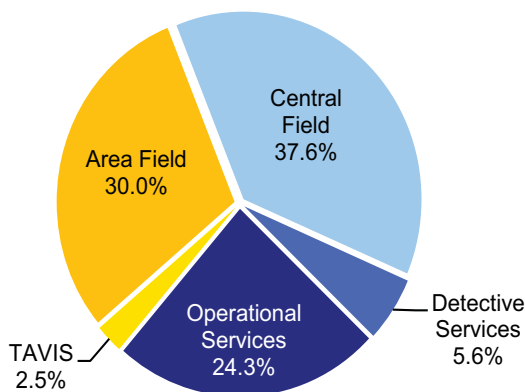
**Figure 5.3**  
Incidents of Firearm Discharge



**Figure 5.4**  
**Reason for Use of Force**



**Figure 5.5**  
**Use of Force by Sub-Command**



**Figure 5.6**  
**Officer Assignment at Time of Incident**

2013	#	%
Directed Patrol	29	1.7
Foot Patrol	60	3.5
Crow d Control	4	0.2
General Patrol	906	53.1
Investigation - Drugs	61	3.6
Investigation - Other	135	7.9
Other Type Of Assignment	66	3.9
Paid Duty	8	0.5
PDS/Mounted	7	0.4
Special OPS (eg. G&G,ROPE)	16	0.9
Tactical	375	22.0
Traffic Patrol	39	2.3
<b>Total # of Reports</b>	<b>1706</b>	<b>100.0</b>

## 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 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 192 use of force incidents in 2013, a decrease from 255 incidents in 2012. In more than half (55.7%) of incidents involving CEWs in 2013, the device was used as a 'demonstrated force presence' only. Front-line supervisors made up 80.7% of officers who used CEWs in 2013.

## Reason Force was Used

The UFR issued by the Ministry of Community Safety and Correctional Services permits the selection of multiple reasons 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. However, the Professional Standards Information System in which the UFR statistics are entered, permits the selection of only one reason for the use of force. The data entry process is to enter the first reason selected on the UFR. The order for reasons on the report is as follows: protect self, protect public, effect arrest, prevent commission of offence, prevent escape, accidental, destroy animal, and other. For this reason, 'protect self' was selected as the reason for using force in 51.5% and 'effect arrest' was selected in a further 36.3% of UFRs submitted in 2013. Figure 5.4 illustrates the reasons for using force in incidents occurring in 2013.

## Use of Force by Sub-Command

Members of Central Field Command submitted 37.6% of all use of force reports in 2013, comparable to 36% in 2012. Members of Area Field Command submitted 30% of UFRs in 2013, compared to 28% in 2012. Members of Operational Services (primarily members of the ETF) submitted 24.3% of UFRs in 2013, compared to 26.7% in 2012 (Figure 5.4).

## Officer Assignments

In 2013, general patrol was the most common assignment of an officer at the time of a use of force incident (53.1%), comparable to the previous year. The second most common duty of an officer was classified as tactical (22%), the majority of which involve the ETF. Investigations, drug related and other, represented 11.5% of officer assignments. Figure 5.6 further illustrates the type of assignments at the time of incident.

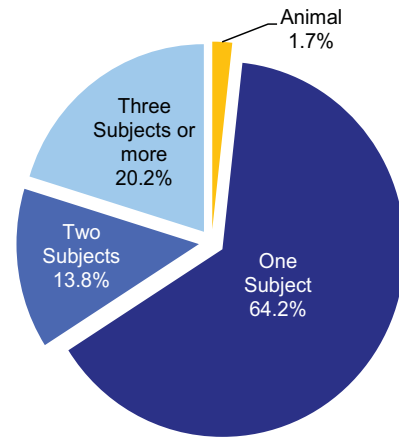
## Category of Incidents

Warrant-related calls accounted for the largest proportion of use of force incidents in 2013 (26.6%). Weapons calls accounted for the second largest category at 19.6%, comparable to the previous year (19.3%). Use of force incidents categorized as 'other' accounted for 13.7% of those that occurred in 2013. This category includes: homicide calls, address checks, and other types of calls for service.

## Number of Subjects Involved per Incident

Of the 1150 incidents that occurred in 2013, 64.2% involved a single subject, while 35.1% involved two or more subjects. Animals are noted as being involved in 1.7% of use of force incidents in 2013 (Figure 5.7).

**Figure 5.7**  
**Number of Suspects per Incident**



## Perceived Weapons Carried by Subject

Officers are trained to complete UFRs identifying what they perceived at the time force was used. In 2013, weapons were perceived to be carried by subjects in 86.3% of incidents, an increase compared to 81.2% in 2012. In 2013, 23.4% of subjects were perceived to be carrying edged weapons, which is an increase from 16.8% in 2012. Subjects perceived to be armed with a firearm represented 60.3% of subjects in 2013, a decrease compared to 71.5% of subjects in 2012. 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 further 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 2013 indicate that citizens were injured in 20.7% of incidents (238 of 1150). Of the 238 incidents where citizens were injured, 86.6% led to medical attention being required.

Seven deaths occurred in relation to incidents that involved the TPS in 2013, which is a 30% decrease compared to 10 deaths in 2012. Four of the seven deaths in 2013 involved officers using force, two related to situations where officers were present only, and one incident is still under investigation by the SIU.

Officers who submitted UFRs indicated that they were injured in 5.2% of the reports received in 2013, compared to 5.1% in 2012. Officers indicated that medical attention was required in 39 reports in 2013, compared with 56 reports in 2012, which represents a decrease of 30.4%. Figure 5.8 further illustrates injuries in relation to use of force.

**Figure 5.8**  
**Use of Force Injuries**

<b>Subject Injuries</b>		
	<b>2012</b>	<b>2013</b>
No Injuries	1111	912
<b>Injuries</b>	<b>296</b>	<b>238</b>
Total Incidents	1407	1150
<b>Medical Attention Required</b>		
No	53	32
<b>Yes</b>	<b>243</b>	<b>206</b>
Total Injuries	296	238

<b>Officer Injuries</b>		
	<b>2012</b>	<b>2013</b>
No Injuries	1918	1617
<b>Injuries</b>	<b>103</b>	<b>89</b>
Total Incidents	2021	1706
<b>Medical Attention Required</b>		
No	47	50
<b>Yes</b>	<b>56</b>	<b>39</b>
Total	103	89

# 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, death, or allegations of sexual assault 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 mandate of the SIU must be reported to the SIU by the police service involved.

## Trend Analysis

In 2013, the SIU invoked its mandate to investigate 74 incidents, compared with 78 incidents in 2012. Of the incidents occurring in 2013, 34 cases were concluded with the subject officer(s) being exonerated, the SIU withdrew its mandate in 24 cases, two cases resulted in officers being charged criminally, and investigations are ongoing in 14 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.

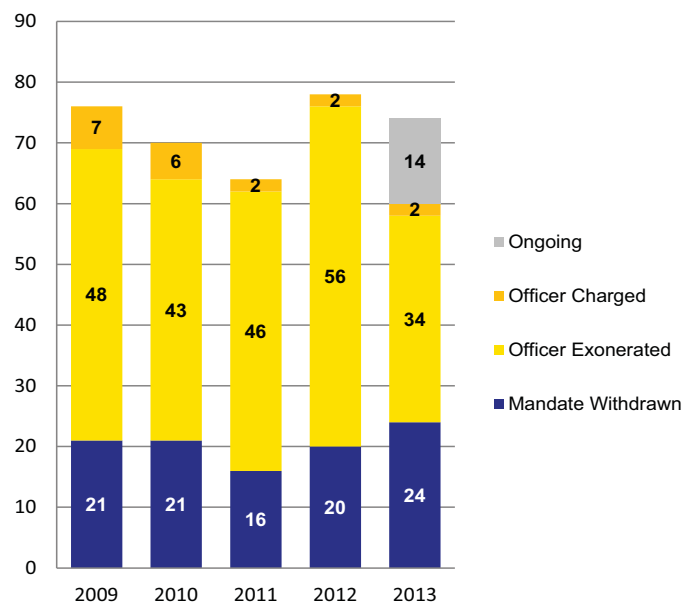
It should be noted that a low proportion of encounters police have with the public result in the SIU mandate being invoked. When comparing the number of SIU investigations to the documented number of community contacts officers had in 2013, there was one incident investigated for every 34, 583 contacts with members of the public.

The number of custody-related injuries decreased to 50 in 2013, from 51 in 2012. The number of allegations of sexual assault decreased from 12 incidents in 2012 to 6 in 2013. Figure 6.2 below provides a five-year perspective on SIU investigations of TPS officers.

The SIU invoked its mandate to investigate seven deaths in 2013, compared to 10 deaths in 2012. Officers were exonerated in relation to four deaths, two cases are still ongoing, and charges were laid in relation to one death in 2013.

Last year only 2.7% of incidents investigated by the SIU resulted in officers being charged criminally, below the five-year average of 4.9%.

**Figure 6.1**  
Number of SIU Investigations



**Figure 6.2**

Reasons for SIU Investigations

	2009		2010		2011		2012		2013	
	Death	Injury	Death	Injury	Death	Injury	Death	Injury	Death	Injury
Firearm incident	1	2	4	2	2	6	3	1	5	7
Vehicle incident	0	8	0	2	0	3	1	4	0	4
Custody incident	4	53	4	50	7	35	6	51	2	50
Allegation of sexual assault	n/a	8	n/a	8	n/a	11	n/a	12	n/a	6
<b>Total</b>	<b>5</b>	<b>71</b>	<b>8</b>	<b>62</b>	<b>9</b>	<b>55</b>	<b>10</b>	<b>68</b>	<b>7</b>	<b>67</b>



## 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.

## Comparison to Other Police Services

The SIU releases an annual report on the number of investigations where they invoked their mandate in relation to all Ontario police services. The SIU reporting period is April 1 to March 31. Figure 6.3 depicts the information contained in the 2013-2013 OIPRD annual report comparing the TPS to other police services.

**Figure 6.3**  
**SIU Statistics\* - Comparison to other Police Services**

Police Service	Number of Officers	Firearm		Custody		Vehicle		Sexual Assault Complaint	Other	Total Investigated	Cases per 100 Officers
		Injury	Death	Injury	Death	Injury	Death				
Durham Regional	923	3	0	3	0	0	0	0	0	6	0.7
Hamilton	813	0	0	10	2	1	1	1	0	15	1.8
Niagara Regional	715	0	0	10	2	3	0	0	0	15	2.1
Ottawa	1,348	0	0	13	2	1	0	3	1	20	1.5
Peel Regional	1,946	1	0	16	2	7	0	2	0	28	1.4
Toronto	5,408	2	2	46	7	6	1	11	0	75	1.4
York Regional	1,528	0	0	7	3	3	1	0	0	14	0.9
Total Investigated by SIU**	24,506	8	5	218	34	48	7	49	3	372	1.5

\*Statistics from SIU Annual Report April 1, 2012, to March 31, 2013

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

# 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 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 the Regulation 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. The Regulation 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

### Driving Simulator Training

In 2011, Police Vehicle Operations (PVO), in partnership with Drive for Life™, initiated a pilot project targeting the reduction of collisions by new TPS recruits. The results of the project were promising and showed a 45% reduction in collisions where recruits had received the training compared to the recruits who did not receive the same training.

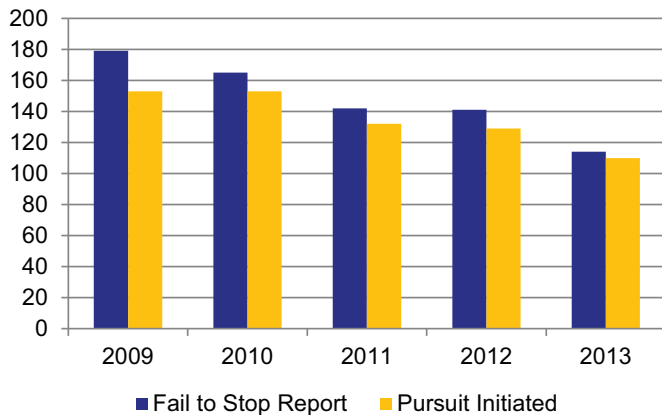
As a result of the project, the TPS purchased a driving simulator in December 2013. In addition to the driving simulator, the purchase agreement also includes curriculum development expertise and assistance for a three year period. The TPS is the only police service in Ontario that owns a simulator to enhance the delivery of driving and Suspect Apprehension Pursuit (SAP) training to front-line officers, making the TPS a leader within Ontario in this type of training.

Accordingly, a new driving course has been developed and will be delivered to front-line officers beginning in January 2014. The new program emphasizes appropriate decision making consistent with TPS procedures and relevant legislation, while utilizing scenarios developed from identified concerns.

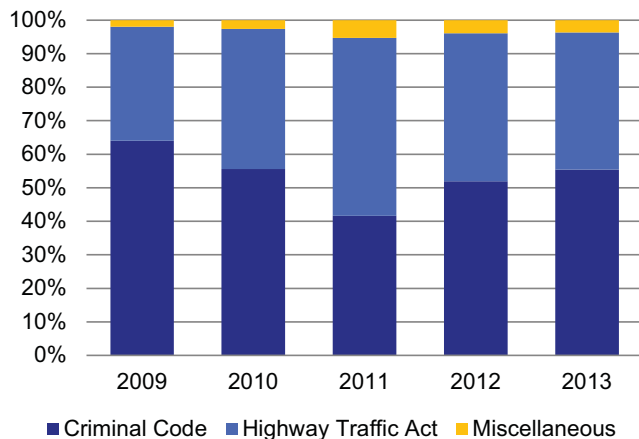
### Suspect Apprehension Pursuit (SAP) Training

In 2013, the TPS conducted service wide training for officers and supervisors in SAP. This training is mandatory every two years for any officer who may engage in a pursuit. PVO provides training accredited by the Ministry of Community Safety and Correctional Services to front-line officers, supervisors, and civilian communications personnel. Training ensures members are conversant with TPS procedures and focuses on identifying risks associated with pursuits and instruction on alternative strategies. SAP training is incorporated into all emergency vehicle driving instruction.

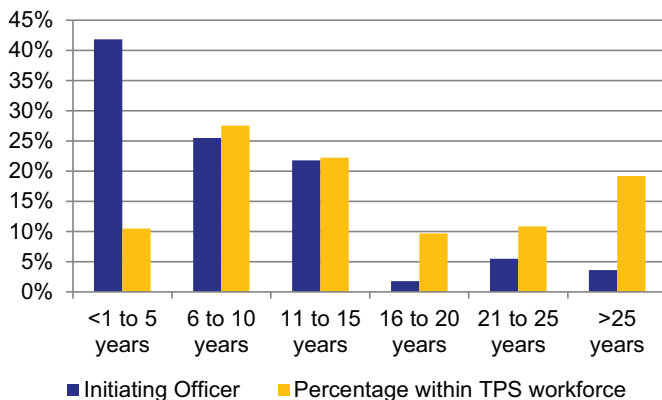
**Figure 7.1**  
Fail to Stop Reports and Pursuits Initiated



**Figure 7.2**  
Pursuit Initiation Reasons



**Figure 7.3**  
Years of Service of Initiating Officer



## Trend Analysis

### Number of Pursuits

In 2013, 113 Fail to Stop Reports were submitted, representing a 19.1% decrease from 2012 and a 23.1% decrease from the five year average. Of the reports submitted in 2013, 96.4% (110) resulted in the initiation of a pursuit, which is above the five year average of 91.4% (Figure 7.1).

### Reasons for Initiating Pursuits

Of the 110 pursuits initiated in 2013, 55.5% 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 has remained a top reason for initiating a pursuit under the *Criminal Code*, the number of pursuits initiated has decreased 42.6% compared to the five year average. In 2013, there were 14 pursuits for stolen vehicles, compared to the five year average of 24.4 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.

Of the pursuits initiated in 2013, 40.9% resulted from the commission of offences under the *Highway Traffic Act (HTA)*. This represents a decrease from 2012 (44.2%) and is below the five year average (42.8%). Within the *HTA* category, the most common reason for initiating a pursuit was in relation to moving violations, representing 17.3% of all pursuits initiated in 2013. Moving violations have consistently been the most common reason for initiating a non-criminal pursuit over the last five years, representing 26.8% of all pursuits.

Miscellaneous circumstances, including reports from the public and suspicious vehicles, accounted for 3.6% of pursuits initiated, as indicated in Figure 7.2.

### 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. There were no pursuits initiated in 2013 in which officers were in unmarked vehicles, which is a decrease from 2012 when four pursuits were initiated by officers in unmarked vehicles.

### Years of Service

In 2013, TPS officers with up to five years of service initiated the majority of pursuits (41.8%). 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 an increase in the percentage of pursuits discontinued by the initiating officer in 2013, from 36.4% of pursuits initiated in 2012 to 43.6% in 2013. When compared to the five-year average, pursuits discontinued by the initiating officer increased by 8.7% in 2013. This increase is in keeping with the technological and training enhancements the TPS has made to assist officers in this regard. The designated pursuit supervisor terminated 11.8% of pursuits initiated in 2013, compared to 17.8% in 2012.

In 5.5% of pursuits in 2013, officers were able to stop suspect vehicles using specific techniques (e.g. rolling block, intentional contact, etc.), which is comparable to the five year average of 5.3%. In 24.5% of pursuits initiated in 2013, the vehicle was stopped by the driver, an increase from 20.2% in 2012. Pursuit results are indicated in Figure 7.4.

## Collisions and Pursuit Related Injuries

In 2013, 16 pursuits resulted in collisions, representing 14.5% of all pursuits initiated. Of the 110 pursuits last year, one (0.9%) resulted in injuries with a total of three individuals injured: one individual in the pursued vehicle and two individuals in third party vehicles. The three individuals injured in 2013 is a decrease from eight injuries in 2012 and is below the five-year average of 12.2 injuries per year (Figure 7.5).

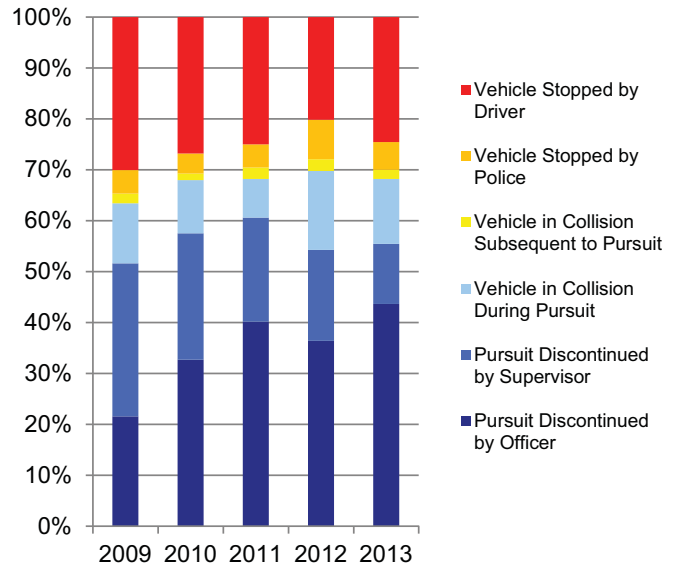
## Charges Laid in Initiated Pursuits

In 2013, 44 pursuits resulted in charges being laid in relation to offences under the *Criminal Code*, the *HTA*, and/or other statutes compared to 65 pursuits in 2012.

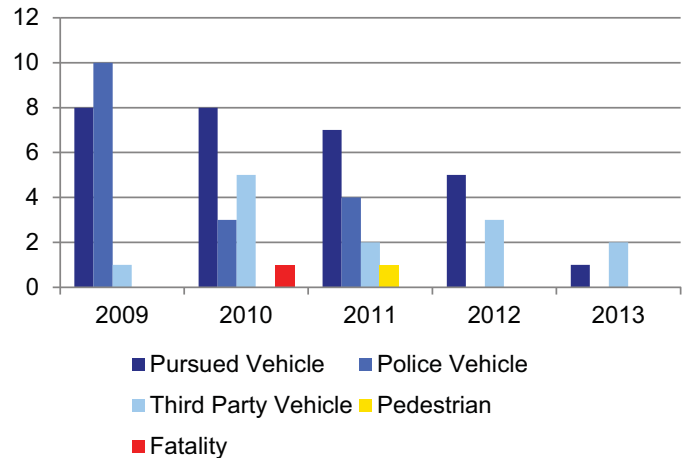
The 44 pursuits in 2013 leading to charges resulted in 46 people being charged with *Criminal Code* offences and 24 people with *HTA* offences, compared to 68 and 43 respectively in 2012.

In total, 247 combined *Criminal Code* and *HTA* charges were laid in 2013, representing a decrease from 351 charges in 2012. *Criminal Code* charges constituted the majority of those laid in 2013 (74.9%).

**Figure 7.4  
Pursuit Results**



**Figure 7.5  
Pursuit Related Injuries**



# Supplementary Data

## Public Complaints

Classification of Complaints					
Complaints - Investigated	2009	2010	2011	2012	2013
G20 Related	n/a	262	13	0	0
Conduct-Less Serious	380	394	389	225	228
Conduct-Serious	33	67	81	158	102
Policy	3	3	6	4	2
Service	4	15	11	9	21
<b>Number and Percentage of Complaints (Investigated)</b>	<b>420</b>	<b>741</b>	<b>500</b>	<b>396</b>	<b>353</b>
	<b>59.0%</b>	<b>64.7%</b>	<b>58.8%</b>	<b>51.6%</b>	<b>48.7%</b>
Complaints - Not Investigated	2009	2010	2011	2012	2013
G20 Related	n/a	14	6	1	0
Complaint Over Six Months	40	67	38	40	50
Frivolous	201	243	132	69	66
Made In Bad Faith	11	0	0	1	0
No Jurisdiction	5	35	131	177	78
Not Directly Affected	32	34	6	22	10
Not in the Public Interest	0	1	29	60	159
Not Signed	1	1	0	0	0
Vexatious	2	7	5	0	4
Withdrawn	0	3	3	1	5
<b>Number and Percentage of Complaints (Not Investigated)</b>	<b>292</b>	<b>405</b>	<b>350</b>	<b>371</b>	<b>372</b>
	<b>41.0%</b>	<b>35.3%</b>	<b>41.2%</b>	<b>48.4%</b>	<b>51.3%</b>
<b>Total Number of Public Complaints</b>	<b>712</b>	<b>1146</b>	<b>850</b>	<b>767</b>	<b>725</b>
<b>5 Year Average</b>	<b>840</b>				

Alleged Misconduct - Investigated Complaints										
	2009		2010		2011		2012		2013	
	#	%	#	%	#	%	#	%	#	%
Breach of Confidence	1	0.2	0	0.0	1	0.2	1	0.3	1	0.3
Corrupt Practice	0	0.0	1	0.2	1	0.2	1	0.3	1	0.3
Deceit	0	0.0	0	0.0	3	0.6	0	0.0	1	0.3
Discreditable Conduct	261	62.1	281	58.7	283	58.1	261	65.9	222	62.9
Insubordination	3	0.7	4	0.8	6	1.2	2	0.5	1	0.3
Neglect of Duty	23	5.5	20	4.2	42	8.6	24	6.1	14	4.0
Unlawful or Unnecessary Exercise of Authority	125	29.8	155	32.4	134	27.5	94	23.7	90	25.5
Policy/Service	7	1.7	18	3.8	17	3.5	13	3.3	23	6.5
<b>Total</b>	<b>420</b>	<b>100</b>	<b>479</b>	<b>100</b>	<b>487</b>	<b>100</b>	<b>396</b>	<b>100</b>	<b>353</b>	<b>100</b>

Number of Days to Conclude Complaint Investigations										
	2009		2010		2011		2012		2013	
	#	%	#	%	#	%	#	%	#	%
0 to 30 days	285	40.1	383	44.1	363	43.8	401	52.6	410	59.5
31 to 60 days	102	14.4	121	13.9	100	12.1	76	10.0	50	7.3
61 to 90 days	90	12.7	99	11.4	108	13.0	92	12.1	47	6.8
91 to 120 days	73	10.3	95	10.9	96	11.6	70	9.2	67	9.7
121 to 150 days	45	6.3	58	6.7	74	8.9	45	5.9	56	8.1
151 to 180 days	29	4.1	44	5.1	48	5.8	28	3.7	32	4.6
Over 180 days	86	12.1	68	7.8	39	4.7	50	6.6	27	3.9
<b>Total</b>	<b>710</b>	<b>100</b>	<b>868</b>	<b>100</b>	<b>828</b>	<b>100</b>	<b>762</b>	<b>100</b>	<b>689</b>	<b>100</b>

<b>Top Three Sub-Classifications of Alleged Misconduct</b>										
	<b>2009</b>		<b>2010</b>		<b>2011</b>		<b>2012</b>		<b>2013</b>	
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
<b>Discreditable Conduct</b>										
Discrimination	31	11.9	23	8.2	4	1.4	4	1.5	1	0.5
Profane language re: individuality	1	0.4	4	1.4	0	0.0	0	0.0	0	0.0
Profane language re: another Service member	2	0.8	1	0.4	1	0.4	0	0.0	0	0.0
Incivility	65	24.9	50	17.8	34	12.0	52	19.9	35	15.8
Makes false statement against Service member	0	0.0	4	1.4	1	0.4	0	0.0	0	0.0
Assault Service member	0	0.0	3	1.1	0	0.0	0	0.0	0	0.0
Found guilty of criminal offence	2	0.8	0	0.0	0	0.0	0	0.0	1	0.5
Contravene PSA	0	0.0	1	0.4	0	0.0	39	14.9	32	14.4
Acts in a disorderly manner	160	61.3	195	69.4	243	85.9	166	63.6	153	68.9
<b>Total</b>	<b>261</b>	<b>100</b>	<b>281</b>	<b>100</b>	<b>283</b>	<b>100</b>	<b>261</b>	<b>100</b>	<b>222</b>	<b>100</b>
<b>Neglect of Duty</b>										
Neglects to perform a duty	21	91.3	12	60.0	41	97.6	22	91.7	12	85.7
Fails to comply with provisions (SIU)	1	4.3	2	10.0	0	0.0	0	0.0	0	0.0
Fails to report offender	1	4.3	3	15.0	1	2.4	1	4.2	0	0.0
Fails to report matter	0	0.0	1	5.0	0	0.0	0	0.0	1	7.1
Omits to make entry in a record	0	0.0	0	0.0	0	0.0	0	0.0	1	7.1
Absent without leave or late for duty	0	0.0	2	10.0	0	0.0	1	4.2	0	0.0
<b>Total</b>	<b>23</b>	<b>100</b>	<b>20</b>	<b>100</b>	<b>42</b>	<b>100</b>	<b>24</b>	<b>100</b>	<b>14</b>	<b>100</b>
<b>Unlawful/Unnecessary Exercise of Authority</b>										
Unlawful/unnecessary arrest	23	18.4	43	27.7	36	26.9	40	42.6	15	16.7
Unnecessary force	102	81.6	112	72.3	98	73.1	54	57.4	75	83.3
<b>Total</b>	<b>125</b>	<b>100</b>	<b>155</b>	<b>100</b>	<b>134</b>	<b>100</b>	<b>94</b>	<b>100</b>	<b>90</b>	<b>100</b>

<b>Disposition - Investigated Complaints</b>										
	<b>2009</b>		<b>2010</b>		<b>2011</b>		<b>2012</b>		<b>2013</b>	
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
Frivolous	0	0.0	1	0.2	0	0.0	0	0.0	0	0.0
Informal Resolution	78	18.6	98	20.5	84	17.2	88	22.2	72	20.4
Misconduct Identified	10	2.4	15	3.1	14	2.9	11	2.8	11	3.1
No Further Action Required	1	0.2	9	1.9	10	2.1	2	0.5	3	0.8
No Jurisdiction	0	0.0	1	0.2	4	0.8	2	0.5	4	1.1
Policy/service - Action Taken	0	0.0	0	0.0	1	0.2	0	0.0	3	0.8
Policy/service-No Action Taken	4	1.0	12	2.5	3	0.6	0	0.0	8	2.3
Unsubstantiated	235	56.0	276	57.6	289	59.3	215	54.3	150	42.5
Withdrawn	90	21.4	65	13.6	79	16.2	74	18.7	62	17.6
Investigation not Concluded*	2	0.5	2	0.4	3	0.6	4	1.0	40	11.3
<b>Total</b>	<b>420</b>	<b>100</b>	<b>479</b>	<b>100</b>	<b>487</b>	<b>100</b>	<b>396</b>	<b>100</b>	<b>353</b>	<b>100</b>

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

Investigated Complaints by Unit										
	2009		2010		2011		2012		2013	
	#	%	#	%	#	%	#	%	#	%
11 Division	19	4.5	17	3.5	18	3.7	14	3.5	13	3.7
12 Division	14	3.3	14	2.9	22	4.5	17	4.3	16	4.5
13 Division	18	4.3	15	3.1	17	3.5	12	3.0	7	2.0
14 Division	32	7.6	39	8.1	41	8.4	29	7.3	34	9.6
22 Division	23	5.5	30	6.3	20	4.1	28	7.1	15	4.2
23 Division	20	4.8	19	4.0	24	4.9	12	3.0	13	3.7
31 Division	26	6.2	31	6.5	33	6.8	27	6.8	20	5.7
32 Division	14	3.3	12	2.5	17	3.5	15	3.8	13	3.7
33 Division	18	4.3	15	3.1	16	3.3	10	2.5	12	3.4
41 Division	18	4.3	21	4.4	19	3.9	13	3.3	6	1.7
42 Division	11	2.6	17	3.5	22	4.5	13	3.3	13	3.7
43 Division	17	4.0	36	7.5	18	3.7	16	4.0	14	4.0
51 Division	33	7.9	33	6.9	41	8.4	32	8.1	29	8.2
52 Division	50	11.9	41	8.6	36	7.4	30	7.6	20	5.7
53 Division	11	2.6	12	2.5	17	3.5	9	2.3	13	3.7
54 Division	18	4.3	17	3.5	15	3.1	13	3.3	4	1.1
55 Division	21	5.0	18	3.8	13	2.7	19	4.8	13	3.7
Communication Services	1	0.2	2	0.4	3	0.6	3	0.8	2	0.6
Community Mobilization	0	0.0	0	0.0	1	0.2	0	0.0	0	0.0
Corporate Planning	3	0.7	1	0.2	0	0.0	0	0.0	0	0.0
Court Services	1	0.2	0	0.0	0	0.0	0	0.0	0	0.0
Drug Squad	12	2.9	9	1.9	8	1.6	2	0.5	3	0.8
Emergency Task Force	5	1.2	3	0.6	5	1.0	2	0.5	0	0.0
Employment Unit	0	0.0	1	0.2	0	0.0	0	0.0	1	0.3
Financial Crimes Unit	2	0.5	1	0.2	2	0.4	3	0.8	0	0.0
Hold Up Squad	2	0.5	1	0.2	1	0.2	0	0.0	2	0.6
Homicide	0	0.0	0	0.0	2	0.4	1	0.3	2	0.6
Human Resource Management	0	0.0	1	0.2	0	0.0	0	0.0	0	0.0
Intelligence Division	1	0.2	0	0.0	0	0.0	0	0.0	2	0.6
Marine	0	0.0	2	0.4	0	0.0	2	0.5	2	0.6
Mounted & Police Dog Services	1	0.2	1	0.2	1	0.2	0	0.0	0	0.0
Not Applicable/Not Identified	3	0.7	15	3.1	16	3.3	35	8.8	48	13.6
Organized Crime Enforcement	2	0.5	7	1.5	4	0.8	6	1.5	4	1.1
Parking East	0	0.0	0	0.0	0	0.0	1	0.3	0	0.0
Professional Standards	0	0.0	0	0.0	2	0.4	3	0.8	0	0.0
Provincial ROPE Squad	0	0.0	0	0.0	2	0.4	0	0.0	1	0.3
Public Safety & Emergency Mgmt	0	0.0	1	0.2	0	0.0	0	0.0	0	0.0
Records Management Services	0	0.0	3	0.6	0	0.0	1	0.3	3	0.8
Sex Crimes Unit	0	0.0	1	0.2	6	1.2	1	0.3	0	0.0
TAVIS/DPC	8	1.9	21	4.4	22	4.5	10	2.5	6	1.7
Toronto Police College	1	0.2	1	0.2	1	0.2	0	0.0	1	0.3
Traffic Services	15	3.6	21	4.4	22	4.5	17	4.3	21	5.9
<b>Total</b>	<b>420</b>	<b>100</b>	<b>479</b>	<b>100</b>	<b>487</b>	<b>100</b>	<b>396</b>	<b>100</b>	<b>353</b>	<b>100</b>

## Use of Force

Use of Force Options Employed				
Type of Force Used	2012		2013	
	#	%	#	%
<b>Conducted Energy Weapons</b>				
<i>Demonstrated Presence</i>	131	6.5	107	6.3
<i>Drive Stun</i>	32	1.6	20	1.2
<i>Full Deployment</i>	92	4.6	65	3.8
<b>Physical Control</b>				
<i>Hard only</i>	116	5.7	99	5.8
<i>Soft only</i>	470	23.3	395	23.2
<i>Both Hard &amp; Soft</i>	72	3.6	77	4.5
Firearm Discharge - Intentional	23	1.1	41	2.4
Firearm Pointed at Person	1268	62.7	1037	60.8
Handgun - Drawn only	186	9.2	211	12.4
<b>Impact Weapons Used</b>				
<i>Hard only</i>	54	2.7	36	2.1
<i>Soft only</i>	19	0.9	7	0.4
<i>Both Hard &amp; Soft</i>	5	0.2	3	0.2
<b>Oleoresin Capsicum Spray</b>	68	3.4	57	3.3
<b>Other Type of Force</b>	31	1.5	7	0.4
<b>Police Dog</b>	11	0.5	7	0.4
<b>Total Use of Force Reports</b>	<b>2012</b>		<b>2013</b>	
	<b>2021</b>		<b>1706</b>	

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 reports. For example, in 2013, Conducted Energy Weapons were used 107 times as a demonstrated presence within the 1706 use of force reports (6.3% of reports).

Initial Reason for Use of Force				
Initial Reason for Use of Force	2012		2013	
	#	%	#	%
Accidental	7	0.5%	4	0.3%
Destroy An Animal	17	1.2%	20	1.7%
Effect Arrest	531	37.7%	417	36.3%
Other	22	1.6%	18	1.6%
Prevent Commission Of Offence	13	0.9%	15	1.3%
Prevent Escape	36	2.6%	20	1.7%
Protect Public	61	4.3%	64	5.6%
Protect Self	720	51.2%	592	51.5%
<b>Total # of Incidents</b>	<b>1407</b>	<b>100.0%</b>	<b>1150</b>	<b>100.0%</b>



<b>Officer Duties at Time of Incident</b>				
	<b>2012</b>		<b>2013</b>	
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
Directed Patrol	34	1.7%	29	1.7%
Foot Patrol	43	2.1%	60	3.5%
Crowd Control	0	0.0%	4	0.2%
General Patrol	959	47.2%	906	53.1%
Investigation - Drugs	49	2.4%	61	3.6%
Investigation - Other	226	11.1%	135	7.9%
Off-Duty	4	0.2%	0	0.0%
Other Type Of Assignment	97	4.8%	66	3.9%
Paid Duty	12	0.6%	8	0.5%
PDS/Mounted	7	0.3%	7	0.4%
Special OPS (eg. G&G,ROPE)	40	2.0%	16	0.9%
Tactical	496	24.4%	375	22.0%
Traffic Patrol	54	2.7%	39	2.3%
<b>Total # of Reports</b>	<b>2021</b>	<b>99.6%</b>	<b>1706</b>	<b>100.0%</b>

<b>Category of Incidents Where Force Used</b>				
<b>Type of Incident</b>	<b>2012</b>		<b>2013</b>	
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
Animal Related	15	1.1	18	1.6
Arrest/Prisoner Related	26	1.8	11	1.0
Assault/Serious Injury	59	4.2	59	5.1
Break And Enter	47	3.3	35	3.0
Domestic Disturbance	60	4.3	40	3.5
Drug Related	41	2.9	29	2.5
EDP	113	8.0	84	7.3
Pursuit	6	0.4	16	1.4
Robbery Call	67	4.8	46	4.0
Search Warrant/Warrant Related	359	25.5	306	26.6
Stolen Vehicle	20	1.4	23	2.0
Suspicious Person Call	35	2.5	15	1.3
Traffic Stop	53	3.8	26	2.3
Unknown Trouble Call	23	1.6	29	2.5
Wanted Person	43	3.1	30	2.6
Weapons Call	272	19.3	225	19.6
Other	168	11.9	158	13.7
<b>Total # of Incidents</b>	<b>1407</b>	<b>100.0</b>	<b>1150</b>	<b>100.0</b>

<b>Perceived Weapons Carried by Subject</b>				
<b>Type of Weapon</b>	<b>2012</b>		<b>2013</b>	
	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
Animal - No Weapon	7	0.5	8	0.7
Baseball Bat/Club	17	1.2	42	3.7
Bottle	8	0.6	5	0.4
Knife/Edged Weapon	236	16.8	269	23.4
<i>Firearms</i>				
Handgun	183	13.0	103	9.0
Rifle	36	2.6	23	2.0
Semi-Automatic	719	51.1	497	43.2
Shotgun	35	2.5	30	2.6
Other-Firearm	33	2.3	41	3.6
None	265	18.8	158	13.7
Other	86	6.1	49	4.3
Unknown	647	46.0	572	49.7
<b>Total Use of Force Incidents</b>	<b>2012</b>		<b>2013</b>	
	<b>1407</b>		<b>1150</b>	

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 2013, a bottle was involved five times in the 1150 incidents (0.4% of incidents).

## Suspect Apprehension Pursuits

Pursuit Initiation Reason										
	2009		2010		2011		2012		2013	
	#	%	#	%	#	%	#	%	#	%
<b>Criminal Code</b>										
Break and Enter	2	1.3	5	3.3	3	2.3	5	3.9	2	1.8
Dangerous Operation	18	11.8	23	15.0	16	12.1	21	16.3	22	20.0
Impaired Operation	19	12.4	10	6.5	2	1.5	4	3.1	8	7.3
Other	14	9.2	17	11.1	10	7.6	9	7.0	13	11.8
Prohibited Operation	1	0.7	1	0.7	1	0.8	0	0.0	0	0.0
Robbery	3	2.0	5	3.3	3	2.3	5	3.9	2	1.8
Stolen Vehicle	41	26.8	24	15.7	20	15.2	23	17.8	14	12.7
<b>Sub-total</b>	<b>98</b>	<b>64.1</b>	<b>85</b>	<b>55.6</b>	<b>55</b>	<b>41.7</b>	<b>67</b>	<b>51.9</b>	<b>61</b>	<b>55.5</b>
<b>Highway Traffic Act</b>										
Equipment Violation	9	5.9	13	8.5	6	4.5	10	7.8	11	10.0
Moving Violation	29	19.0	38	24.8	53	40.2	42	32.6	19	17.3
Other	9	5.9	7	4.6	8	6.1	5	3.9	14	12.7
R.I.D.E.	1	0.7	1	0.7	1	0.8	0	0.0	0	0.0
Suspended Driver	4	2.6	5	3.3	2	1.5	0	0.0	1	0.9
<b>Sub-total</b>	<b>52</b>	<b>34.0</b>	<b>64</b>	<b>41.8</b>	<b>70</b>	<b>53.0</b>	<b>57</b>	<b>44.2</b>	<b>45</b>	<b>40.9</b>
<b>Miscellaneous</b>										
Other	0	0.0	2	1.3	5	3.8	3	2.3	1	0.9
Report from Public	0	0.0	1	0.7	0	0.0	0	0.0	1	0.9
Suspicious Vehicle	3	2.0	1	0.7	2	1.5	2	1.6	2	1.8
<b>Sub-total</b>	<b>3</b>	<b>2.0</b>	<b>4</b>	<b>2.6</b>	<b>7</b>	<b>5.3</b>	<b>5</b>	<b>3.9</b>	<b>4</b>	<b>3.6</b>
<b>Total</b>	<b>153</b>	<b>100.0</b>	<b>153</b>	<b>100.0</b>	<b>132</b>	<b>100.0</b>	<b>129</b>	<b>100.0</b>	<b>110</b>	<b>100.0</b>

# 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.