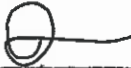


07-08-21



FORWARDED TO
POLICE SERVICES BOARD

DATE AUG 11, 2021



CHIEF OF POLICE

REPORT
Police Services Board

For Information

File Class: 1-01-02-01

PSB REC: AUG 11, 2021
LOG # 37-21
FILE CLASS: P01

Cross-Reference File Class: _____

DATE: July 21, 2021

SUBJECT: **2020 Corporate Risk Management Annual Public Report**

FROM: Chief of Police, Nishan Duraiappah

RECOMMENDATION

It is recommended that this document be received as the 2020 Corporate Risk Management Annual Public Report.

- REPORT HIGHLIGHTS**
- Civil Actions Initiated Against the Police;
 - Investigative Support Bureau;
 - Police Service Act Discipline Offenses;
 - Public Complaints;
 - Suspect Apprehension (Police Pursuits);
 - Use of Force Reports.

The purpose of this report not only provides transparency for the public, as well as satisfies annual legislated reporting to the Police Services Board. This report contains data as it relates to risk management within the Professional Standards Bureau, Suspect Apprehension Pursuits and Use of Force.

CIVIL ACTIONS INITIATED AGAINST THE POLICE

Administrative Processing Of Civil Actions

Statements of Claim are managed by the Civil Litigation Bureau working under the umbrella of Legal Services. When a civil action is served upon the Peel Regional Police, it is forwarded to General Counsel in Legal Services who assigns it to the Civil Litigation Bureau. The Civil Litigation Bureau sends a copy of the action immediately to the Region of Peel, Corporate Finance Division, Loss Management section.

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OFFICE OF THE CHIEF

The Civil Litigation Bureau opens and maintains a case file specific to each civil action and these claims are divided into two categories for statistical purposes: Civil Claims and Fleet Claims. The pertinent information is gathered and forwarded to the assigned counsel as the circumstances dictate. The Civil Litigation Bureau assists both the Claims Analyst at the Region of Peel and legal counsel in managing the claim throughout the duration of the case, which can include conducting follow-up investigation as well as ensuring officers are available for consultation with legal counsel and to testify in civil court when necessary.

Civil Claims – Statistics

The number of *Statements of Claim received* over the past 5 years has remained steady with an average of 22.8 claims per year. In 2020, the number of *Statement of Claims received* increased significantly compared to the previous year, and the number of *outstanding claims* at year-end increased compared to the previous year.

Civil Claims					
	2020	2019	2018	2017	2016
Civil Actions Received	28	16	29	15	24
Outstanding Civil Actions Year-end	83	71	77	80	85
Total Value Outstanding Claims Year End	\$2,285,455,781.16	\$632,665,279.16	\$590,288,628.16	\$404,677,568.16	\$443,172,255.16
Resolved Cases	16	22	32	20	20
Total Damages Paid	\$1,702,500.00	\$151,429.30	\$233,500.00	\$167,700.00	\$5,000.00

(Table 1)

There were 28 new civil actions initiated against the Peel Regional Police in 2020.

As of December 31st, 2020, there were 83 civil actions outstanding from the years 2006 through 2020. The total face value of these outstanding actions (as claimed by the plaintiffs) is \$2,285,455,781.16.

In 2020, the number of civil matters "*resolved*" decreased significantly from the previous four years. The "*total damages paid*" were significantly higher than the previous four years. This was the result of a significant increase in the negotiated settlement in one civil file with a large amount of damages paid.

There were 16 civil actions resolved in 2020 with "*Total Damages Paid*" by Peel Regional Police in the amount of \$1,702,500.00. Three of these claims were settled by damages paid out. One claim in particular was settled for a significant amount of damages and accounted for the majority of the total damages paid. Notably, there were six files from the same plaintiff over a number of years. Legal counsel was able to have this person declared a "vexatious litigant" and subsequently the other five files were "stayed". All other claims were abandoned, discontinued, dismissed and dismissed for delay.

Fleet Claims - 2020

The number of Fleet claims received in 2020 increased slightly from last year however has decreased over the five-year period. The amount of "total damages paid" increased slightly from last year however is significantly higher over the five-year period.

Fleet Claims					
	2020	2019	2018	2017	2016
Fleet Claims Received	3	2	7	6	5
Outstanding Fleet Actions Year-end	15	19	23	24	24
Total Value Outstanding Claims Year End	\$24,115,000.00	\$34,315,000.00	\$37,280,000.00	\$39,230,000.00	\$44,480,000.00
Resolved Cases	7	6	8	6	3
Total Damages Paid	\$735,500.00	\$696,566.66	\$281,000.00	\$113,000.00	\$267,000.00

(Table 2)

There were three new fleet claims initiated against the Peel Regional Police in 2020. As of December 31st, 2020 there were 15 fleet claims outstanding from the years 2013 through 2020. The total face value of these outstanding actions (the total value as claimed by the plaintiffs) is \$24,115,000.00 (Refer to Table 2).

In 2020, seven fleet claims were resolved with "Total Damages Paid" by Peel Regional Police in the amount of \$735,500.00. This is a significant increase to the amount paid compared to the previous five years with the exception of last year. This is primarily due to four matters which were settled for moderate to large amounts. In two of the large settlements, there were also settlement amounts paid by another party in the claim.

Notice of Intent (Non Claims) – 2020

There was one Notice of Intent file in 2020 which was reported settled by the Claim Analyst at the Region of Peel. This was a pro-active approach to settling the Notice of Intent prior to the claim being issued and counsel being assigned, which resulted in a decrease of costs.

Costs of Defending Claims

The costs of defending the Statements of Claim against Peel Regional Police in 2020, as reported by the Region of Peel, Corporate Finance Division, Loss Management section are as follows:

Costs of Defence					
Type	2020	2019	2018	2017	2016
Civil Litigation Files	\$425,783.46	\$494,686.52	\$573,134.09	\$715,258.19	\$478,785.00
Fleet Files	\$165,429.24	\$182,967.23	\$202,026.32	\$277,283.82	\$152,055.08

TOTAL	\$591,212.70	\$677,653.75	\$775,160.41	\$992,542.01	\$630,840.08
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(Table 3)

The data in Table 3 is exclusive of any negotiated settlement payments or payments made by Order of the Court. Region of Peel Corporate Finance Division, Loss Management section only began reporting on the Costs of Defence in 2010.

Conclusion

In 2020, there were a total of 31 new Statement of Claims filed against Peel Regional Police. At year end, 98 files were outstanding. The “total amount claimed” outstanding at the end of the year, for all files, was \$2,309,570,781.16. The “total damages paid” by Peel Regional Police, for the combined claims in 2020, was \$2,438,000.00.

The “total cost of defending” both Civil and Fleet claims for 2020 was \$591,212.70.

INVESTIGATIVE SUPPORT BUREAU

The Special Investigations Unit is a civilian law enforcement agency that investigates incidents involving police officers where there has been death, serious injury or allegations of sexual assault. The Unit’s jurisdiction covers more than 50 municipal, regional and provincial police services across Ontario.

Under the *Police Services Act*, the Director of the SIU must determine based on the evidence gathered in an investigation whether an officer has committed a criminal offence in connection with the incident under investigation. If, after an investigation, there are reasonable grounds to believe that an offence was committed, the Director has the authority to lay a criminal charge against the officer. Alternatively, in all cases where no reasonable grounds exist, the Director does not lay criminal charges but files a report with the Attorney General communicating the results of an investigation.

The Investigative Support Bureau shall:

- (a) be designated as the policy centre for S.I.U. matters in order to maximize efficiency and consistency of operation;
- (b) conduct the administrative investigation for the purpose of reviewing procedures, processes and practices of P.R.P. in relation to all incidents under investigation by the S.I.U.; and,
- (c) direct the investigation into the criminal conduct of any person injured in the Occurrence, who forms the basis of the S.I.U. investigation.

The following statistics relate to incidents involving members of Peel Regional Police in which the Special Investigations Unit became involved. These statistics are shown in comparison with those captured at year end in 2018 and 2019.

Investigations	2020	2019	2018
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S.I.U. Investigations	28	36	25
Subject Officers Designations	32	34	15
Witness Officers Designations	119	71	26
Total Legal Expenses	201,225.50	\$100,331.55	\$100,390.35
Disposition of Cases			
Case closed: No further action	20	17	32
Cases involving other police services	1	0	0
Investigations terminated	4	11	17
Cases where charges laid	2	2	1
Investigations ongoing	22	19	14

Conclusion

The Special Investigations Unit became involved in a total of 28 Peel Regional Police incidents in 2020. The S.I.U. closed 20 investigations indicating that there would be "No Further Action" as the officers were cleared of any criminal liability. They terminated four investigations based on evidence showing that the injuries were not as serious as first believed, or that the Peel Regional Police member was not directly involved.

Currently there are 22 ongoing investigations. There was one incident where a member of the Peel Regional Police was designated as a witness official for an incident involving an officer employed by another Police Service.

A total of 151 officers were designated in 2020: 32 as subject officials and 119 as witness officials. Legal representation was requested by and provided for the designated officials.

The total legal expenses incurred in 2020 were \$201,225.50, twice as much as 2019.

POLICE SERVICE ACT DISCIPLINE OFFENCES

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

A total of ten *Police Services Act* hearings were initiated during the course of 2020. Three of these matters were not completed however because of loss of jurisdiction due to resignation or retirement.

The following is the disposition of these matters:

1. Summary of Offence:

Officer was found guilty of the criminal offence of Operate Motor Vehicle with Excess Blood Alcohol. Officer was then found guilty of Discreditable Conduct under the PSA.

Disposition:

A reduction in rank from 1st Class Constable to 2nd Class Constable for a period of eight months to be served upon the officers return to service with the PRP as a sworn officer, from his current secondment.

2. Summary of Offence:

Count 1 – Officer found guilty of Discreditable Conduct following a PSA hearing regarding the solicitation of a prostitute while on duty.

Count 2 - Officer found guilty of Neglect of Duty following a PSA hearing regarding the solicitation of a prostitute while on duty.

Disposition: Loss of jurisdiction as the officer retired February 28, 2020.

3. Summary of Offence:

Count 1 – Officer found guilty of Discreditable Conduct. Officer was operating a motor vehicle while ability impaired by alcohol.

Count 2 – Officer was found guilty of insubordination for carrying Use of Force equipment while off duty.

Disposition:

Count 1 – Reduction of rank from Sergeant to 1st Class Constable for a period of nine months, following which the officer will be returned to the rank of Sergeant on the basis of satisfactory work performance to be determined by the officer's Divisional Commander.

Count 2 – Forfeiture of six days (48 hours) to be served at the discretion of the Divisional Commander.

4. Summary of Offence:

Count 1 – Officer found guilty Unlawful of Unnecessary Exercise of Authority for using excessive force without justification.

Count 2 – Officer found guilty of Discreditable Conduct for uncivil comments made to Affected Person.

Disposition: Memorandum of Agreement for the forfeiture of three, eight hour days pay.

5. Summary of Offence:

Count 1 – Officer was charged under the PSA with Unlawful of Unnecessary Exercise of Authority due to allegations of improper conduct and investigation.

Counts 2-4 - Officer was charged under the PSA with Discreditable Conduct due to allegations of improper conduct and investigation.

Count 5 - Officer was charged under the PSA with Neglect of Duty due to allegations of improper conduct and investigation.

Disposition: Dismissed.

6. Summary of Offence:

Count 1 – Officer charged with Discreditable Conduct under the PSA following an arrest for assault by OPP while off duty.

Count 2 - Officer charged with Discreditable Conduct under the PSA due to improper conduct during a traffic stop while off duty.

Count 3 - Officer charged with Discreditable Conduct under the PSA as a result of improper conduct during a traffic stop where an ASD registered 'warn'.

Count 4 - Officer charged with Discreditable Conduct under the PSA as a result of improper conduct during a traffic stop, officer received PON for "operate motor vehicle, no current validated permit", cautioned for four other offences.

Count 5 – Officer charged with Discreditable Conduct under the PSA due to unauthorized CPIC queries.

Count 6 – Officer charged with Deceit under the PSA for failing to surrender PRP Photo ID card.

Disposition: The officer resigned July 27, 2020.

7. Summary of Offence:

Count 1 – Officer was charged under the PSA with Neglect of duty due to allegations of improper conduct.

Disposition: Not Guilty.

8. Summary of Offence:

Count 1 – Officer charged with Discreditable Conduct under the PSA for unwanted sexual / inappropriate communications.

Count 2 – Officer charged with Discreditable Conduct under the PSA for unauthorized queries.

Count 3 – Officer charged with Discreditable Conduct under the PSA for unauthorized queries.

Count 4 – Officer charged with Discreditable Conduct under the PSA for unauthorized queries.

Count 5 – Officer charged with Discreditable Conduct under the PSA for unwanted sexual / inappropriate communications.

Count 6 – Officer charged with Discreditable Conduct under the PSA for unwanted sexual / inappropriate communications.

Count 7 – Officer charged with Discreditable Conduct under the PSA for unwanted sexual / inappropriate conduct while on duty.

Count 8 – Officer charged with Discreditable Conduct under the PSA for unwanted sexual / inappropriate communications.

Count 9 – Officer charged with Discreditable Conduct under the PSA for unauthorized queries.

Count 10 – Officer charged with Discreditable Conduct under the PSA for unauthorized queries.

Count 11 – Officer charged with Discreditable Conduct under the PSA for unauthorized queries.

Count 12 – Officer charged with Discreditable Conduct under the PSA for unauthorized queries.

Count 13 – Officer charged with Neglect of Duty for improper notes.

Disposition: The officer retired in October 2020.

9. Summary of Offence:

Count 1 – Officer was found guilty of Neglect of Duty because the Officer attended Wilkinson Shelter without advising dispatcher. Separated parties involved in an assault and advised victim to call 911 then left the premise.

Disposition:

Forfeiture of five, eight hour days to be served at the discretion of the Unit Commander.

10. Summary of Offence:

Count 1 – Officer was charged under the PSA with Neglect of Duty due to allegations of improper investigation.

Disposition: Not Guilty

Findings

The following Police Service Act investigation statistics provides an annual comparison.

2020	2019	2018	2017	2016
7	5	8	10	14
Year over year average is 9.				

PUBLIC COMPLAINTS

Discussion

The public complaint process in 2020 was governed under Part V of the *Police Services Act of Ontario* as enacted through Section 10 of Bill 103 in the fall of 2009. The administration of this process is governed by rules established by the Office of Independent Police Review Director (OIPRD). This makes 2020 the eleventh full year for statistics in which the public complaint

process has been governed by the OIPRD. Statistics for this year's complaints are categorized as follows:

- Conduct of officers;
- Policies of the police service or;
- Services provided by the police service.

Analysis

The Public Complaints Investigation Bureau received 111 conduct complaints from the Office of the Independent Police Review Director (OIPRD) in 2020. This represents a 16.8% increase from the 95 complaints received in 2019. Compared to a five-year average of 101 per calendar year, 2020 marked an increase of 9.8% over the previous five-year average.

The OIPRD retained one complaint for investigation in 2020, compared to 11 in 2019. This calculated to a 91% decrease from the previous year. The OIPRD assigned one investigation to an external police service to investigate compared to zero in 2019.

There were two conduct complaint investigations that resulted in discipline in 2020, compared to zero in 2019.

There were three service complaints in 2020, compared to three in 2019. There were zero policy complaints in 2020, compared to one in 2019.

There was 158 Administrative Files sent to Peel Regional Police from the OIPRD in 2020, compared to 102 in 2019. These are complaint files sent to the Peel Regional Police by the OIPRD that have been deemed by them as being; frivolous, vexatious, made in bad faith; more appropriately dealt with by another Act or law; past the legislative time limit to be investigated; not in the public interest to proceed.

There were 13 Local Resolutions in 2020, compared to eight in 2019. A Local Resolution is when a citizen chooses to go directly to the police service with a complaint and has come to an agreement about how to resolve the complaint informally.

In 2013, Peel Regional Police was selected by the OIPRD to participate in a new mediation pilot project, Customer Service Resolution (CSR). The CSR program provides an opportunity for complainants and respondent officers to voluntarily resolve complaints before they are formally screened under the *Police Service Act*. In 2020, there were eight CSR agreements assigned compared to 21 in 2019.

In 2017, the OIPRD introduced another new pilot project called the Enhanced Mediation Program (EMP). This program identifies complaints that can be screened in for investigation however prior to the investigative process, the OIPRD deems them suitable for participation in informal resolution via mediation. If all parties agree, a third party mediation service facilitates the informal resolution process. However, should one of the parties not agree to informally resolve the complaint, the complaint is re-screened and assigned for investigation.

There were zero EMP complaints assigned for informal resolution in 2020 compared to four in 2019.

The Ontario Civilian Police Commission (formally OCCPS) did not forward any complaints for investigation in 2020.

Finally, as of December 31, 2020, the Public Complaints Investigation Bureau had 34 open/ongoing investigations, and there were five open/ongoing investigations that were previously retained by the Office of the Independent Police Review Director.

Active/Open Investigations	2020	2019	2018	2017	2016
	34	37	38	38	23

Dispositions of Completed Investigations – 5 Year Trend

94% of 2020 Public Complaints were; Informal Resolutions, Unsubstantiated, or Withdrawn. The “Other” category includes; Frivolous, Abandoned, Loss of Jurisdiction, and Past Time Limit.

Disposition	2020	2019	2018	2017	2016
Informal Resolutions	39	46	38	45	44
Unsubstantiated	39	23	30	14	16
Withdrawn	33	24	24	31	22
Other	5	4	3	2	2
Substantiated	2	0	0	5	2
Total	118	97	95	97	86

SUSPECT APPREHENSION PURSUITS (SAP)

Background

The purpose of this report is to provide the board with a summary of information related to SAP incidents that have occurred within the Region of Peel in 2020. This report also provides a five year statistical analysis of these incidents related to compliance, training and service policies/legislation. Suspect Apprehension Pursuits are regulated and audited under Provincial legislation. PRP’s policy and practices meet current legislated requirements.

Findings

The following pursuit statistics provide an annual comparison of SAP incidents:

2020	2019	2018	2017	2016
30	29	40	15	24
Five year average = 28				

The following pursuit statistics provide an overview of 2020 compliance with legislation and service policy.

STATUS	2020	DEBRIEFING	REMEDIAL TRAINING
COMPLIANT	23	23	0
NON-COMPLIANT	7	7	7

Risk Management

Every police pursuit incident initiates a risk mitigation process that provides specific details of the incident to a series of evaluators that can initiate improvement towards training practices and service policies with the goal of reducing the number of SAP incidents.

Following each SAP, an investigation is commenced by a Supervisor not involved in the incident. That investigative report is reviewed by a Divisional Command Team and then forwarded to the Driver Training Bureau where the reports are maintained for training purposes.

The Driver Training Bureau conducts debriefings of all Primary Officers who have been involved in SAP incidents. This process provides an opportunity to both reinforce existing SAP training, while providing valuable feedback and verification on training effectiveness and opportunities for the enhancement of training practices.

The Driver Training Bureau forwards the investigative reports to the SAP Review Committee that is comprised of members from:

- Community Policing Operations Command
- Communications Services
- Police Vehicle Operations

The committee reviews each investigative report and the comments of the Divisional Command Team regarding compliance with legislation and service policy.

If the committee determines the Officer to be non-compliant then they will forward notification that the Officer will undergo remedial SAP training.

On a quarterly basis the Suspect Apprehension Committee will forward a detailed report regarding SAP incidents to the Chiefs Management Group (CMG) through the Deputy Chief Corporate Services Command.

Initiatives

The COVID pandemic severely limited the roll out of any new initiatives in 2020.

Having said that the initiatives put in place in 2019 have had a positive effect. The number of pursuits initiated for property offences decreased while the number of pursuits terminated at the discretion of the pursuing officer increased.

Observable Trends

In addition to training recommendations the Suspect Apprehension Committee is also tasked with reviewing investigative reports in order to determine causal trends for SAP incidents.

2020 statistical data showed an increase of one SAP incident from the previous year. Observable trends reported in the 2020 investigative reports included the following:

- a) 19 of the pursuits (63%) began as a result of either a criminal driving offence or a Highway Traffic Act offence. Seven of the pursuits (23%) were for impaired driving.
- b) Two of the pursuits (7%) were for property offences; 10 pursuits (33%) were for violent offences including firearm offences and two (7%) were for abductions.
- c) Nine pursuits (30%) were terminated by a Supervisor; 12 pursuits (40%) were terminated by the pursuing officer; two pursuits (7%) were terminated by "pursuit intervention techniques" and three pursuits (10%) concluded as a result of the culprit vehicle becoming involved in a collision.
- d) In 18 of the pursuits (60%) the culprits were either arrested at the scene or later identified and an arrest warrant issued. In 12 of the pursuits (40%) the culprits have not been identified.

Conclusion

SAP incidents are a priority within the PRP risk mitigation process and initiatives to enhance Officers' training and reduce the number of SAP incidents are continuously reviewed for implementation by the SAP Review Committee.

USE OF FORCE

Background

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 reasonable force when necessary to carry out their duties. Regulations issued by the Ontario Ministry of the Solicitor General specifically address the reporting requirements of these events. Reported information is focused on identifying and evaluating training needs in general terms and/or specific to individual officers. This annual report provides a summary of all Use of Force incidents during 2020 involving members of Peel Regional Police (PRP).

Reporting Requirements

Peel Regional Police Directive I-B-102(F) specifies when an officer shall submit a Use of Force Report as required by the *Ontario Police Services Act, Regulation 926* Section 14.5(1).

PRP Directive I-B-102 (F), section T (1) states:

T. Provincial Use of Force Reports

1. *Any force applied to a subject that results in injury, a complaint, or the anticipation of a complaint shall be reported to an immediate Supervisor on the P.R.P. #296 (as set out in the Equipment and Use of Force Regulation 926) within three days of the incident. If the member is incapacitated, the Provincial Use of Force Report shall be completed by the member's immediate Supervisor **within three days of the incident**. Regardless of injury or complaint, a Provincial Use of Force Report shall be submitted if a member uses any weapon, including:*

- (a) *A handgun - drawn in the presence of a member of the public, excluding a member of P.R.P. who is on duty;*
- (b) *A firearm – points a firearm at a person, or discharges a firearm and includes all negligent discharges regardless of circumstance;*
- (c) *A weapon, other than a firearm, including a weapon of opportunity;*
- (d) *Physical force on another person that results in an injury requiring medical attention;*

Note: The leader of a specialist team (Tactical Unit or Public Safety Unit only) may submit a team report.
- (e) *A baton – whenever a person is authorized to use force uses the baton against a person, regardless of whether any injury is sustained, or a complaint is received;*
- (f) *A Conducted Energy Weapon (C.E.W.) – in cartridge/probe mode, three point contact, and drive/push stun mode, regardless of whether there is an injury sustained or a complaint received; or as demonstrated force presence; or,*
- (g) *An Oleoresin Capsicum (O.C.) Spray – when used independently, or with any other use of force method, regardless of whether any injury is sustained or a complaint is received.*

Training Requirements

Ontario Policing Standards (OPS) AI-012 Use of Force Guidelines and the Equipment and Use of Force Regulation (Ontario Regulation 926/90), outlines standards regarding training, equipment, qualifications and re-qualifications.

This regulation prohibits a member of a police service from using force on another person unless the member has successfully completed the prescribed training course. Use of force re-qualification is mandatory for every member who uses, or may be required to use force or carry a weapon. The use of force training courses taught by PRP meet the requirements set by the Ontario Ministry of the Solicitor General and in some instances exceed the standards. Each member is required to pass the requalification course every twelve months.

Annual Use of Force Training

The design and delivery of Use of Force training is subject to an internal review on an annual basis. In identifying trends, the objective is to provide officers with the knowledge, skills and abilities to appropriately deal with situations they may encounter during the course of their duties. The Learning and Development Bureau conducts annual environmental scans related to police reviews and use of force encounters, including those involving armed individuals in crisis. Based on these activities, specific training scenarios are designed to assist officers encountering emotionally disturbed persons (EDP) who are in crisis.

In June 2017, the Chief's Management Group (CMG) approved the name change of the Use of Force Training Unit to the Incident Response Training Unit (IRTU), which more accurately reflects the nature of training provided to officers. Included in this rebranding was the addition of two days to the provincially mandated annual use of force training.

Statistical Data and Analysis

The data used to prepare this report is compiled from PRP Use of Force Reports from 2018 to 2020.

As of January 1, 2020, the current PRP Use of Force Report was replaced with the **NEW** Ministry of the Solicitor General Use of Force Report.

The new report captures statistics in the following areas:

- Perceived race of subject by the officer;
- Total number of use of force incidents;
- Breakdown of types of calls for service;
- Injuries to subjects and officers;
- Number of incidents and types of weapons carried / used by the subject;
- Officer assignments at time of incident;
- Number of Police present at time of incident; and
- Number of subjects involved per incident.

It should be noted that some categories in the Use of Force report allows for more than one option within a particular classification, for example "Types of Calls for Service" and "Use of Force Options Utilized." For this reason, the total of all category entries may exceed the number of actual Use of Force reports.

Total Number of Use of Force Incidents

For this section, "incidents" refers to the total number of service calls combined with total number of officer initiated traffic stops. The number of use of force incidents reflects the number of incidents where a level of force was used, requiring a report to be submitted.

Use of Force Reports compared to Total Number of Incidents			
Year	Calls for Service	Number of Use of Force Reports	Percentage of Service Calls where U of F Report Completed
2018	282,496	808	0.29%
2019	298,930	838	0.28%
2020	266,051	853	0.32%
3 Year Average	282,492	833	0.30%

While the total number of calls for service decreased in 2020, the total number of use of force reports increased by 0.04% or 15 reports. The increase can be attributed to the CEW expansion and reporting requirements. The reporting requirements for the CEW include when the CEW is drawn, displayed, armed only or used on a subject.

2020 CALLS FOR SERVICE VS USE OF FORCE REPORTS



Call for Service Types

When an officer completes a Use of Force Report, they have the option of selecting more than one use of force type. Therefore, the total number of Use of Force types may exceed the total number of incident or reports.

In 2020, officers responded to 226,333 calls for service and 39,718 traffic stops. Weapons Calls made up the most frequent reason for use of force application at 163, followed by domestic disturbances at 105. Incidents coded as involving a "Person in Crisis" (PIC) accounted for 5,525 of these incidents. Of these encounters, only 53 Use of Force reports were generated which accounts for less than one percent of all incidents involving a "Person in Crisis".

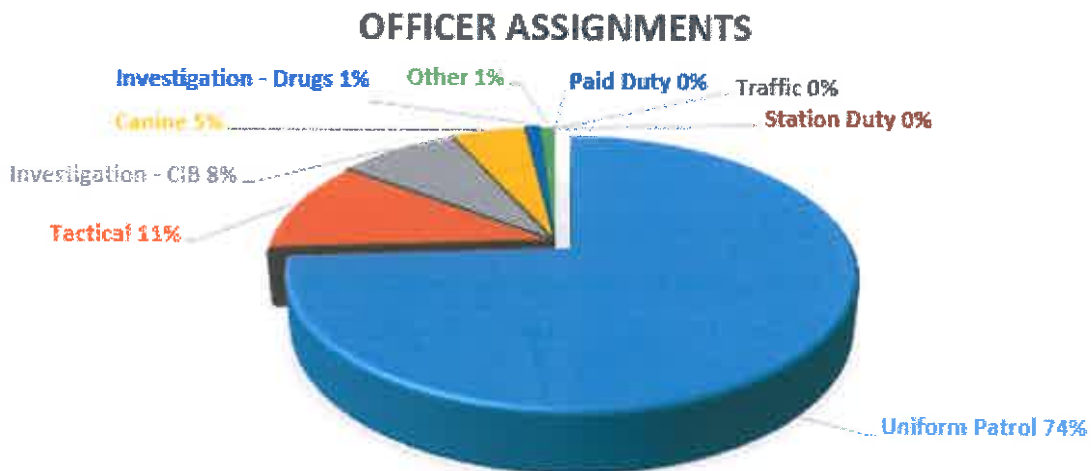
Reported Use of Force incidents involving a "Person in Crisis" decreased by 39 incidents from 2019 (92 incidents).

Officer Assignments

In 2020, there were 770 Use of Force incidents resulting in 1092 applications of force. These are captured in the 853 use of force reports that were submitted.

Officers assigned to uniform patrol accounted for 73.8% of all use of force incidents in 2020.

Officer Assignment	2018	2019	2020
Uniform Patrol	492	576	569
Tactical	182	152	86
Canine	49	54	37
Investigation - CIB	59	54	61
Other	19	13	6
Courts	6	6	3
Investigation - Drugs	22	7	5
Paid Duty	17	14	0
Traffic	12	9	2
Station Duty	6	4	1
Off Duty	0	1	0
Total	864	890	770



Police Presence at Time of Incident

In 2020, more than one officer was dispatched to a call for service 80% of the time. More than one officer was present during 90% of the Use of Force incidents. This represents an increase of 6% from 2019.

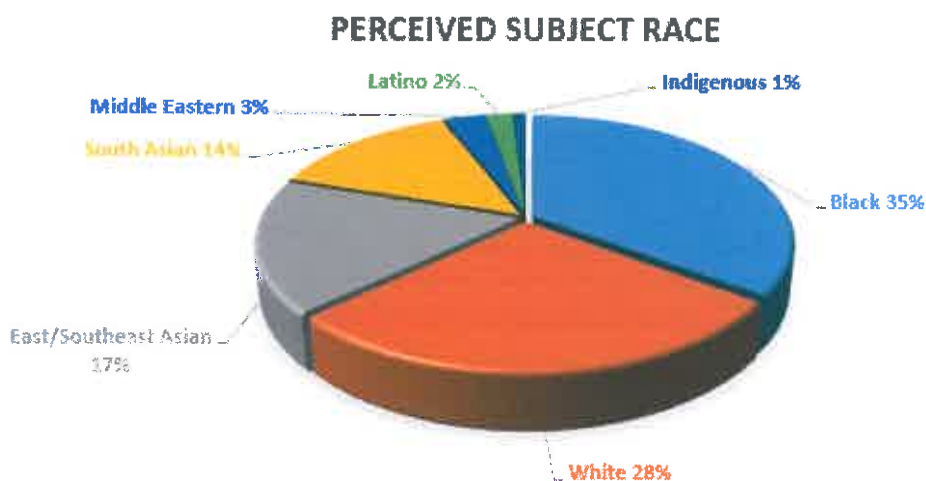
Number of Subjects Involved per Incident

Incidents involving a single subject occurred 79%, of the time, which was similar to 2019. Incidents involving two subjects occurred 13.6% of the time, which is an increase of 1.6%, compared to 2019; and three or more subjects were involved 7% of the time, which is an increase of 2% when compared to 2019.

Perceived Race of the Subject by the Officer

Race based statistics were collected for the first time in 2020 as per the new Ministry of the Solicitor General Use of Force Reporting requirements.

Perceived Subject Race	2020
Black	345
East/Southeast Asian	165
Indigenous	4
Latino	19
Middle Eastern	31
South Asian	136
White	275



In 2020, 35% of total Use of Force reports listed "black" as the "Perceived Subject Race" by officers. Realizing this disparity, our Training Bureau has collaborated with Professor Akwasi

Owusu-Bempah to study, understand and evaluate the cause of the differential. This will include the collection of multiple categories of additional data outside of the Ministry required reporting. This data is currently being collected and analyzed, to determine what strategies, policies and training Peel Regional Police can implement to eliminate this disparity.

In 2020, our partnership with the Ontario Human Rights Commission and Professor Owusu-Bempah has also resulted in new Human Rights focused training that combines theoretical and practical components with the intention of eliminating systemic racism in Peel Regional Police. This mandatory training now includes content on procedural justice, enhanced crisis-de-escalation, anti-black racism, racial profiling, bias based policing and taking a trauma-informed approach to all interactions with members of the community. Training in these areas has shown a significant reduction in use of force towards racialized people.

In addition, to the above Human Rights focused training, Peel Regional Police have also deployed Body Worn Cameras to all frontline officers. Studies indicate that this enhanced training coupled with body-worn cameras increases accountability and results in a dramatic decline in use of force against all people.

Injuries to Subjects & Officers

Officers are required to record injuries sustained by any party in a use of force incident and whether medical attention was required.

For the purpose of Use of Force reporting, only injuries requiring medical attention are recorded. Provincial reporting guidelines direct that if Police have a Use of Force encounter, injuries requiring medical attention sustained by a citizen prior to the arrival or involvement of police are not be noted on the report. These injuries could include either self-inflicted wounds or injuries caused by a third party. Statistical analysis of the data must be mindful of the effect of this reporting obligation. Reportable injuries resulting directly or indirectly from CEW use or deployment accounted for 84 of the total 247 injuries acquired during use of force encounters. The majority of injuries resulted from subjects resisting in a physical confrontation and were relatively minor.

USE OF FORCE INJURIES			
Subject Injuries	2018	2019	2020
Total Use of Force Reports	808	838	853
Number of Reported Injuries	169	223	247
Officer Injuries			
Total Use of Force Reports	808	838	853
Number of Reported Injuries	44	46	55

Number of Incidents and Type of Weapons Carried/Used by Subject

Officers are trained to complete a Use of Force Report identifying the weapons they observed at the time force was used. Police officers may identify a subject carrying more than one weapon in a single incident.

In 2020, officers were exposed to **209** incidents involving subjects carrying or using a weapon, which is a decrease when compared to **257** incidents in 2019. The following is a breakdown of the number and types of weapons carried by subjects who interacted with officers in 2020:

- Firearms – **39** Handguns, **3** Long Guns, **12** Replicas
- Edged Weapon – **100**
- Bat / Club-like Weapon – **11**
- Motor Vehicle – **10**
- Other Weapons – **34**

Use of Force Options

The most frequent use of force option reported was *Firearm-Pointed at Person*. The option that ranked second in force used was the *Conducted Energy Weapon – Drive Stun and/or Probe Deployment*. This is likely due to the expansion of the CEW program and more officers having access to a CEW. Officers are choosing the CEW as a safer alternative over physical force or other force options.

TYPE OF FORCE USED	2018	2019	2020
Conducted Energy Weapon (CEW)			
Drawn/Displayed Not Deployed	331	382	225
Drive Stun and/or Probes Deployed	286	330	188
Total	617	712	413
Physical Control			
Physical Control Soft Only	282	296	159
Physical Control Hard Only	277	293	107
Total	559	589	266
Firearm			
Firearm Pointed at Person	664	590	248
Handgun - Drawn Only	114	104	118
Firearm Discharge – Intentional	35	30	4
Total	813	724	370
Other Types of Force			
Oleoresin Capsicum Spray	29	33	18
Impact Weapons	8	9	9

Arwen	8	0	2
Police Service Dog	12	27	12
Other Types of Force	4	5	2
Total	61	74	43

Conducted Energy Weapon (CEW) as a Use of Force Option

The CEW was utilized in 413 incidents, a decrease from 2019 in which there were 712 incidents. In April 2016, the Police Services Board approved a strategic expansion of the CEW program to take place over a five-year period, 2016 through to 2020 inclusive. As of 2020, all front line officers have been issued a CEW, and received training.

Firearms as a Use of Force Option

Firearm – Pointed at Person was the single most frequently reported use of force option utilized by officers in 2020.

During the 2020 reporting period, there were 8 incidents where 9 officers discharged their firearm (*Firearm Discharge – Intentional*). This represents a 70% decrease compared to 2019 when there were 29 incidents involving 30 officers. The marked decrease in 2020 is the result of a change in reporting practice, namely; applications of force on an animal are no longer included.

The breakdown of the incidents of firearm discharges in 2020 is as follows:

- Five incidents of injured/suffering animals;
- Two incidents involving armed persons; and
- One incident where two officers discharged their firearms involving a suspect vehicle.

Note: that SIU invoked incidents may not be part of this report as Use of Force Reports are not generally submitted until the SIU investigation is complete.

Physical Control as a Use of Force Option

There was a notable decrease in officers submitting reports, relating to:

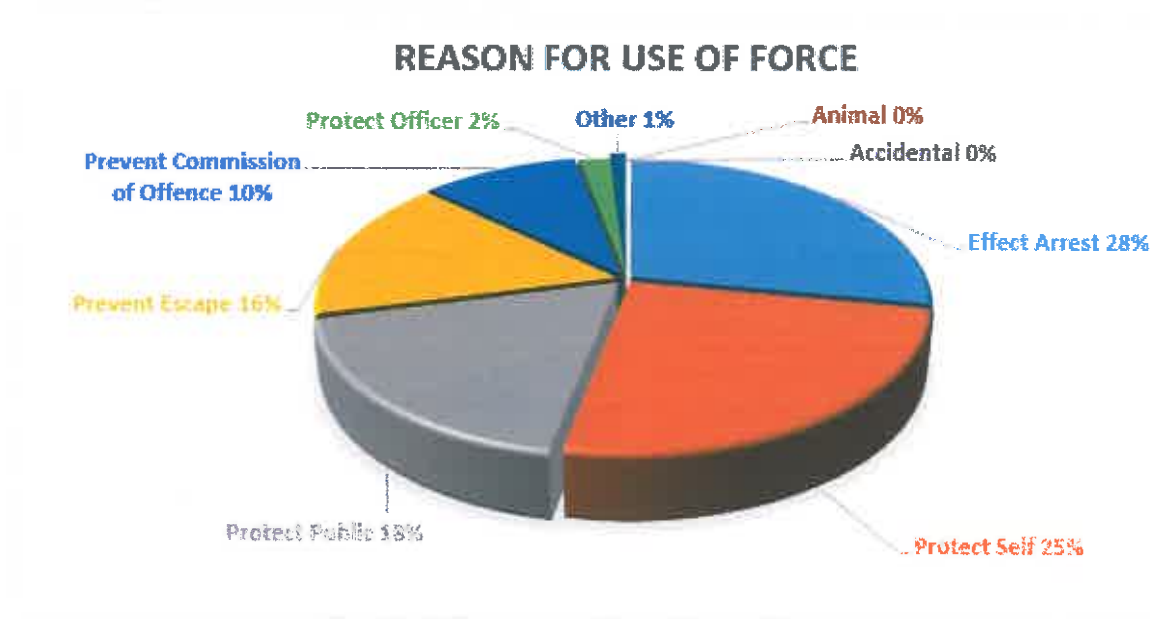
- Use of “Physical Control - Soft Only” 159 in 2020 compared to 296 in 2019 and;
- Use of “Physical Control - Hard Only” 107 in 2020 compared to 293 in 2019.

Calculation based on 1092 use of force applications

Reason Force was used

In 2020, the reasons for using force are as follows:

Reason for Use of Force	Number of Reports
Accidental	2
Animal	5
Effect Arrest	644
Prevent Commission of Offence	219
Prevent Escape	353
Protect Self	575
Protect Public	412
Protect other Officer	46
Other	24



Note: Members may have several reasons for the use of force during a single incident. As such, the total number of reasons exceeds the total number of use of force reports in a year. The above chart reflects the varied reasons as to why a member used force.

Conclusion

Peel Regional Police has procedures in place that ensure the regular review of Use of Force Reports by supervisors and trainers. Additionally, the PRP Incident Response Review Committee will continue to review all Use of Force Reports and assess the circumstances and outcomes in order to identify trends and patterns. This intelligence will be integrated into various training scenarios to ensure members are properly prepared to respond to emergent situations.

Priority is given to educating and training officers in de-escalating situations that involve individuals in crisis. These efforts have included activities such as; training specific scenarios designed around officers encountering an individual in crisis and living with a possible mental

health illness; implicit bias training delivered through Fair and Impartial Policing; our Mental Health Awareness training program; and strategies designed to increase an officer's stress resiliency.

Peel Regional Police provides its officers with training that meets or exceeds legislative standards as set out by the Ministry of the Solicitor General. By continuing to identify and evaluate our training needs, we are committed to evolving and delivering training programs that ensure our officers are prepared to meet the needs and concerns of the community with professionalism.

Peel Regional Police complies with the Ontario Policing Standards Manual, the Ontario Police Services Act and PRP Directive 1-B-102 (F) Incident Response.

Approved for Submission:



Chief of Police
Nishan Duraiappah

For further information regarding this report, please contact Superintendent Marty Ottaway at extension 4004 or via e-mail at 1872@peelpolice.ca.

Authored By: **Inspector Bill Ford #1677.**