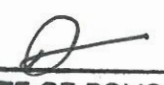


05-08-22



FORWARDED TO
POLICE SERVICES BOARD

DATE AUG 9, 2022


CHIEF OF POLICE

REPORT
Police Services Board

For Information

File Class: _____

Cross-Reference File Class: 3-02-09-14

PSB REC: AUGUST 26, 2022
LOG# 40-22

FILE CLASS: P01

DATE: August 3rd, 2022

SUBJECT: **2021 ANNUAL USE OF FORCE REPORT**

FROM: Mark Dapat, Deputy Chief, Corporate Services Command

RECOMMENDATION

It is recommended that the Police Services Board receive this document as the 2021 Annual Use of Force Report.

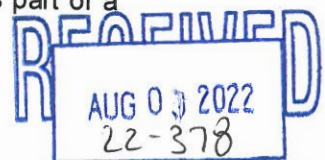
REPORT HIGHLIGHTS

- Overview of the reporting and training requirements for Use of Force
- Statistical data and analysis for 2021 Use of Force incidents
- Race Based Data analysis for 2021 Use of Force Reporting

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 2021 involving members of Peel Regional Police (PRP) and includes data analysis of the metrics reported to the Ministry.

Our analysis of 2021 data has also highlighted the limitations inherent in the Ministry's Use of Force reporting tool in its current format. The Ministry of the Solicitor General of Ontario indicates that the new provincial initiative to collect Race Based Data on use of force interactions has the goal of identifying, monitoring and addressing potential racial bias, our results indicate that the tool, in its current form, does not collect sufficient information to comprehensively understand the nature of these interactions. The Ministry's form is evolving and PRP supports and is part of a



larger conversation with other stakeholders in developing a form that best captures Race Base Data and Use of Force metrics for Ontario. The current form does however accurately capture a great deal of information about police-public interactions. The absence of additional key data severely limits the ability to conduct the analyses necessary to monitor whether certain processes or procedures at PRP may be contributing to any disproportionalities or disparities in relation to race.

In order to address the current gap and identify any racial disparities in Use of Force PRP have been working with academics with specific expertise in Race Based Data collection which has informed our Race Base Data Use of Force collection strategy for 2021 and onward.

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:

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

In 2020, PRP adopted a mandatory Human Rights Focused training strategy that was developed in collaboration and partnership with the Ontario Human Rights Commission and Professor Akwasi Owusu-Bempah, a leading authority on the intersection of race and policing. This collaboration resulted in the creation of an innovative Use of Force Training Model that incorporates 5 pillars focused on the goal of zero harm and zero death outcomes in all use of force encounters.

Those pillars are:

- History of Racism
- Unconscious Bias & Racial Profiling
- Procedural Justice
- Trauma Informed Approach
- Compliance and Understanding Legislative Authorities.

The pillars are grounded in de-escalation, accountability and ensuring the dignity of all members of the community.

The design and delivery of our new 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, with a focus on a peaceful resolution. Members of the Incident Response Training Unit (Learning and Development) conduct ongoing consultation with Professor Owusu-Bempah to identify areas for improvement, in addition to annual environmental scans related to police reviews and use of force encounters, including those involving armed individuals in crisis. Based on these incidents and subsequent reviews, specific training scenarios are designed to assist officers encountering Persons in Crisis (PIC).

STATISTICAL DATA AND ANALYSIS

The data used to prepare this report is compiled from PRP Use of Force Reports from 2019 to 2021. The Ministry mandated the collection of Race Based Data in 2020, and therefore analysis of these metrics is composed of data from 2020 and 2021.

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 a person by the officer;
- Total number of use of force incidents;
- Breakdown of types of calls for service;
- Injuries to involved persons and officers;
- Number of incidents and types of weapons carried / used by an involved person;
- Officer assignments at time of incident;
- Number of Police present at time of incident; and
- Number of people involved per incident.

It should be noted that multiple categories of the Use of Force report allow for more than one option to be selected; for example, *Type of Incident* and *Type of Force Used*. For this reason, the total of all category entries may exceed the number of actual Use of Force reports.

1. Total Number of Use of Force Incidents

For this section, *Total Number of Incidents* refers to the total number of calls for service combined with the 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	% of Calls for Service Resulting in Use of Force Reporting
2019	298,930	838	0.0028%
2020	288,756	853	0.0030%
2021	273,074	754	0.0028%
3 Year Average	286,920	815	0.0029%

The total number of calls for service decreased in 2021 by 5.4 % from 2020. The total number of Use of Force reports decreased in 2021 by 11.6% from 2020.

Use of Force			
Year	Total UoF Occurrences	Total UoF Reports	Total Unique Officers That Apply UoF
2020	572	853	463
2021	537	754	400
Variance	-35	-99	-63
Percent Change	-6.12% ↓	-11.61% ↓	-13.61% ↓

2. Call for Service Types

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

In 2021, officers responded to 230,369 calls for service and 42,705 traffic stops, totalling 273,074 calls for service.

Use of Force Applications and Call Type

Use of Force Applications & Call Type			
Call Type	Number of Use of Force Reports	Number of Use of Force Incidents	Total Calls for Service
Weapons Calls	141	101	1,565
Domestic Disturbances	100	79	11,982
Persons in Crisis	60	48	6,726

Calls for service involving weapons made up the most frequent reason for a use of force application, followed by domestic disturbances.

Regional incidents coded as involving a Person in Crisis (PIC) accounted for 6,726 of total calls for service. Of these encounters, 60 Use of Force reports were generated. Reported Use of Force incidents involving a Person in Crisis decreased slightly from 53 in 2020 to 48 in 2021, while overall calls for service increased from 5,950 in 2020 to 6,726 in 2021. The percentage of Use of Force reports from (PIC) incidents remains stable at less than one percent.

3. Injuries to Involved Persons & 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.

UoF Injuries			
Individual Injuries	2019	2020	2021
Total Use of Force Reports	838	853	754
Number of Reported Injuries	223	247	209
Officer Injuries			
Total Use of Force Reports	838	853	754
Number of Reported Injuries	46	55	44

4. Number of Incidents and Type of Weapon Carried/Used by Involved Person

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

In 2021, officers were involved in **170** incidents involving people carrying or using a weapon, which is an 18.7% decrease when compared to **209** incidents in 2020. The following is a breakdown of the number and types of weapons carried by people who interacted with officers in 2021:

Firearms	20 Handguns/5 Replicas
Edged Weapon	87
Bat/Club-like Weapon	3
Motor Vehicle	18
Other Weapons	28

In 2021, there were nine (9) reports submitted that indicated *multiple weapons* or *possible firearm*. The exact type of weapon is unconfirmed, therefore the data from these reports has been excluded from the chart above.

5. Frequency of Application of Each Use of Force Option

The most frequent use of force application reported, changed from *Firearm Pointed at a Person* in 2020, to *CEW-Drive Stun and/or CEW-Probe Deployment* in 2021. The second most frequently used Use of Force option remained the same as in 2020, *Conducted Energy Weapon – Drawn/Displayed-not Deployed*.

Type of Force Used			
Conducted Energy Weapon (CEW)	2019	2020	2021
Drawn/Displayed Not Deployed	382	225	210
Drive Stun and/or Probes Deployed	330	188	228
Total	712	413	438
Physical Control			
Physical Control Soft Only	296	159	185
Physical Control Hard Only	293	107	119
Total	589	266	304
Firearm			
Firearm Pointed at Person	590	248	209
Handgun - Drawn Only	104	118	117
Firearm Discharge – Intentional	30	4	12
Total	724	370	338
Other Types of Force			
Oleoresin Capsicum Spray	33	18	19
Impact Weapons	9	9	4
Arwen	0	2	3
Police Service Dog	27	12	13
Other Types of Force	5	2	2
Total	74	43	41

*Based on 1121 use of force applications

*Note that *Firearm Discharged – Intentional* includes 2 reports where officers discharged their firearms during one incident in 2021, and 10 reports of discharging at an animal.

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

In 2021, the CEW was used 438 times. This represents a 6% increase from 2020 in which the CEW was used 413 times.

Firearm as a Use of Force Option:

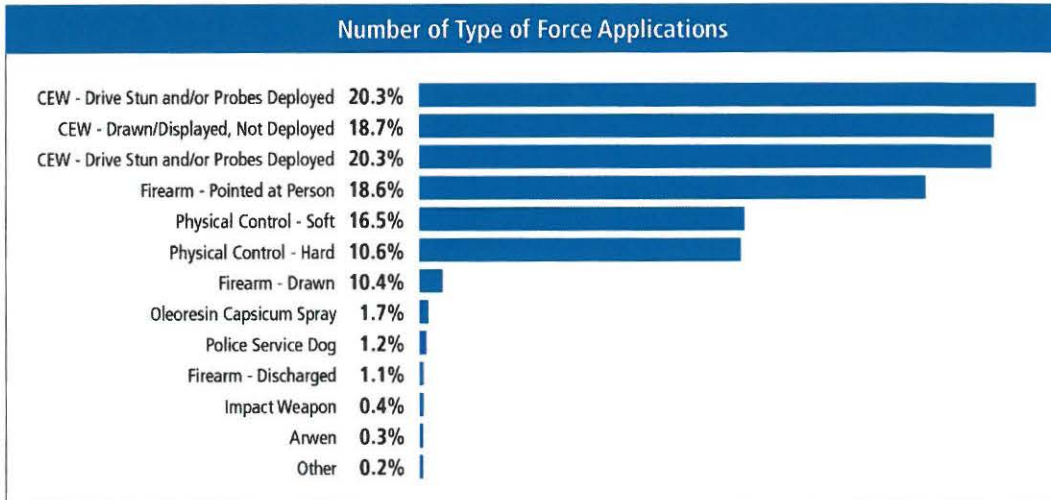
Firearm – Pointed at Person decreased from 248 in 2020 to 209 in 2021 which represents a 15.7% decrease. This is in addition to the 58% decrease observed between 2019 and 2020, representing a total decrease of 64.6% from 2019 to 2021.

In 2021, police were involved in 170 incidents involving armed people, of which, one incident resulted in an intentional firearms discharge. This is a decrease from two (2) incidents involving a firearms discharge in 2020.

Physical Control as a Use of Force Option:

There was an increase in frequency of officers reporting the use of Soft and Hard Physical Control:

- Use of *Physical Control - Soft Only* – 185 applications in 2021 compared to 159 in 2020 and (14% increase);
- Use of *Physical Control - Hard Only* - 119 applications in 2021 compared to 107 in 2020 (10% increase).



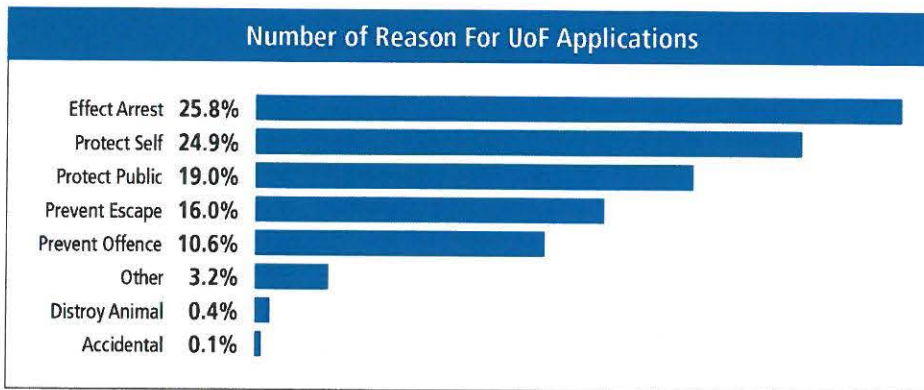
*Calculation based on 1121 use of force applications

6. Reason Force was Used

In 2021, the reasons for using force were as follows:

Reasons for Use of Force		
Reasons	2020	2021
Accidental	2	2
Animal	5	10
Effect Arrest	644	609
Prevent Commission of Offence	219	251
Prevent Escape	353	378
Protect Self	575	588
Protect Public	412	448
Protect other Officer	46	54
Other	24	76

In the table above, data listed as *Accidental* in 2021 refers to two incidents where a CEW was accidentally deployed. These two incidents did not involve a member of the public or result in injury.



Note: Officers may have multiple reasons for using force during a single incident. As such, the total number of reasons exceeds the total number of use of force applications and reports in a year.

7. Officer Assignment

Officers assigned to uniform patrol accounted for 69% of all use of force incidents in 2021.

Officer Assignment			
Assignment	2019	2020	2021
Uniform Patrol	576	569	522
Tactical	152	86	66
Canine	54	37	35
Investigation - CIB	54	61	123
Other	13	6	8
Courts	6	3	0
Investigation - Drugs	7	5	0
Paid Duty	14	0	0
Traffic	9	2	0
Station Duty	4	1	0
Off Duty	1	0	0
Total	890	770	754

8. Police Presence at Time of Incident

In 2021, more than one officer was dispatched to a call for service 80% of the time.

More than one officer was present during 471 of the 537 Use of Force incidents. This represents 85% of incidents where force was used.

9. Number of People Involved per Incident

In 2021, incidents involving a single person occurred 80% of the time, which was similar to 2020. Incidents involving two people occurred 12.6% of the time, which is an increase of 1% compared to 2020; and three or more people were involved 5.6% of the time, which is an increase of 1.4% when compared to 2020.

10. Race-Based Use of Force Data and Analysis

The Ministry's Use of Force Reporting form includes seven "race categories" that officers may select to indicate race of an involved person.

They are:

- Black
- White
- East/Southeast Asian
- South Asian
- Middle Eastern
- Latino
- Indigenous.

The analysis in this section of the report has been conducted using the data that formed all other sections of this report and the guidance of academic experts in the field of Race Based Data collection and Use of Force.

For purposes of some of this analysis, racial designations were grouped accordingly into "racial groups" as the Ministry Use of Force report does not indicate what force type, or the reason force was used on each individual/specific person listed on a report. For example, if a Use of Force report involved three people who were all Black, then that incident would be designated with a "Black racial group". If a Use of Force report involved three people, where two are Black and one is South Asian, then that incident would be designated as a "Multiple Racial Group".

Each table listed below was compiled using data from 2020 and 2021. Where applicable, the variance between years is measured to illustrate a change, if any, in a variety of variables relevant to Use of Force reporting.

Similar to analysis completed in 2020, Use of Force data that listed an individual's race as undetermined was excluded from the analysis found in the tables and charts below. In 2020 the number of Use of Force application listing the person's race as undetermined was 40, in 2021 that number was 32.

TABLE 1

Use of Force			
Year	Total UoF Occurrences	Total UoF Reports	Total Unique Officers That Apply UoF
2020	572	853	463
2021	537	754	400
Variance	-35	-99	-63
Percent Change	-6.12% ↓	-11.61% ↓	-13.61% ↓

CHART 1

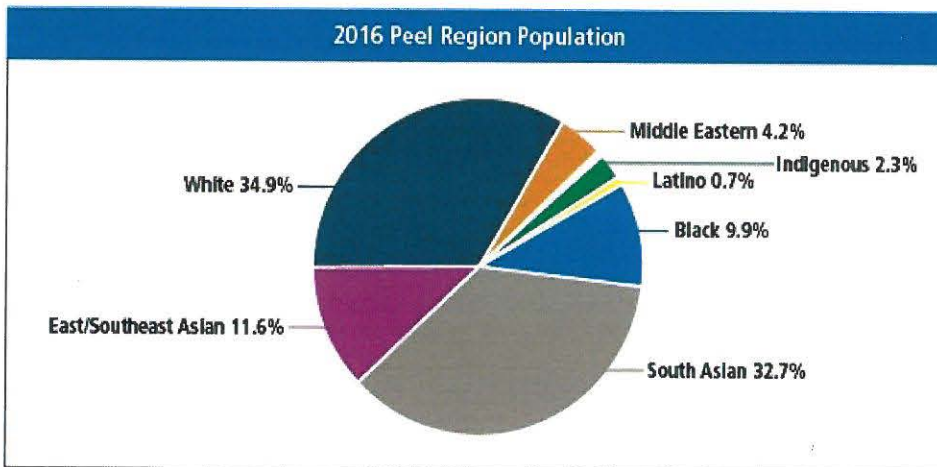


TABLE 2

Use of Force - % of Officers Perception of Persons' Race (by Incident)									
Year	Black	White	East/Southeast Asian	South Asian	Middle Eastern	Latino	Indigenous	Undetermined	Total
2020*	31.19%	27.53%	17.80%	14.02%	3.41%	1.52%	0.38%	4.16%	100
2021**	31.10%	27.67%	18.77%	11.37%	4.79%	1.37%	0.55%	4.38%	100
Variance	-0.09%	0.14%	0.97%	-2.65%	1.38%	-0.15%	0.17%	0.22%	0.01%

Tables 2 and 3 represent the perceived race of an individual by an officer, without duplication. This means that where more than one officer submits a Use of Force report for the same incident and involving the same individual, data from duplicate reports have been removed. Therefore, this data represents the number of individuals that force was used on, by individual

incident. The values in Table 2 are represented as a percentage of the total individuals perceived, and Table 3 as the number of individuals perceived. Both tables use the same data.

TABLE 3

Use of Force - Officers Perception of Persons' Race (by Incident)									
Year	Black	White	East/ Southeast Asian	South Asian	Middle Eastern	Latino	Indigenous	Undetermined	Total
2020*	247	218	141	111	27	12	3	33	792
2021**	227	202	137	83	35	10	4	32	730
Variance	-20	-16	-4	-28	8	-2	1	-1	-62
% Change	-8.10% ↓	-7.34% ↓	-2.84% ↓	-25.23% ↓	29.63% ↑	-16.67% ↓	33.33% ↑	-3.03% ↓	-7.83% ↓

TABLE 4

Use of Force Applications - Officers Perception of Person's Race									
Year	Black	White	East/ Southeast Asian	South Asian	Middle Eastern	Latino	Indigenous	Undetermined	Total
2020*	369	310	189	148	33	21	4	40	1114
2021**	289	271	179	103	47	10	9	32	940
Variance	-80	-39	-10	-45	14	-11	5	-8	-174
% Change	-21.68% ↓	-12.58% ↓	-5.29% ↓	-30.41% ↓	42.42% ↑	-52.38% ↓	125% ↑	-20% ↓	-15.62% ↓

Table 4 represents the number of applications of force on an individual, grouped by perceived race of an individual, by an officer. Each type of force used represents an application of force. For example, an Impact Weapon and CEW would be counted as two applications of force. Each type of force that is used during an incident (i.e. CEW, Impact Weapon, or Empty Hand Technique) results in an application of force being reported, therefore multiple applications may be reported during one incident or occurrence.

Of note, in Table 4 is the 15.62% decrease in total use of force applications on all individuals in 2021. In 2021, there was a 21.68% reduction of use of force applications on Black individuals and a 30.41% reduction of use of force applications on members of the South Asian community.

Of the 47 use of force applications involving individuals of Middle Eastern decent, 12 reports resulted from more than one officer reporting a Use of Force application during the same incident. The same applies to Use of Force encounters with Indigenous individuals. The 125% increase represents one additional Use of Force encounter involving one indigenous person in 2021 that resulted in multiple reports for the same individual.

TABLE 5

Use of Force - % of Total Perceived Individuals								
Year	Black	White	East/ Southeast Asian	South Asian	Middle Eastern	Latino	Indigenous	Total
2020	35%	28%	17%	14%	3%	2%	0%	100%
2021	32%	30%	20%	11%	5%	1%	1%	100%
Variance	-3%	2%	3%	-3%	2%	-1%	1%	0%
2016 Peel Region Population	9.9%	34.9%	11.6%	32.7%	4.2%	0.7%	2.3%	93.3%

Table 5 and 6 indicate the proportion of the total number of Use of Force reports for each perceived race. The data in Table 5 is represented as a percentage of the total perceived individuals, and in Table 6 as the total number of perceived individuals. Both tables use the same data. This data contains duplication, which means that the same individual may be represented in more than one Use of Force report from the same incident.

Table 5 also includes a comparison to the residential population of the Region of Peel. In 2021, there was a 3% decrease in Use of Force reports listing individuals perceived as Black, a 3% decrease in individuals perceived as South Asian, and a 1% decrease in individuals perceived as Latino when compared to the residential population.

TABLE 6

Use of Force - Total Perceived Individuals								
Year	Black	White	East/ Southeast Asian	South Asian	Middle Eastern	Latino	Indigenous	Total
2020	345	275	165	136	31	19	4	975
2021	289	271	179	103	47	10	9	908
Variance	-56	-4	14	-33	16	-9	5	-67
% Change	-16.23% ↓	-1.45% ↓	8.48% ↑	-24.26% ↓	51.61% ↑	-47.37% ↓	125% ↑	-6.87% ↓

TABLE 7

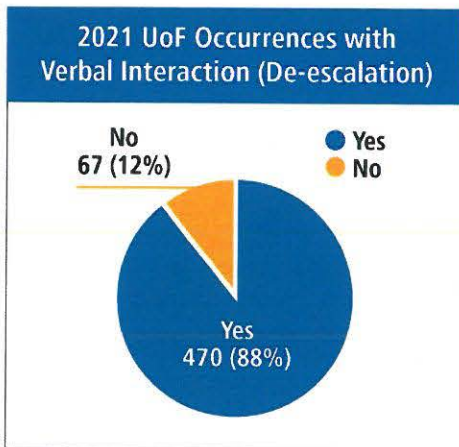
Officers Involved in 2021 UoF Occurrences									
Key Indexes	Black	White	East/Southeast Asian	South Asian	Middle Eastern	Multiple Racial Group	Animal/No Subject	Indigenous	Latino
Number of Occurrences	176	158	98	61	25	26	12	4	9
Number of Officers Involved	231	219	130	61	34	29	12	9	9
Average Officers Per Occurrence	1.3	1.4	1.3	1.3	1.4	1.1	1.0	2.3	1.0

Table 7 includes data that represents the average number of officers per occurrence that used force on a person, grouped by the race of the individual as perceived by the officer. As listed there is little variance in the number of officers involved in Use of Force encounters by race with the exception of one use of force encounter with an Indigenous person as explained above.

Verbal Interaction & De-Escalation

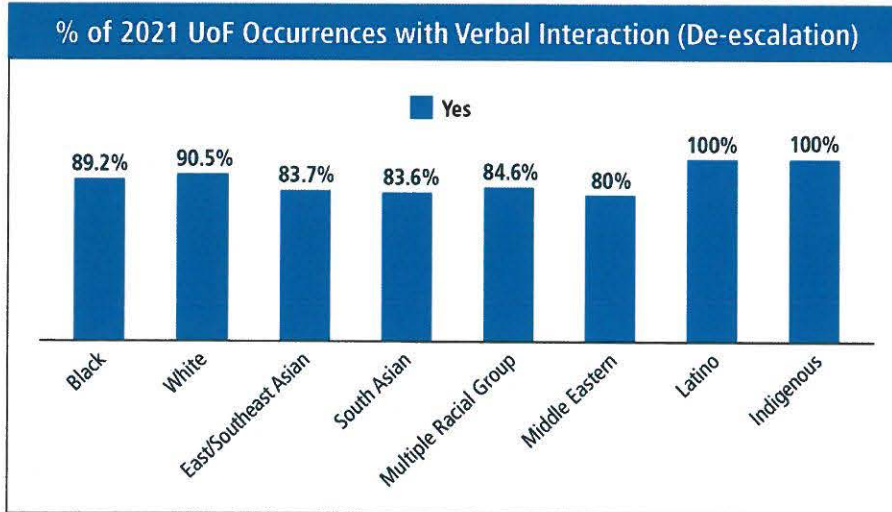
Verbal interaction and de-escalation was the most utilized alternative strategy in all use of force occurrences/encounters involving all racial groups. In 2021, de-escalation was used as an alternative strategy prior to an application of force in 88% of all occurrences/encounters where force was used. The need to resolve an immediate threat to public or officer safety may limit the ability to use alternative strategies such as de-escalation as an option which is reflected in the 12% figure below.

CHART 2



The following chart demonstrates the frequency of which de-escalation was used in 2021, charted by officers' perceived race of the involved person:

CHART 3



Type of Force Used on Racial Groups

For 2021, PRP expanded Use of Force analysis to include *Type of Force Used on Racial Groups*, *Reason for Use of Force on Racial Groups*, and *Alternative Strategies Used Prior to Use of Force* for racial groups.

The most frequent types of force used in 2021 was the Conducted Energy Weapon (CEW), the Firearm and Empty Hand techniques. The following bar graphs reflect the percentage of use, categorized by racial group.

CHART 4

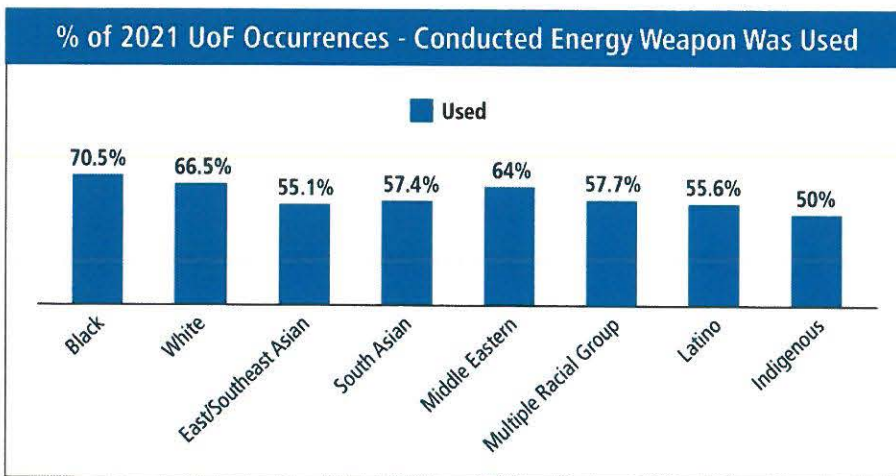


CHART 5

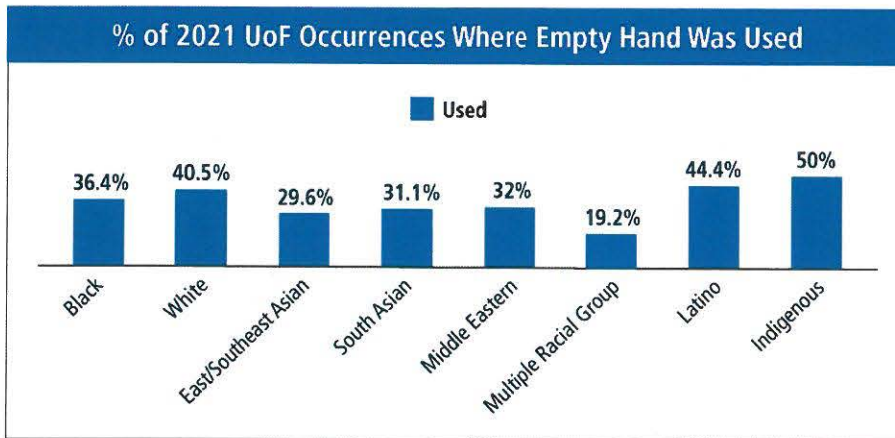


CHART 6

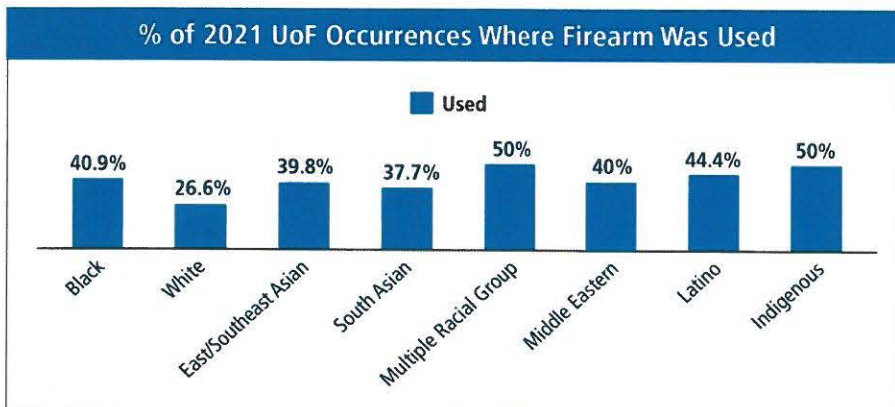


Chart 6 depicts the percentage of occurrences where an officer's firearm was drawn or pointed to effect an arrest.

In 2021, there was one incident involving officers discharging their firearm at a black man as they attempted his arrest in order to stop him from endangering a member of the public. Fortunately, no one was injured in this incident.

CONCLUSION

Peel Regional Police strives to serve the Region of Peel community with dignity, respect and empathy. It is with these goals in mind that we are committed to continual improvement as we aspire for zero harm and zero death outcomes in all Use of Force encounters.

Since 2020, we have listened and continue to learn from our collaboration with the Ontario Human Rights Commission and experts such as Professor Akwasi Owusu-Bempah. This collaboration has resulted in transforming our approach to Use of Force by inculcating a guardian mindset in our officers and improving their skills and abilities to resolve Use of Force incidents as safely as possible for all persons involved.

Our adoption and continued development of a Human Rights focused approach includes regular review and analysis of Use of Force reports with the goal of improving outcomes and increasing accountability of our officers. Additionally, the PRP Incident Response Review Committee continues to review and assess the circumstances and results in order to identify trends and patterns on how to do better. This intelligence is integrated into various training scenarios to ensure members are properly prepared to respond to emergent situations with an understanding of bias and the disparities impacting racialized communities and vulnerable populations.

Our new mandatory Human Rights focused approach places priority in educating and training officers on de-escalating situations that involve individuals in crisis. These efforts have included mandatory practical training of specific scenarios designed around officers encountering individuals in crisis and those living with a possible mental health illness. Also included is implicit bias training delivered through Fair and Impartial Policing, our Mental Health Awareness training program, and strategies designed to increase officer 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 compassion and 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:



Mark Dapat, Deputy Chief, Corporate Services Command

For further information regarding this report, please contact Superintendent Dirk Niles #2070 at extension 3855 or via email at Dirk.Niles@peelpolice.ca

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