



Virtual Public Meeting

**Thursday,
June 24, 2021
at 9:00AM**

VIRTUAL PUBLIC MEETING AGENDA
Thursday, June 24, 2021 at 9:00AM
Livestream at:
<https://youtu.be/yTI1bVdSijo>

Call to Order

Indigenous Land Acknowledgement

Declarations of Interest under the [*Municipal Conflict of Interest Act*](#).

1. Confirmation of the Minutes from the virtual public meeting held on [May 20, 2021](#).

Presentation and Item for Consideration

2. **9-1-1 Crisis Diversion Pilot Project**
 - 2.1 **9-1-1 Crisis Call Diversion Pilot Project presentation** to be provided by Deputy Chief Peter Yuen
 - 2.2 June 16, 2021 from James Ramer, Chief of Police
Re: Memorandum of Understanding for 9-1-1 Crisis Call Diversion Pilot Project

Items for Consideration

3. June 15, 2021 from Beverly Romeo-Beehler, Auditor General, City of Toronto
Re: Toronto Police Service IT Infrastructure: Cyber Security Assessment Phase 1 [includes a confidential attachment]

4. **Conducted Energy Weapons Reports**
 - 4.1 June 7, 2021 from James Ramer, Chief of Police
Re: [Independent Review of the Toronto Police Service Use of Conducted Energy Weapons](#)
 - 4.2 June 8, 2021 from James Ramer, Chief of Police
Re: [Award of Contract for the Supply of Conducted Energy Weapons – Axon Canada](#)
5. June 15, 2021 from James Ramer, Chief of Police
Re: [Contract Increase for ACCEO Solutions Inc. for Wireless Parking Ticket Issuance System Enhancement and Integrated Vehicle Impound Parking Module](#)
6. June 17, 2021 from James Ramer, Chief of Police
Re: [Contract Extension – Softchoice Canada as the Microsoft Licensing Solutions Provider for Microsoft Enterprise Agreement](#)
7. May 11, 2021 from James Ramer, Chief of Police
Re: [Special Constable Re-Appointments – June 2021](#)
8. June 15, 2021 from Ryan Teschner, Executive Director and Chief of Staff
Re: [Special Fund Status Update Report and Temporary Moratorium](#)
9. June 8, 2021 from Ryan Teschner, Executive Director and Chief of Staff
Re: [City Council Decision – Infrastructure and Environment Committee Item 21.7 E-scooters – Accessibility and Insurance Issues](#)
10. **2021 Budget Variance Reports**
 - 10.1 June 15, 2021 from James Ramer, Chief of Police
Re: [2021 Operating Budget Variance for the Toronto Police Service, Period Ending March 31, 2021](#)
 - 10.2 June 15, 2021 from James Ramer, Chief of Police
Re: [Capital Budget Variance Report for the Toronto Police Service - Period Ending March 31, 2021](#)

- 10.3 May 25, 2021 from James Ramer, Chief of Police
Re: 2021 Operating Budget Variance Report for the Toronto Police Service Parking Enforcement Unit, Period Ending March 31, 2021

- 10.4 June 16, 2021 from Ryan Teschner, Executive Director & Chief of Staff
Re: Operating Budget Variance Report for the Toronto Police Services Board, Period Ending March 31, 2021

Consent Agenda

- 11. June 15, 2021 from James Ramer, Chief of Police
Re: Toronto Police Service Board's Race-Based Data Collection (R.B.D.C.), Analysis and Public Reporting Policy – Progress Update on Implementation

- 12. **Annual Reports from Special Constable Employers**
 - 12.1 March 16, 2021 from James Ramer, Chief of Police
Re: 2020 Annual Report: Toronto Community Housing Corporation Special Constables

 - 12.2 March 16, 2021 from James Ramer, Chief of Police
Re: 2020 Annual Reports: University of Toronto Special Constables

 - 12.3 May 27, 2021 from James Ramer, Chief of Police
Re: 2020 Annual Report: Toronto Transit Commission - Special Constables

- 13. June 17, 2021 from James Ramer, Chief of Police
Re: Annual Report: April 1, 2020 to March 31, 2021 – Grant Applications and Contracts

- 14. **Chief's Administrative Investigation Reports**
 - 14.1 April 28, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Custody Injury to Complainant 2020.04

- 14.2 March 17, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Vehicle Injuries of Complainant 2020.15
- 14.3 March 11, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Firearms Injury of Complainant 2020.17
- 14.4 March 8, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Vehicle Injury to Complainant 2020.37
- 14.5 March 15, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Vehicle Injury to Complainant 2020.39
- 14.6 April 12, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Custody Death of Complainant 2020.40
- 14.7 April 26, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Custody Injury to Complainant 2020.41
- 14.8 March 8, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Alleged Sexual Assault to Complainant 2020.42

Board to convene in a Confidential meeting for the purpose of considering confidential items in accordance with section 35(4) of the *Police Services Act*.

Adjournment

Next Meeting

Thursday, July 29, 2021

Time and location to be announced closer to the date.

Members of the Toronto Police Services Board

Jim Hart, Chair

Lisa Kostakis, Member

Michael Ford, Councillor & Member

Ainsworth Morgan, Member

Frances Nunziata, Vice-Chair & Councillor

Ann Morgan, Member

John Tory, Mayor & Member



Policing Reform Recommendation #1(b): Work with community based mental health and addictions service providers to develop new and enhance existing alternative models of community safety response, including mobile mental health and addictions crisis intervention.



Crisis Call Division Pilot Project

Crisis Call Diversion Models in Other Jurisdictions



- Partnership with the Harris Center for Mental Health and Intellectual and Developmental Disabilities (a state designated local mental health authority service, Harris County, Texas)
- Redirects non-emergency mental health related 911 crisis calls to a mental health tele-counselor located at their 911 call centre
- **HPD diverts 5.8% of calls for police to the tele-counselor**



- YRPS Crisis Intervention Teams (C.I.T. - officer paired with a mental health social worker) were re-deployed to an in-house service delivery model during pandemic
- C.I.T. followed up on crisis calls in the 911 dispatcher's pending call list
- April 9 to June 23, 2020 called the complainants in 192 mental health related calls and were able to **divert 138 of those calls from an in person response by front line policing units.**



- L.A.P.D. diverts non-imminent suicide and behavioral health related 911 calls to a dedicated crisis line at the Didi Hirsch Mental Health Crisis Call Center
- Program started on February 1, 2021 and has diverted 322 callers (an average of 2.5 calls per day) to the Didi Hirsch crisis hotline; which represents **2% of all crisis calls.**

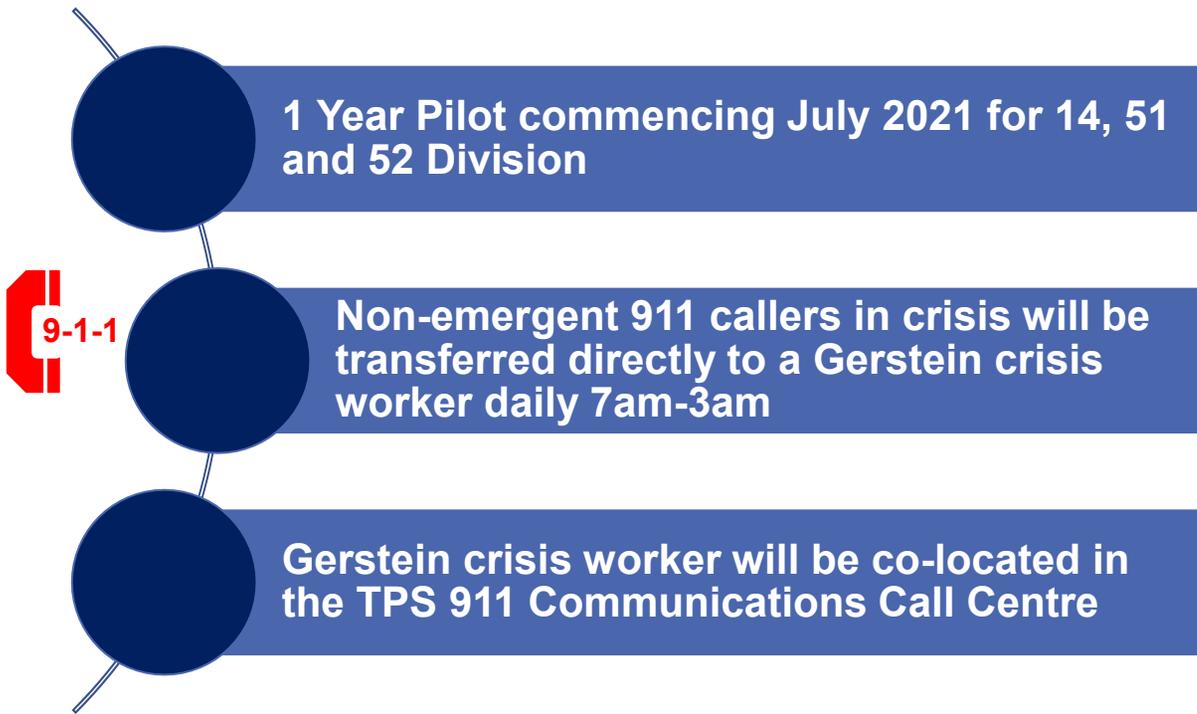


Gerstein Crisis Centre's Vision:

To be an accessible source of support and recovery for individuals experiencing mental health crisis; to work collaboratively with partners to create improved access to services and to promote wellness, recovery and strong consumer survivor networks.

- Operates their own 24/7 telephone crisis support line and mobile crisis teams
- Provides crisis intervention, community support referrals, substance use crisis management, follow-up and access to short and long term crisis beds
- History of collaboration with Toronto Police:
 - Mobile Crisis Intervention Team Steering Committee
 - Furthering Our Communities Uniting Services Tables
 - Mental Health and Addictions Advisory Panel
 - Mental Health and Justice short term residential crisis beds
 - Training and education at the Toronto Police College



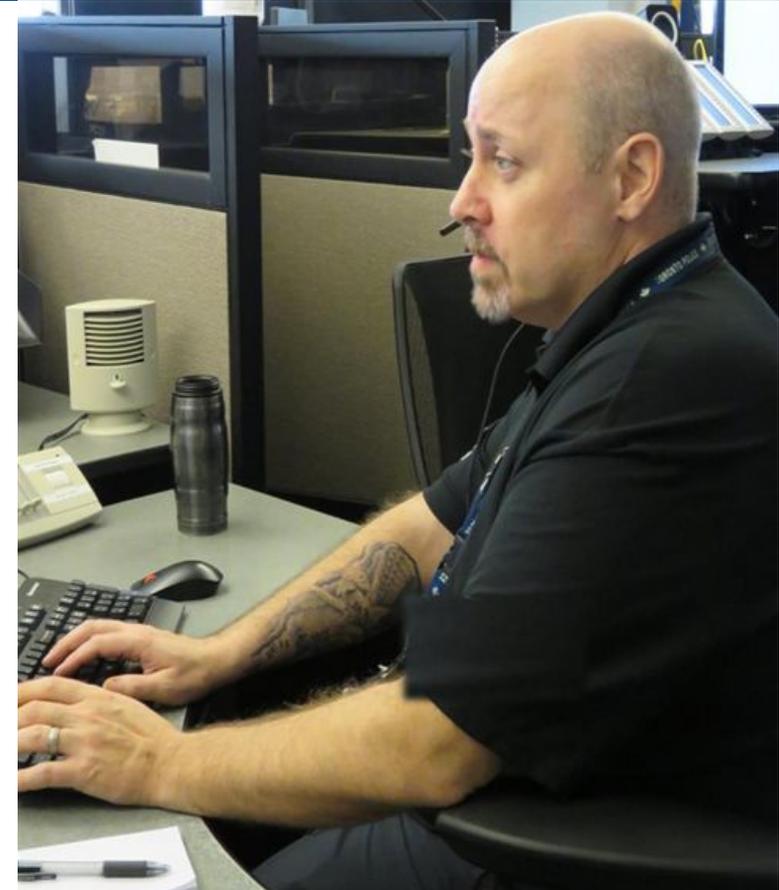


1 Year Pilot commencing July 2021 for 14, 51 and 52 Division

9-1-1

Non-emergent 911 callers in crisis will be transferred directly to a Gerstein crisis worker daily 7am-3am

Gerstein crisis worker will be co-located in the TPS 911 Communications Call Centre



Collaborative Response



- Crisis intervention via an independent and confidential telephone system operated by Gerstein Crisis Centre
- Diversion of crisis calls that meet specific, non-imminent risk criteria and which may benefit from a non-police response
- De-escalation support for crisis calls that require an immediate police response, providing direct support to the caller until police arrive on scene



- Provides a community based, non-coercive approach to crisis response
- De-escalates the caller, responds to their needs, assesses for risk and provides connections to community mental health/addiction programs and support services
- Have a broad understanding of factors contributing to mental health and substance use, including social determinants of health
- Utilize a trauma informed and harm reduction framework
- Provides crisis intervention that is equity based, within an anti-black racism, anti-indigenous racism, and anti-oppression framework

Pilot Project Crisis Workers are hired and trained by the Gerstein Crisis Centre, they are not TPS employees.



M.O.U. between T.P.S.B. and Gerstein Crisis Centre includes:

- A specific policy and protocol regarding confidentiality and protection of private health information
- Sharing of anonymized data necessary to evaluate the pilot program



A Gerstein Crisis Worker may divert mental health related calls for service that meet the following criteria:

- No weapons or imminent threat to life or property
- Not actively suicidal
- Non-emergent, non-violent:
 - person in crisis
 - person requesting M.C.I.T
 - repeat caller with known mental health history
 - verbal dispute or disturbance with no risk of violence
 - person experiencing psychosis or altered mental state
- 2nd party caller concerned for welfare of non-violent person in crisis

Diversion is not suitable for calls involving weapons, calls requiring medical attention, domestic violence/incident, or calls from a crisis hotline, hospital or emergency clinic.





Toronto Police Services Board Report

June 17, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Memorandum of Understanding for 911 Crisis Call Diversion Pilot Project

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) authorize the Chair to execute a Memorandum of Understanding (M.O.U.) between the Board and Gerstein Crisis Centre (G.C.C.) in relation to the 911 Crisis Call Diversion Pilot Project, subject to approval as to form by the City Solicitor.

Financial Implications:

The 911 Crisis Call Diversion Pilot Project (Pilot Project) will run for one year, from July 1, 2021 to June 30, 2022 and is estimated to cost \$522,000 as outlined in the table below:

Expenditure	Incurred by Partner Agency and Reimbursed by TPS	Incurred Directly by TPS	Total Estimated TPS Cost
Crisis Intervention Workers salary and benefits 4.4 FTE (providing a total coverage of 20 hours a day)	\$ 365,300		\$ 365,300
Project Coordinator salary and benefits 1.0 FTE	\$ 86,400		\$ 86,400
Administrative Fee	\$ 11,600		\$ 11,600
Telecommunications, equipment and furniture	\$ 22,300	\$ 31,400	\$ 53,700
Legal		\$ 5,000	\$ 5,000
Total estimated cost	\$ 485,600	\$ 36,400	\$ 522,000

As shown in the above chart, \$485,600 in estimated costs will be incurred by the Partner Agency, G.C.C., primarily for salaries, benefits and administration costs. Administrative fees of \$11,600 is a standard allowance for indirect project costs to G.C.C., such as costs associated with time spent during project development, recruitment of G.C.C. staff, and financial, payroll and administrative functions. G.C.C. will invoice the Toronto Police Service (Service) quarterly, based on actual costs incurred, over the term of the pilot project. Additional estimated costs of \$36,400 will be incurred directly by the Service for fit-up for both primary and secondary sites, as well as legal fees.

G.C.C. is a registered, not for profit, charitable organization. The organization does not have in house counsel and all legal services are acquired from a partnering agency on an as needed basis. Therefore, the Service is funding costs incurred by the G.C.C. for independent legal advice for the review of the M.O.U. with the Board.

The total estimated cost of \$522,000 will be absorbed by the Service. Funding will come from the Service's Modernization Reserve, with the exception of the legal costs which will be funded through the Service's Legal Reserve. As costs will be incurred over two fiscal years until the conclusion of the pilot project on June 30, 2022, the draws from the Modernization Reserve will be made in 2021 and 2022. The amount required for the 2022 draw will be considered in the development of the 2022 operating budget.

Any funding requirements resulting from an extension of the 911 Crisis Call Diversion pilot beyond the one-year term or the establishment of a new business model for delivering crisis call services would need to be considered in the development of the Service's 2022 and/or future years' budget requests.

Background / Purpose:

The purpose of this report is to obtain the Board's approval to authorize the Board Chair to execute a M.O.U. with G.C.C. for a crisis call diversion pilot project.

Police Reform:

The Board, at its meeting on August 18, 2020 (Minute No. P129/20 refers), approved 81 recommendations on police reform, originating from a report by Chair Jim Hart, titled "Police Reform in Toronto: Systemic Racism, Alternative Community Safety and Crisis Response Models and Building New Confidence in Public Safety".

Police Reform Recommendation #1(b) directs the Chief of Police to work with: the City Manager; Government of Ontario; community based mental health and addictions

service providers; organizations representing people with mental health and/or addictions issues; and other stakeholders, to develop new, and enhance existing, alternative models of community safety response, including mobile mental health and addictions crisis intervention.

Toronto Police Services Crisis Call Diversion Pilot Project:

The Toronto community, and specifically the mental health community, has highlighted the need for diverse responses to persons suffering from a mental health crisis. The Service is looking to provide an alternative, innovative and collaborative model of mental health crisis response in partnership with G.C.C. through the Pilot Project. This initiative will co-locate a crisis worker, with specialized training in mental health crisis response, in the Service's 911 Communications Services Call Centre to divert police resources away from calls that can be managed by a crisis worker. This Pilot Project aims to quickly connect inbound callers experiencing non-emergent mental health-related issues directly to mental health professionals and support at Gerstein Crisis Centre and other community support agencies.

The Pilot Project will have a crisis worker available 20 hours a day, seven days a week to respond to people in crisis in 14, 51 and 52 Division neighbourhoods. This catchment area is within G.C.C.'s current service area. The Pilot Project is anticipated to commence on July 1, 2021 for a one-year term.

City of Toronto Community Crisis Support Service Pilot:

The City of Toronto, in January 2022, will launch a complementary pilot project called the Community Crisis Support Service Pilot (C.C.S.S.), which will operate in 23, 31, 42, 43 and 51 divisions. The C.C.S.S. will have the ability to provide a collaborative response with community anchor partners to dispatch non-police mobile crisis teams, to non-emergency crisis calls and wellness checks; while the Service Pilot Project is strictly crisis call diversion through the telephone.

Both the City and Service have worked in collaboration with one another in developing these pilots and are satisfied that they will complement each other and offer expanded crisis response in different areas of the city. While the pilots will overlap in 51 division, the demand for crisis response is much higher in this area than other areas of the city. Over the past 4 years, 51 division has received more than double the number of crisis calls than all other divisions in the city with the exception of 14 and 52 division. The combination of both pilots will provide a much-needed service to the community in 51 division.

The Service will continue to engage, share information and track progress of our Pilot Project with the City of Toronto.

Discussion:

The Service’s strategy for mental health and addictions is to effectively and compassionately respond to individuals who may be experiencing mental health and/or addictions issues and work toward our goal of zero deaths while ensuring the well-being, safety, rights and dignity of individuals and communities.

The Service is committed to learning from past interactions, and takes into account the views, expectations, and contributions of the community in determining our response to similar situations in the future. Over the years, funding for mental health supports including care has changed, leaving many people with mental health issues, homeless or without a support network. The police by default remain a primary point of contact for the community when they are not aware of or familiar with other mental health support networks.

The number of person in crisis calls received by the Service have increased over the past 5 years, with the largest increase of 12.4% between 2019 and 2020:

Person In Crisis Calls for Service Last 5 Years and Percentage Change								
2016		2017		2018		2019		2020
Count	% Change	Count	% Change	Count	% Change	Count	% Change	Count
35,513	1.8%	36,168	8.1%	39,092	1.9%	39,852	12.4%	44,799

Police officers receive training in de-escalation, mental health and hear from people with lived experience. However, the police response was never designed to continue beyond the initial response in pursuit of longer term positive outcomes. In many cases, the immediate intervention by police and the short term medical attention received in the hospital emergency departments is less than what is necessary to prevent future crisis incidents.

The Mobile Crisis Intervention Team (M.C.I.T.) Program Expansion Team met with many community based mental health and addictions service providers in search of a partner agency including: Gerstein Crisis Centre, Canadian Mental Health Association Toronto/Peel-Dufferin, Fred Victor, Progress Place, Albion Neighborhood Services, Sound Times, Reconnect, WoodGreen, C.O.T.A. Health, Scarborough Health Network and The Distress Centres of Greater Toronto.

The M.C.I.T. Program Expansion Team also consulted with other police services and agencies who provide similar alternate models of crisis response including: Houston Police Department and the Harris Centre for Mental Health, Austin Police Department and Integral Health Care, Broome County Office of Emergency Services, City Of Eugene Oregon Crisis Assistance Helping Out On The Street, York Regional Police Service, Peel Regional Police Service and Behaviour Health Link (Georgia).

The Service’s Partnership with the Gerstein Crisis Centre:

Gerstein Crisis Centre (G.C.C.) has been identified as the only local agency currently capable of partnering on this magnitude of a project. The Service has a long history of collaboration with G.C.C. in service to the mental health community, including Furthering Our Communities Uniting Services (F.O.C.U.S.) Tables, the Board's Mental Health and Addictions Advisory Panel (M.H.A.A.P.), Mental Health and Justice Short term Residential Crisis Beds, committee work and training and education at the Toronto Police College.

A model in which the earliest intervention for mental health needs is provided by a mental health worker rather than the police service can provide opportunities to leverage help sooner, reduce stigma and unnecessary police involvement.

Mutual Benefits:

Both the Service and G.C.C. share similar goals of providing timely responses to our community members experiencing mental health crises. This collaborative partnership will support the Service's ongoing pursuit of effective and compassionate de-escalation response and support G.C.C.'s mission to be an accessible source of support and recovery for individuals experiencing a mental health crisis.

Potential Outcomes:

1. Calls for persons in crisis to 911, which meet diversion criteria, are diverted to a crisis worker for a non-police mental health crisis response and prevent unnecessary police attendance.
2. Improved community experience of mental health crisis response.
3. Improved connection to needed services for callers in crisis.
4. A proof of concept for a business model that could enhance and expand community based responses to persons in crisis in order to de-task calls from police and other emergency services wherever possible.
5. A demonstration of the commitment of the Service to policing reform specifically, in this case, as it relates to creating alternate models of service delivery which engage community partners to effectively assist people in crisis.
6. A successful model of collaboration between Service and G.C.C. to the benefit of the mental health community.

Alignment with the Toronto Police Service Competencies:

The Pilot Project reflects and aligns with the Service's commitment to our competencies. Through reflection and growth, the Service recognizes that alternate response models for persons in crisis are needed. Input and feedback from the mental health community has been crucial to understanding how we can best help and make a difference so we can respond compassionately and ensure that those in crisis feel safe and supported. The Service worked in collaboration with G.C.C. to identify call criteria suitable for diversion in the Pilot Project and will continue to assess the criteria for diversion as the Pilot Project progresses.

Service's Mental Health and Addictions Strategy:

In 2019, the Service launched a Mental Health and Addictions Strategy to “enhance the health, human rights, dignity and safety of members of the community and Service who may be experiencing mental health and/or addiction issues”. This strategy outlines a framework to ensure the Service continues to preserve life, provide leadership, develop cultural competence, equity, antiracism learning, provide a stigma-free work environment and service delivery. The Service will accomplish this through advocacy and partnership, continuous evaluation, transparency, accountability, oversight and reporting.

The Pilot Project with G.C.C. will contribute to the success and implementation of the Service's Mental Health and Addictions Strategy in the following ways:

- The Pilot Project will demonstrate and strengthen the commitment of the Service to improve services through partnership and collaboration;
- Members of Communications Services will continuously learn about alternate mental health service delivery and the resources available in the City, and undoubtedly learn new ways of asking questions and gathering the necessary information from a caller who is in crisis, and in a bias-free, compassionate way that de-escalates the situation;
- This partnership will support efforts to preserve life by facilitating mental health services that will help deter persons from harming themselves, ending their lives or harming someone else;
- The Pilot Project will decrease unnecessary interaction with the police and the justice system.

The Gerstein Crisis Centre Purpose and Mission:

G.C.C. currently provides 24/7 telephone crisis support in the City, and manages their own telephone crisis support line and offers mobile crisis visits following a crisis call. The G.C.C. mobile crisis team provides in person crisis intervention, community support referrals, substance use crisis management, follow-up and access to short term (3-5 days) and long term (up to 30 days) crisis beds.

The Pilot Project proposal aligns with the purpose and mission of G.C.C., “to be an accessible resource of support and recovery for individuals experiencing a mental health crisis, to work collaboratively with partners to create improved access to services and to promote wellness, recovery and strong consumer survivor networks”. Persons in crisis contact 911 for help. The caller may not know where else to turn or what other resources are available. The circumstances of the crisis may make contacting non-police resources difficult. Whatever their reason, thousands of persons in crisis call 911 each year. A portion of these callers are people who may benefit from the services of G.C.C.

The Pilot Project is a collaboration that encourages increased accessibility to G.C.C.'s telephone crisis response services by adding another point of contact co-located at the Service's 911 Communications Services Call Centre. This will improve access to non-emergent crisis intervention services and promote wellness in a way that respects autonomy, dignity and diversity.

911 Call Diversion Programs in Other Jurisdictions:

Houston Police Department

The M.C.I.T. Program Expansion Team researched some of the most successful crisis diversion programs run in cities that have demographic similarities to Toronto. In 2015, the Houston Police Department (H.P.D.) developed their Crisis Call Diversion (C.C.D.) program. Their program is a multi-agency collaboration between H.P.D., the Houston Emergency Center and the Harris Center for Mental Health and Intellectual and Developmental Disabilities. It is designed to identify and redirect non-emergency, non-life-threatening calls for services that are mental health crisis related away from first responder resources and to a mental health professional tele-counselor located at their 911 call centre. The counselors assess the caller's needs and connects them to mental health services rather than dispatching police personnel.

In 2017, H.P.D. officers responded to 37,032 mental health crisis related calls for service. Diversion crisis tele-counselors handled 2,151 (5.8%) mental health crisis related calls for service that would normally have been responded to by police. Tele-counselors completed clinical mental health assessments, suicide safety plans, violence safety plans and referred consumers to the Harris Center and various other community services.

York Regional Police Service:

York Regional Police Service (Y.R.P.S.) recently ran a limited pilot program involving crisis call diversion. Due to Covid19, the Y.R.P.S. Crisis Intervention Teams (C.I.T.), were restricted from a mobile operational response. The Y.R.P.S. C.I.T. model has a police officer partnered with a mental health social worker. C.I.T. officers and crisis social workers were re-deployed to the Community Investigative Support Unit (C.I.S.U.), an in house service delivery model, where they immediately followed up on calls for service in the 911 dispatcher's pending call list where a mental health component existed. This follow up was telephone or other electronic communication based.

Between April 9th 2020 and June 23rd, 2020, the C.I.T. embedded in the C.I.S.U., called the complainants in 192 mental health related calls and were able to divert 138 (71%) of those calls from requiring the attendance in person by a primary response police unit. The average time the C.I.T. spent on a call was 42 minutes compared to approximately 2 hours for a traditional police response, which is 65% less time to resolve the call for service.

Los Angeles Police Department- Didi Hirsch 911 Diversion Program:

The Los Angeles Police Department (L.A.P.D.) considers several types of mental health related calls for 911 diversion to Didi Hirsch Mental Health Services. Non-imminent suicide and behavioral health related calls answered by the L.A.P.D. Communications Division are diverted to a dedicated line at the Didi Hirsch Mental Health Crisis Call Center, during designated hours, if the following elements are not imminent:

- The subject is threatening to jump from a bridge or structure;
- The subject needs medical attention;
- A suicide attempt is in progress;
- The subject has a weapon and is not in a building or residence; or
- The subject has a weapon inside a building or residence and other people are present.

The L.A.P.D. Didi Hirsch 911 Diversion Program commenced on February 1, 2021 and has diverted 322 callers (an average of 2.5 calls per day) to the Didi Hirsch crisis hotline; which represents 2% of all crisis calls they received. The L.A.P.D. received 15,357 mental health related calls for service during this same time period (February 1, 2021 to June 2, 2021).

Selected Crisis Call Diversion Model:

Upon examination of several iterations of crisis call diversion, the Service determined that the H.P.D.'s model for crisis call diversion (case worker co-located in the Service's Communications Services Call Centre) is the most favourable model for the Service's Pilot Project. H.P.D. was one of the pioneers of this concept, have several years of operational experience with the model, and have demographic similarities to Toronto.

A G.C.C. crisis worker co-located in the Service's 911 Communications call centre will fulfill two primary functions:

1. Crisis Call Diversion: there will be two methods for diverting mental health related crisis calls for service that meet specific, non-imminent risk criteria and which may benefit from a non-police mental health crisis response:
 - a. Direct transfer of caller to co-located crisis worker: Service 911 call takers will identify callers deemed suitable for diversion and offer the caller an opportunity to speak with a crisis worker as an alternative to a police response. Upon consent from the caller, the Service's 911 call taker will transfer the caller directly to the co-located crisis worker.
 - b. Pending queue of crisis calls for co-located crisis worker: Service 911 call takers will make a copy of calls for service deemed suitable for diversion and create a pending queue on the Computer Aided Dispatch (C.A.D.) system for review and action by the G.C.C. crisis worker. The G.C.C.

crisis worker will phone the person in crisis and upon consent offer a non-police mental health crisis response.

2. De-escalation Support for Police Response to Crisis Calls: for mental health related crisis calls that require an immediate police response, the G.C.C. crisis worker will assist the Service 911 call taker, or where requested and appropriate, provide direct support to the caller, to assist in de-escalating the person in crisis over the phone until police/M.C.I.T. arrive on scene, in order to increase the probability of a peaceful transfer of support to the attending team.

Crisis Call Diversion Criteria:

A G.C.C. Crisis worker may action mental health related calls for service that meet any of the following criteria:

- A person in mental health crisis who is not actively attempting suicide or being physically violent;
- A person involved in a verbal dispute or disturbance with a mental health component, wherein a crisis call worker can attempt to resolve with intervention and where there is no perceived or real risk of violence;
- A non-violent person requesting police due to psychosis or an altered mental state;
- A non-violent repeat caller with a known mental health history;
- A non-violent person in mental health crisis requesting M.C.I.T. (Service Communications Operators will not provide the option of M.C.I.T.; Communications Operators will transfer the caller to the G.C.C. crisis call worker);
- Second party callers concerned about the welfare of a non-violent person suffering a mental health crisis.

Calls for service that involve an imminent threat to life or property, violence, threat of violence, violent tendencies, weapons, a criminal offence, attempt suicide, drug overdose, medical attention, a person under 16 years, public lewdness, domestic violence or incident, or a 911 call received from a crisis hot line, hospital, or emergency clinic are not suitable for diversion to a G.C.C. crisis worker.

Project Catchment Area:

A G.C.C. crisis worker co-located in the Service's Communications Services Call Centre will provide diversion and support services for crisis calls that arise within the boundaries of 14, 51 and 52 Division. This catchment area is within G.C.C.'s current service area. This proposed area is bounded by DuPont Street and Bloor Street to the north, Queens Quay Boulevard to the south, the Don Valley Parkway to the east and Dufferin Street and Roncesvalles Avenue to the west.

G.C.C. Crisis Worker Supervision:

The G.C.C. crisis worker will remain an employee of G.C.C. while participating in the Pilot Project. While on duty at the Service's Communications Services Call Centre, the G.C.C. crisis worker will be nominally supervised by the on duty Service Communications supervisor for operational support. The G.C.C. crisis worker will continue to report to the G.C.C. coordinator for all other crisis support tasks and employment needs.

Crisis Worker Scheduling:

A Crisis Worker will be available for call diversion in the Pilot Project between the hours of 7:00 a.m. to 3:00 a.m., 7 days a week. Notice of the scheduling of a G.C.C. crisis worker will be provided to the Service's Communications supervisor one week prior to the start of that shift schedule. Schedule changes will be forwarded to the Service's on duty Communications supervisor as soon as practicable.

Critical Incident Aftercare and Debriefings:

The G.C.C. crisis worker will be included in all debriefings provided to Service employees of the Communication Services Call Centre involved in a traumatic critical incident in accordance with Service Procedure 08-04 – Members Involved in a Traumatic Critical Incident. The G.C.C. crisis worker may participate in a defusing and debriefing session led by the Service's Critical Incident Response Team members, the Service's Employee & Family Assistance Provider or a Service psychologist. All additional aftercare will be coordinated through G.C.C.

Complaints:

The agreement contains provisions designed to address internal/external complaint processes and serious misconduct investigations regarding a G.C.C. crisis worker, G.C.C. coordinator, communications operator or communications supervisor while engaged in the Pilot Project.

Communications Training for Crisis Workers:

The agreement also contains provisions that address police related communications training for all G.C.C. crisis workers assigned to the Pilot Project. The Service's Communications Services unit will provide G.C.C. crisis workers with 35 hours of training on Service Policies and Procedures, event types / priorities, terminology, 10 codes/phonetics, call text abbreviations, C.A.D. program, 911 Call centre operational floor observations and include mock scenarios. G.C.C. crisis workers will also receive a further 80 hours of hands on support/training at the crisis call diversion desk with Service workflow processes and computer systems. Conversely, G.C.C. has provided

a comprehensive presentation on their operations, which has been incorporated in the training information that is delivered to the Service's Communications Operators.

Pilot Program Evaluation:

Prior to end of the Pilot Project, the Service and G.C.C. will work collaboratively to measure and evaluate this Pilot Project using agreed upon metrics, which are included in the memorandum of understanding. This will assist in ensuring the Pilot Project is developing promising practices that result in the outcomes outlined earlier in this board report. Data collected will include, but is not limited to:

- the number of crisis calls received; attended by police and diverted to a G.C.C. crisis worker;
- the number of calls G.C.C. returned to a communications operator for dispatch to primary response officers;
- the number of calls G.C.C. referred to their mobile crisis teams;
- the number of calls from repeat callers diverted to a G.C.C. crisis worker; and
- the number of referrals for after-care made by a G.C.C. crisis worker.

The Service will provide the Board with a 6 month mid-term evaluation report on the progress of the Pilot Project.

The Parties have agreed to the inclusion of the following indemnity clause in the M.O.U.:

“Each Party shall hereby indemnify, defend and hold harmless the other Party and their officers, employees and contractors, from any and all third party claims for liability, damage, loss, injury, harm, cost or expenses incurred as a result of omission, negligence or willful misconduct in respect of this Memorandum of Understanding (M.O.U.).”

This M.O.U. between G.C.C. and the Board has been reviewed and approved as to form by the City of Toronto Solicitor. This M.O.U. has also been reviewed and approved by the Service's legal counsel to ensure that the legal and operational requirements of the Service are adequately protected.

Formalization of Toronto Police Service adoption of the term “Person in Crisis”:

As the Service has evolved in the service delivery to those experiencing mental health and addiction issues, there is now an opportunity to update the Service's language to be more inclusive and respectful when describing these interactions and the people involved in them. As such, the Service has endeavoured to develop consistent terminology to describe people experiencing mental health issues which:

- Takes into consideration community concerns of the labelling, stigmatization, and perception of the person involved;

- Is reflective of current legislative parameters; and
- Is balanced with best practices identified by subject matter experts and those with lived experiences.

After research and consultation with representatives of the mental health community, including those with lived experience, the Service will move to formally adopt the terminology of “Person in Crisis,” throughout all Service governance, training and communications to describe people experiencing mental health and addiction issues.

The Office of the Police Services Board has also undertaken to adopt similar terminology changes, in [Board Adequacy Standards Policy LE-013](#) – Police Response to Persons who are Emotionally Disturbed or have a Mental Illness or a Developmental Disability; and any other policy or governance document in which “Emotionally Disturbed” language appears. The Board is currently working on a Comprehensive Adequacy Standards Policy, which includes the modernization and updating of many Adequacy Policies, including LE-013. The amended Policies, including this one, which will include this updated terminology, will be considered by the Board at a future date.

While there is no single consistent terminology used throughout the mental health and addictions community or by our partner agencies, there has been vast support expressed for the Service’s change in terminology from “E.D.P.” to Person in Crisis.” Therefore, the Service will formally adopt the terminology of “Person in Crisis” throughout all Service governance, training and communications and this will be defined as:

A member of the public whose behavior brings them into contact with emergency services, either because of an apparent need for urgent care within the mental health system, or because they are otherwise experiencing a mental, emotional or substance use crisis involving behavior that is sufficiently erratic, threatening or dangerous that emergency services are called in order to protect the person or those around them. This includes persons who may require assessment under the Mental Health Act.

This definition has been almost entirely derived by a similar definition presented by Justice Iacobucci in his review, “Police Encounters with People in Crisis,” and aligns with the feedback received from our partners and stakeholders in the mental health community, including M.H.A.A.P. The term is “person-centred” and supports the dignity and perception of the person involved.

Formally adopting the terminology of “Person in Crisis” across the Service will be a work in process over several months. The Service will engage all necessary Units to implement changes to the current terminology consistently across the Service, in all areas, and ensure that the application and use of the term “Person in Crisis” is socialized among members. Service Procedure 06-04 “Emotionally Disturbed Persons” will be updated to reflect the new language.

Conclusion:

It is recommended that the Board authorize the Chair to execute the M.O.U. in relation to the 911 Crisis Call Diversion Pilot Project which will provide an alternative, innovative and collaborative model of mental health crisis response in partnership with G.C.C.

Deputy Chief Peter Yuen, Community Safety Command and Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

Toronto Police Service IT Infrastructure: Cyber Security Assessment Phase 1

Date: June 15, 2021
To: Toronto Police Services Board
From: Auditor General
Wards: All

REASON FOR CONFIDENTIAL INFORMATION

This report involves the security of property belonging to the City or one of its agencies and corporations. The attachment to this report contains information explicitly supplied in confidence to the Toronto Police Service which, if disclosed, could reasonably be expected to impact the safety and security of the City, its services and residents.

SUMMARY

The Toronto Police Service (TPS) employs nearly 4,800 police officers plus support staff and has a 2021 operating budget of \$1.076 billion. The nature of law enforcement and the justice system, along with the sheer magnitude of this operation identifies it as an enticing target for cybercriminals intent on gaining access to confidential data in computer systems for unlawful or malicious purposes.

The International Association of Chiefs of Police in one of their recent publications of *The Police Chief Magazine* noted that:

*"Reports of extensive data breaches or other elaborate cybercrimes are increasing worldwide. ...Even more troubling, police departments are increasingly the targets of cyberattacks, either for criminal purposes or as acts of 'hacktivism'."*¹

And that:

"Malicious actors use cyberattacks on law enforcement and local government in attempts to exploit sensitive information or even induce a cascading impact to critical infrastructure in a region. Emergency services are highly dependent on communications, information technology (IT), and the capability to transport

¹ *The Emerging Cyberthreat: Cybersecurity for Law Enforcement*
<https://www.policechiefmagazine.org/the-emerging-cyberthreat-cybersecurity/>

essential personnel and equipment to locations where they are most needed. Computer-aided dispatching; emergency alert systems; event tracking; monitoring transportation infrastructure; and the sharing of intelligence, alerts, and operational plans are all highly dependent on the ability to transmit information via the Internet."

According to an April 2021 article in the New York Times², the Washington D.C. Metropolitan Police Department appeared to be the third US police force targeted in a ransomware attack in six weeks, and the 26th US government agency hit during 2021 up to the month of April. Cyber criminals claimed to have downloaded over 250 gigabytes of data. The breached files reportedly included details of disciplinary proceedings of hundreds of officers dating back to 2004.³

In June 2020, 38 police agencies across Canada were exposed by cybercriminals who also appeared to be targeting American police agencies⁴. The RCMP acknowledged being a target, however the other Canadian police agencies were not publicly identified. Media reports from the United States identified the compromised information from US police agencies affected by this breach as including:

"Nearly 24 years of documents, with names, email addresses, phone numbers, bank accounts involved in investigations, pictures and other data."

In September 2019, the Los Angeles Police Department confirmed that its systems had been breached and the personal information of at least 20,000 people had been exposed. The data breach included names, dates of birth, email addresses and passwords, as well as portions of social security numbers.

In a December 12, 2019 letter to the Auditor General, the Toronto Police Services Board requested that the Auditor General conduct a cybersecurity audit. Given the size and importance of TPS and the sensitivity of the information it retains, the Auditor General prioritized the allocation of resources on the request and agreed to perform a vulnerability assessment and penetration testing of the TPS IT network, systems and applications.

We have completed Phase 1 of this review. The purpose of Phase 1 was to assess TPS's ability, as a critical City agency, to manage external and internal cybersecurity threats. A Phase 2 review will be conducted in the future to review systems that were excluded from this current review.

This public report contains three recommendations. The confidential findings and recommendations to improve TPS cybersecurity controls are presented separately to this report in Confidential Attachment 1. In addition, a detailed technical report has also been provided to management for expediting actions.

² <https://www.nytimes.com/2021/04/27/us/dc-police-hack.html>

³ <https://apnews.com/article/police-technology-government-and-politics-1aedfcf42a8dc2b004ef610d0b57edb9>

⁴ <https://www.cbc.ca/news/canada/ottawa/blueleaks-published-thousands-of-documents-from-canadian-police-agencies-1.5734311>

The management has agreed with the recommendations contained in the confidential attachment to this report and will be providing a detailed management response to the Board in the future board meetings.

RECOMMENDATIONS

The Auditor General recommends that:

1. The Board adopt the confidential recommendations contained in Confidential Attachment 1 to this report from the Auditor General.
2. The Board direct that all information contained in the Confidential Attachment 1 to the report to remain confidential.
3. The Board forward this report to City Council through the City's Audit Committee for information.

FINANCIAL IMPACT

Implementing the recommendations in this report will strengthen information technology security controls at TPS. The extent of costs and resources needed to implement the recommendations is not determinable at this time. The investment needed to improve controls to manage and respond to cyber threats offsets the potentially significant costs that could result from security breaches, which could include data recovery/cleanup, financial loss, reputational damage, fines or litigation.

DECISION HISTORY

Considering the importance of cybersecurity with respect to the confidentiality of the TPS data and IT network and systems, the Board requested the Auditor General in December 2019 to conduct a cybersecurity audit at TPS.

The Auditor General prioritized this review in 2020. The project was delayed due to the COVID-19 Pandemic, however continued to be prioritized and was included in her 2021 Audit Work Plan. The Auditor General's 2021 Audit Work Plan is available at:

<https://www.toronto.ca/legdocs/mmis/2020/au/bqrd/backgroundfile-158178.pdf>

This review is part of the Auditor General's overall plan to expedite the reviews of IT security systems throughout the City and its major Agencies and Corporations.

COMMENTS

With cyber threats evolving, there is an urgent need for all City of Toronto organizations, including TPS, to ensure cybersecurity programs can adapt to new threats. Billions of pieces of data are housed in various systems and computers at TPS. A single breach could have a devastating impact on its operations. A system is only as strong as its weakest link.

Increasing cyberattacks, in particular "Ransomware" are a risk for many countries. In a Five Country Ministerial Statement, Canada, the United States, New Zealand, Australia and the United Kingdom collectively stated that:

*"Ransomware is a growing cyber threat which compromises the safety of our citizens, the security of the online environment, and the prosperity of our economies. It can be used with criminal intent, but is also a threat to national security. It can pose a significant threat to Governments, critical infrastructure and essential services on which all our citizens depend."*⁵

The United States Department of Homeland Security has issued the following advisory:

*"Ransomware has rapidly emerged as the most visible cybersecurity risk playing out across our nation's networks, locking up private sector organizations and government agencies alike. And that's only what we're seeing – many more infections are going unreported."*⁶

Industry experts on information technology highlight features of the current threat environment:

*"Current attacks are very sophisticated. They're evolving on an almost daily basis."*⁷

The Canadian Centre for Cyber Security stresses that:

*"Inadequate information technology security practices provide cyber threat actors with an easy way to bring down your organization's network and give them access to sensitive information."*⁸

Cyberattacks on municipalities and police services

In recent years, many municipalities and law enforcement/police organizations in Canada and the U.S. have been affected by cyberattacks.

⁵ Five Country (Australia, New Zealand, Canada, United States, United Kingdom) Ministerial Statement Regarding the Threat of Ransomware April 7, 2021

⁶ Department of Homeland Security – CISA Insights – Ransomware Outbreak, August 21, 2019

⁷ Standing Committee on Public Safety and National Security-SECU-155 April 3, 2019

⁸ Canadian Centre for Cyber Security, Common Employee IT Security Challenges (ITSAP.00.005)

A New York Times article⁹ outlined how more than 40 municipalities in the U.S. – including large cities like Baltimore and Atlanta – have been hit by ransomware attacks. Some of these municipalities chose to pay the ransom to unlock data that had been encrypted or to restore access to systems; others did not. It can cost municipalities millions of dollars to recover from these attacks, in addition to the costs of data clean up and systems recovery.

With the level of services, extent of personal and highly sensitive data, and the critical infrastructure the organization supports, the Toronto Police Service must do all it can to protect its systems against cyberattacks and to adapt to emerging threats. Opportunities to do this at TPS are outlined in Confidential Attachment 1.

The procedures and work performed for this report do not constitute an audit in accordance with Generally Accepted Government Auditing Standards (GAGAS). However, we believe we have performed sufficient work in satisfaction that the evidence obtained provides a reasonable basis for our findings and conclusions.

We express our appreciation for the co-operation and assistance we received from TPS management and staff.

CONTACT

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SIGNATURE

Beverly Romeo-Beehler

Beverly Romeo-Beehler
Auditor General

ATTACHMENTS

Confidential Attachment 1 - Toronto Police Service IT Infrastructure: Cyber Security Assessment Phase 1

Confidential Attachment 2: CYBERSECURITY REVIEW AT A GLANCE - Toronto Police Service IT Infrastructure: Cyber Security Assessment Phase 1

⁹ *Ransomware Attacks Are Testing Resolve of Cities Across America*, August 22, 2019, The New York Times



Toronto Police Services Board Report

June 7, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Independent Review of the Toronto Police Service Use of Conducted Energy Weapons

Recommendations

It is recommended that the Toronto Police Services Board (Board) receive this report.

Background / Purpose

At its meeting of February 18, 2018, the Board approved the following motions (Min. No. P19/18 refers):

"2. THAT the Board direct the Chief to conduct, by engaging an external body, an international review of best practices regarding use of force options, including possible alternatives to CEWs, and tactical approaches, and to provide a public report with recommendations, where appropriate, at the culmination of this review.

a. As part of this review, evaluate best practices on the safety of CEWs in different modes, including TPS members that are already using CEWs and from other jurisdictions that have implemented policies on permitted methods of discharging CEWs.

b. THAT the Board, as an exception to the Board's Special Fund Policy, make a contribution to the cost of this review and evaluation in an amount not to exceed \$80,000."

This report responds to the Board motions and provides the Board with the independent report from MNP LLP (M.N.P.), who was engaged to review the Toronto Police Service's (Service) C.E.W. program. This review examined statistical data on C.E.W. use, governance and policy, training and reporting.

MNP's objectives were to:

1. Perform global benchmarking or comparator analysis on the use of C.E.W.s
2. Conduct an international review of best practices regarding police use of force options, including:
 - Possible alternatives to C.E.W.s that are being used internationally; and
 - Tactical approaches to situations involving use of force and non-use of force incidents including de-escalation tactics to reduce the intensity of a person in crisis and, if force is used, to reduce the force necessary, if appropriate.
3. Evaluate best practices on the safety of C.E.W.s in different modes
 - Full Deployment and Drive-Stun Mode for:
 - Service members who are currently using the C.E.W.; and
 - Other jurisdictions that utilize C.E.W.s.

Overview:

In September of 2020, the Service, at the direction of the Board, commissioned an independent review of the Service's C.E.W. program through a competitive procurement process. M.N.P. was selected to conduct that review and has now provided the Service with its final report, attached as an addendum to this report.

M.N.P. compared the Service's use and governance with the following police services:

1. Peel Regional Police Service
2. York Regional Police Service
3. Durham Regional Police Service
4. Halton Regional Police Service
5. Ottawa Regional Police Service
6. Calgary Police Service
7. Royal Canadian Mounted Police

Notwithstanding the differences in societal norms, training and legal frameworks, M.N.P. also benchmarked the Service against the following international police agencies:

1. New York Police Department
2. Los Angeles Police Department
3. Chicago Police Department
4. New Zealand Police Service
5. England and Wales Police Service

M.N.P.'s report outlines its key findings which include areas where the Service is to be commended as well as recommendations for future improvements. A summary of the findings, commendations and recommendations are provided in the Discussion section below.

The overall findings demonstrate that the Service's use, policies and reporting are either in line with, or exceed, those of its immediate peer group. Notwithstanding, there are always areas that require improvement. The Service is committed to implementing the recommendations, many of which are well underway, and will report to a future meeting of the Board on the status of the action taken.

Financial Implications:

The total cost of this review was \$130,000. The cost was shared between the Board and the Service.

Discussion:

The report provides the following conclusions:

- All use of force experts concur that although there are alternatives to C.E.W.s, there is no viable replacement. No other use of force tactic or tool provides the unique qualities of a C.E.W.
- The data suggests that the Service uses the C.E.W. within the guidelines of existing Service policies and training for the device; and
- The Service is operating within international best practices identified on deployment, data collection and reporting of C.E.W. use.

Excerpt of Key Findings:

"The research conducted for this review demonstrates that CEW use increases as the device becomes more available and more officers are trained to use the device. TPS has found similar trends based on annual CEW reports. However, the data suggests that the TPS uses the CEW in accordance with incident circumstances (i.e. subjects that are assaultive) and within the guidelines of existing policies and training for the device. These findings illuminate that the frequency of CEW use by a police service is not only a function of its availability to officers but also a function of policy and subject behaviour.

Since being recorded by the TPS in 2019, the 2019 and 2020 reports also indicate that de-escalation was utilized by officers in 97.3% and 97.8% of incidents involving a CEW respectively. These results indicate that de-escalation techniques are being utilized in most incidents involving the use of a CEW by the TPS. TPS CEW use is not being utilized as an alternative to techniques meant to mitigate the volatility of an incident.

Data from police services that track presentation of force, full deployment, and drive-stun mode show that CEWs are primarily utilized as a presentation of force.

Research and data collected from other police services/departments show that CEWs are associated with fewer injuries compared to other use of force tactics/tools and rarely officially attributed as a cause of death. To this point, the TPS have recorded zero deaths, an average of 4.7 subject injuries, and two civil action cases annually due to CEW use between 2010 and 2020. Additionally, the expansion of the CEW to frontline officers in 2018 has been followed by a 15% reduction in Special Investigations Device (sic) (SIU) cases (from 76 to 64) and a 22% reduction in officer injuries (from 138 to 107). These results suggest that the TPS is doing a good job of ensuring that citizens were not put at risk by the expansion of CEW deployment. However, these devices are a use of force tool and still present a risk of serious injury or death when used by the police.

Best practices dictate that clear policies are required regarding testing, training, use, and supervision of CEWs. Recurring training for officers that is scenario based and oversight ensuring accountability and transparency to reduce instances involving injury or death regarding CEWs is also necessary. The TPS has clear policies regarding CEW use, comprehensive supervision and training, as well as fulsome accountability mechanisms/processes and transparency in comparison to other police services.”

The M.N.P. report also included a number of areas where the Service was commended on their C.E.W. practice and processes and also included recommendations for future consideration.

M.N.P. Commendations:

1. Service de-escalation training was specifically recognized as more comprehensive compared to other services/departments included in this review.
2. Service policy surrounding C.E.W. use was found to be clear and appropriate.
3. The Service provides training that is longer, more comprehensive and with greater frequency for recertification than other services/departments included in this review.
4. Mobile Crisis Intervention Teams were highlighted as making a significant commitment to safely address individuals in crisis.
5. The Service’s reporting was highlighted as being substantially more robust than other services/departments included in this review.
6. The Service aligns with best practice in relation to conducting regular reviews to ensure best practices are embedded into policy.

M.N.P. Recommendations:

1. Expand scenario based training to include, “priming the scene” by removing third parties, using the environment to their advantage and containing the scene. This training should include scenarios that highlight various types of disengagement in order to assist officers in finding the balance between the safety of each person involved in an incident.

2. Provide inclusivity training for officers where they are exposed to perspectives of individuals from racialized communities to assist officers in improving their de-escalation techniques.
3. C.E.W. and Use of Force data should be collected in relation to “suicide calls”. In addition the data should also track injuries and types of injuries which could be made public on a dashboard with high level information provided.
4. Continue the monitoring of C.E.W. expansion including reviews of best practices and community consultation.
5. In-Service training debrief sessions should be part of annual training. These would provide the opportunity for discussion on how to improve performance by coupling real experience debriefings with reality based scenarios.
6. Make policy improvements in some areas of C.E.W. use, such as prioritizing de-escalation, disengagement tactics, safety considerations and privacy considerations.

Conclusion

The Service has only just received the M.N.P. report and will require time to fully examine the recommendations. However, this independent report concludes that the Service’s approach to the C.E.W. program is sound and effective, and commends the Service for its practices. Some of the report’s recommendations are reflective of existing practices the Service employs, however, these could be continuously improved upon.

The M.N.P. report outlines a number of opportunities where the Service can further expand and improve training and governance. The Service is committed to leveraging those opportunities and will provide a progress report back to the Board at a future meeting.

Mr. Tony Veneziano, Corporate Services Command will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Use of Force Review

Toronto Police Service

Prepared by MNP LLP

May 2021

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Executive Summary

As per the Toronto Police Service (TPS) RFP 1323392-20, this report has been completed in accordance with the following objectives:

1. Global benchmarking or comparator analysis of the use of CEWs
2. An international review of best practices regarding police use of force options, including:
 - Possible alternatives to CEWs that are being used internationally; and
 - Tactical approaches to situations involving use of force and non-use of force incidents including de-escalation tactics to reduce the intensity of a person in crisis and, if force is used, to reduce the force necessary, if appropriate.
3. Evaluate best practices on the safety of CEWs in different modes
 - Full Deployment and Drive-Stun Mode for:
 - TPS members who are currently using the CEW; and
 - Other jurisdictions that utilize the CEW.

In reference to these three objectives, the following key findings, commendations and recommendations are being presented for consideration by the TPS.

Key Findings

The following are key findings based on the secondary research, benchmarking, and stakeholder consultations completed for this review:

Frequency and Type of Use

- The research conducted for this review demonstrates that CEW use increases as the device becomes more available and more officers are trained to use the device. TPS has found similar trends based on annual CEW reports. However, the data suggests that the TPS uses the CEW in accordance with incident circumstances (i.e. subjects that are assaultive) and within the guidelines of existing policies and training for the device. These findings illuminate that the frequency of CEW use by a police service is not only a function of its availability to officers but also a function of policy and subject behaviour.
- Since being recorded by the TPS in 2019, the 2019 and 2020 reports also indicate that de-escalation was utilized by officers in 97.3% and 97.8% of incidents involving a CEW respectively. These results indicate that de-escalation techniques are being utilized in most incidents involving the use of a CEW by the TPS. TPS CEW use is not being utilized as an alternative to techniques meant to mitigate the volatility of an incident.
- There is a difference in the proportion of instances that TPS and the RCMP utilize the CEW as a presentation of force compared to the New Zealand and the England and Wales Police Services. The discrepancy between services does not appear to be explained by differing use of force model requirements. There is limited data available to explain these differences and they may be a function of police in New Zealand and England and Wales not routinely carrying firearms.

- The TPS, RCMP, New Zealand Police Service and the England and Wales Police Services have a higher threshold to justify the use of a CEW compared to the New York and Chicago Police Departments. There is no definitive answer for when a CEW should be utilized by police (i.e. where the device should be placed on a jurisdiction's Use of Force Model). Most use of force stakeholders indicated that the Ontario Use of Force Model has situated the CEW in the appropriate place.
- Data from police services that track presentation of force, full deployment, and drive-stun mode show that CEWs are primarily utilized as a presentation of force.

Subject Demographics and Behaviour

- CEW and use of force tactics/tools are most likely to be used on males between the ages of 18 and 35, who are experiencing a mental health crisis, are under the influence of drugs/alcohol, and/or are assaultive/armed.
- Information collected from other police services/departments as well as research show that individuals from marginalized populations are overrepresented in all instances involving use of force by police. A multivariate analysis completed for the Ontario Human Rights Commission found that Black community members in Toronto are overrepresented in all use of force categories and instances by the TPS. CEWs specifically were noted as being significantly more likely to be utilized on other racialized minorities (13.5%) and Black individuals (8.7%) in comparison to White individuals (3.9%).
- Data from the TPS and the New Zealand Police Service show that subjects who are experiencing a mental health crisis and/or are under the influence of drugs/alcohol are more likely to be armed and/or perceived by police to be armed. It is important to note that these findings do not definitively say that individuals experiencing mental health issues are more prone to violence or a threat to society. Mental health is a complex issue and no generalizable statements or findings can be made related to this topic based on the data collected to complete this review.

Injuries and Death

- Research and data collected from other police services/departments show that CEWs are associated with fewer injuries compared to other use of force tactics/tools and rarely officially attributed as a cause of death. To this point, the TPS have recorded zero deaths, an average of 4.7 subject injuries, and two civil action cases annually due to CEW use between 2010 and 2020. Additionally, the expansion of the CEW to frontline officers in 2018 has been followed by a 15% reduction in Special Investigations Unit (SIU) cases (from 76 to 64) and a 22% reduction in officer injuries (from 138 to 107). These results suggest that the TPS is doing a good job of ensuring that citizens were not put at risk by the expansion of CEW deployment. However, these devices are a use of force tool and still present a risk of serious injury or death when used by the police.
- Best practices dictate that clear policies are required regarding testing, training, use, and supervision of CEWs. Recurring training for officers that is scenario based and oversight ensuring accountability and transparency to reduce instances involving injury or death regarding CEWs is also necessary. The TPS has clear policies regarding CEW use,

comprehensive supervision and training, as well as fulsome accountability mechanisms/processes and transparency in comparison to other police services.

Conducted Energy Weapon Use Compared to Use of Force Tactics/Tools

- Physical tactics are the most utilized use of force tactic/tool by police services/departments, including the TPS.
- CEWs are the second most utilized use of force tactic/tool for the TPS and all other police services/departments included in this review apart from New Zealand. These results are an indication of the utility of the device for officers. Further, these results demonstrate that TPS use of CEWs compares to other police services/departments.
- Most use of force experts indicated that CEWs have a distinct place on the Use of Force Model because it can be used at a distance to achieve neuromuscular incapacitation. This result was stated by use of force experts are being preferable for addressing subjects armed with a blunt or edged weapon or exhibiting potentially self-harming behaviour.
- CEWs are not a replacement for firearms nor do they lead to a reduction in the use of firearms. CEWs and firearms serve two distinct purposes and are not replacements or alternatives to one another. The tactical advantages and distance requirements of a CEW limit the ability for the device to be a viable alternative or replacement for a firearm during circumstances that would require its use by police as referenced in the use of force model and policies and procedures of respective jurisdictions.

Effectiveness of CEW Use

- Based on input from subject matter experts and research collected for this review, the effectiveness of the CEW should be defined by the ability to momentarily stop assaultive behaviour by an individual to gain control/compliance. Essentially, the definition of effectiveness should focus on the outcome of an individual being safely restrained or complying with officers and no longer posing a threat. This is the definition of effectiveness used by the TPS regarding CEWs.
- The TPS CEW effectiveness rate of 85% both generally and with persons in crisis appears higher than other police services. However, it is acknowledged that there are discrepancies in the definition of 'effective' between services and a lack of national or international standards in that definition.

Alternatives to CEWs

De-escalation techniques (referred to as 'communication' on the Ontario Use of Force Model) would be attempted upon arriving at every call and are applicable throughout a use of force incident. One unique quality of de-escalation is that it can be utilized by an officer in tandem with all other use of force tactics/tools. However, the impact of the technique, although influenced by the level of skill of officer using it, is ultimately reliant on the cooperation of the subject. Furthermore, de-escalation techniques cannot be utilized by police in certain situations such as ones involving a subject that is threatening individuals with a weapon or being immediately assaultive.

If de-escalation techniques do not work, then officers may decide that physical control tactics are the best option. Physical control techniques are shown on the Ontario Use of Force Model as “soft and hard”. It is the potential for injury that determines the “level of force used”. The higher the potential of injury, the higher the threat assessment needs to be. Soft physical control would include an officer applying a wrist lock on a subject to the point of immobilization, whereas hard physical control would include the officer performing a dynamic take down of the subject. Physical control tactics are used more than any other use of force option by police. It needs to be noted that this is not always by choice. Should a subject spontaneously attack an officer or a subject resists during an altercation, there may not be time to use any other use of force options. The effectiveness of physical control tactics can be reliant upon the size, strength and physical capabilities of the officer compared to the subject.

A baton is an intermediate weapon use of force tool that is an option for police to help overcome size, strength, and physical capabilities. If used successfully, a baton may cause physiological incapacitation, eliminate the subject’s will to fight, and/or disorient the subject so the officer can gain control. However, a baton is also associated with a high likelihood of injury for both the officer and the subject compared to other use of force tactics/tools.

OC spray is an intermediate weapon or use of force tool that is used to give the officer a tactical advantage over a subject. It is less likely to result in injury to the officer and the suspect in comparison to physical control techniques or the baton. Proper application of OC spray causes the subject to have a hard time “locating” the officer due to the spray hampering vision. It also causes the subject pain. It does not have the ability to incapacitate a subject. It should be noted that an officer may have to utilize an additional use of force tactic/tool in conjunction with OC Spray. For example, an officer sprays a subject and the subject keeps attacking the officer who then transitions to their baton. Environmental conditions such as the wind, rain or snow can reduce the effectiveness of this tool.

The newest intermediate less lethal weapon to be implemented by the TPS is the Extended Range Impact Weapon. This device has been shown to provide officers with another option for addressing assaultive subjects from a distance through pain compliance delivered by the impact of the projectile. However, this device is associated with a higher likelihood of injury in comparison to other use of force tools. This tool is less effective if a subject closes the gap between themselves and the officer quickly.

Finally, CEWs, which are also intermediate weapons, are the second most utilized tool by officers from departments/services involved in this review. The most frequent type of CEW used by police is as a demonstration of force. The second most is a full deployment that results in neuromuscular incapacitation. The tactical benefit of a successful deployment of a CEW is that it is capable of neuromuscular incapacitation of the subject. This provides officers with an opportunity to restrain a subject and consequently prevent any or further actions that may have or may lead to injury.

Research and information gathered from other departments/services involved in this review indicate that CEWs are utilized by officers most frequently to address subjects armed with a blunt or edged weapon and experiencing a mental health crisis. Additionally, the New Zealand Police Service utilizes CEWs disproportionately for dealing with subjects that are suicidal. Anecdotal evidence suggests that officers may be utilizing CEWs for subjects armed with a knife, that are experiencing a mental health crisis, or individuals that are suicidal because they provide officers with the best opportunity to

immediately stop the subject from harming themselves or others with the lowest risk of injury to the subject and the officer.

The most promising alternative to a CEW is the BolaWrap. This tool shoots out wires that wrap up a subject's arms or legs thus decreasing the subject's ability to assault officers. An increasing number of police services are testing the tool and/or providing officers with them in the United States. At the time of writing this review, the BolaWrap is not available in Canada. Due to its limited application it cannot be viewed as a viable replacement for a CEW. The BolaWrap is situationally dependent on large, open areas for proper and consistent usage. However, a BolaWrap may be an alternative that officers could consider in specific situations. There is no pain associated with the BolaWrap except possibly from secondary action such as the subject falling. With that said, no use of force expert or research found during this review indicated that there is a use of force tactic/tool available that would be able to replace the CEW.

Ultimately, an intermediate use weapon is required if a subject is exhibiting assaultive behaviour or the officer believes an assault is imminent and is within five to twenty feet of a subject. Under these circumstances, utilizing the CEW will generally result in less injury to both the officer and the subject than other use of force tactics/tools. Additionally, the officer does not need to be concerned about cross contamination, multiple strikes of the baton causing injury, or the subject's size, strength and physical capabilities for empty-hand techniques with a CEW. Neuromuscular incapacitation offered by the successful deployment of the CEW allows the officer to gain control of the subject. The CEW allows an officer to overcome the discrepancies in strength, size and physical capabilities between the subject and the officer better than any other non-lethal weapon.

Overall, a CEW is a highly utilized tool to address assaultive subjects, primarily as a demonstration of force. Further, the TASER 7™ is able to provide in-depth information regarding the use of the device and is now capable of linking to a body-worn camera to further improve the accountability and transparency of the device - unparalleled by other use of force tactics/tools.

Commendations

In general, the TPS members who were consulted for this review were a progressive and innovative group that are interested in reducing injuries and deaths during police-citizen interactions. The individuals who were consulted for this review expressed interest in pursuing opportunities for improvement of CEW use by the service. The following are specific commendations for the TPS based on the results of this review:

1. **Improved De-escalation Training and Research into Less-Lethal Force Options:** In 2017 the TPS added a three-week judgement and decision-making training course for all recruit classes as well as an in-service day on de-escalation training for all members. The TPS have also incorporated de-escalation tactics into all use of force reality-based training scenarios. Further, the TPS implemented the use of soft-nosed impact rounds in 2016 and piloted the potential use of shields by general patrol members to respond to volatile incidents involving the public. Finally, the TPS do more reality-based training scenarios, often regarded as the ultimate standard in training, compared to the other five police services included in this review.

2. **Use of Force and CEW Policies:** The TPS was found to have clear policies regarding the use of CEWs with appropriate safety policies and controls in comparison to other police services included in this review. The exception was the lack of policy related to multiple and/or simultaneous deployments which is included as a recommendation in this review.
3. **CEW training and Recertification:** The TPS provides four more hours of training for members than the 12 hours required by the Province of Ontario. They also require recertification annually compared to the minimum of two years required by the RCMP. Also, the TPS has included rapid cognition in their training drills that provide officers with opportunities to improve decision-making skills. Finally, the TPS has the highest volume of reality-based training scenarios compared to the five other municipal police services in Canada utilized in this review.
4. **Mobile Crisis Intervention Teams:** The development of these teams over the past 20 years by the TPS are an indication of the service's commitment to providing a holistic approach to individuals experiencing a mental health crisis. By the end of 2021, the Mobile Crisis Intervention Teams, along with the crisis care case managers, and Divisional Crisis Support Officers will be available 24 hours a day, seven days a week. These teams and positions will help individuals experiencing a mental health crisis by providing assessment, stabilizing supporting, and referrals. Improving interactions between police and individuals experiencing a mental health crisis is an important topic for national and international police services. These steps by the TPS will better situate the service to safely address individuals experiencing a mental health crisis.
5. **CEW Reporting:** The TPS collects more in-depth information and reports it more frequently than most of the police services included in this review. Specifically, the information collected regarding perceived subject behaviour and condition, number of cycles, and type of incident. The collection of race-based data by TPS which started in 2020 will align the service with similar data collected by the international police services included in this review. Further, the TPS is only the police service found in this review to provide a stand-alone report on CEWs. The TPS provides quarterly reports on the specific use of CEWs which is more frequent than other police services. Only the Chicago Police Department and the New York Police Department reports use of force data more frequently. They do so via a public dashboard that is updated monthly. However, the dashboard lacks the level of detail that the TPS is reporting.
6. **Conducting Reviews on CEW Use:** the TPS is in alignment with leading practices that suggest regular reviews of CEW policies and procedures to ensure they are up to date and reflect best practices.

Recommendations

1. **Further Expanding Training in Disengagement /Releasing Containment Pressure/Creating Space in CEW :** Augmenting the existing knowledge-based training regarding creating space/disengagement with reality-based training scenarios, may reduce the number of incidents involving a use of force tactic/tool including CEWs by TPS. These tactics could be considered for a variety of situations when the TPS is attending a call with or without a weapon involved, including those involving a person in crisis, to ensure officers' tactics, when possible, contribute to avoiding or mitigating the subject's ability or opportunity to carry out an assault.

Creating space/disengagement may take several forms and the scenarios should be designed to reflect the most appropriate level of disengagement. Scenarios should include a spectrum of disengagement options, for example:

- Complete Disengagement: a scenario where the officer identifies that the police have no lawful authority to continue staying engaged with a subject who has expressed no desire to continue interacting with the police.
- Full Structure Disengagement: a scenario where the totality of the circumstances would suggest to the officers that the best course of action is to remove themselves from the structure, contain and request special resources (Tactical team, Crises Counselor etc.)
- Disengagement Through Tactical Repositioning: a scenario where it is recognized that the containment of an individual experiencing a mental health crisis can be safely expanded to provide more time/distance for officers and lower the containment pressure on the individual.

The training needs to focus on the officer's understanding of the balance between the safety of the individual, third parties and officer(s) on scene by utilizing these tactics. Additionally, the safety and security of other third parties must always be considered by the officer prior to disengagement. One main objective of all additional reality-based training scenarios would include the officers priming the scene by removing third parties, ensuring the officer has an exit for them if required, utilizing the environment to their advantage, and containing the scene at a place the officers have a position of advantage. While priming the scene the officer would rely on de-escalation training to continue to address the incident. One example for reality-based training that could be considered for the above tactics includes a person in crisis situation where the police officers themselves, simply because they are the police, are the stimulus for the escalation of the subject's physical and mental anxiety. Another scenario could include the subject displaying pre - "suicide by cop" behaviour and verbal cues.

2. **Inclusive Training for All Officers:** The findings of the Andrew Loku Inquest as well as the input of several stakeholders interviewed for this review recommend that the TPS should expose members and recruits in training to the perspective of individuals from racialized communities as well as individuals with a mental health condition(s). The purpose would be to help officers understand how individuals are interpreting the officers' actions and comments that, in turn, will help to improve de-escalation techniques. Presently, the TPS is working on addressing this recommendation, aligned with recommendations 52 to 58 of the Andrew Loku Inquest.
3. **CEW Data and Use of Force Data:** The TPS should begin to collect information regarding the use of CEW during suicide calls, like the practice in New Zealand. Additionally, information should be collected regarding the number of injuries, the severity of those injuries, as well as the effectiveness of other use of force tactics/tools. These additional data points would provide a more robust comparison of the use of force tactics/tools utilized by the TPS to share with the public. Finally, the TPS should consider the feasibility of using a publicly available dashboard to provide use of force statistics to the public. The Chicago Police Department has a publicly available dashboard that is updated monthly with information limited to the frequency of CEW use as well as the age, sex, ethnicity, and if the individual was in possession of weapon. Due to

the amount and level of depth of information collected by the TPS regarding CEW use, monthly updates would not be as robust as the quarterly or annual reports currently developed by the TPS.

4. **Continuous Monitoring of CEW Expansion:** Police services nationally and internationally are increasingly providing CEWs to all uniform officers because it has proved to be an effective tool in addressing individuals armed with an edged weapon and/or individuals that are assaultive or may cause serious bodily harm to themselves or others. The unique benefit of neuromuscular incapacitation and the low injury rates for officers and subjects compared to other use of force tactics/tools are two primary reasons for the increasing deployment of this device. There was a high degree of consensus among many of the stakeholders on the strengths of the approach taken by the TPS to the broader distribution of CEWs in the Toronto Police Service. The process has taken five years and involved extensive community consultation and reviews of best practices in other jurisdictions as well as being complete along with the development of the de-escalation policy. Overall, the TPS has continually sought to improve the safe and effective use of the CEW and should continue to do so into the future.
5. **In-Service Training:** a session should be provided to officers during annual in-service training to discuss their experience with the use of CEWs and possibly other use of force tactics/tools. These sessions would augment knowledge and reality-based training by providing a formal opportunity for officers to ask a use of force expert any questions that they have as well as to share and exchange suggestions and insights regarding decisions to utilize use of force tactics/tools or alternatives to them. These discussions need to be focused on education, as opposed to punishment or fault finding, to ensure officers feel supported and to gain value from the discussions to improve performance. Once incorporated into annual in-service training sessions by the TPS, the TPS should establish a formal evaluation framework to properly measure the outcomes of these sessions. For instance, indicators might include monitoring the level of confidence officers have in using specific use of force tactics/tools, a reduction in injury for both officers and individuals, or a reduction in use of force incidents by the service.
6. **Specific Policy Improvements:** In comparison to other jurisdictional CEW policies and procedures included in this review, the following opportunities for improvement have been identified for the TPS to consider:
 - a. Incorporating the priority of using de-escalation prior to other use of force options by officers as well as the rationale for using de-escalation and the goals of the technique into the existing TPS procedures for using a CEW.
 - b. Reinforce methods to create distance to release containment pressure on subjects including disengaging (situationally dependant) within the existing use of force and CEW training, policies, and procedures.
 - c. Incorporate a definition of sensitive areas (i.e. head, genitals, and neck) within the existing CEW policy.
 - d. Add the weight of an individual, drug/substance use, and distance within the existing CEW policy as conditions that may impede the effectiveness of the CEW.

- e. Adding to the existing CEW policy to consider multiple or extended cycles only in exceptional circumstances and after reassessment of the situation which caused the initial use of CEW.
- f. Prohibiting the use of a CEW for the sole purposes of gathering digital video and audio evidence as well as using the device as a form of coercion or punishment.

Finally, one additional opportunity for further exploration by the TPS would be including Crisis Counsellors in the Communication Centre. These counsellors would be available for officers and callers (subject in crisis) to provide mental health support over the phone. The ultimate goal of the support provided by the Crisis Counsellor would be to get a subject to exit the location where the subject is as long as it is safe, or to get the subject to where the officer(s) on scene deem is the safest when they are ready and in place - similar to how an armed and barricaded situation is currently dealt with by police.

Within the Toronto Police Service there are the General Patrol Units but also specially trained units such as Emergency Task Force and K-9 Unit. The proposed Crisis Counsellor would be a similar specialist, trained to help officers for calls for service that meet a particular threshold such as a suicidal individual. A well-trained police officer, generally speaking, will be better at policing than a crisis counselor, and a professionally trained crisis counselor will be better at handling a person in crisis than a police officer or emergency call taker.

To be clear, there were no other police services consulted within this review or within the research that had a program or approach like the one described above. The suggested approach of adding a Crisis Counsellor to the communication centre is the result of a culmination of input gathered for this review and an analysis of options available by the individuals completing this review. As a result, there is no guarantee of impact or cost-effectiveness associated with this suggestion. Alternatively, further investigation as to the feasibility and effectiveness of this suggested opportunity would be required if deemed to be an approach worth pursuing.

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Introduction

Overview of Project

It is important to review the role of Conducted Energy Weapons (CEW) and other use of force tools and techniques to ensure police officers are optimally equipped to keep themselves and the public safe. Due to the potential for significant injury of both police officers and citizens, use of force reviews are also important to ensure policies and procedures are in alignment with best practices to mitigate potential risks and challenges related to individual civil liberties or public trust and confidence in the police.

As per the Toronto Police Service (TPS) RFP 1323392-20, this report has been completed in accordance with the following objectives:

1. Global benchmarking or comparator analysis in the use of CEWs.
2. An international review of best practices regarding police use of force options, including:
 - Possible alternatives to CEWs that are being used internationally; and
 - Tactical approaches to situations involving use of force and non-use of force incidents including de-escalation tactics to reduce the intensity of a person in crisis, and if force is used, to reduce the amount of force necessary, if appropriate.
3. Evaluate best practices on the safety of CEWs in different modes:
 - Full Deployment and Drive-Stun Mode for:
 - TPS members who are currently using the CEW; and
 - Other jurisdictions that utilize the CEW.

The principles guiding this project as per (TPS) RFP 1323392-20 are as follows:

1. The public, by way of their representatives in police governance, and police leaders have a duty to provide officers with an evidence-based suite of responses to safely address situations involving the application of force in their communities.
2. Responses must be governed by a continued emphasis on governance, training, supervision, innovation, and accountability through public reporting.
3. The CEW will successfully minimize the gap within the correct suite of response options that will contribute to the aspirational goal of zero deaths in encounters with members of the public.
4. Officers should have more appropriate options based on comprehensive research that leads to zero deaths.

Description of a CEW

A Conductive Energy Weapon (CEW) is a generic categorization of any device that uses electricity to affect an individual. For example, a stun-gun or a Thomas A. Swift Electric Rifle (TASER), which is a trademark of Axon Enterprise Inc., are both CEWs. A stun-gun is a device that emits an electric shock. TASERs are devices utilized by police and are distinct from a stun-gun due to their ability to shoot a projectile from the device. This distinct method of use is referred to as full deployment of a TASER. In full deployment mode, the TASER discharges projectiles, that are referred to as probes, which are made of

metal and have barbs or needles on one end that are meant to pierce an individual's skin. The TASER propels two probes from a single cartridge on the front of the device and once they pierce an individual's skin, the device sends an electric impulse that lasts five seconds and results in neuromuscular incapacitation. This is an exclusive result of the TASER in comparison to other use of force tools that are available to police officers.

Neuromuscular incapacitation occurs when the electrical current from the device causes involuntary muscle contractions that temporarily immobilize an individual. The tactical benefit of neuromuscular incapacitation is the ability to incapacitate an individual, enabling officers to restrain them and consequently prevent any or any further actions that may lead to the injury of the individual or others. Neuromuscular incapacitation makes the TASER unique in comparison to other less-lethal use of force tactics/tools since there is no other option that provides this tactical benefit.

In addition to full deployment mode, the other two primary modes of a TASER that officers are trained in and use in the field:

1. Drive-stun: this means that when the CEW is placed in direct contact with the subject and the electrical current is applied. A drive-stun application can serve two different purposes.
 - a. First, where an officer is in close quarters with a subject and has an ineffective probe connection (i.e. where one probe has made connection with the subject and the second has not). If the subject is close enough to the officer, the officer may use the CEW itself to make a connection that may result in the subject becoming incapacitated with the connection between the CEW itself and the probe.
 - b. The second type of drive-stun is where the officer uses the CEW to touch the subject in Arc Mode, with or without probes. There is no incapacitation in this case and the CEW becomes a pain compliance tool.
2. Demonstrated Force Presence: this means that the CEW is un-holstered and displayed in the presence of a subject with the intention of achieving behaviour compliance without using the device.

Understanding the difference between a stun-gun and a TASER as well as the primary modes of a TASER is important as these will be referred to throughout the review. For this review, "CEW" will be used to refer to a TASER to align with provincial legislation in Ontario.

History of CEW Use by the Toronto Police Service

The Toronto Police Service (TPS) started using CEWs in 2002. Primary approval by the Ministry of Community Safety and Correctional Services was for tactical and hostage rescue teams only. In 2004, the Ministry expanded the use of CEWs to include preliminary perimeter control and containment teams as well as frontline supervisors. This expansion was undertaken on the premise that it improved public safety by providing a less lethal force option for officers in high-risk situations. As stated in the RFP, further expansion of CEWs to Primary Response Unit sergeants was introduced in 2006 after a successful pilot project demonstrated that the TPS had developed and implemented:

- Clear policies and procedures.
- Comprehensive training.
- Appropriate reporting structures

In February of 2018 the Toronto Police Service Board (TPSB) approved the use of CEWs by Primary Response Unit constables. This expansion was a part of the strategy to reach the “zero public deaths” goal. In 2019 the less lethal incident response option was incorporated into the In-Service Training Program (ISTP) and was also added as a mandatory component in recruit training.

As part of the preparation for the expanded use of CEWs in 2018, the TPS introduced an expanded frontline officer training program for CEWs that involves 16 hours of study and scenario-based exercises with four of sixteen total hours dedicated to decision-making regarding the use of CEWS. The course is designed to ensure the responsible use of CEWs. Its guiding principles include (2017):

- “The decision to use force is the fundamental decision to be made before deciding what force option to use.
- CEWs should be used as a weapon of need, not a tool of convenience.
- Officers should not over-rely on CEWs in situations where more effective and less risky alternatives are available.
- CEWs are just one of several tools that police have available and are considered as only one part of the Service’s overall use of force response” (p.11).

To ensure the lawful and effective use of CEWs, the TPS has implemented the following policies and procedures (2017):

- Procedure 15-09 establishes when officers can and cannot use a use of force tool as well as how it is to be used if required.
- The UFR – CEW report must be completed and submitted by an officer when a CEW is used against a citizen, explaining its use.
- A two-part review of the completed report is conducted by the officer’s supervisor to identify potential breaches or concerns regarding the law, policy, procedures and/or training. Subsequently, a Use of Force Analyst reviews and records the report to identify trends, issues or opportunities that may be incorporated in policy, procedure, and/or training development.
- Daily testing of and regular inspections of CEWs in accordance with the manufacture’s requirements.
- Regular download and audit of CEW data to confirm use and condition (p.12).

Additionally, the TPS submits quarterly and annual reports to the TPSB that describes the use of the CEW as well as the circumstances of use and on whom it was used.

Finally, it is important to note that there is an ongoing review of the Ontario Use of Force Model by the Ministry of the Solicitor General as well as efforts to review and update the Canadian Association of Chiefs of Police National Use of Force Model. There have been no updates or re-issuing of the provincial or national use of force model at the time of this review.

Reports, Papers, and Inquiries into the Use of CEWs by the Toronto Police Service

Throughout its history with CEWs, the TPS has utilized its own research as well as independent review and inquest findings to guide its policies, procedures, safety paradigm and training program. The table below provides the publication year, title, and summary of the major findings and/or recommendations regarding the use of CEWs by the TPS.

Table 1: Summary Table of Significant Reports Papers, and Inquiries into the use of CEWs by the Toronto Police Service

Year of Publication	Document Title	Key Findings/Recommendations
2009	Review of Conducted Energy Weapon Use in Ontario: Report of the Policing Standards Advisory Committee	<p>The report by the Ministry of Community Safety and Correctional Services (2009) states:</p> <ol style="list-style-type: none"> 1. The ministry, in consultation with policing partners, should establish training standards for users and instructors including requalification requirements. 2. The ministry should amend the current provincial Use of Force Guideline to include policy and procedural guidance to police services on CEWs in consultation with policing partners. Areas to be examined should include: <ul style="list-style-type: none"> • Deployment/tactical considerations • Restrictions on use • Post-deployment procedures • Reporting and accountability • Equipment control 3. The ministry should undertake further analysis and consultation with policing partners in relation to the members of police services who should be authorized to use CEWs. 4. The ministry should consult further with policing partners on the types of circumstances in which a CEW may be used, consistent with the Ontario use of force model. 5. The ministry, in consultation with policing partners, and in keeping with the original objectives of the form, should revise the Form 1 Use of Force Report to capture the most current and appropriate use of force information, including CEW use. 6. The ministry should prepare and disseminate communications material to assist in informing the public about the risks and benefits of CEW use (p. 25).

Year of Publication	Document Title	Key Findings/Recommendations
2014	Police Encounters with People in Crisis – An Independent Review Conducted by the Honorable Frank Iacobucci	<p>The mandate of the report, “was to conduct an independent review of the policies, practices, and procedures of, and the services provided by, the TPS with respect to the use of lethal force or potentially lethal force, in particular in connection with encounters with persons who are or may be emotionally disturbed, mentally disturbed or cognitively impaired” (p.14)</p> <p>Recommendations were made specific to the use of CEWs that focused on further investigation of medical effects and expansion of use, data collection, reporting and accountability, as well as training provided to police service members.</p> <p>All 16 recommendations applicable to the use of CEWs may be found in Appendix A.</p>
2015	JKE Inquest	<p>The scope of the inquest included an investigation into the deaths of Reyal Jardine-Douglas, Sylvia Klibingaitis and Michael Eligon. All three individuals were diagnosed with severe mental illness and were shot by police under similar circumstances.</p> <p>In total there were 74 recommendations. The most relevant recommendations are provided in Appendix B.</p>
2016	A Matter of Life and Death: An Investigation into the direction provided by the Ministry of Community Safety and Correctional Services to Ontario’s Police Services for De-escalation of Conflict Situations	<p>In addition to the recommendations noted below, some notable findings of the report include:</p> <ul style="list-style-type: none"> • At 12 weeks, the basic training course provided to new recruits in Ontario was noted as being short compared to other major municipal police services in Canada. • There is no clear definition of “de-escalation” within the existing Ontario Use of Force Model nor an emphasis on using this approach. • No consistent training is delivered by police services across Ontario or monitoring of the effectiveness of the training delivered. <p>All 22 recommendations are included in Appendix C.</p>
2017	Achieving Zero Harm/Zero Death – An Examination of Less-Lethal Force Options, including the Possible Expansion of Conducted Energy Weapons (CEWs) – Toronto Police Services Board	<p>The report states (2017):</p> <ul style="list-style-type: none"> • Expand the deployment of CEWs to on-duty Primary Response Unit constables and to on-duty constables from designated specialized units. • CEWs have been used by the TPS since 2002 and the record of its use demonstrates good judgement by officers, using the tool when reasonably necessary.

Year of Publication	Document Title	Key Findings/Recommendations
		<ul style="list-style-type: none"> The TPS has increased de-escalation training, and CEW training, and using other less lethal use of force options (e.g. Extended Range Weapon and shields). The TPS believes that with proper policy, procedures, training, and accountability, CEWs can help maintain public order, officer safety, and assist in achieving the goal of zero harm/zero death (p.13).
2017	Andrew Loku Inquest	<p>Andrew Loku was shot and killed by the TPS in July of 2015. Andrew was a tenant in CMHA Toronto’s Supportive Housing at the time. The inquest recommended that the TPS (2015):</p> <ul style="list-style-type: none"> Fund and continue to study the use and deployment of less-lethal use of force options such as, the CEW, SOCK rounds and the use of defensive equipment such as helmets and shields and to study the expanded use and deployment and related training on less-lethal use of force options to front-line officers as well as specialized teams. Ensure that all front-line or “primary response” officers are trained and equipped with conductive energy weapons (p.4). <p>All 39 recommendations are included in Appendix D.</p>

The TPS has requested additional CEWs from the TPSB to expand the use of the device to on-duty constables from the Primary Response Unit and other specialized units. To this end, the TPS has noted that records of CEW use show that officers are using the device in accordance with the Ontario Use of Force Model and internal training and policies/procedures. Furthermore, the Ministry of Community Safety and Correctional Services has approved the expanded use and several Coroner’s juries in Ontario have recommended its expanded deployment. Medical research has found no consistent negative impacts on physical and mental health and fatalities are extremely rare for incidents involving CEWs. Finally, the TPS has increased de-escalation training for officers and has implemented proper policy, procedures, and training ensuring accountability and transparency. However, external groups and individuals have expressed concerns about TPS use of force amongst marginalized populations. This review will provide an independent and objective perspective to help inform decision makers regarding the current and expanded use of CEWs by the TPS.

Methodology and Approach

A mixed methodological approach using both quantitative and qualitative data has been utilized to ensure that the findings of the study are based on multiple lines of evidence. With support and approval by the TPS, internal and external data sources were identified regarding operational, organizational, and strategic information and subsequently collected, consolidated, and analyzed by the MNP team.

Data Request

The following list encompasses the information collected and analyzed to inform this review from the TPS and TPSB:

- Annual CEW Use of Force reports from 2010 to 2019
- Annual Corporate Risk Management Reports from 2015 to 2019
- Annual Less Lethal Deployments 2016 to 2019
- Toronto Police Service and Toronto Police Service Board
 - TPSB Rule 4.4 Use of Force
 - TPS Procedure 13-02 Uniform External Complaint Intake/Management
 - TPS Procedure 15-01 Use of Force
 - TPS Procedure 15-06 Less Lethal Shotgun
 - TPS Procedure 15-09 Conducted Energy Weapon
 - TPS Procedure 15-20 Body Worn Camera
 - TPS Procedure 15 Injury/Illness Report
 - TPS 584 Conducted Energy Weapon Use Report
- Conducted Energy Weapon X2™ User Course Manual
- Divisional Crisis Support Officer Safety: High Risk Incident Response and Situational Awareness Manual
- Feasibility Study: Use of Shields (Plexi-glass) by Priority Response Unit Officers
- Previously completed evaluation by the TPS on Use of Force and CEWs – 2006 pilot involving Division 31, 42, and 53)

Internal and External Stakeholder Interviews and Focus Groups

Thirty individual/group interviews were completed with TPS and external stakeholders (Table 2). The stakeholder groups consulted were approved by the TPS. Interviews were conducted between March 15th, 2021 and April 7th, 2021.

To request and verify participation for this review, all potential participants were individually contacted by MNP via email. A standardized script was utilized by MNP to inform potential participants about the purpose of this study, why they were being contacted, and what their participation would entail. Furthermore, all potential participants were informed that their responses would be provided in aggregate and that participation in the study was voluntary.

All interviews were conducted by video conference without the use of voice recordings. Interviewers used password-protected laptops to capture input from participants with their consent. Interview notes were subsequently uploaded to the secure client file on an MNP server in Winnipeg. All interviews were semi-structured and three separate interview guides were utilized based on the position and expertise of the stakeholders interviewed (Appendix E).

Table 2: Stakeholder Group and Department/Position Title

Stakeholder Group	Department/Position Title
Toronto Police Service	Use of Force Analyst
	Primary Response Unit – Supervisor and Constable
	Emergency Response Unit – Tactical Operations Supervisors
	Professional Standards Unit
	Audit Unit
	Governance Review Unit
	Tactical College
	Office of the Chief
Toronto Police College	Program Co-Ordinator
	Master Trainers
	Use of Force Review Project Team
Special Investigations Unit	Toronto Police Service and Civilian Representative
Toronto Police Service Board	Staff Member
Experts from Other Jurisdictions	Raptor Protection Services – Executive Director
Other Jurisdictional Police Services	Peel Regional Police Service
	York Regional Police Service
	Durham Regional Police Service
	Halton Regional Police Service
	Ottawa Police Service
	Calgary Police Service
Royal Canadian Mounted Police	
Solicitor General	Public Safety Division
Mental Health and Addiction Panel	Panel Co-Chairs
Ontario Association of Chiefs of Police	Executive Director
Canadian Association of Chief's of Police	Use of Force Committee Co-Chair
Office of Chief Coroner	Representative from the Provincial Forensic Pathology Unit
Police Associations	Toronto Police Association
	Toronto Police Service Senior Officer Association
Toronto Community Housing	Internal Training Representative
Axon Enterprise Inc.	Principal of TASERS

Data Analysis

Triangulation of multiple types of data collected for this study ensures findings and recommendations are based on multiple streams of evidence. Data from interviews were analyzed for recurring and unique comments to identify patterns and to construct themes that illuminate central concepts/experiences. Interview notes were not analyzed using data analysis software (e.g. Nvivo), as the volume of data collected did not warrant its use. All reports and other secondary data sources were also analyzed to identify patterns and construct themes illuminating central concepts/experiences.

Data Limitations

Statistics for the use of CEWs were sought out from the United States, United Kingdom, Australia, and New Zealand. These specific jurisdictions are a standard for benchmarking policing in Canada due to similar legal systems, the structure of police services, and societies at large. Information regarding the use of CEWs in the United Kingdom and New Zealand has been sourced from annual reports available on federal government websites as well as the police service website. For clarification, the New Zealand Police Service is a federal service with jurisdiction across the entire country similar to the Royal Canadian Mounted Police (RCMP). The United Kingdom data utilized for this study is representative 43 police services funded by the Home Office across England and Wales. No current and consistent information regarding CEW use from police services in Australia could be found. However, CEW policies were found for the Queensland Police Service and New South Wales Police Force in Australia and both are included in the safety best practices section of this report.

Due to a lack of publicly available information regarding the use of CEWs in the United States, three police departments were selected from the United States. Specifically, the Chicago Police Department, the Los Angeles Police Department, and the New York Police Department. The Chicago Police Department was selected due to its similar population, police service and geographic size compared to Toronto. Additionally, the Chicago Police Department has a publicly available use of force dashboard that is updated monthly. However, the New York Police Department provides more comprehensive information regarding CEW use than the Chicago Police Department. Therefore, New York was added to assist in providing specific CEW use in a major US city because of the lack of CEW-specific data from Chicago. Similarly, the Los Angeles Police Department has been included due to the level of detail provided regarding the use of CEWs. Finally, the Royal Canadian Mounted Police (RCMP) has also been included in the report as a National comparator due to its size and to the level of detail collected by the service regarding use of force.

Identifying consistent and comparable data regarding CEW use and use of force statistics in general inside and outside of Canada is difficult. There are varying definitions of use of force, differing use of force models utilized by police services, and widely varying reporting requirements and data collection policies/procedures. For example, the Chicago Police Department only reports on firearm use by service members when an officer discharges the weapon, while the TPS records every time a firearm is drawn and not pointed at someone, drawn and pointed at someone, as well as discharged. As a result, the Chicago Police Department reported 24 “uses of a firearm” in 2019 compared to 1,268 “firearm uses” by the TPS in 2019. The TPS discharged a firearm 21 times in 2019 –comparable to the Chicago Police

Department. Therefore, great care and attention are required when comparing any use of force statistics across police services.

Stakeholders are aware of these challenges. There is a general acknowledgement that standardized definitions, data collection, data analytics and reporting would be of tremendous value. However, there is also a recognition that police services are governed by independent governance mechanisms, each with a specific mandate and an overarching strategic plan. It is acknowledged that the level of effort required to have only a few police services reach a standardized logic model and output and outcome measurements is daunting, even if those services operate in the same jurisdiction, let alone in different countries.

Adding to the complexity of comparisons for CEWs is that information regarding how many officers are trained to use CEWs as well as how many devices have been issued to officers is not always available publicly. This makes it difficult to provide comparators at a “per officer” level. Therefore, data presented within the benchmarking section of the report needs to be interpreted cautiously by the reader using the applicable caveats noted within each section.

Statistical Prevalence of Police Use of Force

One note to consider before reading the following subsections is that use of force incidents involving the police and citizens are the exception and not the rule. For instance, between 2010 and 2019 a total of 0.09% of police/citizen interactions involved the use of force by an RCMP officer or one out of 1,067 occurrences (RCMP, 2020). These findings are similar to information prepared for the Canadian Association of Chiefs of Police involving eight police services in Canada that showed a use of force rate range of 0.02% to 0.25% (Walker & Bennell, 2020).

While this does not minimize the significance of use of force by the police, these numbers demonstrate that use of force by police represents a small portion of their overall interactions.

Global Benchmarking

The objective of this section is to compare the use of CEWs by TPS officers to other police services. Police services from the United States, United Kingdom, and New Zealand have been selected with input and consultation with the TPS for comparison due to similar legal systems, societies, and formal partnerships/training relationships. The RCMP has also been included as a national comparator.

There is no standard definition regarding the use of force across jurisdictions. Furthermore, there is no standard for recording and publicly reporting on the use of CEWs or other forms of force by police services internationally. Consequently, the richness of information regarding the use of CEWs varies from jurisdiction to jurisdiction and limits the ability to compare findings of other jurisdictions to the TPS. With that said, TPS was able to be compared, at least to some degree, to the benchmark police services regarding:

1. CEW frequency and type of use
2. Subject behaviour/condition when a CEW was used
3. CEW injuries and death
4. CEW use compared to other use of force tactics/tools
5. Effectiveness of CEW use

These five topics have been identified for comparison after careful consideration of the publicly available data, input from key stakeholders, and prominent topics regarding CEWs based on the secondary research completed for this review.

To organize the collected and analyzed information, all five topics will be discussed using the following subsections:

- Use of Force Experts: this subsection includes aggregate and/or unique perceptions collected from use of force experts that were consulted for this review. These use of force experts have both work experience as well as professional certifications in police use of force tactics/tools.
- Key Stakeholders: this subsection includes aggregate and/or unique perceptions collected from all key stakeholders that are not use of force experts that were consulted for this review. For example, key stakeholders included representatives from provincial ministries/departments and community-based organizations.
- Primary and Secondary Research: this subsection includes information collected from the TPS as well as through academic and publicly available government research.
- Benchmarking: this subsection includes applicable information from other police services involved in this review that include:
 - RCMP
 - New York Police Department
 - Los Angeles Police Department
 - Chicago Police Department
 - New Zealand Police Service
 - England and Wales Police Services

Due to a lack of national and internal standards regarding the monitoring and reporting practices of use of force information including CEW use; not all police services are included within each benchmarking section. To help with clarity, each benchmarking subsection includes a description of which police services were included for comparison and which ones were not. Furthermore, limitations or caveats regarding comparisons between police services will be noted.

- Summary: this subsection will include key findings and takeaways from the stakeholder input, research, and benchmarking subsections.

Frequency and Type of Use

Due to a lack of national and international standards, the ability to compare the total use of CEWs and the type of use is limited. Specifically, only three of the six other police services included in this review collect information regarding the presentation of a CEW. Additionally, there is inconsistent and limited information regarding the number of officers trained in using a CEW as well as the availability of CEWs to calculate the use of CEWs on a per officer basis for comparison. However, the frequency of CEW use over time will be examined inclusive of these noted limitations. Additionally, the types of use will be compared between the TPS, RCMP, New Zealand, as well as the England and Wales Police Services using comparable information that is publicly available.

Use of Force Experts

All use of force experts indicated that officers from their respective jurisdictions, including Toronto, are using the device appropriately and in accordance with the circumstances of the incidents police encounter while on duty. These experts indicated that TPS officers are using the CEW in accordance with their training, the Ontario Use of Force Model, and TPS policies and procedures. The relatively limited number of public complaints and misconduct files were cited by use of force experts to support their perception that CEWs are being used appropriately.

Some use of force experts indicated CEWs could be utilized more by police based on the lower injury rates of the CEW in comparison to other use of force options and ability to gain compliance simply by presenting the device. However, the majority of use of force experts perceived the CEW to be situated correctly on the Use of Force Model of their respective jurisdictions and is being utilized in the proper situations with actively resistant and/or assaultive subjects.

Finally, the majority of use of force experts perceived that drive-stun mode is utilized in limited scenarios by officers on duty. Training involving drive-stun primarily focuses on completing a three-point contact in close quarters by an officer to complete the connection if only one of two probes connect to achieve neuromuscular incapacitation. With that said, most of the use of force experts perceived that in the majority of instances, simply presenting the CEW is enough to gain the compliance of a subject and does not require the actual full deployment of the device. To this point, there is a perception that most uses of a CEW are a demonstration of force.

Key Stakeholders

Most stakeholders that were consulted for this project perceived that the officers from the TPS are utilizing CEWs appropriately and not overly using the device or misusing the device. However, a few stakeholders perceived that CEWs are being utilized by the TPS more than the circumstances of incidents would justify. The degree or the frequency of the perceived overuse by these stakeholders were not specifically identified but these stakeholders perceived that TPS officers may be utilizing CEWs rather than using de-escalation techniques. These stakeholders expressed the view that when officers are equipped with a CEW, then there is a risk that they will use the tool to expeditiously handle the incident as opposed to taking their time to de-escalate the situation. Furthermore, these stakeholders perceived that the frequency and type of use for CEWs and use of force tactics/tools, in general, will differ based on officer characteristics such as experience and gender.

Primary and Secondary Research

Research into police use of force and the factors that are most likely to increase its likelihood include variables such as:

- The subject's age, socioeconomic status, ethnicity, criminal record, if the subject is intoxicated or not, if the subject is experiencing a mental health crisis, behaviour during the time of arrest, or being disrespectful to police officers
- Presence of bystanders
- Neighbourhood/community characteristics
- Police officer characteristics including gender, age, experience, ethnicity, education level

Research findings concerning police officer characteristics that are associated with a higher likelihood of using force are mixed. For example, some studies have found that there is no statistically significant difference between male and female officers regarding use of force (Hoffman and Hickey, 2005). Other research has found that female officers are less likely to use force than male officers (Schuck and Rabe-Hemp, 2005). Similarly, the age and experience of an officer has had mixed results regarding use of force. Some studies have found that younger officers with less experience are more likely to use force than their more experienced colleagues (Terrill and Mastrofski, 2002; Wortley, Lanionu, and Laming, 2020). Other studies have found that more experienced and older police officers are more likely to use less-lethal use of force tactics/tools (Klahm & Tillyer, 2010). However, after controlling for rank and type of assignment, the experience of the officer is not significantly correlated with use of force (Lawton, 2007). Essentially, the use of force by an officer has more to do with the area that police officers are patrolling than with their age and experience. (Lawton, 2007). Further to the significance of the area police patrol, one study has found that Black officers are more likely than white officers to shoot Black individuals (Menifield et al. 2019). One possible explanation that was provided is that Black officers are more likely to patrol high-crime neighbourhoods that are disproportionately Black and have a disproportionately higher use of force incidents (Wortley, Lanionu, and Laming, 2020). Finally, there is some limited research to suggest that officers with post-secondary education are less likely to use force compared to officers with a high-school education (Paoline & Terrill, 2007; Rydberg and Terrill, 2010).

Additionally, research has found a relationship between training and policy and the frequency of use by officers as well as complaints by citizens. For example, 8,480 Chicago Police Department officers were trained to adopt procedural justice policing communication tactics. Essentially, procedural justice policing emphasizes active listening between police and citizens that reinforces treating everyone with dignity courtesy and respect and involves hearing what an individual is saying as well as explaining to individuals police policies and procedures to explain why the officer is doing or needs to perform particular actions. Procedural justice has been a tactic developed to improve police legitimacy and cooperation amongst citizens. Once trained in procedural justice tactics, the Chicago Police Department had a 10% reduction in public complaints and a 6% reduction in use of force incidents over a two-year period (Wood, Tyler, and Papachristos, 2020). Another study, specific to the use of CEWs, found that the limitations placed on the use of the device, e.g. cannot be used on an individual that is running away from officers, will decrease the use of the device overall (Bishopp, Klinger, & Morris, 2014). Unfortunately, there is only limited research into policy changes and non-lethal use of force tactics/tools. Most of the research related to policy and use of force is focused on firearm use.

Overall, the frequency of the use of force is influenced by a variety of factors associated with individuals, police officers, community characteristics, as well as training and existing policies for police.

Benchmarking

There are no national or international standards regarding the monitoring and analysis of CEW use by police or use of force tactics/tools use in general. However, the TPS recently completed an international review of CEW reporting practices in 2020 for the following thirteen services (TPS, 2019):

- Chicago Police Department
- Durham Regional Police Service
- Edmonton Police Service
- Houston Police Department
- Los Angeles Police Department
- Service de Police de la Ville de Montréal
- New York Police Department
- Peel Regional Police Service
- Royal Canadian Mounted Police (British Columbia only),
- Metropolitan Police (The MET)
- Vancouver Police Service
- York Regional Police
- Calgary Police Service

The review found that no other police service produces stand-alone statistical reports for CEW use. Generally, CEW use is contained within annual statistical reports produced by the respective services. The frequency of reporting use of force statistics ranged from quarterly to not providing the public available information, with the majority of the 13 police services producing annual reports only. The type of CEW use data collected by these 13 services ranged from no publicly available information to in-depth information reported by the RCMP on the types of CEW uses, the behaviour of subjects, and injuries. The TPS provides quarterly reports regarding the use of CEWs and includes the most robust information of the comparator services regarding use, subject behaviour, types of incidence used, and injuries.

Similar results were found in reference to the police services selected as comparators for this review. Specifically, the New Zealand Police Service, Los Angeles Police Department, and Royal Canadian Mounted Police provide use of force information annually, while the consolidated England and Wales Police Services and the New York Police Department provide quarterly reports. Finally, the Chicago Police Department is the only police service that has a publicly available dashboard that includes monthly

updates. However, the monthly updates by the Chicago Police Department are limited to frequency counts of CEWs by district without providing specific information pertaining to the type of incident, the subject’s behaviour, injury information, or the outcome of the incident. Of all the police services included in this review, the Toronto Police Service included the most in-depth information regarding CEWs the most frequently.

Table 3 provides a summary of how CEW use is tracked for each of the other six police services in addition to the TPS. Appendix F provides a definition of each type of CEW use outlined in Table 3 as well as the respective criteria for when officers are allowed to use a CEW.

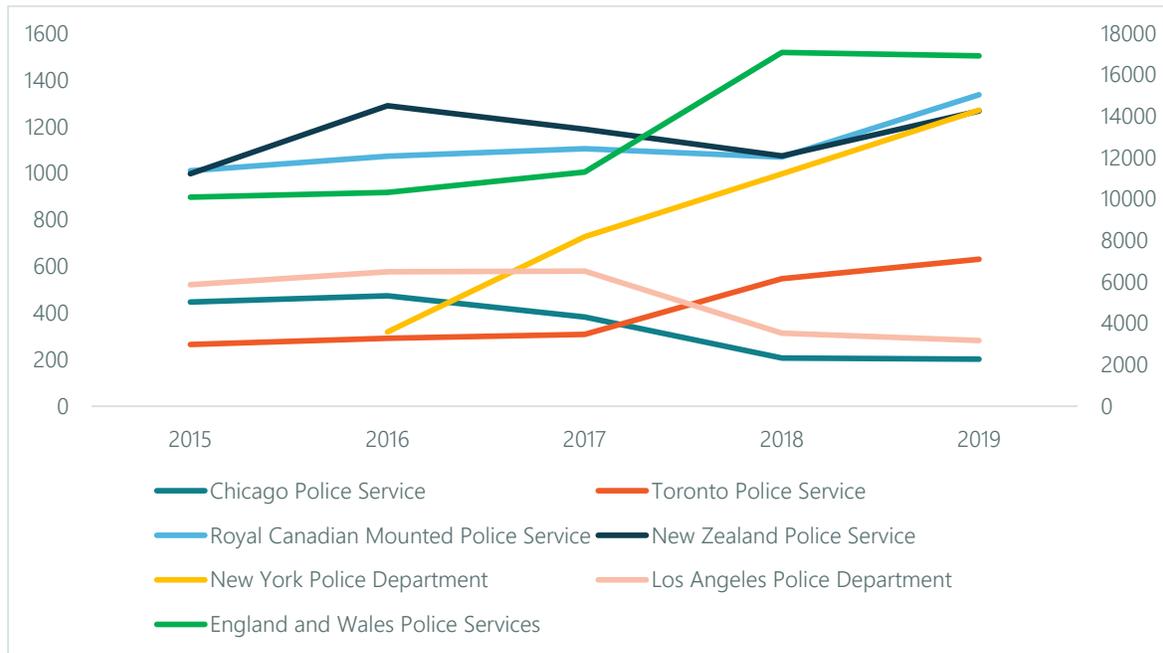
Table 3: Summary Table of CEW Type of Use Data Tracked by Police Service

Chicago Police Department	Los Angeles Police Department	New York Police Department	Toronto Police Service	New Zealand Police Service	Royal Canadian Mounted Police Service	England and Wales Police Services
<ul style="list-style-type: none"> ✓ Field deployment of a CEW 	<ul style="list-style-type: none"> ✓ Activated a CEW 	<ul style="list-style-type: none"> ✓ Probe Mode ✓ Drive-stun 	<ul style="list-style-type: none"> ✓ Full deployment ✓ Drive-stun ✓ Demonstrated force presence 	<ul style="list-style-type: none"> ✓ Discharge ✓ Contact-stun ✓ Follow up contact-stun ✓ Arching ✓ Laser painting ✓ Presentation 	<ul style="list-style-type: none"> ✓ Probe deployed ✓ Contact mode deployed ✓ Spark display activated ✓ Laser sight activated ✓ Pointed at subject ✓ Draw and display 	<ul style="list-style-type: none"> ✓ Fired ✓ Angle-driven stun ✓ Drive-stun ✓ Red-dot ✓ Arching ✓ Aimed ✓ Drawn

For comparison purposes, Figure 1 provides the total annual number of CEW uses inclusive of all types reported by each respective police service. Please note that Figure 1 presents CEW use on two axes because the total annual number of uses amongst England and Wales Police Services is significantly higher than the other four police services. There was little to no information regarding the number of officers trained in CEWs use, the total number of CEWs each respective service has, and the total number of officers for each respective service. Consequently, comparing the frequency of use on a per-officer basis was not viable.

Among the police services involved in this review, CEW use has increased over time except for the Chicago and Los Angeles Police Departments. In general, the increasing use of CEWs by a police service is attributed to the increasing volume of CEW-trained officers as well as available CEWs. For example, the New York Police Department had an increasing number of CEW discharges in conjunction with an increasing number of officers trained to use the device and an increasing number of the devices available (Figure 2).

Figure 1*: Total Annual CEW Use Between 2015 and 2019 by Police Service



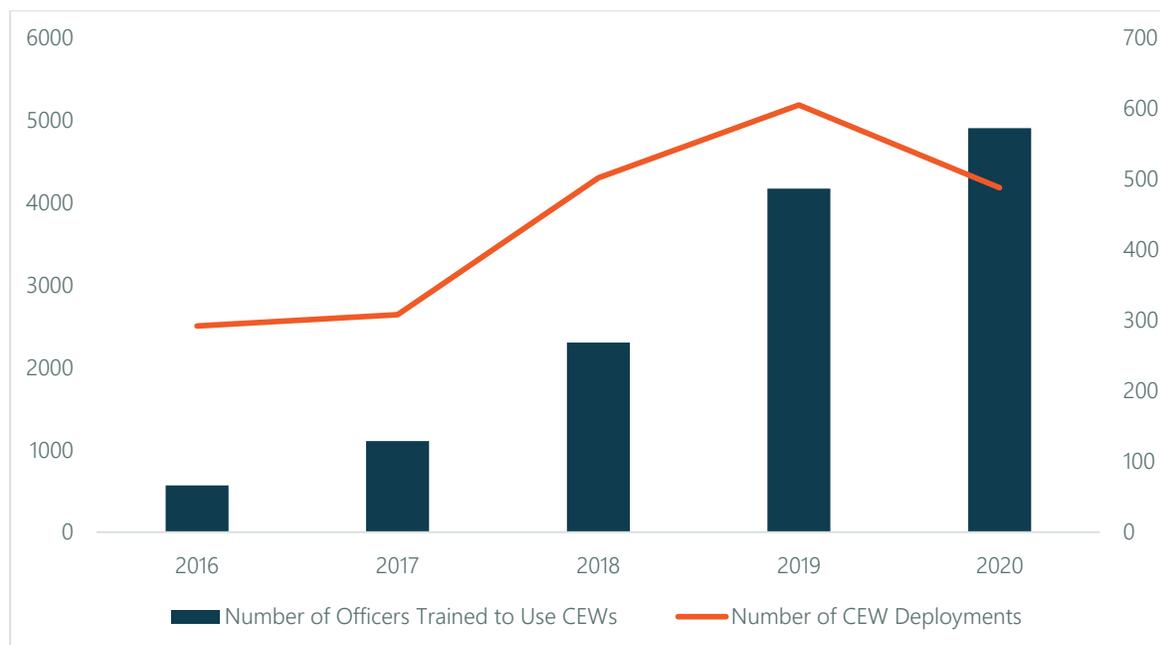
*The TPS provided CEWs as shared assets to constables in the Primary Response Unit in 2018. The increase in England and Wales Police Services in 2018 is attributed to a change in how CEW use was recorded.

Figure 2: New York Police Department Number of Officer Trained in CEWs, Available CEWs, and CEW Discharges Between 2016 and 2019



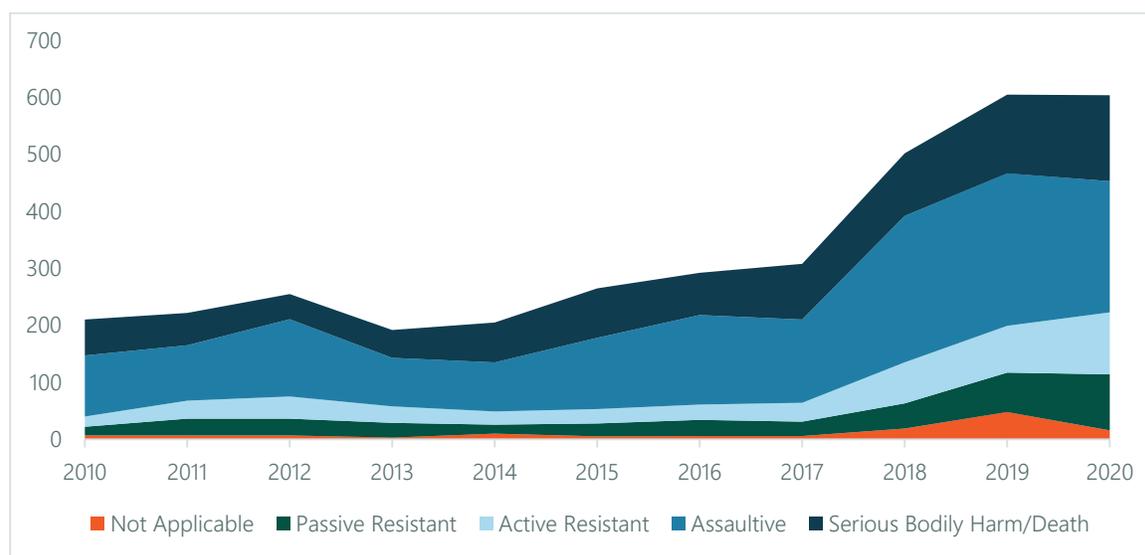
Similarly, the increasing use of CEWs by the TPS is aligned with the increasing number of officers trained to use the device (Figure 3). It is important to note that frontline officers were assigned CEWs as a shared asset in February of 2018. Also, the number of incidents that a CEW was used in by officers has decreased from 2019 to 2020. Acknowledging that this is a single-year decrease, this result may speak to other results within this report indicating that more devices and officers have led to more uses even though officers are only allowed to utilize the device when an individual is exhibiting assaultive behaviour. Therefore, the use of the CEW by officers is not explained exclusively by the availability of the device, policy and subject behaviour also dictate use.

Figure 3: Toronto Police Service Number of Officer Trained in CEWs, Available CEWs, and CEW Discharges Between 2016 and 2020



To elaborate on this point, the available information from the TPS annual CEW use reports speaks to the number of times a CEW has been utilized by the TPS being aligned with the increasing number of subjects exhibiting behaviours defined as assaultive and causing serious bodily harm (Figure 4). Furthermore, the 2019 and 2020 reports also indicate that de-escalation was utilized by officers in 97.3% and 97.8% of incidents involving a CEW respectively. These findings suggest that TPS members are using the CEW appropriately in accordance with the circumstances of the incidents that they are encountering while on duty as well as still utilizing de-escalation techniques.

Figure 4: CEW Use by TPS per Type of Subject Behaviour Between 2010 and 2020



Only three of the six police services included in this review for comparison recorded a presentation of force as well as full deployment and drive-stun modes. Even looking to other police services not included in this review, there was no other service identified that provided the level of depth regarding the type of CEW use as the TPS, RCMP, New Zealand Police Service and the England and Wales Police Services.

Table 4 shows that a CEW is most likely to be utilized as a presentation of force, while they are least likely to be utilized in drive-stun mode. However, the TPS and RCMP use the CEW proportionately less often as a presentation of force than New Zealand and England and Wales. These results suggest that the TPS and RCMP are more likely to use the full deployment and drive-stun mode once the CEW is presented. However, there is not sufficient data available to explain these differences.

Table 4: Average Annual CEW Use by Type per Police Service Between 2016 and 2019

	Toronto Police Service	Royal Canadian Mounted Police Service	New Zealand Police Service	England and Wales Police Services
Presentation of CEW	208 (62%)	553 (60%)	851 (85%)	8281 (82%)
Full Deployment	105 (31%)	308 (33%)	142 (14%)	1573 (16%)
Drive-Stun	24 (7%)	67 (7%)	9 (1%)	215 (2%)
Total	337	928	1002	10,068

With that said, the threshold for using a CEW is higher for the RCMP, TPS, New Zealand and the England and Wales Police Services compared to the New York and Chicago Police Departments. Specifically, the New York and Chicago Police Departments are able to utilize a CEW for actively resistant subjects, while the RCMP, TPS, New Zealand as well as the England and Wales Police Services are only allowed to utilize a CEW for assaultive subjects or subjects that pose an imminent threat of physical harm to the officer, themselves, or a third party (Appendix F). The Los Angeles Police Department indicates that officers are

allowed to use a CEW when the subject is violently resisting arrest, which suggests a higher threshold than the New York and Chicago Police Department. However, no specific definition is provided within the policy regarding what is defined as violent and consequently no determination can be made. With that said, these comparisons show that the TPS have a similar or higher threshold for use of the CEW compared to other police services included in this review.

Summary

The data collected for this review shows that CEW has generally increased over time. The TPS have had an increasing volume of CEW uses between 2015 and 2019. The device has become more available and more officers are trained to use the device. However, data provided by the TPS also shows that officers are utilizing CEWs on subjects that are exhibiting assaultive behaviour or behaviour associated with serious bodily harm, which is the threshold to utilize the device based on the Ontario Use of Force Model. These results are aligned with the perception by use of force experts and most stakeholders that the TPS is utilizing CEWs in accordance with the circumstances that they encounter while on duty.

Some stakeholders are concerned that TPS officers are using the CEW as an alternative to de-escalation techniques. However, since the use of de-escalation started being recorded by the TPS in 2019, de-escalation techniques are being utilized in 97% of all incidents involving a TPS member's use of a CEW. In other words, TPS is not using the CEW as an alternative to techniques meant to mitigate the volatility of an incident. Additionally, some stakeholders perceive CEW use will vary depending on the characteristics of the officer. However, research regarding factors that are associated with a higher likelihood of an officer using force, including the use of a CEW is mixed. Furthermore, there is limited research pertaining to the impact of policy changes and non-lethal use of force tactics/tools as most of the research on police use of force is focused on firearm use. As a result, it is unclear which factors are more likely to increase the use of force by police in comparison to others.

Finally, all police services that track the presentation of force, full deployment, and drive-stun mode show that CEWs are primarily being utilized as a presentation of force. However, there is a difference in the proportion of instances that TPS and the RCMP utilize the CEW as a presentation of force compared to the New Zealand as well as the England and Wales Police Services. The discrepancy between services does not appear to be explained by differing use of force model requirements, although there is limited data available to explain these differences. With that said, the TPS, RCMP, New Zealand Police Service as well as the England and Wales Police Services have a higher threshold to justify the use of a CEW in comparison to the New York, Chicago, and Los Angeles Police Departments. In conclusion, there is no definitive placement of a CEW on a police services Use of Force model, although most of the use of force experts that were consulted for this review indicated that the CEW is in the appropriate place on the Ontario Use of Force model.

Subject Demographic and Behaviour

The section below examines the characteristics of subjects that represent the majority of incidents involving police use of force in general and specifically for CEWs based on the primary and secondary research and data analysis. Demographic information pertaining to sex, age, and ethnicity is discussed in

addition to the subject being in possession of a weapon, as well as the subject's condition (e.g. under the influence of a substance or experiencing a mental health crisis).

Use of Force Experts

Most use of force experts believe that the CEW in full deployment mode is particularly useful in situations involving a subject that is armed with an edged or blunt weapon. An armed subject poses a unique risk to officers and they perceive there is great benefit in being able to address the risk from a distance by means of neuromuscular incapacitation. There is no other use of force tactic/tool available to officers that can achieve this goal.

Key Stakeholders

In general, most stakeholders did not mention any issues regarding with whom the TPS were utilizing CEWs. For example, most stakeholders did not mention or perceive that CEWs are being disproportionately utilized on youth, women, particular ethnicities or individuals experiencing a mental health crisis.

However, some stakeholders indicated that they perceived the TPS are utilizing CEWs disproportionately on individuals from marginalized populations. Specifically, these stakeholders referenced implicit bias and studies that have found that individuals are more likely to perceive the same behaviour as threatening when presented by an individual that is a different race than them. Additionally, some stakeholders believe that CEWs are most frequently utilized on individuals experiencing a mental health crisis and that a police officer may be negatively influencing the behaviour of individuals experiencing a mental health crisis by presenting the CEW.

Primary and Secondary Research

Research regarding subject behaviour influencing the use of force has shown that CEWs are more likely to be used on subjects who are violent/armed, suffering from a mental health crisis, and male (Dymond, 2020). White et al. (2012) found that out of 392 TASER-proximate arrest-related deaths that occurred in the United States from 2001-2008, the majority of the deceased individuals were males who were intoxicated and/or were suffering from mental illness. Finally, a systematic review of research on CEW use with subjects in mental distress was conducted by Hallett et al. (2021) found CEWs are more likely to be used on individuals experiencing mental distress.

Further, research indicates that use of force tactics/tools are disproportionately utilized on individuals from marginalized populations. A recent study conducted by the Ontario Human Rights Commission on the TPS found that Black community members are overrepresented in all use of force categories and instances (Wortley, Lanionu, and Laming, 2020). CEWs specifically were noted as having a statistically significant difference in being more likely to be utilized on other racialized minorities (13.5%) and Black individuals (8.7%) in comparison to white individuals (3.9%).

Generally, the use of force is discussed as a reaction to the subject's behaviour. However, a study completed in the United Kingdom used a randomized control trial involving police on duty and found a 'weapons effect' regarding the deployment of a CEW (Ariel, et al., 2019). Specifically, the visual cue of a CEW was found to be associated with more aggressive behaviour by a subject towards an officer and in turn, the officer towards them. The same study also noted a 'contagion effect' in that officers with a CEW

were 23% more likely to be involved in a use of force incident while on duty compared to an unarmed group of officers. The study concluded that enhanced training and the concealment of a CEW until it is required to be used should be considered. It should be noted that this study involved officers who do not usually carry a firearm, so these results may not apply to Canadian officers for whom the CEW is an additional device they routinely carry. Further, these effects have not been determined to be causal for aggressive behaviour by a subject or an officer. However, these results illuminate that a use of force incident is a reflection of the environment as well as the characteristics of the individuals involved.

Benchmarking

Publicly available information regarding demographic information as well as a subject’s behaviour and condition as defined by the TPS is not standardized nationally or internationally. Table 5 provides a comparison of available data points related to the subject’s demographic, behaviour, and conditions. Age, sex, and ethnicity is available for all police services/departments except for the RCMP and the TPS regarding ethnicity. As for the condition of the subject, only the Los Angeles Police Department and the England and Wales Police Services collect this information to compare to the TPS, while the New Zealand Police Service only reports on the perceived condition of the subject. Unique to the New Zealand Police Service is the collection of information regarding subjects exhibiting suicidal behaviour and officer’s use of force tactic/tool for those incidents, which will also be discussed below. Finally, the presence of a weapon is recorded by the New Zealand Police Service, Chicago Police Department, as well as the England and Wales Police Services.

Table 5: Summary Table of Publicly Available Information Regarding Demographic Information and Individual Behaviour and Conditions by Comparators

Royal Canadian Mounted Police Service	New York Police Department	Chicago Police Department	Las Angeles Police Department	New Zealand Police Service	England and Wales Police Services	Toronto Police Service
<ul style="list-style-type: none"> ✓ No publicly available information regarding subject demographics, behaviour, or condition for non-lethal use of force options. 	<ul style="list-style-type: none"> ✓ Age ✓ Sex ✓ Ethnicity 	<ul style="list-style-type: none"> ✓ Age ✓ Sex ✓ Ethnicity ✓ Presence of a weapon by sex only 	<ul style="list-style-type: none"> ✓ Age ✓ Sex ✓ Ethnicity ✓ Perceived Mental Health Crisis ✓ Perceived to be Under the Influence 	<ul style="list-style-type: none"> ✓ Age ✓ Sex ✓ Ethnicity ✓ Perceived Mental Health Crisis ✓ Exhibiting suicidal behaviour ✓ Presence of a weapon 	<ul style="list-style-type: none"> ✓ Age ✓ Sex ✓ Ethnicity ✓ Perceived Mental Health Crisis ✓ Perceived to be under the influence ✓ Presence of a weapon 	<ul style="list-style-type: none"> ✓ Age ✓ Sex ✓ Perceived Mental Health Crisis ✓ Perceived to be Under the Influence ✓ Presence of a weapon ✓ Subject behaviour (e.g. assaultive)

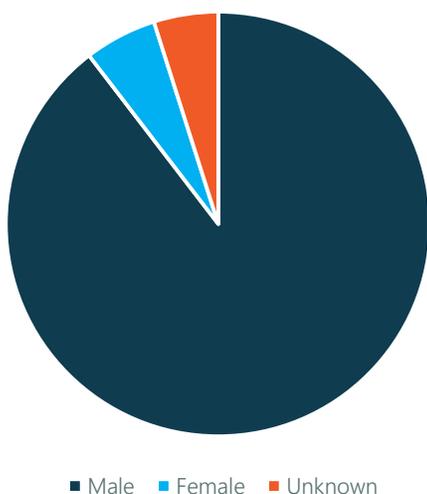
Age, Race and Gender

Based on the publicly available data collected for this review from other jurisdictions, Figure 5 to 21 below show that males make up more than 80% of the subjects on whom CEW and/or use of force tactics are utilized.

18- to 35-year-olds represent the age group with the highest proportion of involvement with use of force tactics.

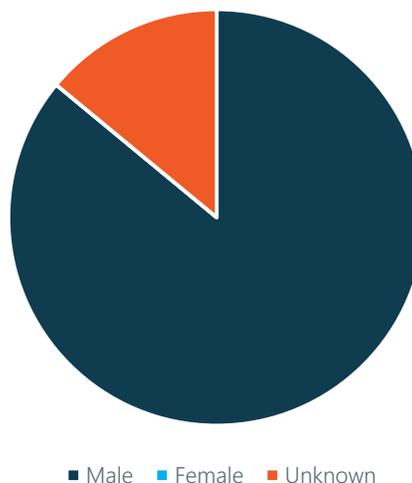
Racialized populations are the largest proportion of subjects involved in use of force incidents, with the exception of the England and Wales Police Services where the majority of individuals are white. However, Black individuals are still overrepresented in England and Wales’ use of force statistics as they account for 3% of the overall population and 16% of use of force incidents. These results are similar to ones noted by key stakeholders regarding racialized populations as well as research pertaining to age, race, and gender. The TPS did not collect race-based data prior to 2020, however, the proportion of males and the age found in other jurisdictions is similar for the TPS.

Figure 5: Toronto Police Service Sex of Subject



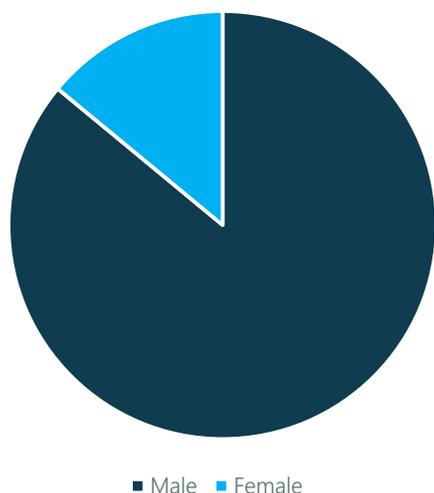
Source: Annual CEW Report Between 2010 and 2020.

Figure 6: New Zealand Police Service Sex of Subject



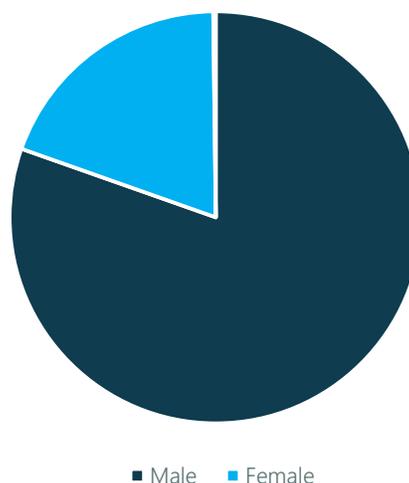
Source: Tactical Options: 2019 Annual Report. The report did not include female subjects nor sex per use of force tactic/tool.

Figure 7: New York Police Department Sex of Subject



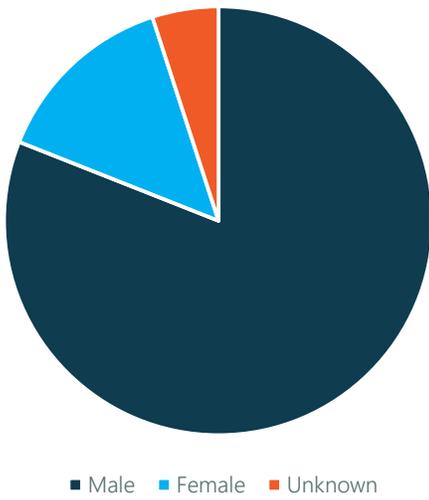
Source: NYPD Force Dashboard Between January 1st, 2020 and December 31st, 2020. The dashboard or the annual use of force reports did not include female offenders nor sex per use of force tactic/tool.

Figure 8: Los Angeles Police Department Sex of Subject



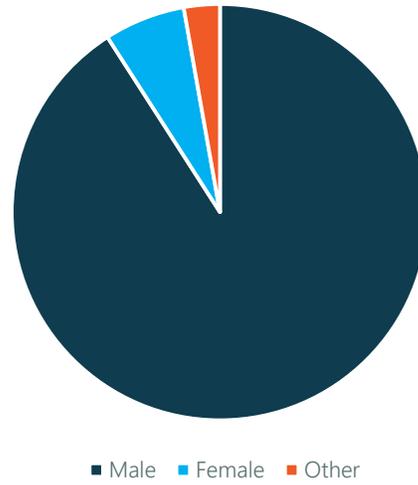
Source: Use of Force Year-End Review 2019. The report did not include female offenders nor sex per use of force tactic/tool.

Figure 9: Chicago Police Department Sex of Subject



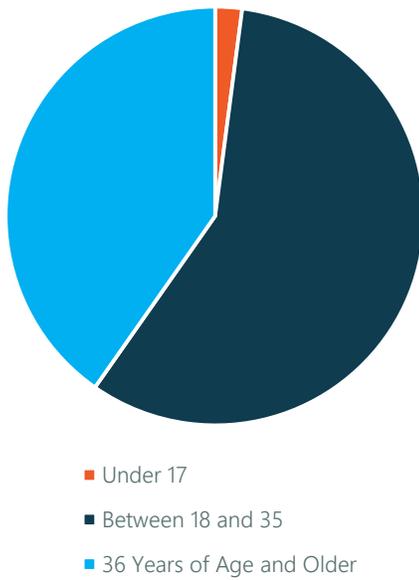
Source: Use of Force Dashboard Between January 1st, 2020 to December 31st, 2020. The dashboard or the annual use of force reports did not include female offenders nor sex per use of force tactic/tool.

Figure 10: England and Wales Police Services Sex of Subject



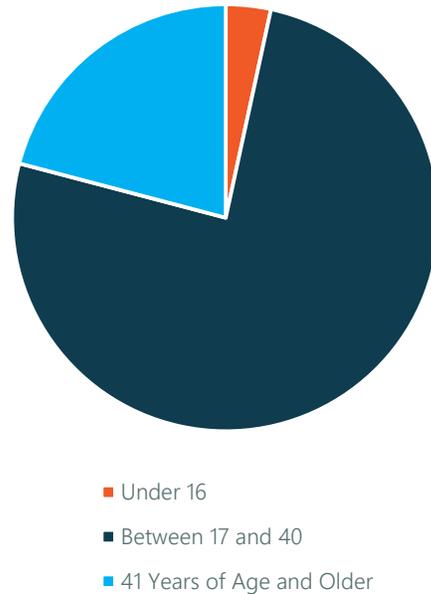
Source: Police use of force statistics, England and Wales: April 2019 to March 2020. These proportions are regarding all us of force incidents as opposed to per use of force tactic/tool.

Figure 11: Toronto Police Service Age of Subject



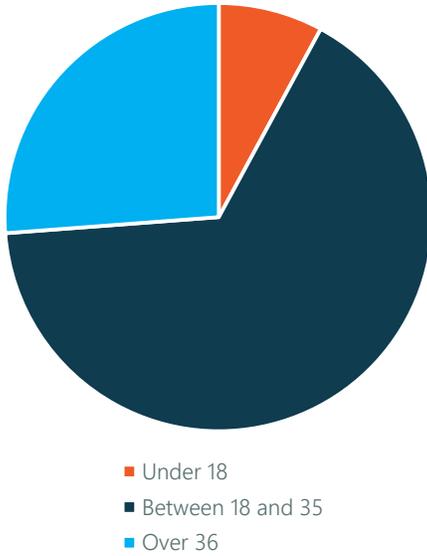
Source: Annual CEW Report Between 2010 and 2020.

Figure 12: New Zealand Police Service Age of Subject



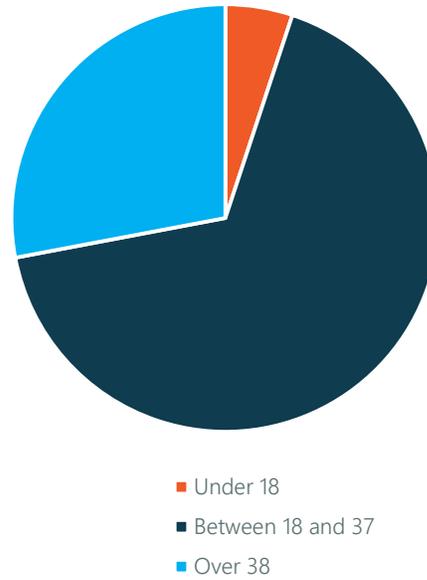
Source: Tactical Options: 2019 Annual Report. These proportions are regarding all us of force incidents as opposed to per use of force tactic/tool.

Figure 13: New York Police Department Age of Subject



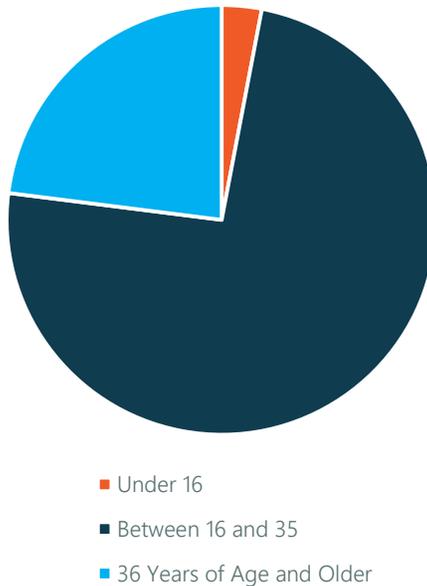
Source: NYPD Force Dashboard Between January 1st, 2020 and December 31st, 2020. The dashboard or the annual use of force reports did not include age per use of force tactic/tool.

Figure 14: Los Angeles Police Department Age of Subject



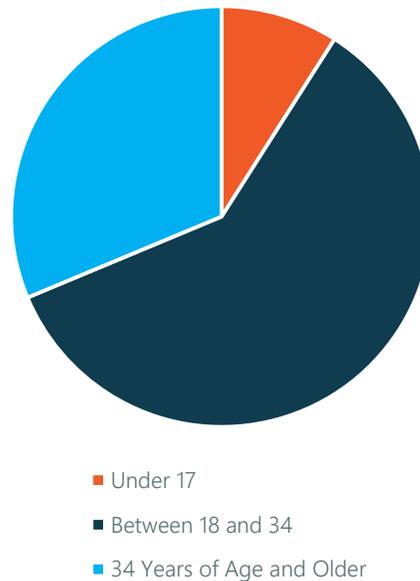
Source: Use of Force Year-End Review 2019. The annual report did not include age per use of force tactic/tool.

Figure 15: Chicago Police Department Age of Subject



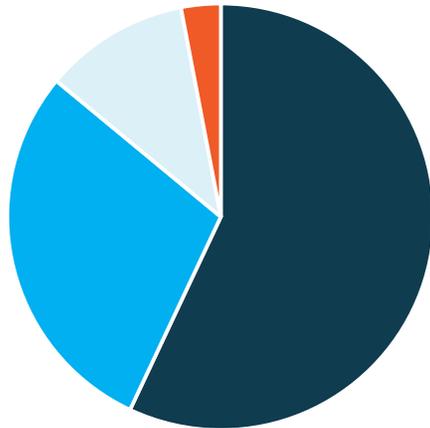
Source: Use of Force Dashboard Between January 1st, 2020 to December 31st, 2020. The dashboard or the annual use of force reports did not include age per use of force tactic/tool.

Figure 16: England and Wales Police Services Age of Subject



Source: Police use of force statistics, England and Wales: April 2019 to March 2020. These proportions are regarding all us of force incidents as opposed to per use of force tactic/tool.

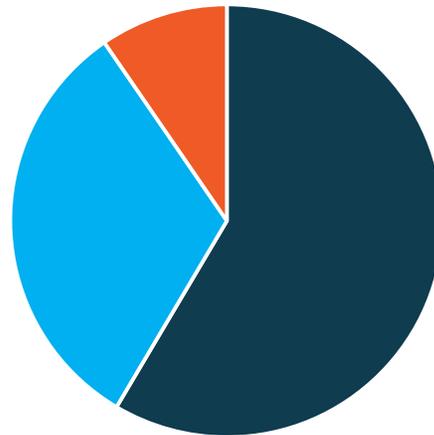
Figure 17: New Zealand Police Service Ethnicity of Subject



■ Maori ■ European ■ Pacific Peoples ■ Other

Source: Tactical Options: 2019 Annual Report. These proportions are regarding all us of force incidents as opposed to per use of force tactic/tool.

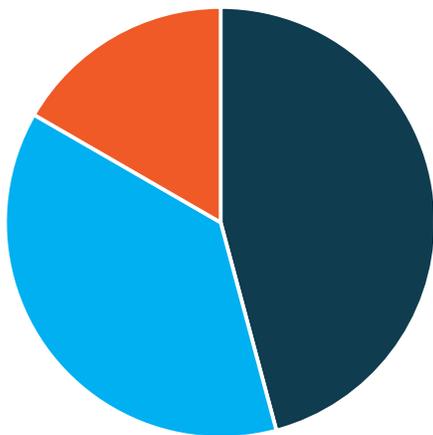
Figure 18: New York Police Department Ethnicity of Subject



■ Black ■ Hispanic ■ White

Source: NYPD Force Dashboard Between January 1st, 2020 and December 31st, 2020. The dashboard or the annual use of force reports did not include ethnicity per use of force tactic/tool.

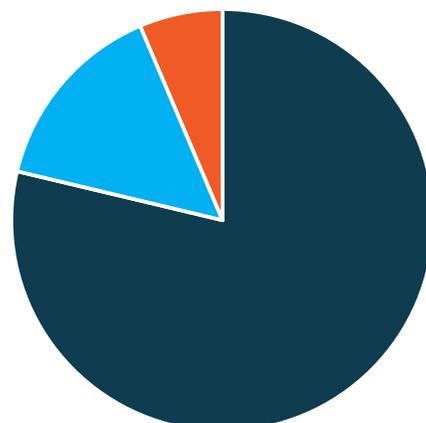
Figure 19: Los Angeles Police Department Ethnicity of Subject



■ Hispanic ■ Black ■ White

Source: Use of Force Year-End Review 2019. The annual report did not include ethnicity per use of force tactic/tool.

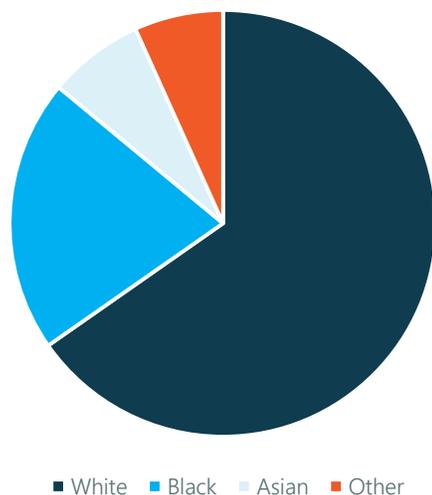
Figure 20: Chicago Police Department Ethnicity of Subject



■ Black ■ Hispanic ■ White

Source: Use of Force Dashboard Between January 1st, 2020 to December 31st, 2020. The dashboard or the annual use of force reports did not include ethnicity per use of force tactic/tool.

Figure 21: England and Wales Police Service Ethnicity of Subject



Source: Police use of force statistics, England and Wales: April 2019 to March 2020. These proportions are regarding all use of force incidents as opposed to per use of force tactic/tool.

Mental Health and Substance Abuse

Research cited earlier shows that the presence of a weapon, the perceived mental health condition of the subject, and whether the subject is under the influence of alcohol or drugs also influence the decision by police to utilize a particular use of force tactic/tool. Unfortunately, information regarding the role of these factors in a CEW deployment is limited amongst the international police services utilized for this review. For instance, four of the six other police services included in this review provide no publicly available information on a subject's perceived mental state and/or being under the influence.

For the England and Wales Police Services, 21% of use of force incidents recorded by the police services in 2019 involved a subject perceived to be experiencing a mental health crisis. In addition, 67% of use of force incidents recorded by police involved a subject perceived to be under the influence of drugs or alcohol. These results show that substance abuse is a factor in the majority of use of force incidents, while mental health is a factor in approximately one fifth of all incidents.

Regarding use of force options, in 2019 England and Wales Police Services used a CEW in 5% of all incidents involving a subject that was perceived to be experiencing a mental health crisis in either full deployment or drive-stun mode. For incidents involving a subject perceived to be under the influence of drugs/alcohol, the proportion of CEW use recorded was 3.5%. Comparatively, officers utilized empty-hand and restraint techniques 85% of the time for subjects with a perceived mental health condition and 86% for incidents involving a subject under the influence of drugs/alcohol. These results show that the use of a CEW is relatively infrequent in comparison to other use of force tactics such as empty-hand and restraint techniques. However, CEWs are utilized in a higher proportion of incidents involving an individual experiencing a mental health crisis. These findings are similar to other police services and will be discussed within Conducted Energy Weapon Use Compared to Use of Force Tactics/Tools subsection.

The New Zealand Police Service does not track information about whether a subject is perceived to be under the influence of drugs or alcohol. However, the service does track subjects experiencing a mental health crisis and if a subject is exhibiting suicidal behaviour for each use of force incident separately. In 2019 the New Zealand Police Service found that a subject perceived to be experiencing a mental health crisis and/or exhibiting suicidal behaviour in 21% of all use of force incidents.

Table 6 shows that CEWs comprised the largest proportion of use of force tactics/tools utilized by New Zealand Police Service members in 2019 at 39%. In general, the New Zealand Police Service utilized CEWs for 25% of all use of force incidents in 2019. The 2019 Annual Tactical Report by the New Zealand Police Service stated that the disproportionately high use of CEWs for incidents involving suicidal behaviour may be due to the device’s ability to prevent an individual from harming themselves and/or others from a distance. However, this statement was noted as being only conjecture and not corroborated as the reason based on an analysis performed by the service.

Table 6: Use of Force Tactic/Tool Rates at Mental Health Incidents, Suicidal Behaviour Incidents, and All Use of Force Incidents

	All Use of Force Incidents	Mental Health Incidents	Suicidal Behaviour Incidents
Empty-Hand	40%	38%	30%
OC Spray	28%	17%	11%
CEW	25%	27%	39%
Handcuffs/Restraints	13%	31%	31%
Firearm	8%	2%	4%
Dog	8%	3%	1%
Baton	1%	1%	0.4%
Other	0.4%	2%	1%

Comparatively, the TPS has recorded that 69% of all use of force incidents between 2010 and 2020 involved an individual either under the influence of drugs/alcohol and/or experiencing a mental health crisis (Table 7).

Table 7: Perceived Subject Condition at time of CEW Use Between 2010 and 2020 by TPS Officers

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	Proportion (%)
Alcohol Only	31	37	40	31	18	44	46	29	61	62	50	13%
Drugs Only	17	7	10	14	8	11	18	20	54	50	51	7%
Drugs and Alcohol	7	11	11	8	8	9	14	7	35	47	24	5%
Person in Crisis	61	64	82	51	79	81	90	98	108	138	122	28%
Person in Crisis and Alcohol	14	12	18	13	14	11	12	15	29	22	19	5%
Person in Crisis and Drugs	11	9	3	6	11	20	28	23	49	42	38	7%
Person in Crisis and Drugs and Alcohol	6	8	8	9	4	9	12	9	21	19	17	3%
No Apparent Influences	63	74	83	60	63	80	72	107	145	177	167	31%
Total	210	222	255	192	205	265	292	308	502	557	488	

Presence of a Weapon

Research shows that the presence of a weapon is an additional factor in police officers utilizing a use of force tactic/tool. In 2019, the possession of a weapon was recorded by New England and Wales Police Services in 16% of all use of force incidents. However, there are no statistics to speak to the number of armed suspects specific to CEW use. The Chicago Police Department also tracks the presence of a weapon, although only by the sex of the subject. Between 2015 and 2019, male subjects accounted for a total of 88% of all subjects recorded to be armed.

For the New Zealand Police Service, 20% of all use of force incidents in 2019 involved an armed suspect. In general, the New Zealand Police Service noted that officers are more likely to use higher levels of force in response to armed subjects than in response to unarmed subjects. Specifically, an analysis completed by the New Zealand Police Service shows that firearms were the most common option deployed in response to subjects armed with a firearm or replica firearm; a CEW was the most common option deployed in response to subjects armed with a knife; and OC spray was the most common option deployed in response to subjects armed with a bludgeoning weapon.

Additionally, the New Zealand Police Service has found that armed subjects are more likely to be considered under mental distress and be suicidal compared to subjects not perceived to be experiencing mental distress. This finding is based on an analysis of use of force incidents completed by the New Zealand Police Service in 2016 that found subjects that were perceived to be under mental distress were

twice as likely to be in possession of a weapon than subjects that were not perceived to be under mental distress.

The TPS has experienced similar intersections between mental health and armed subjects. Specifically, between 2010 to 2020 an average of 61% of CEW deployments involved a perception by officers that the subject was armed with a weapon; of which the subject(s) were confirmed to be armed 33% of the time. Comparatively, an average of 76% of instances involving a subject perceived to be experiencing a mental health crisis and were perceived to be armed with a weapon; of which the subject(s) were confirmed to be armed 48% of the time. These results suggest that subjects perceived to be in crisis are more likely to be perceived to have a weapon as well as confirmed to have a weapon in comparison to subjects who are not perceived to be experiencing a crisis.

Due to the lack of standardized data collection, it is difficult to compare the use of CEWs or use of force tactics/tools in general between services. Taken collectively, these statistics from other jurisdictions and the TPS reinforce what has been found in the research regarding an intersection between use of force incidents involving a male that is armed and is experiencing a mental health crisis.

Summary

Based upon the studies and data shown above, CEW and use of force tactics/tools are most likely to be used on males between the ages of 18 and 35, who are experiencing a mental health crisis, are under the influence of drugs/alcohol, and/or are assaultive/armed. These findings are reflective of the TPS as well as all other police services/departments included in this review. Furthermore, subjects from marginalized populations are overrepresented in all instances involving use of force by police. There is no official race-based data to compare the TPS to other police services/departments regarding this finding. However, a multivariate analysis completed for the Ontario Human Rights Commission on the TPS found that Black community members are overrepresented in all use of force categories and instances including CEWs.

Although limited, data from the TPS and the New Zealand Police Service show that subjects who are experiencing a mental health crisis are more likely to be armed and/or perceived to be armed by police. Information from the New Zealand Police Service as well as use of force experts involved in this review indicate that CEWs are most likely to be utilized by officers to respond to subjects armed with a blunt or edged weapon. It is important to note that these findings do not definitively say that individuals experiencing mental health issues are more prone to violence or a threat to society. Mental health is a complex issue and no generalizable statements or findings can be made based on the data collected related to this topic to complete this review.

Further, data collected by the New Zealand Police Service shows that CEWs are utilized by officers disproportionately in response to suicide incidents. One possible explanation for this disproportionate use of a CEW stated by the New Zealand Police Service in the 2019 Tactical Options Research Report is that the device enables officers to incapacitate a subject from a distance. Understanding that this is not a definitive explanation, the statement is consistent with the comments made by use of force experts regarding the use of CEWs for subjects armed with a blunt or edged weapon. However, limited information is available to corroborate this purported explanation. Unfortunately, the TPS does not track this type of data for comparison.

Finally, a recent study has found a ‘weapons effect’ regarding an increase in aggressive behaviour by a subject with the presence of a CEW; as well as a ‘contagion effect’ where officers were more likely to be involved in a use of force incident when equipped with a CEW in comparison to officers that were not. The results of this study are not generalizable, nor do they establish a causal relationship between the presence of a CEW and aggressive behaviour by an officer and a subject. However, the results do illuminate the fact that a use of force incident is a reflection of the environment as well as the characteristics of the subject.

Overall, the results indicate that use of force incidents in Toronto are similar to trends found internationally. These findings collectively speak to a multitude of societal and economic factors that coalesce to increase the likelihood of certain individuals coming into contact with the police and being involved in use of force incidents.

Injuries and Death

Only the New Zealand Police Service provides information regarding the number and the severity of injuries specific for each use of force tool/tactic. All other police departments included in this review either do not provide any information or only the total injuries suffered by subjects or the police as an annual total (Table 8). Therefore, the information regarding injuries and death associated with CEWs will be limited to New Zealand and the secondary research completed for this review.

Table 8: Summary Table of Publicly Available Information Regarding Injuries Recorded by Police Services/Departments

Royal Canadian Mounted Police Service	New York Police Department	Chicago Police Department	Las Angeles Police Department	New Zealand Police Service	England and Wales Police Services	Toronto Police Service
<ul style="list-style-type: none"> ✓ No publicly available information regarding subject demographics, behaviour, or condition for non-lethal use of force options. 	<ul style="list-style-type: none"> ✓ Total injuries for all recorded use of force incidents. 	<ul style="list-style-type: none"> ✓ Total injuries for all recorded use of force incidents. 	<ul style="list-style-type: none"> ✓ Total injuries for all recorded use of force incidents. 	<ul style="list-style-type: none"> ✓ Total injuries for all recorded use of force incidents. ✓ Injuries of an individual and the officer provided for all use of force tactics/tools. 	<ul style="list-style-type: none"> ✓ Total injuries for all recorded use of force incidents. 	<ul style="list-style-type: none"> ✓ Total injuries for all recorded use of force incidents. ✓ Injuries of an individual and the officer specific to CEW use.

Use of Force Experts

All use of force experts perceived the benefits of the CEW to outweigh the risks associated with injury and death. However, all use of force experts acknowledged that CEWs are not infallible devices and do pose a threat to the health and wellbeing of individuals that they are used on. All use of force experts indicated that annual CEW recertification and clear policies and comprehensive accountability processes are required by a police service to ensure negative outcomes are limited.

Key Stakeholders

Most of the stakeholders consulted for this review did not express specific concerns regarding injury or death related to the use of CEWs. Primarily, these stakeholders noted research that they had reviewed, the TPS CEW report findings regarding injury and death, and/or inquests completed within Ontario.

A small number of stakeholders noted that there are important caveats for determining the role a CEW plays in a death as well as how injuries are defined and reported. These stakeholders noted that determining the cause of deaths associated with CEWs is challenging. The use of firearms, batons, physical strikes/chokes produce distinct markings and injuries that are more likely to establish a link to cause of death. CEWs may leave no indication of cause of death for pathologists. The only marks may be burn marks from a drive-stun or probe marks from a full deployment. Furthermore, pre-existing heart conditions and being under the influence of drugs/alcohol at the time of death add to the complexity of isolating a cause of death. Additionally, no definitive test exists to confidently determine that a CEW was the cause of the death. As a result, the finding of police services, including the TPS, that have no attributable deaths to the use of a CEW needs to be understood with these caveats.

These same stakeholders were also concerned that a CEW may retraumatize subjects because it puts them into a vulnerable situation with a person in a position of authority. For example, a police officer in a position of authority using a CEW on a subject that leads to neuromuscular incapacitation effectively results in the subject being placed in a helpless position. Being placed in this helpless position may elicit flashbacks to previous traumatic events. This perspective illuminates that not all forms of injury resulting from use of force tactics/tools can be measured physically.

Primary and Secondary Research

Some stakeholders told us that the CEW is one of the most researched and scrutinized use of force tools utilized by police. To this end, its manufacturer Axon Enterprise Inc. has partially or fully funded more than 880 studies on the device. Additionally, secondary research has been plentiful regarding the use of CEWs by police services and the rate of injury or death.

Generally, research shows that CEWs are associated with fewer instances of injury amongst officers and subjects in comparison to other use of force options (Public Safety Canada, 2015). Research has found that fatalities are extremely rare for incidents involving CEWs (The Council of Canadian Academies and the Canadian Academy of Health Sciences, 2013). A systematic review of the health risks of CEWs was published very recently (Baliatsas et al., 2021). This review identified 33 studies that used an experimental design. Outcomes of these studies typically included factors such as “physiologic stress responses, heart rate, blood pressure, arrhythmias, blood acidity, or cognitive performance” (p. 4). The review concluded that while there were minor effects, there were no consistent negative impacts on health.

However, these findings must be interpreted cautiously. A major weakness with the studies is that they almost all used healthy volunteers – often police officers. We know that in the field CEWs are often used on subjects who are not necessarily in good physical condition. Baliatsas et al. found 163 cases where an autopsy report concluded that a CEW was a cause of death or a contributing factor. Many of these cases involved people who were under the influence of drugs or had cardiovascular problems. Thus, the experimental studies may not be generalizable to real-life conditions. Ethical and practical considerations mean that future research will require systematic tracking of real-life cases of CEW use and systematically

assessing the health impact on actual subjects. Baliatsas et al. recommended that even though the research data suggest that CEWs have a low risk of adverse health outcomes, the generalizability issues support the view that police agencies be cautious regarding CEW use.

Benchmarking

Information regarding use of force incidents involving injury and death is not standardized across police services. Specifically, the RCMP does not provide publicly available information regarding injuries and deaths except for officer involved shootings. The Chicago Police Department do not provide a consistent source of this information by use of force incident or as an annual total. The England and Wales Police Services, Los Angeles Police Department, and New York Police Department only provide a total number of injuries for both police officers and individuals with no distinction made by use of force tactic/tool.

In consideration of these limitations, the most comprehensive information regarding injuries by use of force comes from the New Zealand Police Service. Figure 22 shows that CEWs only account for 2% of all injuries reported by individuals subjected to a use of force tactic/tool. In comparison, empty-hand techniques accounted for 50%, while dogs accounted for an additional 29%. Table 9 shows the severity of injury per use of force tool in 2019. For CEWs, 73% of all injuries were moderate, meaning hospitalization was not required. However, 24% of injuries from CEWs did require hospitalization which is a proportion only surpassed by a firearm at 50%. CEWs account for 4% of all officer injuries recorded in 2019.

Public complaints regarding the use of CEWs is the lowest amongst use of force options for the New Zealand Police Service. Specifically, out of a total of 433 complaints made in 2019, 9 were for CEWs, while 364 were for either empty-hand or handcuffing, 30 were for OC spray, and the remaining 30 were for a combination of firearms, dogs, batons, and other tactics. The New Zealand Police Service noted in the 2019 Tactical Options Annual Report that they are reconsidering the appropriate use of force tactics/tools for different situations based on the lower injury and complaints rates for the CEW in comparison to empty-hand techniques.

Figure 22: Average Proportion of Use of Force Tactic/Tool Used by the New Zealand Police Service for Instances Involving an Injury

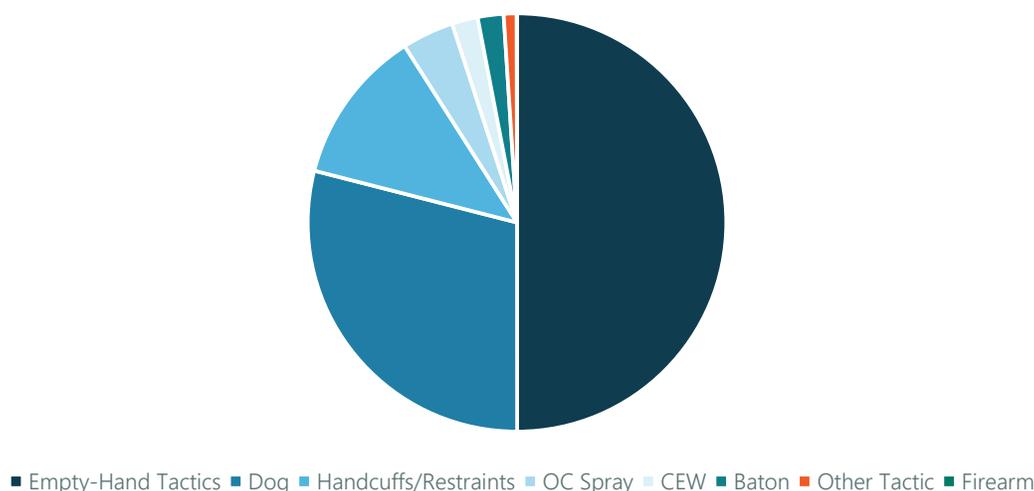


Table 9*: Proportion of Minor, Moderate, Serious, and Fatal Injuries by Use of Force Tool for the New Zealand Police Service

	Mild	Moderate	Serious	Fatal
Empty-Hand Techniques	68%	26%	6%	0%
Other Tactic	68%	26%	6%	0%
Handcuffs/Restraints	69%	15%	16%	0%
OC Spray	78%	8%	14%	0%
Baton	57%	29%	14%	0%
CEW	24%	52%	24%	0%
Dog	7%	83%	10%	0%
Firearm	0%	0%	50%	50%

*Minor injuries required no treatment or self-treatment only; moderate injuries required medical treatment, but not hospitalization; serious injuries required hospitalization.

The TPS has recorded an annual average of 4.7 subject injuries and two civil action cases due to CEW use between 2010 and 2020. The expansion of the CEW to frontline officers in 2018 has been followed by a reduction in SIU cases from 76 to 64 (-16%) and officer injuries from 138 to 107 (-22%) between 2018 and 2020. This suggests that the TPS has been doing a good job of ensuring that citizens were not put at risk by the expansion of CEWs that has already occurred.

While these positive figures may be attributed to factors unrelated to CEW expansion, it is acknowledged that many injuries to officers and subjects have been caused by utilizing empty-hand techniques to control assaultive subjects. In many instances, the use of a CEW as a demonstration of

force is all that is required to safely resolve some volatile situations that once required the use of empty-hand techniques or more potentially lethal tools when attempts to de-escalate were unsuccessful. However, the TPS does not have information regarding the severity of injuries per use of force tactic to compare to the New Zealand Police Service.

The TPS has not attributed any deaths to the use of CEWs nor have the New Zealand Police Service or the England and Wales Police Services.

Summary

In summary, most stakeholders did not state specific concerns regarding injuries and deaths related to the use of CEWs. Additionally, all use of force experts perceived the benefits of the CEW outweigh the risks associated with using the device. However, to mitigate the risks associated with using a CEW, use of force experts agreed that there should be clear policies in place regarding testing, annual recertification, and comprehensive accountability processes regarding the use of the device.

Research has found that CEWs are associated with fewer injuries compared to the use of force tactics/tools and CEWs are rarely officially named as a cause of death. The TPS is no different than other police services/departments in the low number of injuries associated with CEW use. However, these devices are a use of force tool and carry the risk of serious injury or death when used by the police. Further, no definitive test exists to confidently determine that a CEW was the cause of the death. As a result, the finding of police services, including the TPS, that have no attributable deaths to the use of a CEW needs to be understood with these caveats.

Research regarding the use of CEWs has focused on physical health with the psychological impact of CEW on subjects identified by some stakeholders being a topic that requires further investigation to determine the prevalence and degree of these impacts. This point does speak to the importance of considering the psychological impacts of the device as well as the physical impacts.

Conducted Energy Weapon Use Compared to Other Use of Force Tactics/Tools

Internationally or nationally, there are no standards regarding use of force tactics/tools utilized by police services/departments. Most police services/departments will train/equip officers in empty-hand tactics, handcuffs, batons, and OC spray. CEWs and firearms are not standard issue for all police services/departments. For example, the New Zealand Police Service as well as the England and Wales Police Services do not equip officers with a firearm. CEWs are not standard issue for police services either.

Use of force statistics are also not standardized across police services/departments nationally or internationally. As a result, the benchmarking subsection below will include caveats regarding how data from different services/departments regarding use of force tactics/tools is being reported on and compared.

Use of Force Experts

Consultation with stakeholders indicate that there is a perception that the CEW has a distinct place in the use of force model. The supporting rationale for this perception is the ability to use the CEW from a distance to achieve neuromuscular incapacitation, preferable to other use of force tactics/tools in cases where subjects are armed with a blunt or edged weapon or are exhibiting potentially self-harming behaviour. In comparison to other use of force tactics/tools, neuromuscular incapacitation from full deployment mode is not perceived to be a quality that can be replicated by other available use of force tactics/tools.

With that said, all use of force experts stated that every tactic/tool that police officers are equipped with in Canada serves a specific function. For example, empty-hand techniques are an effective means of addressing a volatile incident when the officer is within striking distance of a subject and does not have time to use another tactic/tool. Another example is OC spray when an officer is confronted by multiple subjects. In general, even if not utilized often, no use of force expert felt that existing use of force tactics/tools should be removed from officers. In terms of alternatives, some use of force experts did perceive the BolaWrap could be added to help officers in certain circumstances including a subject wearing heavy clothing that would reduce the probability of a successful CEW deployment or a subject armed with a knife walking away from officer(s). However, no existing or available use of force tactic/tool is seen as a replacement for the CEW.

Key Stakeholders

Some stakeholders indicated that CEWs were initially marketed as a replacement for the use of firearms. As a result, these stakeholders are gauging the value of CEWs based on a reduction in the use of firearms. However, these stakeholders indicated that they have not seen evidence to suggest that the use of firearms has been reduced with the implementation of CEWs. All stakeholders consulted believed that a CEW is a preferred option in comparison to a firearm since its use is less likely to lead to the death of an individual. Nevertheless, some stakeholders believe that other use of force options should continue to be explored by the TPS and implemented if deemed to be valuable. To this point, these stakeholders indicated that they found it valuable for the TPS to pilot and implement the SOCK rounds as well as investigate the use of the ballistics shield. All stakeholders agreed that the TPS should continue to research and implement use of force tactics/tools to reduce injury and death resulting from volatile police/citizen interactions

Primary and Secondary Research

Baldwin et al. (2017) analyzed approximately 6,000 use of force events in Canada to determine various intervention options related to officer/subject injury and how effective these options are perceived to be by the reporting officer. The results indicated that the perception of effectiveness must be balanced with safety concerns. To this point, certain intervention options (e.g. CEWs and OC spray) were not perceived as being particularly effective relative to empty-hand techniques. However, intervention options such as CEWs and OC spray were less likely to cause injuries to both the subject and police officers in comparison to empty-hand techniques. These results suggest that officers prefer to use empty-hand techniques over use of force tools such as CEWs and OC spray. To this end, the benchmarking section

below demonstrates that the most utilized use of force tactic/tool by all police services/departments included in this review is empty-hand techniques.

However, among the existing use of force tools utilized by police including OC spray, baton, and CEW, there appears to be a preference for CEWs. To this point, a randomized control trial in a field-training experiment found that officers equipped with a CEW were less likely to use their baton and OC spray in response to aggressive physical resistance (Sousa, Ready, and Ault, 2010). Similarly, the benchmarking section below shows that CEWs are the second most frequently utilized use of force tool by the police services included in this review, except for the New Zealand Police Service. These results suggest that CEWs are a preferred use of force tool compared to other existing use of force tools regardless of jurisdiction.

Finally, limited evidence has been found establishing the inverse relationship between firearm and CEW use. For example, one study completed in 2018 found no reduction in the use of firearms after the introduction of CEWs to frontline officers of the Chicago Police Department (Ba and Grogger, 2018). In March of 2010, the Chicago Police Department expanded the use of CEWs from issued only to Sergeants and field training officers to the provision of 400 CEWs to patrol officers. A total of 36,112 use of force incidents were analyzed between 2005 to 2015 to complete a before and after comparison of CEW use after the policy change in 2010. The results found that CEW use reduced the number of officers' injuries. No difference in the use of firearms was found. Generally, the use of firearm and a CEW serve different purposes and are not to be used in replacement of one another. To this point, the South Wales Police Force (2016) Use of Conducted Electrical Weapons policy states "the Taser is not a replacement for a conventional firearm. It is a less lethal option which should be deployed and managed alongside conventional firearms and other tactical options" (p. 16). The New Zealand Police Service (2020) also has a disclaimer within their CEW use policy that states, "police firearms remain the most appropriate tactical response for situations where a subject is armed with a firearm..." (p.13). These two examples illuminate the distinctive uses of a CEW and firearm and help to explain why the use of one is not necessarily correlated with the other.

Benchmarking

Comparing use of force incidents between different police services/departments is challenging due to the significant variation in how these statistics are collected and made available. For instance, physical tactics are only recorded by the TPS if they result in an injury to the individual they are applied to. The Chicago Police Department does not include instances such as wristlocks, control holds, or pressure compliance techniques. Presentation of a CEW is not recorded by the Chicago, Los Angeles, or New York Police Departments. Finally, consistent data related to the number of sworn officers for each police service/department is not publicly available. As a result, calculating a rate of use of force tactic/tool per officer is not a viable option.

Acknowledging these limitations, a comparison of the frequency of different use of force tactics/tools has been completed using publicly available data with the following notes:

- Physical Tactics: below are the noted data collection differences for each police service/department:

- TPS: physical tactics of any kind are only recorded by the TPS if they result in serious injury. Since the majority of physical tactics do not cause serious injury, the TPS will be underreported in this category in comparison to other services/departments. No distinction in physical tactics is made by the TPS for recorded uses.
- RCMP: physical tactics are categorized by the RCMP as either soft or hard. Soft techniques include pressure points, joint locks, escort/come along, as well as takedowns. Hard techniques include stuns/strikes, takedowns, and carotid control/vascular neck restraints. Similar to the TPS, RCMP officers are only required to record the use of a physical tactic when a subject or officer is seriously injured.
- New York Police Department: all physical tactics used by officers are recorded regardless of injury to the subject. Physical tactics recorded by the department include the use of hand strikes, foot strikes, forcible takedowns, and wrestling/grappling.
- Los Angeles Police Department: all physical tactics used by officers that are either on or off-duty are recorded when used to compel a person to comply with an employee's direction; defend themselves; defend others; effect an arrest/detention; prevent escape; or overcome resistance. Physical tactics recorded by the LAPD include body weight, firm grip/joint lock, physical force, strike/kick/punch, and takedown/leg sweep.
- The Chicago Police Department: records incidents involving a subject who is injured or alleges injury resulting from the officer's use of force or physical tactics used in response to active resistance.
- New Zealand Police Service: All instances involving the use of force by an officer are included regardless of injury. Empty-hand techniques as well as handcuffs-restraints are recorded.
- England and Wales Police Services: officers are required to report any incident where they utilized a use of force tactic regardless of injury. Physical tactics, handcuffing, limb/body restraints, ground restraints, hand/feet strike, pressure points, as well as joint locks are recorded.
- CEWs: the TPS, New Zealand Police Service, RCMP, as well as the England and Wales Police Services record the presentation as well as discharge (i.e. full deployment and drive-stun) of a CEW. Alternatively, the Chicago Police Department, Los Angeles Police Department, and New York Police Department only include discharges of a CEW (i.e. full deployment and drive-stun).
- Firearms: the TPS, New Zealand Police Service, RCMP, as well as the England and Wales Police Services record the presentation and discharge of a firearm by officers. The Chicago Police Department, Los Angeles Police Department, and the New York Police Department only record incidents when an officer discharges their firearm.
- Baton, OC Spray and Dogs: Each application/use of a baton, OC spray, and dog is recorded. However, the England and Wales Police Services do record the presentation of batons and OC spray (i.e. the display of the tool without its use by the officer).

Table 10 provides a summary of the average number of use of force instances by type for each police service/department between 2017 and 2019. The table shows that physical tactics are the number one use of force tactic for all police services/department included in this review. The second by volume of use is the CEW, with the exception of the New Zealand Police Service. These results show that the CEW is a

prominent use of force tool utilized by police, regardless of jurisdiction, serving as an indication of the utility of the device for officers on the use of force spectrum.

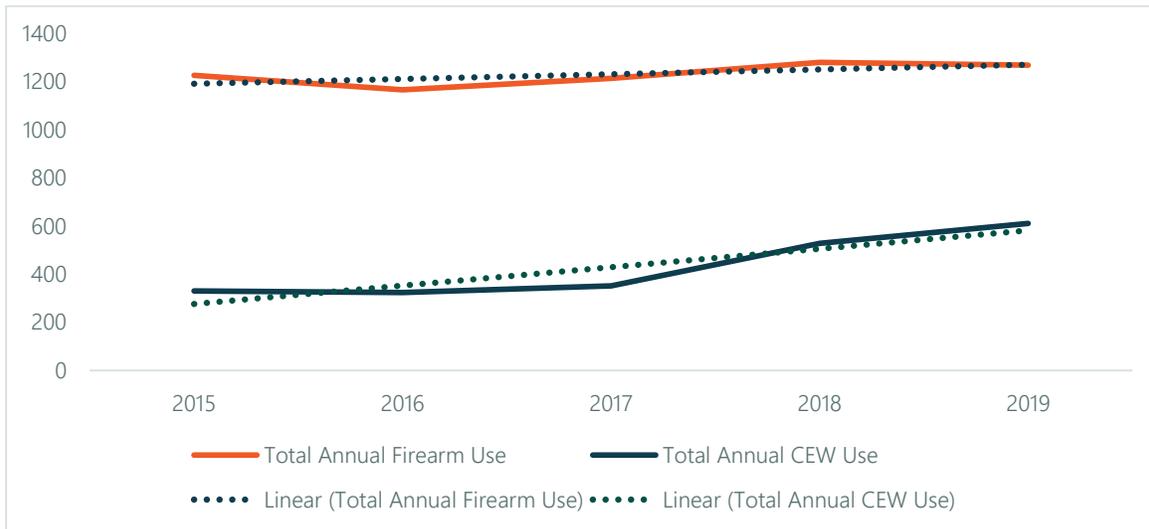
Table 10: Average Annual Number of Use of Force by Type Between 2017 and 2019 for Comparable Police Services

	Chicago Police Department	Toronto Police Service	Los Angeles Police Department	New Zealand Police Service	Royal Canadian Mounted Police Service	New York Police Department	England and Wales Police Service
Population*	2,693,976	2,956,024	3,979,576	5,040,900	8,055,165	8,336,817	66,796,807
Physical Tactics	4,003	531	5,940	3,367	1,401	6,530	518,801
CEW	264	497	392	1,190	1,171	999	24,198
Firearm	41	19	34	7	27	46	9
Baton	40	48	26	46	49	88	2,730
OC Spray	31	42	24	1,354	328	233	8,072
Dog	Not Recorded	11	3	323	431	8	503

*Population data obtained from <https://www.census.gov/quickfacts/fact/table/losangelescitycalifornia,newyorkcitynewyork,chicagocityillinois,US/PST045219>, <https://www.toronto.ca/city-government/data-research-maps/toronto-at-a-glance/>, <https://www.stats.govt.nz/topics/population>; <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/bulletins/annualmidyearpopulationestimates/mid2019estimates>

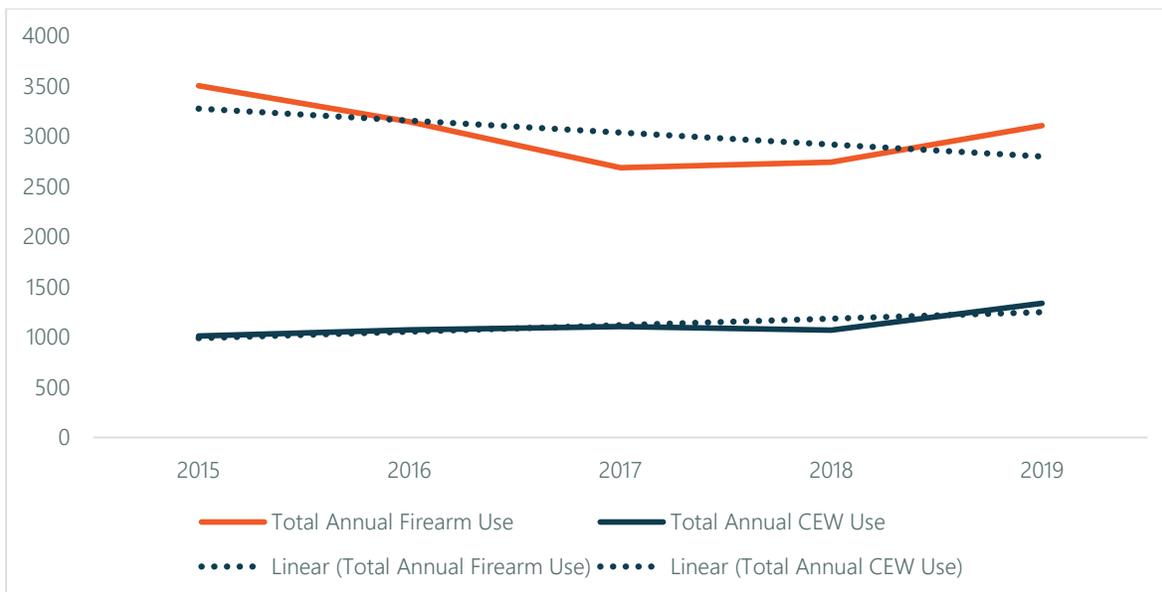
The Chicago Police Department, New York Police Department, Los Angeles Police Department, and England and Wales Police Services only provide the total annual number of firearm discharges by officers. As a result, the RCMP and New Zealand Police Service have been included as comparators to the TPS for CEW and firearm use since they both include the number of times an officer unholster their firearm as well as discharge the weapon. It is important to note that the New Zealand Police Service do not equip patrol members with firearms. Figure 23, Figure 24, Figure 25 include a line of best fit and show that there is no discernable proportionate relationship between CEW use and firearm use. Essentially, the introduction of the CEW has not led to a proportionate decrease in the use of firearms. These results are consistent with the secondary research completed for this review.

Figure 23: Toronto Police Service Total Annual CEW and Firearm Use Between 2015 and 2019



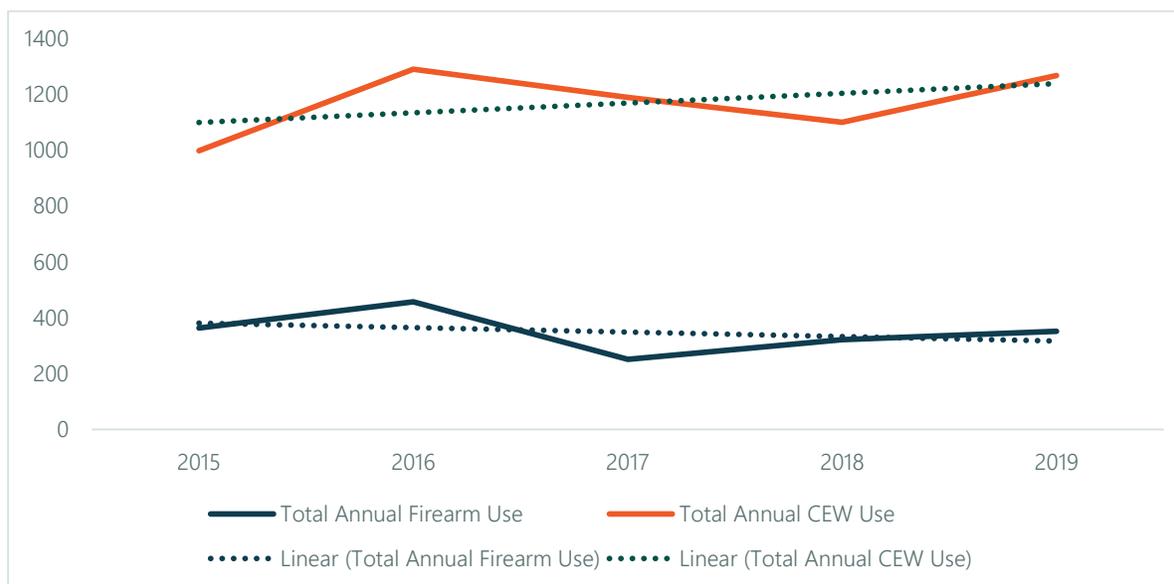
Source: Toronto Police Service Corporate Risk Management Annual Reports 2015 to 2019 as well as the 2015 to 2019 Use of Conducted Energy Weapons annual reports.

Figure 24: Royal Canadian Mounted Police Total Annual CEW and Firearm Use Between 2015 and 2019



Source: Royal Canadian Mounted Police 2010 to 2019 Police Intervention Options Report.

Figure 25: New Zealand Police Service Total Annual CEW and Firearm Use Between 2015 and 2019



Source: 2015 to 2019 Annual Tactical Options Research Reports.

Summary

Among existing use of force tactics/tools, physical tactics are the most utilized use of force tactic/tool by all police service/department including the TPS. This finding should be noted with the caveat that physical tactics are still the most frequently utilized use of force tactic by the TPS even though these instances are only recorded if they result in serious injury. The CEW is the second most utilized use of force tactic/tool for every police service with the exception of New Zealand. These results are an indication of the utility of the CEW for officers. Further, these results show that the TPS is not unique in its volume of CEW use compared to other police services/departments.

Most use of force experts indicated that CEWs have a distinct place on the Use of Force Model because of the ability of the device to be used at a distance to achieve neuromuscular incapacitation. This result was stated by use of force experts as being preferable for addressing individual's armed with a blunt or edged weapon or exhibiting potentially self-harming behaviour. Use of force experts acknowledged that other use of force tactics/tools, such as the BolaWrap, would be able to be utilized in certain circumstances as an alternative to a CEW. However, no existing use of force tools would be a viable replacement.

The TPS has not explored the use of the BolaWrap but the TPS has implemented the use of the soft-nosed impact rounds in 2016. This tool is available to specifically trained constables. As a result of the Loku inquest, the TPS piloted the use of a ballistic shield in 2020 to address individuals experiencing a mental health crisis. However, the shield was not deemed a viable option for Primary Response Unit members. Alternatively, the recommendation was to build upon and refine existing de-escalation strategies.

Finally, the available research and data collected for this review show that CEWs are not a replacement for firearms nor do they lead to a reduction in the use of firearms. CEWs and firearms serve two distinct

purposes and are not replacements or alternatives to one another. The tactical advantages and distance requirements of a CEW limit the ability for the device to be a viable alternative or replacement of a firearm during circumstances that would require its use by police.

Effectiveness of CEW Use

The effectiveness of a CEW is not an agreed-upon metric by police services nor is it tracked by all police services. Only the TPS, New York Police Department, and Los Angeles Police Department provide any information regarding the effectiveness of CEWs and all three have different definitions of effectiveness. Consequently, the TPS will be compared to the New York Police Department below.

Use of Force Experts

Most use of force experts indicated that CEWs are an effective device if the gauge of effectiveness is defined as enabling an officer to restrain a subject that is being assaultive and/or exhibiting behaviour associated with serious bodily injury or death. The perceived strengths and weaknesses of the CEW included:

The perceived strengths of the CEW by use of force experts include:

- Neuromuscular incapacitation enabling officers to restrain an individual and/or prevent them from harming themselves and/or others
- Compliance with the presentation of a CEW
- Fewer injuries for subjects and officers
- Easy to use and portable
- Ability to be used at a distance
- Associated with fewer complaints by the public in comparison to other use of force tactics/tools

The perceived weaknesses of the CEW by use of force experts include:

- Perception by the public of injury/death involving CEW use
- Optimal range is limited
- Restricted use in certain situations (e.g. flammable environments, heights, vehicles)
- Cannot fully control where the probes ultimately attach

Key Stakeholders

Most stakeholders perceive that the CEW is effective in its operation and use by the TPS in accordance with federal and provincial legislation as well as TPS policies and procedures. From a governance perspective, most stakeholders perceive that the effective use of a CEW is dependent upon a police service having clear policies, recurring training that is scenario-based, as well as oversight procedures that ensure accountability and transparency. To these points, most stakeholders perceived the TPS to be providing effective training for officers, utilizing comprehensive oversight processes and procedures, as well as collecting robust data regarding CEW use to inform policy development.

Primary and Secondary Research

Research regarding the effectiveness of CEWs is mixed based on the definition of “effective”, which is not standardized across different studies or police services (White and Ready, 2010). Gilbert (2019) found that 12 large United States police departments reported an average CEW successful usage rate of 68.4%. The CEW success rates for the 12 departments ranged from 54.7% to 79.5%. CEWs were less successful on heavy subjects, on those who were under the influence of drugs and alcohol and when the CEW was deployed from a short distance from the subject (Brandl and Stroshine, 2017).

The ineffective deployment of a CEW is very important because it may result in an officer resorting to a firearm. It is not uncommon for police-involved firearm deaths to follow an unsuccessful CEW deployment. Gilbert reported that between 2015 and 2017 over 250 deaths followed a CEW failure. CEW failure also puts officers’ lives at risk, particularly if officers are working alone and do not have a back-up or lethal overwatch when using a CEW.

Several other studies have examined the effectiveness of CEWs. In den Heyer’s (2020) New Zealand study, 82% of events in which the CEW was shown and 73% of events where it was discharged were classified as effective in resolving an incident. The U.K. study by Stevenson and Drummond-Smith (2020) found that firearms were viewed as effective 97% of the time, CEWs 68% of the time, batons 67% of the time, and OC spray 54% of the time. However, limited research has been conducted on the effectiveness of different use of force tactics/tools under different circumstances.

Benchmarking

The TPS defines an effective use of the CEW as the ability of an officer to use the tool to gain control of a subject. With that definition in mind, Table 11 provides a summary of the number of effective, not effective, and not applicable CEW deployments between 2010 and 2020. Not applicable is defined as unintentional deployments of the CEW, which is generally caused by officers having a misfire while testing the CEW before their shift begins. Overall, the effectiveness rate of the TPS is 85%. The same effectiveness rate has been achieved in instances involving subjects experiencing a crisis (

Table 12).

Table 11: Effective Deployment of CEWs by the TPS Between 2010 and 2020

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	Average (%)
Effective	183	198	213	173	177	232	258	264	421	480	512	85%
Not Effective	26	17	35	16	18	28	28	38	62	77	91	12%
Not Applicable	1	7	7	3	10	5	6	6	19	48	1	3%
Total	210	222	255	192	205	265	292	308	502	605	604	

Table 12: Effective Deployment of CEWs by the TPS Between 2010 and 2020 Involving Persons in Crisis

	2015	2016	2017	2018	2019	2020	Average (%)
Effective	125	120	179	192	134	125	85%
Not Effective	17	25	28	29	37	17	15%
Total	121	142	145	207	221	171	

The other police services in this comparison do not include statistics regarding the effectiveness of CEWs, and when they do, there is a lack of definition for “effectiveness”. For instance, the Los Angeles Police Department defines an effective deployment of a CEW as the probes connecting and completing a circuit successfully. With this definition, the Los Angeles Police Department CEW effectiveness rate between 2015 and 2019 is 55% (LAPD, 2019). The New York Police Department changed its definition of CEW effectiveness in 2019 to:

Any immediate reaction, even if momentary, that causes a change in the actively aggressive subject’s or emotionally disturbed person’s physical actions and/or psychological behaviour as the result of a pre-deployment verbal warning, activation, laser warning arc, or discharge of a CEW (p.48).

With this definition, the effectiveness rate for CEWs was 94% (i.e. 759 out of 808 instances). However, this definition excludes 463 instances that are considered unintentional discharges and includes events when the probes missed the subject, the probes fell out of the subject, probes had poor spread, probes were removed by the subject, subject fought through the pain, probe wires broke, or the deployment was ineffective for an unknown reason. If these instances were included, the effectiveness rate would be 60% as opposed to 95%. In 2018, the effectiveness rate for the New York Police Department was 75% with effectiveness defined as “a discharge that led to members rapidly gaining control of the subject immediately after its use” (NYPD, 2019, p.48). Again, if unintentional discharges were included in 2018, with the applicable definition of effectiveness, the effectiveness rate would be 58% as opposed to 75%.

Summary

In the absence of an agreed-upon definition of “effective”, research and input from stakeholders for this review suggest that the effectiveness of the CEW should be defined by the ability to momentarily stop assaultive behaviour by a subject to gain control/compliance. This is essentially the definition of effectiveness that has been adopted by the TPS.

With this definition of effectiveness, the TPS has the highest effectiveness rate of 85% compared to the other police services, both generally and with persons in crisis, when unintentional deployments by the New York Police Department are included in their effectiveness rate. Further, the effectiveness rate for TPS CEW deployment is higher than found within the research as well. However, due to differing definitions of effectiveness and differing recording practices amongst police services, this finding needs to be understood with the noted caveats.

Finally, the perceived strengths by use of force experts are aligned with the data and research completed for this review. Weaknesses noted for CEWs in the research indicated that the device is less successful on heavy subjects, on those who were under the influence of drugs and alcohol, and when the CEW was deployed from a short distance from the subject. The unsuccessful or ineffective deployment of a CEW is significant as it may result in an officer using their firearm. The TASER 7™ has made multiple improvements in comparison to the existing X2™ model to address some of these noted weaknesses of a CEW. These improvements are discussed in more detail within the TASER 7™ subsection of the report below.

Key Findings

The following points are the key findings based on secondary research, benchmarking, and stakeholder consultations completed for this review:

Frequency and Type of Use

- The research conducted for this review show that CEW use increases as the device becomes more available and more officers are trained to use the device. Similar trends have been found by the TPS based on CEW annual reports. The data suggests that the TPS uses the CEW in accordance with incident circumstances (i.e. subjects that are assaultive) and within the guidelines of existing policies and training for the device. These findings illuminate that the frequency of CEW use by a police service is not just a function of its availability to officers but is also a function of policy and subject behaviour.
- The 2019 and 2020 annual reports also indicate that de-escalation was utilized by officers in 97.3% and 97.8% of incidents involving a CEW respectively. These results show that de-escalation techniques are being utilized by the TPS in incidents involving the use of a CEW. In other words, CEW use by the TPS is not utilized as an alternative to techniques meant to mitigate the volatility of an incident.
- There is a difference in the proportion of instances that TPS and the RCMP utilize the CEW as a presentation of force compared to the New Zealand and the England and Wales Police Services. The discrepancy between services does not appear to be explained by differing use of force model requirements. However, there is limited data available to explain these differences.
- The TPS, RCMP, New Zealand Police Service and the England and Wales Police Services have a higher threshold to justify the use of a CEW compared to the New York and Chicago Police Departments. There is no definitive answer for when a CEW should be utilized by police (i.e. where the device should be placed on a jurisdictions Use of Force Model). Most use of force stakeholders indicated that the Ontario Use of Force Model has situated the CEW in the appropriate place.
- Data from police services that track presentation of force, full deployment, and drive-stun mode demonstrate that CEWs are primarily being utilized as a presentation of force.

Subject Demographics and Behaviour

- CEW and use of force tactics/tools are most likely to be used on males between the ages of 18 and 35, who are experiencing a mental health crisis, are under the influence of drugs/alcohol, and/or are assaultive/armed.

- Information collected from other police services/departments as well as research show that individuals from marginalized populations are overrepresented in all instances involving use of force by police. A multivariate analysis completed for the Ontario Human Rights Commission found that Black community members in Toronto are overrepresented in all use of force categories and instances by the TPS. CEWs specifically were noted as being significantly more likely to be utilized on other racialized minorities (13.5%) and Black individuals (8.7%) in comparison to White individuals (3.9%).
- Data from the TPS and the New Zealand Police Service show that subjects who are experiencing a mental health crisis and/or are under the influence of drugs/alcohol are more likely to be armed and/or perceived by police to be armed. It is important to note that these findings do not definitively say that individuals experiencing mental health issues are more prone to violence or a threat to society. Mental health is a complex issue and no generalizable statements or findings can be made based on the data collected to complete this review.

Injuries and Death

- Research and data collected from other police services/departments show that CEWs are associated with fewer injuries compared to other use of force tactics/tools and rarely officially attributed as a cause of death. To this point, the TPS has recorded zero deaths, an average of 4.7 subject injuries, and two civil action cases annually due to CEW use between 2010 and 2020. The expansion of the CEW to frontline officers in 2018 has been followed by a 15% reduction in Special Investigations Unit (SIU) cases (from 76 to 64) and a 22% reduction in officer injuries (from 138 to 107). These results suggest that the TPS has done a good job of ensuring that citizens were not put at risk by the expansion of CEWs that has already occurred. However, these devices are a use of force tool and still present a risk of serious injury or death.
- Best practices dictate that clear policies are required regarding testing, training, use, and supervision of CEWs. Recurring training for officers that is scenario based, and oversight ensuring accountability and transparency to reduce instances involving injury or death regarding CEWs are also necessary. The TPS has clear policies regarding CEW use, comprehensive supervision and training, as well as fulsome accountability mechanisms/processes and transparency in comparison to other police services.

Conducted Energy Weapon Use Compared to Use of Force Tactics/Tools

- Physical tactics are the most utilized use of force tactic/tool by police services/departments including the TPS.
- CEWs are the second most utilized use of force tactic/tool for the TPS and all other police services/departments included in this review apart from New Zealand. These results are an indication of the utility of the device for officers on the use of force spectrum. Further, these results demonstrate that TPS use of CEWs compares to other police services/departments.
- Most use of force experts indicated that CEWs have a distinct place on the Use of Force Model due to the ability of the device to be used at a distance to achieve neuromuscular incapacitation, preferable for addressing subjects armed with a blunt or edged weapon or exhibiting potentially self-harming behaviour.
- CEWs are not a replacement for firearms nor do they lead to a reduction in the use of firearms. CEWs and firearms serve two distinct purposes and are not replacements or alternatives to one

another. The tactical advantages and distance requirements of a CEW limit the ability for the device to be a viable alternative or replacement for a firearm during circumstances that would require its use by police as referenced in the use of force model and policies and procedures of respective jurisdictions.

Effectiveness of CEW Use

- Based on input from subject matter experts and research collected for this review, the effectiveness of the CEW should be defined by the ability to momentarily stop assaultive behaviour by an individual to gain control/compliance. Essentially, the definition of effectiveness should focus on the outcome of an individual being safely restrained or complying with officers and no longer posing a threat. This is the definition of effectiveness used by the TPS regarding CEWs.
- The TPS CEW effectiveness rate of 85% both generally and with persons in crisis appears higher than other police services. However, it is acknowledged that there are discrepancies in the definition of 'effective' between services and a lack of national or international standards in that definition.

Alternative Use of Force Tactics/Tools

This section provides a review of possible alternatives to CEWs as well as de-escalation tactics to reduce the intensity of interactions with subjects experiencing a mental health crisis. To contextualize alternatives to CEWs and de-escalation tactics, a brief history of police use of force tactics/tools is provided followed by a summary of the current use of force tactics/tools utilized by the TPS. Subsequently, input provided by use of force experts and key stakeholders regarding alternatives to CEWs will be discussed and followed by primary and secondary research and a summary subsection as was done in the previous sections of this report.

Finally, a brief overview of the current use of force tactics/tools utilized by the TPS will be provided including relevant federal and provincial legislation as well as TPS policies. Alternative use of force tactics/tools will be separated into two parts with the first being a comparison of a CEW to current use of force tactics/tools including de-escalation. Second, new use of force tactics/tools will be compared to the CEW. Afterwards, there will be a summary section speaking to the viability of alternatives to a CEW as well as brief section on the new TASER 7™ model.

History of Police Use of Force Tools and Tactics

In 2008, William Beahen completed a paper outlining the evolution of use of force by police in Canada for the Commission for Public Complaints Against the RCMP. Key milestones identified in the paper by Beahen include:

- During the late 19th century and early 20th century historical accounts suggested that police in Canada were equipped with, "...badges, handcuffs and billy clubs or batons, and that guns were issued or available to certain officers or to all officers in some circumstances" (Beahen, 2008, p.8).
 - Beahen notes that little information is available on how these use of force tools were utilized by police. However, one historical example mentioned by Beahen is of the Toronto Police Service being cautioned to only use their batons when necessary when arresting or dealing with individuals under the influence. Patience and persuasion were noted in the example as recommended tactics to compliment the use of force tools. To this end, a Toronto Police Service officer was suspended by the Commissioner at the time for kicking a prostitute that verbally abused him. The Commissioner stated that officers were to use force when necessary against those resisting arrest and not against those who verbally abuse police officers.
- In the 20th century, the Canadian Police College, Canadian Police Information Centre, and increased standards of hiring were implemented with an emphasis on education in both recruiting and training.
- In the late 1970s and early 1980s some police services banned chokeholds since they were deemed to be too dangerous and found to result in serious injury or death.
- In the 1980s police services in Canada began to equip officers with aerosol sprays. One such aerosol was mace, which was banned in 1989 with the exception of particular circumstances by the Ontario Police Act.

- During the 1990s, Oleoresin Capsicum (OC) spray became a prominent less lethal use of force option. For example, in 1992 Ontario Solicitor General Allen Pilkey revealed that the province considered allowing the use of OC spray to replace the use of guns in volatile situations involving an unarmed individual.
 - The Toronto Police Service at the time was quoted as saying that, “OC is a medically harmless incapacitant which reduces the incidence of more physical and injurious force” (Beahen, 2008, p.16), also that OC spray “can serve the public for greater police restraint while also giving the police a valuable tool” (Beahen, 2008, p.16). To this point, a 1994 annual report by the Manitoba Office of the Commissioner Law Enforcement Review Agency, noted that the use of OC spray should reduce the need for police to use more injurious weapons, such as batons, or deadly weapons such as guns.
 - Beahan also noted that OC resulted in fewer injuries to police officers. However, some concern existed regarding the misuse of OC spray by officers.
 - Beahen states that in 1999 Amnesty International estimated that OC spray led to the death of 3,000 people in the United States. by police. Although, autopsies regularly supported the position that the deaths were caused not by the weapon, but some underlying condition or drug use.
- Conducted Energy Weapons began to being piloted and utilized various by Canadian police services in the early 2000s, however, in 2007 the incident involving the RCMP and Robert Dziekański led to an independent investigation into the use of CEWs by the RCMP. The report concluded that the RCMP used the CEW too often and did not classify the tool as potentially lethal.

This brief history of police use of force in Canada shows that all use of force tools and techniques have faced scrutiny from the public and professionals. The CEW is not unique in being perceived as a potentially dangerous use of force tool that requires further research and critical analysis to ensure its safe and proper use. To this point, critical analysis and scrutiny are positive aspects in the process of ensuring safe practices by police services.

Stakeholder Input and Secondary Research

Use of Force Experts

Although there are alternatives, CEWs were perceived by all use of force experts as having no viable replacement. The ability to induce neuromuscular incapacitation with a low injury rate is perceived to provide officers with a unique option that no other use of force tactic/tool can replicate. For example, the TPS has completed evaluations for both the Soft-Nosed Impact Round (SOCK) and Shield as an alternative to CEWs, and both studies concluded that neither would be a viable replacement for the CEW. This general sentiment was corroborated through stakeholder engagement in this review as none saw these options – as well as others such as the BolaWrap, E-Gloves, Spider Wrap, Sasumata, or Vector Shields – as tools that would be suitable for broad use within policing.

While discussing use of force alternatives, use of force experts identified the value of de-escalation for all training and uses of any tactic/tool by officers. With that said, use of force experts consistently indicated that de-escalation is reliant on the subject complying with the police, as well as the training and

experience of the officer involved. To this point, the police officer can do and say everything consistent with best practices of de-escalation. However, ultimately it is the subject that complies or does not comply, willfully or otherwise, with what the officer is asking. Furthermore, use of force experts indicated that de-escalation techniques will have varying degrees of effectiveness when utilized by an officer with a subject experiencing a mental health crisis, even if they have proper training and experience. Essentially, even if executed in an ideal manner, no use of force expert consulted for this review indicated that de-escalation would guarantee non-lethal outcomes when police interact with citizens. However, all use of force experts indicated that de-escalation techniques increase the likelihood of a safe outcome for the officer and subject.

Key Stakeholders

Key stakeholders generally focused on de-escalation techniques when discussing alternatives to CEWs. Specifically, key stakeholders spoke about the elements of time, distance, and communication when discussing de-escalation in the sense that officers should use time and distance to communicate with an individual and to alleviate the volatility of the incident. For example, officers should avoid using language that was directive and authoritative to command a subject to behave in a particular manner. Alternatively, officers should assess a subject and the environment then take their time to communicate with the subject at a safe distance to build a rapport with them and attempt to come to a non-violent resolution.

Generally, these stakeholders indicated that de-escalation should be a primary focus on TPS training and utilized in conjunction with all use of force tactics/tools to avoid their use whenever possible. There is a perception by these stakeholders that de-escalation techniques may be utilized most effectively during incidents when there is no immediate threat to life, the subject is not armed with a weapon, and the subject is able to communicate with the officers effectively to help resolve the situation safely.

With that said, these stakeholders also acknowledged that this is not always possible. For instance, if an officer is chasing a subject through a building and then is physically attacked when they come around the corner, it was perceived to be reasonable for the officer to use force to protect themselves. Additionally, if a subject is armed with a weapon, then de-escalation techniques were acknowledged as being part of the response by an officer; however, an officer was not expected to avoid using their tools/weapons to protect themselves or others.

Primary and Secondary Research

Use of force tactics/tools are not standardized among police services. In general, police services will issue a baton and OC spray. However, firearms are not provided to all uniform members for police services in the United Kingdom or the New Zealand Police Service. Additionally, CEWs are not currently provided to all uniform members in many police services. There are various reasons for the discrepancies amongst use of force tactics/tools between police services that include legislation, policies, and public sentiment.

There has been little field research assessing the relative strengths and weaknesses of different use of force tactics. A recent United States study by Brandl and Strohshine (2017) conducted a comparison between OC spray and CEWs based on use of force reports completed by officers involved in these incidents. Because this study is unique, it will be discussed in detail. Over the study period, OC spray was used in 259 incidents and a CEW was used in 245 incidents. Twenty-four of these incidents involved the

use of both OC spray and a CEW. While all officers carried OC spray, CEW were issued to a limited number of certified officers.

The study first looked at factors related to the use of OC spray and CEWs. Multivariate analysis showed that CEWs were more likely to be used on subjects believed to be experiencing a mental health crisis; when a subject was fleeing on foot; and when there were more officers at the incident. OC spray was more likely to be used when more subjects were involved. Thus, they were used in different circumstances.

The study also looked at the effectiveness of OC spray and CEWs. OC spray and the CEWs were judged to be effective if it was the only type of force used to subdue or handcuff the subject and also if the OC spray or the CEW was the last type of use of force used prior to the suspect being subdued. Thus, if OC spray was used and if this was followed by a CEW deployment, the OC spray would be considered to be ineffective and the CEW to have been effective. The analysis showed that the effectiveness rate was 73.8% for OC spray and 90.2% for the CEW. Thus, the CEW was more effective at incapacitating the subject than OC spray. Analysis of incidents where both were used reinforces this conclusion. Of the 24 incidents, the CEW was the last method used in 22 (91.7%) cases indicating that it was much more effective than OC spray. OC spray was particularly ineffective in situations where the subject resisted. The researchers concluded that CEWs were more effective on resistant subjects and suggested that OC spray and CEWs should not be considered equivalent on the use of force continuum.

Along with use of force tactics/tools, de-escalation has been proposed as a tactic for reducing the need for officers to use force. However, to date there has been very little systematic evaluation to establish the impact of de-escalation techniques on the frequency and severity of uses of force by officers. Engel, McManus, & Herold (2020) note that, “we know little about the effects of de-escalation training on officers and police–citizen interactions” (p. 721). The most robust evaluation regarding the impact of de-escalation to date was conducted by the International Association of Chiefs of Police in partnership with the University of Cincinnati Centre for Police Research and Policy on the implementation of the Integrating Communication, Assessments, and Tactics (ICAT) training program by the Louisville Metro Police Department (Engel et al. 2020). The purpose of ICAT training is to teach officers de-escalation tactics as well as critical thinking skills to manage potentially volatile police–citizen interactions that utilize crisis recognition/intervention, communication skills, and operational tactics. ICAT training is meant to help officers address subjects in crisis that are unarmed or armed with anything other than a firearm.

Prior to the ICAT training, officers were asked to complete a survey to establish baseline information. Of the responding officers, 85% agreed or strongly agreed that there is a good chance that they would be assaulted while on the job, whereas 75% agreed or strongly agreed that they worked in a dangerous jurisdiction. After receiving training:

- 64% of officers noted that they sometimes, often, or frequently used some ICAT strategies
- 62% of officers noted that they sometimes, often, or frequently used the ICAT critical decision-making model
- 68% of officers noted that they sometimes, often, or frequently used the ICAT communication skills
- 69% of officers noted that they sometimes, often, or frequently used the reaction gap strategy
- 57% of officers noted that they sometimes, often, or frequently used the tactical pause strategy

Following the ICAT training, there was a reduction in use of force incidents of 28%, citizen injuries of 26%, and officer injuries of 36%. Noting these results, the conclusion of the evaluation also highlighted the importance of reinforcing de-escalation within policies of the police department through direct field supervision and an established accountability system.

Summary

All use of force experts stated that there is no viable replacement for a CEW. Further, use of force experts acknowledged that there are alternative use of force tactics/tools to the CEW such as the baton or empty-hand techniques. However, these tactics/tools are more likely to cause injury for the subject and/or the officer. De-escalation is supported by use of force experts as well as key stakeholders. Specifically, both stakeholder groups perceive de-escalation to be valuable and recommend that it be utilized by officers whenever possible. Several stakeholders have noted that there are limitations to de-escalation techniques and agree these tactics are not guaranteed to resolve every incident nor are they always applicable. There has been little systematic evaluation regarding the impact of de-escalation and there has been little field research comparing the strengths and weaknesses of available use of force tactics/tools to one another. Complicating a comparison of use of force tools/tactics is a lack of standard tactics/tools utilized by police services nationally and internationally.

Overall, there is simply no tactic or tool that will optimally address every incident that a police officer will encounter while on duty. As a result, police officers should be equipped with the range of tactics and tools necessary to the safety of themselves and the public with continual evaluation of existing tools as well as the assessment of innovative ones.

Current Use of Force Tools and Tactics Utilized by the Toronto Police Service

Current use of force tactics/tools utilized by the TPS include:

- **Empty-Hand or Physical Control:** these are self-defence techniques generally utilized to incapacitate or gain control of individuals that provide a low risk of serious injury or bodily harm to the police or others.
- **Batons:** Originally, these were large pieces of wood that have evolved to smaller batons that are easier to use, carry, and can be quickly utilized by an officer.
- **OC Spray:** an inflammatory agent that causes an immediate burning sensation around the eyes.
- **CEW:** this device is designed to lead to neuromuscular incapacitation in full deployment mode and provide pain compliance in drive-stun mode.
- **Extended Range Impact Weapon (ERIW):** introduced in 2016, these rounds provide officers with the ability to use a non-lethal use of force option, from varying distances that can range depending on the projectile used.

The use of the various tactics/tools is made by TPS members within the Ontario Use of Force Model (Figure 26) as well as the following governing documents as outlined within the TPS CEW policy (2021):

Federal

- Criminal Code of Canada
- Firearms Act: Storage, Display, Transportation and Handling of Firearms by Individuals Regulations (SOR/98-209)

Provincial

- Police Services Act
 - Police Services Act – Part VII Special Investigations
 - Police Services Act, O. Reg. 267/10. Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit
 - Police Services Act, O. Reg. 926/90, Equipment and Use of Force
 - Police Services Act, O. Reg 3/99, Adequacy and Effectiveness of Police Services
- Ontario Use of Force Model

Toronto Police Service and Board

- TPSB Rule 4.4 Use of Force
- TPS Procedure 15-01 Use of Force
- TPS Procedure 15 Injury/Illness Report
- TPS Procedure 15-15 Shared Equipment
- TPS Procedure 15-16 Uniform Equipment and Appearance Standards
- TPS Procedure 08-06 Hazardous Materials, Decontamination, and De-infestation
- TPS Procedure 13-03 Uniform Internal Complaint Intake/Management
- TPS Procedure 13-05 Police Services Act Hearings
- TPS Procedure 13-16 Special Investigations Unit
- TPS Procedure 13-17 Notes and Reports
- TPS 105 Injury/Illness Report
- TPS 584 Conducted Energy Weapon Use Report
- TPS 594 Location of Issued Conducted Energy Weapon
- TPS 649 Internal Correspondence
- TPS 901 Policy, Service or Conduct Report
- Use of Force Report (pp.7-8).

Figure 26: 2004 Ontario Use of Force Model



The officer continuously assesses the situation and selects the most reasonable option relative to those circumstances as perceived at that point in time.

Source: Unknown graphic designer. (n.d.). [Ontario Use of Force figure provided by the TPSC to include in this report].

Comparison of CEW to Current TPS Use of Force Tools and Tactics

Two categories of alternative tactics to the CEW have been considered:

1. **Existing Use of Force Tactics/Tools**
 - De-escalation and Disengagement/Containment: tactics/tools based on verbal communication, time, and distance.
 - Empty-hand and close-quarter use of force tools (i.e. shield)
 - Intermediate use of force tools such as the Baton, OC Spray, and Extended Range Impact Weapon (ERIW).
2. **New Less Lethal Weapons** including the BolaWrap, Spider Wrap, Sasumata, E-Gloves, and Vector Shield

To compare the CEW to other tactics/tools the following criteria have been utilized:

- Strengths: the unique benefits of the applicable tactic/tool will be identified and discussed.
- Training and Recertification Required: educational requirements to effectively utilize the tool will be identified.
- Portability: the degree that the tool can be carried and utilized by a uniformed police officer.
- Injury of Officers and Subjects: information regarding the potential for injury regarding the tool will be identified.
- Environmental Conditions: factors that influence the utility and/or effectiveness of tactic/tool will be identified.
- Use on Multiple Subjects: the ability for the tactic/tool to be utilized on multiple subjects or not will be identified.
- Limitations: specific challenges or constraints will be identified.

Since there is no standard for comparing use of force tactics/tools, the seven criteria above have been developed for the purpose of this review utilizing the expertise in use of force tactics/tools of the team members. One additional row within each of the tables below, excluding the new less lethal weapons, is TPS Members Trained and Utilizing the Tactic/Tool that will disclose the degree to which TPS officers are trained and able to use the tactic/tool, or if not, which units are. Finally, the Intermediate Use of Force Tools and New Less Lethal Weapons will include an optimal distance category specifying the range that the tool is utilized most effectively by an officer.

To be clear, any tactic/tools discussed below are not replacements for CEWs as much as they are other options that are situationally dependent based on the totality of the circumstances. For example:

Situation A: A trained police officer is 6'2", 240 lbs, physically fit and is confronted by an assaultive subject (i.e. physical threat is imminent, and the officer is not able to disengage). The subject is 5'8", 145 lbs, physically fit and unknown to the officer. In this situation, the officer may make a choice and use physical control to deal with the assaultive subject as opposed to using an intermediate weapon such as a CEW or other use of force tactic. This choice would be based on the officer's

perception and tactical considerations which include that they may believe they can control this situation with either physical control or an intermediate weapon. It should be noted that once a situation reaches the point that a threat is imminent and officer presence and communication has been exhausted, then an officer will have to deal with the subject presenting a threat consistent with the Ontario Use of Force Model.

Situation B: Reverse the size and strength factors in Situation A. The trained officer is 5'8", 145 lbs, physically fit and is confronted by an assaultive subject (i.e. physical threat is imminent, and the officer is not able to disengage). The subject is 6'2", 240 lbs, physically fit and unknown to the officer. Size, strength, and a host of other factors determine who generally wins and who loses a confrontation. In this situation the officer may feel that they will lose control of the situation and put themselves at risk of injury if they only use physical tactics. Using an intermediate weapon that is consistent with the Ontario use of Force Model such as a CEW, OC spray, or baton would be other options available to the officer. Once a threat is imminent and officer presence and communication has been exhausted, then the officer will have to deal with the subject presenting a threat. Acknowledging that OC spray and a baton are viable options, the officer may choose to use a CEW. Utilizing a CEW would provide this officer with the least chance of injury to themselves and the subject on a successful deployment and is consistent with the Ontario Use of Force Model.

These two situations speak to the fact that different officers may attend the same situation, with different strengths, capabilities and perceptions that result in dealing with a subject using different force options. The key is that the force used is reasonable. The Criminal Code and case law support this standard of reasonableness. In *R. v. George*, the Court of Appeal examined the issue of reasonable force, quoting from the judgment in *R. v. Baxter* (1975), 27 C.C.C. (2d) 96, where Martin J.A. stated (Department of Justice, 2016):

The sections of the Code authorizing the use of force in defence of a person or property, to prevent crime, and to apprehend offenders, in general, express in greater detail the great principle of the common law that the use of force in such circumstances is subject to the restriction that the force used is necessary; that is, that the harm sought to be prevented could not be prevented by less violent means and that the injury or harm done by, or which might reasonably be anticipated the force used, is not disproportionate to the injury or harm it is intended to prevent ... (p.113)

There is no "one size fits all" use of force tactic/tool that can be relied upon by officers to always address factors such as an individual's size, age, gender, physical capability, and the presence of a weapon. As a result, all instances involving the use of force by an officer need to be assessed by means of the reasonableness of the use of force considering the factors of the situation.

Existing Use of Force Tactics/Tools

De-escalation and Creating Space/Disengagement

The two primary tactics to utilize before and in conjunction with use of force tools and tactics available to TPS members while on duty are de-escalation and disengagement/containment and are defined as:

- De-escalation: reduce the intensity of (a conflict or potentially violent situation).
- Creating Space/Disengagement: specific actions taken by an officer to utilize space and time to increase the likelihood of a safe outcome. Regarding de-escalation, the 2019 Annual TPS report on the use of CEWs states:

TPS training emphasizes that before a CEW is used against any subject, officers should consider de-escalation as a priority whenever it is safe and practical to do so. De-escalation begins with the TPS communications. The call taker is trained to reduce the person's anxiety while eliciting information about the situation for responding officers (p.26).

As previously noted in this report, the 2019 and 2020 TPS annual CEW reports also indicate that de-escalation was utilized by officers during 97.3% and 97.8% of the incidents requiring the use of a CEW. The mutually reinforcing tactic of creating space/disengagement is something that is not tracked by the TPS. As a result, the extent to which these tactics are utilized is unknown.

Presently, the TPS provide knowledge-based training regarding creating-space/disengagement for CEW use. Further expansion of this training to include reality-based scenarios may help to reduce the number of incidents involving a use of force tactic/tool, including the CEW, by the TPS. These tactics could be considered for a variety of situations when the TPS is attending a call with or without a weapon involved, including if a subject is in crisis, to ensure officers' tactics, when possible, contribute to avoiding or mitigating the subject's ability or opportunity to carry out an assault. The purpose of these techniques is to reduce containment pressure felt by an individual.

For clarification, containment pressure is where a subject in crisis feels he/she has lost their ability to freely move within an area which increases their anxiety to the point they feel they must act in some manner that may or may not escalate the incident. Essentially, the goal of creating space/disengagement techniques is to find an optimal balance between the proximity of the officer and the subject to release their anxiety to ensure that no one involved feels compelled to act in an irrational or violent manner.

Disengagement is identified in the Ontario Use of Force Model as a tactical option that must always be considered by the officer. Further, the experiential learning provided by scenario-based training allows officers to draw on their training experience to assist in making decisions during a real-world encounter. Use of force experts interviewed for this study spoke of reality-based training being the "gold standard" of training. This belief is due to experiential learning which cannot take place during a lecture-based presentation. Essential skills like disengagement should be delivered using high fidelity scenarios. Consequently, it would be pertinent to include creating space/disengagement as part of the TPS CEW reality-based training scenarios as a primary objective of the testing/training. Specifically, presenting a scenario that reveals contextual information, so the officer identifies creating space/disengagement as the best solution based on the totality of the circumstances.

Creating space/disengagement may take several forms and the scenarios should be designed to reflect the most appropriate level of disengagement. Scenarios should include a spectrum of disengagement options, for example:

1. Complete Disengagement: a scenario where the officer identifies that the police have no lawful authority to continue staying engaged with a subject who has expressed no desire to continue interacting with the police.
2. Full Structure Disengagement: a scenario where the totality of the circumstances would suggest the best course of action is to remove themselves from the structure, contain and request special resources (Tactical team, Crises Counselor etc.).
3. Disengagement Through Tactical Repositioning: a scenario where it is recognized that the containment of a subject experiencing a mental health crisis can be safely expanded to provide more time/distance for officers and lower the containment pressure on the individual experiencing a mental health crisis.

The training needs to focus on the officer's understanding of the balance between the safety of the subject, third parties and officer(s) on scene by utilizing these tactics. Additionally, the safety and security of other third parties must always be considered by the officer prior to disengagement.

One main objective of all additional reality-based training scenarios would include the officers "priming the scene". Priming the scene by removing third parties, ensuring the officer has an exit for them if required, utilizing the environment to their advantage, containing the scene at a place the officers have a position of advantage would also be pertinent. While priming the scene the officer would rely on their de-escalation training to continue to address the incident.

Essentially, the goal of creating space/disengagement techniques would be to find an optimal balance between the proximity of the officer and the subject combined with the officer's, subject's and third-party's safety. The optimum result of this tactic would be to release anxiety felt by a subject or officer to ensure that, if possible, no one involved feels compelled to immediately act and thus resolve the situation without force.

Two examples for reality-based training could be considered. A person in crisis situation where the police officer(s) themselves are the stimulus for the escalation of the subject's physical and mental anxiety simply because they are the "police". Another scenario could include the subject displaying pre-"suicide by cop" behaviour and verbal cues. Optimizing time and distance along with disengagement in theory seems simple. However, further expanding reality-based training scenarios in which TPS officers practice these skills will help improve the utilization of these tactics in the field and ideally the use of force by officers.

Summary

De-escalation and disengagement tactics are supplements to the use of force tactics/tools available to police that have the capacity to reduce the need to use force in certain circumstances. With that said, de-escalation and disengagement tactics are not infallible nor universal approaches that can be utilized in every circumstance. Based on information collected for this review, the TPS is increasingly incorporating de-escalation into their training and on-duty practices. Further expansion of the existing

reality-based training scenarios involving creating space/disengagement training by the TPS may help to reduce the number of incidents involving a use of force tactic/tool including the CEW by the TPS. These tactics could be considered for various situations including when the police themselves are the stimulus for the subject's increase in anxiety and when they are armed or not armed. The additional scenarios would help to ensure that TPS officers understand when these tactics could be used and when they should not be used. A critical aspect of both tactics that always needs to be considered is the balance between the safety of the subject, third parties and the officers on scene. Ultimately, continual knowledge and reality-based training for officers will increase the propensity with which these tactics are utilized by officers on-duty.

Empty-Hand and Close Quarter Use of Force Tactics/Tools

Table 13 provides a comparison of CEWs to empty-hand and close-quarter use of force tools including the shield. To justify the use of empty-hand techniques and or the use of a shield an officer should be able to articulate the following:

- Higher levels of force would not be justified.
- Taking the totality of the circumstances into account, the officer's actions were reasonable, proportionate, and necessary.

Table 13: CEW Compared to Empty-Hand and Team Tactics, as well as a Shield

Criteria	CEW: Full-Deploy	CEW: Drive-Stun	Empty-Hand	Team Tactics	Shield
Strengths	The successful full deployment will cause neuromuscular incapacitation of a subject enabling officers the ability to restrain/handcuff the subject. No other use of force tool currently utilized by the TPS can provide a similar effect.	In close quarters an officer can utilize the CEW as a pain compliance tool to gain distance from an assaultive subject. Additionally, in close quarters an officer can use drive-stun mode to complete the connection if only one of two probes connect to achieve neuromuscular incapacitation.	These tactics are available to all officers and with continual training, officers may use these tactics to improve their confidence as well as better control situations requiring the use of force when they are situated within arms length of a subject.	Officers may use a team approach to control situations avoiding the utilization of other use of force tools (e.g. CEW or Baton).	The shield is most effective as a defensive tool for officers during incidents such as riots or specific tactical exercises such as entry into a potentially dangerous indoor area.
TPS Members Trained and Utilizing the Tactic/Tool	Only certified members of the TPS are eligible to utilize a CEW. Additionally, the CEW is a shared asset meaning that not all certified members will be equipped with the device while on-duty.	Training regarding the use of drive stun would be done in conjunction with full deployment so Officers understand by drive stun as a pain compliance tool. Training is also required for the drive stun to complete a two or three-point contact causing neuromuscular incapacitation which may be a complicated action to complete requiring effective and continuous training.	All members of the TPS are provided with empty-hand training.	Continual training is encouraged due to the coordinated nature of this approach that is grounded in empty-hand tactics.	Training in the use of the shield is limited to members of the ETF as well as the Emergency Management & Public Order.

Criteria	CEW: Full-Deploy	CEW: Drive-Stun	Empty-Hand	Team Tactics	Shield
Training and recertification required	Effective training to use a CEW involves both knowledge and scenario-based assessments. Specifically, training regarding judgement in using the tool. Annual recertification is required by TPS officers to ensure the proper and effective use of the device.	Training regarding the use of drive-stun would be done in conjunction with full deployment so officers understand drive-stun as a pain compliance tool. Training is also required for the drive-stun to complete a two or three-point contact causing neuromuscular incapacitation, which may be a complicated action to complete requiring effective and continuous training.	Capabilities such as size, strength, combative training are a significant factor in the successful utilization of empty-hand tactics. As a result, continual training is encouraged to ensure officers are confident and capable of using these tactics.	Continual training is encouraged due to the coordinated nature of this approach being grounded in empty-hand tactics.	Training would require both knowledge and scenario-based assessments. Depending on the application of the shield, coordinated training with other officers may also be required.
Portability	CEWs are easy to carry and handle by officers.	CEWs are easy to carry and handle by officers.	Highly portable.	Highly portable.	The length and weight of the tool makes it non-portable for routine calls.
Injury of Officers and Subjects	International research as well as statistics provided by the TPS show that there is a low rate of injury compared to other use of force tactics/tools.	If successfully deployed, drive-stun mode may leave burn marks from the device on the subject.	Research indicates that empty-hand tactics are associated with one of the highest rates of injuries for both subjects and officers.	No specific injury rates were found regarding team tactics.	No specific injury rates were found regarding the use of shields.
Environmental Considerations	A CEW cannot be utilized around flammable chemicals vehicles, and subject's at risk of falling from elevated heights.	A CEW cannot be utilized around flammable chemicals vehicles, and subject's at risk of falling from elevated heights.	Officers must be within striking distance of a subject to utilize applicable tactics.	Multiple officers have to be within striking distance of a subject to utilize this tactic.	Officers must be within striking distance of a subject to utilize this tool for an offensive application. However, the

Criteria	CEW: Full-Deploy	CEW: Drive-Stun	Empty-Hand	Team Tactics	Shield
					shield can be effective for projectiles at a distance.
Use on Multiple Individuals	The CEW in full deployment mode is limited to be used on a single subject.	The CEW in drive-stun mode may be utilized on multiple subjects.	Empty-hand tactics are limited to being utilized on a single subject at a time. However, the transition from one person to another can be achieved.	Team tactics are limited to being utilized on a single subject at a time. However, the transition from one person to another can be achieved or the team may split up to address multiple subjects.	A shield is limited to being utilized on a single subject for an offensive application however it can be effective for projectiles of multiple subjects.
Limitations	The officer should be seven to 15 feet away from the subject. Furthermore, tactics can be taken to render the device ineffective such as wearing thick or very loose clothing. Finally, the CEW is not as effective in comparison to other use of force tools when there are multiple subjects.	Drive-stun requires the officer to be close to the subject to be utilized.	There can be a lower probability of safely using empty-hand tactics to resolve an incident when size, strength, and capabilities are not in an officer's favour. Additionally, empty-hand tactics are not suggested approaches in many incidents involving the presence or suspected presence of a weapon.	Team tactics require enough officers to overcome the size, strength, and capabilities of the subject(s) involved.	Shields require an officer to be close to a subject to utilize. They require certain physical strength to operate and can lead to the officer losing control of the tool. Also, the length/weight is prohibitive to using on routine calls for service.

Summary

- Strengths: The strength of the shield is associated with specific tactical exercises and incidents (e.g. riots), while team tactics, empty-hand, and CEWs can be utilized in a wider breadth of incidents to control a situation.
- Training and Recertification Required: All tactics/tools are recommended to have continual training by an officer. However, the CEW does require mandatory annual recertification to be able to utilize the tool.
- Portability: The shield is the only tactic/tool that is not deemed to be portable due to the size and weight of the tool.
- Injury of Officers and Subjects: There is no information for injuries associated with the shield and team tactics. With that said, CEWs are associated with less injuries in comparison to empty-hand tactics.
- Environmental Conditions: The CEW has the most considerations regarding the environment in comparison to the other empty-hand and close quarter tactics/tools. These are discussed in more detail within the Safety Best Practices section of the report.
- Use on Multiple Subjects: Generally, all these tactics/tools are to be utilized on a single subject at a time. However, transitioning from one subject to another is more readily available for empty hand and team tactics.
- Limitations: Empty-hand tactics are not a suggested approach for individuals armed with a weapon, while team tactics require multiple officers to be on scene. Shields are limited by the size and weight of the tool as well as the dependency on physical strength by the officer. Comparatively, the CEW is not as effective in comparison to other tactics/tools for multiple subjects and may be less effective in certain circumstances (e.g. a subject that is overweight).

Overall, a CEW would be the best choice if a subject posed a threat with a medium to high potential for injury. Specifically, the ability to use the device at a distance to achieve neuromuscular incapacitation and subsequently restrain a subject with a lower probability of injury is not replicated by alternative tactics/tools outlined in Table 13. The TPS had determined that the use of a shield is not a viable option for frontline officers to address subject(s) exhibiting assaultive behaviour or subject(s) experiencing a mental health crisis. Further, the tool requires officers to be very close to a subject and a higher degree of strength is required by the officer(s) to overpower a subject. With that said, providing TPS frontline officers with regular team tactic training may decrease the use of intermediate use of force tools such as the CEW. Additionally, empty-hand and team tactics provide other alternatives for scenarios when a subject is wearing heavy clothes that reduce the likelihood of an effective CEW deployment.

The value of TPS officers regularly training and being confident in empty-hand techniques cannot be overlooked and is vital to their safety. However, there are occasions where no amount of empty-hand training will overcome a large discrepancy in size, strength and capabilities of the officer and the subject they encounter and would be more effectively or safely addressed than using a CEW. Acknowledging these differences, the CEW is a unique use of force tool that cannot be replicated by empty-hand or close-quarter tactics/tools.

Intermediate Use of Force Tools

The following table provides a comparison of CEWs to other available intermediate use of force tools utilized by the TPS. To justify the use of the CEW, Baton, ERIW, or OC Spray, an officer should be able to articulate the following:

- Lower levels of force were either inappropriate or ineffective
- Higher levels of force would not be justified
- The officer’s intent is to cause temporary incapacitation and not serious bodily harm or death
- Taking the totality of the circumstances into account, the officer’s actions were reasonable, proportionate, and necessary

It is important to note that all intermediate tools may be used intentionally or unintentionally in a manner that could cause the subject grievous bodily harm or death. For example,

- ERIW – a projectile that strikes an individual in the trachea or the head
- CEW – probes that hit an individual who is on an elevated platform could have lethal consequences
- OC Spray – spraying an individual in the eyes from less than three feet away with a continuous stream may cause eye damage
- Baton – application of a baton strike to the trachea or the head

The above instances are only examples are not meant to be interpreted as an exhaustive list of possible fatal incidents. Tragic incidents may result from a multitude of possible factors in using any one or combination of these use of force tools.

Table 14: CEW Compared to a Baton, OC Spray, and the ERIW

Criteria	CEW: Full-Deploy	CEW: Drive-Stun	Baton	OC Spray	ERIW
Strengths	The successful full deployment will cause neuromuscular incapacitation of a subject enabling officers the ability to restrain/handcuff the subject. No other use of force tool currently utilized by the TPS can provide a similar effect.	In close quarters an officer can utilize the CEW as a pain compliance tool to gain distance from an assaultive subject. Additionally, in close quarters an officer can use drive-stun mode to complete the connection if only one of two probes connect to achieve	Strike(s) to the mid-thigh, mid-calf, upper arm muscles, and upper forearm muscles may cause physiological incapacitation, elimination of the subject’s will to fight, and disorientation or a combination of all three. A baton is quick to draw	The effective use of OC spray may restrict a subject’s vision and deep lung breathing as well as influence an inward focus on pain. Additionally, OC spray may be utilized on multiple subjects. OC Spray may also be used for area contamination to limit access to enclosed spaces or coerce a	The successful deployment of an ERIW round may deter a subject from further action by means of pain compliance. Distances of the projectile can be tailored to the situation required.

Criteria	CEW: Full-Deploy	CEW: Drive-Stun	Baton	OC Spray	ERIW
		neuromuscular incapacitation.	and may be utilized on multiple subjects.	subject out of an enclosed space.	
TPS Members Trained and Utilizing the Tactic/Tool	Only certified members of the TPS are eligible to utilize a CEW. Additionally, the CEW is a shared asset meaning that not all certified members will be equipped with the device while on-duty.	Only certified members of the TPS are eligible to utilize a CEW. Additionally, the CEW is a shared asset meaning that not all certified members will be equipped with the device while on-duty.	All members from the TPS are trained and provided with a baton.	All members of the TPS are trained and provided OC spray.	The use of the device in the field by officers requires annual recertification.
Training and recertification required	Effective training to use a CEW involves both knowledge and scenario-based assessments. Specifically, training regarding judgement in using the tool. Annual recertification is required by TPS officers to ensure the proper and effective use of the device.	Training in the use of drive-stun would be done in conjunction with full deployment so officers understand drive-stun as a pain compliance tool. Training is also required for the drive-stun to complete a two or three-point contact causing neuromuscular incapacitation, which may be a complicated action to complete, requiring effective and continuous training.	Effective training to use the baton involves both knowledge and scenario-based training. Recertification is required, although not to the degree of CEWs or ERIW.	Minimal training is required to use OC spray effectively.	Effective training to use the ERIW involves both knowledge and scenario-based assessments. Specifically, training regarding judgement in using the tool is required. Regular recertification is required to ensure the proper and effective use of the device.
Portability	CEWs are easy to carry and handle by officers.	CEWs are easy to carry and handle by officers.	A baton is easy to carry and handle by officers.	OC spray is easy to carry and handle by officers.	The length of the tool makes suitability to take on all calls difficult. In other words, it is difficult

Criteria	CEW: Full-Deploy	CEW: Drive-Stun	Baton	OC Spray	ERIW
					to carry the tool on an officer's person.
Injury of Officers and Subjects	International research as well as statistics provided by the TPS show that there is a low rate of injury compared to other use of force tactics/tools.	If successfully deployed, drive-stun mode may leave burn marks from the device on the subject.	Research and statistics provided by the TPS show that there is a higher risk of injury to both the subject and officer compared to other use of force tactics/tools.	Research and statistics provided by the TPS show that there is a low rate of injury compared to other use of force tactics/tools.	Research and statistics provided by the TPS show that there is a higher risk of injury to the subject compared to other use of force tactics/tools.
Optimal Distance	The officer should be 7 to 15 feet away from the subject.	An officer would be required to be within 3 feet of a subject.	The baton may be used close quarters and will add the length of the baton to the officer's striking distance.	OC spray must be utilized within 3 to 15 feet of the subject.	The optimal distance of the ERIW is dependent on the round used. For instance, a SOCK round should be used 15 to 30 feet away from a subject.
Environmental Considerations	A CEW cannot be utilized around flammable chemicals vehicles, and a subject at risk of falling from elevated heights.	A CEW cannot be utilized around flammable chemicals vehicles, and a subject at risk of falling from elevated heights.	Due to the ability of the baton to be used in an extended or collapsed mode there no environmental considerations for this tool.	Wind, rain, snow, small rooms, hospitals, and populated areas may cause cross contamination.	The ERIW cannot be utilized within confined spaces.
Use on Multiple Individuals	The CEW in full deployment mode is limited to be used on a single subject.	The CEW in drive-stun mode may be utilized on multiple subjects.	A baton may be utilized on multiple subjects successively.	OC spray may be utilized on multiple subjects.	The ERIW may be utilized on multiple subjects.
Limitations	The officer should be seven to 15 feet away from the subject. Furthermore, tactics can be taken to render the device ineffective such as	Drive-stun requires the officer to be close to the subject to be utilized.	Using a baton is associated with a higher risk of injury to the subject and the officer	OC spray may not stop or prevent a subject from engaging in violent activities (e.g. firing a weapon or swinging a	Multiple rounds may be required to stop a subject. Additionally, the ERIW would not be appropriate when a

Criteria	CEW: Full-Deploy	CEW: Drive-Stun	Baton	OC Spray	ERIW
	wearing thick or very loose clothing. Finally, the CEW is not as effective in comparison to other use of force tools when there are multiple subjects.		compared to other use of force tools.	knife). Furthermore, OC spray may indirectly affect officers or the public. Finally, the use of OC spray within certain jurisdiction requires contamination clean-up.	subject is able to reduce the distance between themselves and the officer quickly.

Summary

- Strengths: The baton and OC spray are both tools that are quick to draw and may be utilized on multiple subjects, while the ERIW is a less lethal device that may be utilized by officers at a distance greater than the CEW.
- Training and Recertification Required: The CEW and ERIW require annual certification, the baton does not require the same degree of training/recertification with OC spray requiring the least amount of training to use out of the four tools.
- Portability: All tools are easy to carry, with the exception of the ERIW that would be required to be in the officer’s vehicle.
- Injury of Officers and Subjects: The ERIW and baton have a higher risk of injury of the subject in comparison to OC spray and the CEW. Regarding officer safety, the baton would have the highest risk of injury as it places officers within striking distance of a subject.
- Optimal Distance: The baton requires the officer to be closets to a subject in comparison to the other tools with the OC spray and CEW having similar ranges, and the ERIW has the longest. With that said, the CEW may also be utilized in drive-stun when an officer is close to a subject.
- Environmental Conditions: The CEW and OC spray has multiple environmental considerations, while the ERIW is not as effective in confined spaces. Comparatively, the baton is a versatile tool that can be utilized in multiple environments.
- Use on Multiple Subjects: All tools can be utilized on multiple subjects, however the CEW is limited in this capacity to be used in drive-stun mode.
- Limitations: OC spray may not stop or prevent an individual from engaging in violent activities, while the ERIW may require multiple rounds and has a high potential for injuring the subject. A baton also has a high potential for injury for both the officer and the subject.

Ultimately, if a subject is exhibiting assaultive behaviour or if the officer believes an assault is imminent and is within five to twenty feet of a subject an intermediate use weapon is required. Under these circumstances, utilizing the CEW will generally result in less injury to both the officer and the subject. Further, the officer does not need to be concerned about cross contamination, multiple strikes of the baton causing bruising, or the size, strength and physical capabilities due to the neuromuscular incapacitation offered by a successful deployment of the CEW.

Should there be multiple subjects, OC Spray provides officers with the ability to quickly use the spray on them all from a distance with little skill/training. OC spray cannot incapacitate subjects unless the subject decides to stop and comply with officers due to the pain. However, by using OC spray the officer

can gain tactical advantages that they would not have had if they did not use the spray. An officer may ultimately need to transition to another intermediate weapon or empty-hand tactic after using OC spray.

Finally, an ERIW does provide officers with a less lethal option compared to a firearm at a greater distance than a CEW with distances varying with the type of projectile used. It is more likely to be a viable option for a situation occurring outdoors. The injury potential from the projectile hitting a subject would be higher than that of a CEW deployment, yet the distances from which this is able to be used effectively can offer the officer more time to deal with a subject that is armed with an edged weapon and eliminate the need for an officer to use lethal force.

Essentially, these tools serve different purposes and are applicable in different circumstances. Overall, all non-lethal weapons have limitations and are situationally dependent. The CEW allows an officer to overcome the discrepancies in strength, size and physical capabilities between the subject and the officer better than any other non-lethal weapon. In comparison to existing intermediate use of force tools, the CEW may allow the officer to achieve neuromuscular incapacitation of a subject which results in a lower probability of injury to both the officer and subject.

Assessment of New Less Lethal Tools

Table 15 is a comparison matrix that contains seven criteria identified by use of force experts to help compare the CEW to new less lethal use of force tools including the:

- BolaWrap
- E-Gloves
- Spider Wrap
- Sasumata
- Vector Shield

A description for each device may be found below. It should be noted that the use of force experts in the field determined the only possible situationally dependant alternative to a CEW of the below devices was the BolaWrap and Spider Wrap. The E-gloves, Sasumata and Vector Shield would not be recommended in any manner. Images of the devices can be found online.

BolaWrap

The device deploys a lasso-type line that is intended to go around a subject's legs or torso. The lasso-type line is secured by a hook on either end. The BolaWrap is not a pain compliance tool. It is not available in Canada at the time of writing this review and is current going through the firearms classification process. The BolaWrap is stated as being an option that may be utilized early in an encounter to decrease the potential for injury of a subject (Wrap Technologies Inc., n.d.). Examples of situations where the BolaWrap is suggested include, but are not limited to, a passively resistant and non-compliant subject as well as persons in crisis and/or a subject under in the influence of alcohol and drugs (Wrap Technologies Inc., n.d.). The following are product details provided on the company website (Wrap Technologies Inc., n.d.):

Device

- Weight - less than 12 oz. with a loaded cartridge
- Dimensions - 6 x 2.5 x 1 inches
- External material - proprietary plastics
- Laser - green laser for accuracy

Cartridge

- Weight - 3.6 oz. loaded cartridge
- Size - 2.6" length Material - recyclable aluminum
- Cover - polycarbonate plastic, adhesive backing
- Pellets - (2) stainless steel pellets, 1.1" length
- Bola cord (recyclable) - 380-pound strength
- Entangling barbs - 4 per pellet

Features

- Discharge speed - 640 feet per second
- Distance - 10-25 feet (best 10-18)
- Sound volume - 105/110 dB

- Number of wraps - 1-3 times
- Reload time - 3-8 seconds
- Distance required around subject - 2-4 feet (p.2)

Spider Wrap

Deploys two tether lines that are intended to go around a subject's legs or torso similar to the BolaWrap. However, unlike the BolaWrap, this device is not considered a firearm as it utilizes a CO₂ cartridge. The Spider Wrap is manufactured in Canada and is still in the testing stages of development and no publicly available information is available for this device by the manufacturer at the time of writing this review. With that said, consultation with a company representative has provided the following information:

- Uses a 16g CO₂ cartridge
- Best range of use 16.4-26.2 feet
- Max range 32.8 feet
- Tether length when fully deployed 7.8 feet
- Discharge speed 131.2 feet per second
- Very low noise level
- Green line laser for aiming
- Overall shape, looks like a flashlight
- Made in Canada

E-Gloves

These are tactical gloves with sensors that will emit an electric shock of low voltage to temporarily incapacitate an individual. There are no barbs or spark of electricity using the gloves. The following are the product details available for the G.L.O.V.E, which stands for Generated Low Output Voltage Emitter, which can be found on the Compliant Technologies website (n.d.):

- High-grade leather gloves with various styles/purposes
- Sizes: M, L, XL, XXL
- Weight: 9-23 ozs. or 260-650 grams
- Activation: 3-second switch on glove
- Duration of use: 2.0 hours
- Duration of charge: 2 days to months
- Battery: 3.7v Lithium Ion battery
- Charge time: 2 hours
- Maximum Voltage: 210-320V (cannot go above 380V)
- Maximum Current: 0.9-1.5A
- Pulse Duration (μ s): 105-115 (.000115 Second)
- Pulse Charge (μ C): 84-125 (.000125 Amp-Second)
- Pulse Repetition Rate (pps): 29.7 - 30.8
- Duty Cycle (%): 0.32 - 0.35
- Operation Temperature: 14°F to 122°F (-10°C to 50°C)

- 105 micro/s
- Pulse repetition 30 pps
- Operating temp -10 + 50°C
- In the final stages of development (The G.L.O.V.E Specifications).

Sasumata

Also referred to as a “Chinese Fork”, this tool is utilized to corral a person that is in crisis or posing a threat to a third party with or without a weapon. Specific uses involve restraining an assailant with an edged weapon or in a riot situation. Unfortunately, no manufacturing information has been found for this tool to include in this review.

Vector Shield

The guards are affixed to an officer’s arms to provide a protective cover for an officer from an attack. The shield can be utilized by an officer in combination with use of force tools such as OC spray or a baton. The following are some, but not all, of the features listed about the tool on the Vector Shield website (n.d.):

- Defeats blunt force impacts from baseball bats, knives, and needles;
- Makes traffic stops and building searches safer;
- Makes controlling a combative suspect easier (Vector Shield Features).

Table 15: CEW Compared to a BolaWrap, E-Glove, Spider Wrap, Sasumata, and Vector Shield

Criteria	CEW: Full-Deploy	CEW: Drive-Stun	BolaWrap	E-Gloves	Spider Wrap	Sasumata	Vector Shield
Strengths	The successful full deployment will cause neuromuscular incapacitation of a subject enabling officers the ability to restrain/handcuff the subject. No other use of force tool currently utilized by the TPS can provide a similar effect.	In close quarters an officer is able to utilize the CEW as a pain compliance tool to gain distance from an assaultive subject. Additionally, in close quarters an officer is able to use drive-stun mode to complete the connection if only one of two probes connect to achieve neuromuscular incapacitation.	The device can be utilized by an officer at a distance, the device does not rely on pain compliance, and is specifically designed to be deployed early in an engagement.	Due to a limited field tests and studies, the strengths of this device are not clear.	Similar benefits to the BolaWrap. However, it is less expensive and not considered a firearm.	Successful use of a Sasumata will restrain a subject by means of pinning them to the ground or against a flat surface such as a wall.	The Vector Shield may be beneficial in defending against an initial attack on an officer by an assailant.
Training and recertification required	Effective training to use a CEW involves both knowledge and scenario-based assessments. Specifically, training regarding judgement in using the tool. Annual recertification is required by TPS officers to ensure the proper and	Training regarding the use of drive-stun would be done in conjunction with full deployment so officers understand drive-stun as a pain compliance tool. Training is also required for the drive-stun to complete a two or three-point contact	Comparatively simple training to use the tool with no special skills required. Knowledge and scenario-based training would be required to ensure officers know when and how to use the device.	Training would require both knowledge and scenario-based assessments as well as recertification.	Training considerations for the Spider Wrap are the same as the BolaWrap.	Team training is required for this tool to be utilized effectively.	Training requirements for the tool are low if the Vector Shield is utilized as a defensive tool.

Criteria	CEW: Full-Deploy	CEW: Drive-Stun	BolaWrap	E-Gloves	Spider Wrap	Sasumata	Vector Shield
	effective use of the device.	causing neuromuscular incapacitation, which may be a complicated action to complete requiring effective and continuous training.					
Portability	CEWs are easy to carry and handle by officers.	CEWs are easy to carry and handle by officers.	The tool is highly portable due to its small size and light weight.	The tool is highly portable as it may be worn by the officer or kept on their persons.	The tool is highly portable due to its small size and light weight.	The length of the tool makes portability difficult. The tool cannot be carried on an officer's person.	The tool is highly portable as it may be worn by the officer.
Injury of Officers and Subjects	International research as well as statistics provided by the TPS show that there is a low rate of injury compared to other use of force tactics/tools.	If successfully deployed, drive-stun mode may leave burn marks from the device on the subject.	Limited information is available regarding the injury rate of officers and subjects.	Limited information is available regarding the injury rate of officers and subjects.	Limited information is available regarding the injury rate of officers and subjects.	Limited information is available regarding the injury rate of officers and subjects.	Limited information is available regarding the injury rate of officers and subjects.
Optimal Distance	The officer should be 7 to 15 feet away from the subject.	An officer would be required to be within 3 feet of a subject.	The range request of the tool is between 10 and 25 feet from the subject.	An officer would be required to be within 3 feet of a subject.	The range request of the tool is between 10 and 25 feet from the subject.	Depends on the length of the tool but must be near enough to subject to use as intended.	Not applicable.

Criteria	CEW: Full-Deploy	CEW: Drive-Stun	BolaWrap	E-Gloves	Spider Wrap	Sasumata	Vector Shield
Environmental Considerations	A CEW cannot be utilized around flammable chemicals, vehicles, or a subject at risk of falling from elevated heights.	A CEW cannot be utilized around flammable chemicals, vehicles, or a subject at risk of falling from elevated heights.	The device cannot be utilized in a crowded area or within confined spaces.	The tool can only be utilized when an officer is within striking distance of a subject.	The device cannot be utilized in a crowded area or within confined spaces.	The Sasumata cannot be utilized by officers within confined spaces due to the length of the tool.	The tool can only be utilized when an officer is within striking distance of a subject.
Use on Multiple Individuals	The CEW in full deployment mode is limited to be used on a single subject.	The CEW in drive-stun mode may be utilized on multiple subjects.	A BolaWrap cannot be utilized on multiple subjects.	E-gloves may be utilized on multiple subjects.	The Spider Wrap cannot be utilized on multiple subjects.	The Sasumata cannot be utilized on multiple subjects.	The Vector Shield may be utilized to defend strikes from multiple assailants.
Limitations	The officer should be seven to 15 feet away from the subject. Furthermore, tactics can be taken to render the device ineffective such as wearing thick or very loose clothing. Finally, the CEW is not as effective in comparison to other use of force tools when there are multiple subjects.	Drive-stun requires the officer to be close to the subject to be utilized.	This tool is being used in hundreds of United States Police Departments including Los Angeles, Cincinnati, Minneapolis, and Fort Worth. However, the device is not available in Canada. The device is considered a firearm and is currently going through the firearms classification process. There is	To use the gloves, the officer has to be within striking distance. The glove is reliant on the subject giving in to the pain. However, there is a risk that the pain applied to a subject may cause them to act out aggressively towards an officer. The gloves must be turned off after use to ensure no further applications are applied to the subject. The gloves	The Spider Wrap is in the testing stages at the time of writing this review. As a result, no information regarding the effectiveness of this device is available.	The effective use of the tool requires at least two officers. The officer using the tool can be in a vulnerable position if a subject can defeat an initial attempt to get them in a trapped position/area.	Arm shields are inherently a defensive tool for unexpected attacks with minimal other uses.

Criteria	CEW: Full-Deploy	CEW: Drive-Stun	BolaWrap	E-Gloves	Spider Wrap	Sasumata	Vector Shield
			limited information regarding the effectiveness of the tool in the field.	make it difficult for officers to transition to other use of force tools.			

Summary

- Strengths: The BolaWrap and Spider Wrap are devices that may be utilized by an officer at a distance that do not rely on pain compliance. If successfully deployed, the Sasumata provides officers a means of restraining an individual against a wall or on the ground. Finally, the Vector Shield may provide an officer protection against an attack from a subject in certain circumstances.
- Training and Recertification Required: As a defensive tool, the training required by officers to use a Vector Shield would be minimal in comparison to the other new less lethal weapons. The BolaWrap and Spider Wrap would require similar training and recertification of the CEW. The Sasumata be the only tool that would require team training by officers, while the E-Gloves would require both knowledge and scenario-based assessments as well as re-certification.
- Portability: The Sasumata would be the only tool that would not be easily transported due to its length.
- Injury of Officers and Subjects: There is limited information regarding the injury of individuals for the new less lethal weapons identified in Table 15.
- Optimal Distance: The E-Gloves, Sasumata, and Vector Shield require an officer to be close to a subject to be utilized effectively. Alternatively, the BolaWrap and Spider Wrap may be utilized at a further distance from a subject than a CEW.
- Environmental Conditions: The BolaWrap and Spider Wrap cannot be utilized in a crowded space, while both of these tools as well as the Sasumata cannot be utilized within a confined space. The Vector Shield and E-Gloves require an officer to be within striking distance to utilize. The CEW is the only tool that may be utilized close to the subject as well as from at a distance.
- Use on Multiple Subjects: Only the E-Gloves and Vector Shield are able to be utilized on multiple subjects, while the CEW is limited to be utilized on multiple subjects in drive-stun mode.
- Limitations: The Vector Shield is a defensive tool that is beneficial for officers to prevent unexpected attacks with minimal other uses. The E-Gloves have multiple limitations and minimal information regarding the effectiveness of the tool in the field. For the Sasumata, the tool places officers in a vulnerable position to be attacked by a subject if the tool is not successfully deployed. Limitations regarding the BolaWrap and Spider are discussed below.

The BolaWrap and Spider Wrap provide officers with a tool to immobilize a subject. Additionally, since the BolaWrap and Spider Wrap do not result in neuromuscular incapacitation, a subject would be able to use their arms to break their fall. Also, the BolaWrap and Spider Wrap would make it easier for officers to gain control of a subject. Finally, these two tools can be utilized by officers at a distance. However, since a subject is still able to use their arms

and upper body strength, they would still pose a threat to officers if they were armed or unarmed. Considering these points, the BolaWrap or Spider Wrap would be a viable alternative but not a replacement for a CEW under certain circumstances. However, the Spider Wrap is still in the testing stages of development and would require field tests to confirm the applicability of the device. Alternatively, the BolaWrap is not available in Canada at the time of writing this review. With that said, the BolaWrap has been tested and implemented by hundreds of police services in the United States. As a result, the BolaWrap is the most promising alternative of the two.

Based on the findings of an evaluation of the tool completed by the LAPD as well as input from use of force experts, generally the BolaWrap is utilized outside on subjects that are exhibiting aggressive behaviour or are not complying with officers. Specific examples of when the BolaWrap may be used include a subject wearing a heavy jacket to wrap up their ankles or a subject that is walking away from officers and would not warrant the deployment of a CEW.

The E-Gloves, Sasumata, and Vector Shield are not viable alternatives or replacements for a CEW. The E-Gloves simply have no place at this time in law enforcement. There are safer methods of addressing aggressive subjects that are unarmed or armed with a knife or blunt instrument than the Sasumata, such as a CEW. The Sasumata would put an officer in a vulnerable position if defeated by a subject that is stronger than the officer or able to evade the tool. Finally, Vector Shields are a defensive tool that would not provide an alternative or replacement for a CEW.

In consideration of the strengths and weaknesses of these new less lethal force tools, only the BolaWrap and Spider Wrap provide a viable alternative to a CEW under certain circumstances, with noted caveats for both. Ultimately, there are no viable replacements for a CEW being utilized by other police departments or in development/available within the existing use of force market.

Summary Comparison of CEW to Other Use of Force Tactics/Tools

De-escalation techniques (referred to as 'communication' on the Ontario Use of Force Model) should be attempted upon arriving at every call and are applicable throughout a use of force incident. One unique quality of de-escalation is that it can be utilized by an officer in tandem with all other use of force tactics/tools. However, the ultimate impact of the technique is reliant on the cooperation of the subject. Furthermore, de-escalation techniques cannot be utilized by police in certain situations such as ones involving a subject that is threatening individuals with a weapon or assaulting someone.

If de-escalation techniques do not work, then officers may decide that physical control tactics are their best option. Physical control techniques are shown on the Ontario Use of Force Model as "soft and hard". It is the potential for injury that determines the "level of force used". The higher the potential of injury, the higher the threat assessment needs to be. Soft physical control would include an officer applying a wrist lock on a subject to the point of immobilization, whereas hard physical control would include the officer performing a dynamic take down on the subject. Physical control tactics are used by police more than any other use of force option. It needs to be noted that this is not always by choice. Should a subject spontaneously attack an officer, or an officer faces resistance breaking up an altercation, there may not be time to use any other use of force options. The effectiveness of physical control tactics can be reliant upon the size, strength and physical capabilities of the officer compared to the subject.

A baton is an intermediate weapon use of force tool that is an option for police to help overcome size, strength, and physical capabilities. If used successfully, a baton may cause physiological incapacitation, eliminate the subject's will to fight, and/or disorient the subject so the officer can gain control. However, a baton is also associated with a high likelihood of injury for both the officer and the subject compared to other use of force tactics/tools.

OC spray is an intermediate weapon use of force tool that is used to give the officer a tactical advantage over the subject. It is less likely to result in injury to the officer and the suspect in comparison to physical control techniques or the baton. Proper application of OC spray causes the subject to have a hard time "locating" the officer due to the spray hampering their vision. It also causes the subject pain. It does not have the ability to incapacitate a subject. It should be noted that an officer may have to utilize an additional use of force tactic/tool in conjunction with OC Spray. For example, the situation where an officer sprays a subject and the subject keeps attacking the officer who then transitions to their baton. Environmental conditions such as the wind, rain or snow can reduce the effectiveness of this tool.

The newest intermediate less lethal weapon to be implemented by the TPS is the Extended Range Impact Weapon. This device has been shown to provide officers with another option for addressing assaultive subjects from a distance through pain compliance of the projectile strike. However, this device is associated with a higher likelihood of injury in comparison to other use of force tools. Additionally, this tool is less effective if a subject can close the gap between themselves and the officer quickly.

Finally, CEWs, which are also intermediate weapons, are the second most utilized tool by officers from departments/services involved in this review. The most frequent type of CEW used by police is as a demonstration of force. The tactical benefit of a successful deployment of a CEW is that it is capable of neuromuscular incapacitation of the subject. This provides the officers with an opportunity to restrain a subject and consequently prevent any or further actions that may have led or may lead to injury.

Research and information gathered from other departments/services involved in this review indicate that CEWs are utilized by officers most frequently to address subjects armed with a blunt or edged weapon and experiencing a mental health crisis. Additionally, the New Zealand Police Service utilizes CEWs disproportionately for dealing with subjects that are suicidal. Anecdotal evidence suggests that officers may be utilizing CEWs for subjects armed with a knife, that are experiencing a mental health crisis or individuals that are suicidal because they provide officers with the best opportunity to immediately stop the subject from harming themselves or others with the lowest risk of injury to the subject and the officer in comparison to other use of force tools.

The most promising alternative to a CEW is the BolaWrap. This tool shoots out wires that wrap up a subject's arms or legs thus decreasing the subject's ability to assault officers. An increasing number of police services in the United States are testing the tool and/or providing officers with them. At the time of writing this review, the BolaWrap is not available in Canada. Due to its limited application it cannot be viewed as a viable replacement for a CEW. However, a BolaWrap may be an alternative in specific situations that officers could consider. There is no pain associated with the BolaWrap unless it is a secondary action such as the subject falling. With that said, no use of force expert or research found in the course of this review indicated that there is a use of force tactic/tool available that would be able to replace the CEW.

Ultimately, if a subject is exhibiting assaultive behaviour or the officer believes an assault is imminent and is within five to twenty feet of a subject an intermediate use weapon is required. Under these circumstances, utilizing the CEW will generally result in less injury to both the officer and the subject than other use of force tactics/tools. Additionally, with a CEW the officer does not need to be concerned about cross contamination, multiple strikes of the baton causing injury, or the subject's size, strength and physical capabilities for empty-hand techniques. Neuromuscular incapacitation offered by a successful deployment of the CEW allows the officer to gain control of the subject. The CEW allows an officer to overcome the discrepancies in strength, size and physical capabilities between the subject and the officer better than any other non-lethal weapon.

Overall, a CEW is a highly utilized tool officers use to address assaultive subjects, primarily as a demonstration of force. Further, the TASER 7™ is able to provide in-depth information regarding the use of the device and is now capable of linking to a body-worn camera to further improve the accountability and transparency of the device - unparalleled by other use of force tactics/tools. This point will be discussed further in the following subsection.

TASER 7™

The TPS is transitioning from the TASER X2™ to the TASER 7™ because the X2™ model is being phased out by Axon Enterprise Inc. A pilot of the new device is scheduled for June 2021. In comparison to older models, the TASER 7™ has two cartridge types including a “close quarter” as well as “standoff” configuration. The close quarter cartridge is effective within ranges between 4 feet and 12 feet (Weimer, 2020). While, the new standoff cartridge was found to impact a target at 25 feet (Dstl, 2020). The Taser 7™ also has an increased pulse rate in comparison to previous models of the device (Weimer, 2020). In the TASER 7™, the wires that carry the electrical current unspool from inside the probes rather than from inside the cartridge. As a result of these changes, the darts are faster and have a straighter trajectory resulting in an improved connection for a successful deployment (Axon, n.d.). All these features are additional features to the X2™ and may address issues found in previous models of the device; that were found to be less successful on heavy subjects, those who are under the influence of drugs/alcohol or deployed from a short distance from the subject. However, more field testing and evaluation results would be required to verify this possibility.

In 2020, the Defense Research and Development Canada Agency completed a technical evaluation of the TASER 7™. Part of the evaluation was input from end-users (i.e. law enforcement personnel) that noted the TASER 7™ is simpler to operate than the X2™ (Weimer, 2020). Additional comments from end-users included the availability of the close quarter and standoff cartridges, improved velocity of the probes, and brighter flashlight. Finally, electrical testing showed that the device functioned within the parameters of the manufacturer. However, the bottom probe close quarter cartridge had a lower success rate hitting a stationary target due to the bottom probe missing the target’s lower leg. Furthermore, the tilt feature enabling an officer to switch between the two cartridge types by turning the device 90 degrees was not available for the evaluation. As a result, the evaluation noted that agencies should assess this feature to inform the selection of which cartridges are loaded in the device for active members (e.g. one close cartridge and one standoff cartridge or two standoff cartridges, etc.).

A similar evaluation of the TASER 7™ has been completed in the United Kingdom by the Defence Science and Technology Laboratory (Dstl) Counter Terrorism and Security Division. Findings from the evaluation include the following (2020):

- The TASER 7™ Adaptive cross-connect feature, if it operates in the way that the manufacturer claims, is an improvement over the current devices and would provide an improved tactical option by increasing the likelihood of achieving neuromuscular incapacitation (NMI) in instances where three or four probes are in contact with the subject.
- The pulse charge delivered by the TASER 7™ is said by the manufacturer to be similar to that delivered by the TASER X2™, however, the TASER 7™ reportedly delivers these pulses at a slightly higher pulse rate, which may improve the robustness of NMI. The claimed electrical output characteristics of the TASER 7™ are currently being independently confirmed by Defence Research and Development Canada (DRDC).
- The TASER 7™ is likely to effectively deliver a wider probe separation at shorter ranges and in confined spaces when using the Close Quarter cartridge than the current devices, hence improving effectiveness at close ranges compared with the currently authorized devices.

- The TASER 7™ has a two-shot capability while the TASER X26™ requires reloading to take a second shot.
- The accuracy and consistency of the Standoff cartridge are better than current devices giving better capability at longer ranges and extending the maximum effective range.
- The TASER 7™ has a dual laser sight, with the top probe sight being green and the bottom probe sight being red. The green laser is likely to be more visible than the red laser used in earlier devices to sight the top probe.
- The TASER 7™ has a rechargeable battery, which is one of the Police Operational Requirements.
- The training cartridges are representative of the operational cartridges in terms of their accuracy and consistency.
- Drop testing of the system does not reveal any robustness concerns.
- The user groups expressed predominantly positive comments on the TASER 7™ and stated in the main that the device was likely to be suitable for use in their current roles, although there were a small number who disagreed.
- At a firing distance of 3 m, the TASER 7™ fitted with the Close Quarter cartridge showed a higher miss rate than the X2™. This was in part due to the increased probe separation of the TASER 7™ increasing the likelihood of the lower probe missing the legs of the target. Without mitigation, this could reduce the effective operational range, particularly around 3 m.
- A high proportion of users reported accuracy issues where the bottom probe did not impact the laser point of aim. It was established that this was not due to the intrinsic accuracy of the devices and is therefore likely to be due to the interface between the firer and the weapon.
- Trapped ejectors result in the potential of disconnection/obstruction problems (this was observed at least 1 in every 42 firings or 2.4%).
- Probes detaching from the wire at full extension producing an additional risk to bystanders (including other officers), a risk that is not present with the X2™ or X26™. It is difficult to quantify this risk using data from the trial and injury potential will be affected by a number of factors such as where the probe hits on the body and the probe's kinetic energy.
- The safety lever was observed to be difficult to operate in some cases.
- During the Dstl assessment, a total of 1,981 cartridges were fired. Eight cartridges (0.4%) were faulty and failed to fire. This has operational implications that should be considered before acceptance (pp.1-3).

From a medical perspective, the Scientific Advisory Committee on the Medical Implication of Less-Lethal Weapons (SACMILL) in the United Kingdom noted that due to its effectiveness the TASER 7 may be more painful than the X2™ (2020). This statement is based on anecdotal evidence provided in a peer-reviewed paper. However, no other supporting information was provided.

Another feature available for the TASER 7 is the wireless link with Axon body cameras. Specifically, whenever the TASER 7™ is drawn, the Axon body camera will automatically turn on and begin to record. Additionally, a signal may be sent that the device had been unholstered and begin to track the officer's location. When the device is deployed, the recording system will automatically flag the time of the deployment in the video to make it easier to reference. Furthermore, information regarding the number

of pulses, charge, and duration of the electric shock are all recorded and available for review (Axon, n.d).

Regarding body worn cameras, the Canadian Association of Chiefs of Police states that these devices were introduced to improve (2019):

- Police response
- Transparency of police services
- Quality of evidence presented as well as the functioning of the judicial process (p.1)

A 2020 systematic literature review found that it is uncertain if body worn cameras cause a reduction in officer use of force or change behaviour of citizens and officers (Lum et al. 2020). As for transparency and quality of evidence, body cameras will provide additional evidence to investigate incidents of police use of force. However, Boivin (2019) notes that there have been concerns raised regarding when police officers turn on these cameras, based on a key assumption that “the officer chooses what they wish to record”. However, Boivin notes that police services have policies and disciplinary processes for addressing these types of issues if they arise. To this point, the TPS have developed a body worn camera policy that states that a TPS member equipped with the device will start a recording (2021):

- Prior to arriving at a call for service
- At the earliest opportunity, prior to any contact with a member of the public, where that contact is for an investigative or enforcement purpose (including, but not limited to; an apprehension under the *Mental Health Act* or an interaction with a person in crisis), regardless of whether or not the person is within camera view;
- To record statements that would normally be taken in the field including utterances and spontaneous statements;
- To record interactions with a person in custody or member of the public while in a Service facility, if the officer believes it would be beneficial to do so;
- To record Protective Search (Formally Level 1) and Frisk Search (Formerly Level 2) in the field; and
- To record any other interaction where the officer believes a body worn camera would support them in the execution of their duties (p.6).

Lastly, the TPS body worn camera policy states, “when your body worn camera is recording, the recording shall not be stopped, muted, or deliberately re-positioned until the event has concluded or your involvement in that event has concluded...” (Toronto Police Service, 2021, p. 7).

In general, body cameras are perceived to be a welcomed tool to help provide more evidence and information regarding police-citizen interactions and potentially to help reduce use of force incidents and public complaints.

Overall, the TASER 7™ has unique qualities as well as the ability to improve accountability and transparency regarding its use in conjunction with the AXON 3™ body camera. However, there are additional tests required by police services regarding the miss rate of close quarter cartridges, failure to fire from incorrectly loaded cartridges, and the tilt feature of the device.

Safety Best Practices

The objective of this section is to determine the degree of alignment between the TPS safety practices and those of other jurisdictions regarding full deployment and drive-stun mode. Although, additional factors will be utilized to compare the TPS to Public Safety Canada and the Province of Ontario.

To start, input from use of force experts and key stakeholders regarding safety best practices for CEWs will be discussed. Subsequently, primary and secondary research will be provided, followed by a summary section similar to the previous two sections of this report.

Subsequently, other jurisdictional safety best practices regarding full deployment and drive-stun mode are provided. The following police services and government departments have been included due to the absence of national or international safety standards regarding the use of CEWs:

- Ontario Ministry of Community and Correctional Services
- British Columbia Provincial Policing Standards
- Public Safety Canada
- New York Police Department
- Los Angeles Policy Department
- Chicago Police Department
- New Zealand Police Service
- New South Wales Police Force
- Queensland Police Service
- England and Wales Police Services
- Five Canadian police services from major municipalities (these services will not be identified due to confidentiality agreements)

The Queensland Police Service and New South Wales Police Force, both in Australia, have been included in this section of the review because they were the only police services to have publicly available policies for CEW use. Further, CEW use policies from British Columbia have been included to provide specific policies that augment ones outlined by Public Safety Canada as per input provided by key stakeholders in this review. Lastly, the TASER Handheld CEW Warnings, Instructions, and information for Law Enforcement document by Axon Enterprise Inc. are included. The primary reason for this inclusion is that all services and government departments included in this review had specific information regarding the use of a CEW in full deployment and drive-stun mode as outlined by Axon Enterprise Inc. These findings reflect the importance of including the warnings, instructions, and information regarding the CEW from the company developing and manufacturing the device.

Additionally, the current TPS procedures, policies, and protocols regarding the use of CEWs are provided. Finally, other jurisdictional safety best practices are compared to those utilized by the TPS to identify similarities and differences as well as opportunities for improvement.

Stakeholder Input and Secondary Research

TPS CEW safety policies were not identified as an issue by any of the stakeholders consulted for this review, although, not all stakeholders consulted for this review were familiar with or knowledgeable about all TPS safety protocols for CEWs.

Use of Force Experts

Experts in the use of force consulted for this review were from other Canadian police services and perceived the safety protocols of the TPS to be aligned with their respective police services. Some practices of other Canadian police services that were not reflected within the TPS policies included:

- Allowing officers to remove the probes deposited within an individual's clothes and skin if they are not deposited on sensitive areas of the body.
- Incorporating language within existing policies that officers should only apply the number of cycles reasonably necessary to allow for the safe restraint of a subject. Furthermore, if circumstances require extended duration or repeated discharges then the officer should observe the subject and provide breaks when practical.

Every use of force expert consulted for this review agreed that the more training opportunities officers have regarding the effective and safe use of the CEW, the better. Further to this point, use of force experts spoke to the importance of including reality-based training scenarios that provided officers with an opportunity to improve their judgement in using a CEW or making note of not only the subject's behaviour, but environmental conditions as well (e.g. someone at the top of a staircase). With that said, use of force experts acknowledged that training opportunities and requirements are often balanced with the need to keep officers on-duty. This balance is dependent on the service and jurisdiction.

Key Stakeholders

Stakeholders did not perceive there to be any issues regarding the CEW safety policies and procedures of the TPS. However, a few stakeholders suggested some perceived opportunities for improvement including:

- i. One stakeholder indicated that the TPS allows officers to take as long as they need on a call to try to de-escalate a volatile or potentially volatile situation.
- ii. Providing a clear definition of active resistance, specifically regarding individuals that are fleeing a scene or running away from police.
- iii. Requiring debrief sessions with officers who have used a CEW or any other use of force for the purpose of learning and professional development.
- iv. Providing more opportunities for training in use of force tactics/tools for officers that are assigned to districts with little to no use of force related calls for service. Essentially, this is a suggestion out of a perceived concern that officers get "out of practice" regarding use of force tactics/tools in districts that have comparatively few use of force incidents compared to districts with a high volume of use of force incidents.
- v. Finally, some stakeholders suggested that an individual who has experienced mental health crises and/or an individual who has been the recipient of a CEW deployment while in crisis

(lived experience) is involved in the development of training for CEWs. This is directly related to scenario training and de-escalation from the perspective of someone with lived experience to provide officers with insights into how their actions are interpreted by individuals in crisis versus how they may think their words or actions are perceived.

Primary and Secondary Research

To address the five points made by other stakeholders, a document review of existing policies and procedures found that:

- i. There are no policies or procedures that prohibit officers from taking as long as they deem necessary on a call for service. Further, the existing de-escalation and disengagement/containment training provided by the TPS teach officers to use time to help diffuse a potentially volatile or volatile situation.
- ii. TPS Procedure 15-01 Appendix B has a clear definition of active resistance that specifies an individual running away from police.
- iii. In accordance with the Ontario Special Investigations Unit jurisdiction, all incidents involving serious injury, death, allegation of sexual assault or discharge of a firearm are to be investigated. An SIU investigation requires that the officer involved is unable to speak with other officers regarding material pertinent to the investigation until it has been complete. As a result, a CEW deployment that falls under the jurisdiction of the SIU would not be eligible for a debrief session. With that said, the TPS has recorded an average of 4.7 injuries sustained by subjects between 2010 and 2020 as the result of a CEW deployment. Consequently, the restriction of these debriefing sessions due to an SIU investigation would be only for a small number of incidents.
 - o The TPS has averaged 339 CEW deployments a year between 2010 and 2020. As a result, requiring a debrief session every time a CEW is deployed would equate to a significant amount of time officers would be off the street.
 - o Only the South Wales Police Force had a specific mention of a debrief process regarding CEW use. Specifically, the South Wales Police Force limited to debrief process to instances involving full deployment and drive-stun with demonstrated use of force incidents only being required for a debrief session under exceptional circumstances. Unfortunately, no information regarding the debrief process could be sourced. Therefore, information regarding the debrief process is limited to knowing that the officer would meet with a Region/Command Professional Standards manager. If a similar threshold for these debrief sessions were adopted by the TPS to only incidents involving full deployment and drive-stun then the average annual number of instances would be 129 as opposed to 339 between 2010 and 2020.
- iv. The Toronto Police College provides all service members with an opportunity for additional voluntary structured training sessions throughout the year including:
 - o Firearm sessions that provide fundamental skill development and live-fire sequences/drills
 - o Defensive tactic sessions that provide physical skill development as well as transitions in use of force and technique confidence and assessment.

- Both sessions include discussions regarding the use of de-escalation. To accommodate service members' schedules, these sessions are offered at various times and days throughout the year. Additionally, these sessions are facilitated at the TPSC training facility by accredited instructors and are focused on skills development, confidence and proficiency.
- v. Training opportunities for new and current TPS officers are being updated to reflect relevant factors and knowledge from marginalized communities in response to recommendations 52 to 58 of the Andrew Loku, Inquest. Specifically, the TPS is working on the following activities:
 - Developing a plan for providing a permanent training program (including refresher training) to all TPS members to supporting an organizational culture committed to the delivery of fair and unbiased police services to Toronto's diverse communities and populations
 - Meaningful engagement with members of racialized, Indigenous, LGBTQ2S+, immigrant and refugee communities by way of development of CAP Strategy for Training
 - Enhanced and updated training curricula/content ensure this training is developed and updated based on best practice and through the active engagement of the Confronting Anti-Black Racism (CABR) Unit, Anti-Racism and Advisory Panel (ARAP), subject matter experts in anti-racist curriculum design and community representatives with expertise in systemic racism and anti-Black and anti-Indigenous racism, community representatives with experience in addressing discrimination and prejudice against people with mental health and addictions issues and with a focus on utilizing adult-oriented training methods that are proven to lead to high achievement and demonstrated applied practice by those who experience the curriculum;
 - Building a framework to evaluate the effectiveness of TPC training, which will be the first of its kind in Canadian policing
 - A final report of these efforts will be provided to the TPSB outlining the new curriculum and how it was developed. The combination of these efforts speaks to the willingness and progress being made by the TPS to improve their interactions with marginalized community members.

Summary

Based on the input provided from use of force experts, key stakeholders as well as secondary research, the policies and procedures regarding CEW use by the TPS are perceived to contain no glaring issues. Further, the opportunities for improvement identified by key stakeholders regarding the use of CEWs by the TPS are either already covered by existing policy or are in the process of being addressed by the TPS with one exception - formal debriefing sessions following a use of force incident.

Presently, debriefing sessions occur with officers for instances when the use of a CEW is not in accordance with existing policies and procedures. However, there are no formal debriefing sessions required for learning and professional development following the use of force by a TPS officer. With that said, the impact or value of these sessions has not been well established. Additionally, the time constraints as well as restrictions of these debrief sessions due to SIU requirements are a potential challenge. Therefore, an alternative for the TPS to explore is the incorporation of a similar session into

the annual in-service training for officers. Specifically, officers would be able to ask questions from a use of force expert instructor as well as talk with other members and share their experiences and lessons learned regarding decisions to utilize use force tactics/tools or alternatives to them. Once incorporated into annual in-service training sessions by the TPS, the value of these sessions could be evaluated to establish the effectiveness of this approach. For instance, monitoring the level of confidence officers have in using use of force tactics/tools, a reduction in injury for both officers and individuals, or a reduction in use of force incidents by the service.

Provincial and Other Jurisdictional Safety Best Practices

The safety and overall policies and procedures regarding CEW use will be discussed below and separated into the following subcategories for organizational purposes under the Public Safety Canada CEW guidelines:

- General Safety Principles
- Training
- Testing
- Supervision
- Reporting

All the policies noted below have been taken directly from TPS and other jurisdictional police service policies that have been sourced for this review.

General Safety Principles

- “Whenever force is used by any person in Canada it shall be used in compliance with the Canadian Charter of Rights and Freedoms and the Criminal Code” (Public Safety Canada, 2016, paras.4).
- “Officers should, in all instances, use an appropriate and reasonable level of force, given the totality of circumstances” (Public Safety Canada, 2016, paras. 5). Similar language is utilized within the Ontario Police Services Act.
- “The use of a CEW, or any use-of-force option, should be consistent with a federally or provincially recognized use-of-force framework, particularly with respect to having considered or applied de-escalation techniques or other use-of-force options, as appropriate. Prior to using a CEW, officers should consider whether de-escalation techniques or other force options have not, or will not, be effective in diffusing the situation” (Public Safety Canada, 2016, paras. 6). Similar language is utilized with the Ontario Police Services Act.
- “The TASER must not be utilized in situations where the sole purpose is the gathering of digital video and audio evidence” (New Zealand Police Service, 2020, p. 8). Similar language is utilized by the New South Wales Police Force.

Training

- All police service training material should at minimum include requirements for officers who are equipped with a CEW, supervisors of officers equipped with a CEW, and professionals providing training for CEWs (Public Safety Canada, 2016):
 - Training policies should be in alignment with the appropriate federal, provincial, and municipal authorities.
 - Trainers and officers trained in the use of CEWs should be recertified once every two years at minimum.
 - All training and re-certification related material and processes should be reviewed regularly to ensure content is up to date and relevant and consistent (paras. 13-14).
- “Operator training must be a minimum of 12 hours with 4 hours devoted to judgement training in accordance with Ontario CEW Trainer’s Manual” (Ontario, 2014, Appendix B p.1).

Testing

- “CEWs in police inventories should undergo regular testing” (Public Safety Canada, 2016, paras. 15). Although, the specific tests are not publicly available, consultation with a member of the RCMP for this review confirmed that testing referred to by Public Safety Canada is the same as the testing outlined within the British Columbia Provincial Policing Standards. In British Columbia, testing of the device is required two years after a CEW was purchased and every year thereafter. Testing of the device is to be completed independently from the manufacturer to test the manufacturers specifications including (British Columbia, 2021, p.2):
 - Pulse repetition rate
 - Peak voltage
 - Peak current
 - Net charge
 - Pulse duration
- “Only those CEWs that test within approved operating parameters should be used for field deployment” (Public Safety Canada, 2016, paras. 16). Similar language is utilized with the Ontario Police Services Act.
- “Any CEW that has been used proximal to an incident resulting in death or serious injury should be immediately sent for testing, while respecting appropriate legislated police service obligations or practices related to such investigations” (Public Safety Canada, 2016, paras. 17). In accordance with the standards of the province of British Columbia the testing of the device should be completed independently from the manufacturer to test the manufacturers specifications including (British Columbia, 2021, p.2):
 - Pulse repetition rate
 - Peak voltage
 - Peak current
 - Net charge
 - Pulse duration

Supervision

- Policies and procedures should be established to describe supervisory duties for monitoring CEW storage, maintenance, reporting, and use. Additional policies should be established to (Public Safety Canada, 2016):
 - Ensure that officers meet all training and recertification requirements
 - Maintain an accurate inventory of all devices, including the operational status and current location of each CEW.
 - Establish a system to track CEW product notifications and, as necessary, notify all CEW users. One police service involved in this review indicated that they have a team that is responsible for ensuring all product notifications are sent to applicable members of the service using internal memos.
 - Ensure that officers conduct appropriate pre-shift and post-shift CEW checks and maintenance and submit a report in all instances where a CEW is deployed (paras. 19-20).

Reporting

- “Police services should establish and maintain a comprehensive reporting system that captures CEW use” (Public Safety Canada, 2016), paras. 21)
- “Supervisors of police officers employing CEWs operationally should receive training on how to monitor their subordinates for, and report on instances of, excessive force and appropriate individual member performance in CEW-related use of force incidents” (Public Safety Canada, 2016, paras 22)
- “Police officers should, in all instances where a CEW is deployed, submit a use of force report. The use of force report should include all relevant information on the incident such as surroundings, subject behaviour, officer perceptions and other considerations” (Public Safety Canada, paras 23)
- “Reports on CEW use, in an appropriate form, should be available to the public” (Public Safety Canada, 2016, paras. 24).

Full Deployment and Drive-Stun Mode

Most safety guidelines or procedures to reduce the risk of injury or death associated with the use of a CEW apply to both full deployment and drive-stun mode. As a result, the following are safety practices related to the use of CEWs in either mode with notable differences made where applicable:

- “Where tactically feasible, officers should issue a verbal warning so the subject is aware that a CEW is about to be deployed” (Public Safety Canada, 2016, paras 9). Similar language is utilized within policies written by the Ontario Ministry of Community Safety and Correctional Services, New York Police Department, British Columbia Provincial Policing Standards, Chicago Police Department, England and Wales Police Services, Los Angeles Police Department, New Zealand Police Service, New South Wales Police Force, and the Queensland Police Service. The Chicago Police Department and the England and Wales Police Services have further information regarding verbal warnings specifying that officers should provide an individual with a

reasonable amount of time to comply following a verbal warning. For example, “allow a subject a reasonable amount of time to comply with a warning prior to using or continuing the use of a Taser, unless doing so would compromise the safety of a Department member or another person” (Chicago Police Department, 2019, p 3).

- “Do not discharge a CEW against a person in water where there is a danger of the person drowning due to incapacitation from the CEW, unless the officer has reasonable grounds to believe the potential for death or grievous bodily harm is justified” (British Columbia, 2015, p.2). Similar language is utilized within policies written by the Chicago Police Department, Los Angeles Police Department, and the New Zealand Police Service.
- “Multiple or extended cyclings should be avoided unless a single deployment is ineffective in eliminating the risk or in allowing the officer(s) to gain physical control of the subject” (Public Safety Canada, 2016, paras.10). Similar language is utilized within policies written by the New York Police Department, British Columbia Provincial Policing Standards, Chicago Police Department, New Zealand Police Service, New South Wales Police Force, and the Queensland Police Service. Some other police services have additional conditions on multiple or extended cycling. For instance, the New South Wales Police Service states, “the use of multiple cycles should only be considered in exceptional circumstances and after reassessment of the situation which caused the initial use of the Taser. Notwithstanding this, after 3 cycles police must reconsider the effectiveness of the Taser as the most appropriate tactical option and must consider alternative tactical options” (New South Wales Police Force, 2019, p.24). Although, not explicitly stated within these policies, the specification of three cycles is aligned with the warning from Axon Enterprise Inc. regarding the minimization of the number and duration of CEW exposures. Specifically, this warning from Axon Enterprise Inc. states that most human CEW lax tests have not exceeded 15 seconds of CEW application (Axon Enterprise Inc., 2018, p.2).
- “Do not use multiple CEWs or multiple completed circuits at the same time without justification. Multiple CEWs or multiple completed circuits at the same time could have cumulative effects and result in increased risks.” (Axon Enterprise Inc., 2018, p.2). Similar language is utilized within policies written by the New York Police Department, Chicago Police Department, Los Angeles Police Department, New Zealand Police Service, New South Wales Police Force, and the Queensland Police Service.
- “Where possible, CEW use should be avoided on a restrained subject” (Public Safety Canada, 2016, paras. 11). Similar language is utilized within policies written by the Ontario Ministry of Community Safety and Correctional Services, New York Police Department, Chicago Police Department, Los Angeles Police Department, and the Queensland Police Service.
- “Where possible, CEW use should be avoided on a woman known to be pregnant, elderly person, young child or visibly frail person” (Public Safety Canada, 2016, paras. 11). Similar language is utilized within policies written by the Ontario Ministry of Community Safety and Correctional Services, New York Police Department, Chicago Police Department, England and Wales Police Services, Los Angeles Police Department, New Zealand Police Service, New South Wales Police Force, and the Queensland Police Service.
- “Where possible, CEW use should be avoided on sensitive areas of the body (e.g. head, neck, genitals)” (Public Safety Canada, 2016, paras. 11). Similar language is utilized within policies

written by the Ontario Ministry of Community Safety and Correctional Services, New York Police Department, British Columbia Policing Service Standards, Chicago Police Department, England and Wales Police Services, Los Angeles Police Department, New Zealand Police Service, New South Wales Police Service, and the Queensland Police Service. The preferred target area for a CEW is consistent across all police services. For example, CEW use by the LAPD state, “The area of the suspect/subject’s back, just below the neck, remains the preferred target area when practical. For frontal applications, officers should attempt to target the naval area in an effort to place one probe above the waist and one probe below the waist for optimal effectiveness” and “...forearm, outside of the thigh, calf muscle for drive-stun/direct-stun” (LAPD, 2018, p.3-5).

- “Where possible, CEW use should be avoided on a subject in control of a moving vehicle, bicycle, snowmobile or other conveyance” (Public Safety Canada, 2016, paras.11). Similar language is utilized within policies written by the Ontario Ministry of Community Safety and Correctional Services, New York Police Department, British Columbia Policing Service Standards, Chicago Police Department, Los Angeles Police Department, New Zealand Police Service, New South Wales Police Force, and the Queensland Police Service.
- “Prohibited use on an individual that is known to have been in contact with flammable liquids, or a flammable atmosphere (e.g. natural gas leak, drug lab)” (Ontario, 2014, p.2). Similar language is utilized within policies written by the New York Police Department, British Columbia Provincial Policing Standards, Chicago Police Department, England and Wales Police Services, Los Angeles Police Department, New Zealand Police Service, New South Wales Police Force, and the Queensland Police Service.
- “Do not discharge a CEW against a person where the person is at risk of a fall from an elevated height, unless the officer has reasonable grounds to believe that the potential for death or grievous bodily harm is justified” (British Columbia, 2015, p.2). Similar language is utilized within the policies written by the New York Police Department, Los Angeles Police Department, New Zealand Police Service, New South Wales Police Force, and the Queensland Police Service. The Chicago Police Department (2020) has a similar guideline as well as the following noting, “when practical, department members should avoid the use of a Taser on subjects who:
 - Could fall and suffer an impact injury to the head or other area;
 - Could fall on a sharp object or surface (e.g. holding a knife, falling on glass);
 - May be less able to catch or protect themselves in a fall (e.g. restrained, handcuffed, incapacitated, or immobilized);
 - May have impaired reflexes (e.g. from alcohol, drugs, or certain medications);
 - Are running, or are otherwise in motion;” (pp.2-3)
- “Where operationally feasible and taking into consideration the availability of health care professionals in isolated rural, remote and Northern communities, medical assistance should be sought as soon as practicable when a situation necessitates multiple or extended cyclings of a CEW. Medical assistance should be sought when an individual has any apparent injuries, is in obvious distress, or requests medical assistance.” (Public Safety Canada, 2016, paras. 12). Similar language is utilized within the policies written by the New York Police Department, British Columbia Provincial Policing Standard, Chicago Police Department, England and Wales Police

Services, Los Angeles Police Department, New Zealand Police Service, and the New South Wales Police Force. In British Columbia (2013), there is a requirement to:

Ensure that officers request paramedic attendance at all medically high-risk incidents before the discharge of the CEW or, if that is not feasible, as soon as possible thereafter. Medically high-risk incidents include when a CEW is discharged in:

- Probe mode across the person's chest;
- Probe mode for longer than five seconds; or
- Any mode against:
 - An emotionally disturbed person,
 - an elderly person,
 - a person who the officer believes is pregnant,
 - a child, or
 - a person who the officer has reason to believe has a medical condition (e.g., heart disease, implanted pacemaker or defibrillator) (p.2).
- "A Taser should not be used in either probe mode or drive-stun mode...punitively for purposes of coercion or as a prod to make a person move" (Queensland Police Service, 2019, p.14). Similar language is utilized within the policies written by the New York Police Department.

Toronto Police Service CEW Safety Policies and Procedures

Below is a summary of the current policies/procedures of the TPS regarding the use of CEWs.

General Safety Principles

The TPS (2020) Use of Force and Equipment policy states:

- The primary responsibility of a peace officer is to preserve and protect life.
- The primary objective of any use of force is to ensure public safety.
- Police officer safety is essential to public safety.
- The Ontario Use of Force Model does not replace or augment the law; the law speaks for itself.
- The Ontario Use of Force Model was constructed in consideration of (federal) statute law and current case law.
- The Ontario Use of Force Model is not intended to dictate policy to any agency (p.2)

Training

- Toronto Police Service CEW training officers receive 16 hours of training, which is four hours longer than the provincial standard. This training includes theory, practical scenarios, and a practical and written examination. The additional eight hours includes in-class training that emphasizes judgement training, decision making, and de-escalation Officers are also required to complete a one-hour on-line tutorial before attending CEW training at the Toronto Police College.
- Recertification training takes place at least once every 12 months. The following are the requirements for officers to be re-certified for CEW use:
 - Minimum 75% on the written examination

- Demonstrate proficiency with the CEW in drills
- Demonstrate proper judgement and proficiency during scenarios
- Meet Provincial Standard – Practical test
- Attendance and participation for the entire program
- All unintentional discharges by members are tracked and officers are required to attend the Toronto Police College to complete a personal remedial session with a CEW instructor.

Testing

- Daily testing of the device before each tour of duty to ensure proper functioning, “the daily test includes a spark test at the beginning of each tour of duty while pointing the CEW into a firearm proving unit and recording the spark test in a memorandum book” (Toronto Police Service, 2021, p.3).
- “Any time a CEW is activated, the date, time and duration of the firing is recorded in a microchip. This data will be downloaded for analysis and audit purposes. The CEW has a built-in weapon management system to prevent misuse/abuse and protect officers from unfounded allegations through documentation of usage” (Toronto Police Service, 2021, p.2).
- “The Armament Officer conducts random download of the data from the Service-owned CEWs for audit purposes” (Toronto Police Service, 2021, p.7). These regular downloads and audits of each device’s internal data system confirm usage and condition.

Supervision

- “Supervisory Officer attendance mandatory when a CEW has been used in Drive Stun Mode or Full Deployment” (Toronto Police Service, 2021, p.1).
- “Supervisory Officer notification is mandatory when a CEW has been used in Demonstrated Force Presence, Drive Stun Mode or in Full Deployment” (Toronto Police Service, 2021, p.1).
- “A Supervisor shall obtain from the secure CEW storage cabinet the number of CEWs that are required for issue to qualified CEW operators. The supervisor shall personally issue the CEW to the officer and record the serial number of the issued CEW. The serial numbers of the CEW’s shall be entered on the unit parade sheets. The officer receiving the CEW shall record the serial number in his/her memorandum book. The officer utilizes the AIMS to record the issuance of the CEW. Upon returning the CEW to a supervisory officer, the officer ensures that the CEW is unloaded and utilizes AIMS to record the return of the CEW” (Toronto Police Service, 2021, p.3).
 - A supplemental Human Resource Management System (HRMS) is utilized by the TPS to log which members are qualified/licensed to carry a CEW that will be valid for one year. Once an officer is qualified/licensed and that information is uploaded into the HRMS, all officers and their direct supervisors will receive a total of six notifications reminding them of their date of renewal throughout the year.
- To maintain an accurate inventory, “a Supervisor shall obtain from the secure CEW storage cabinet the number of CEWs that are required for issue to qualified CEW operators. The supervisor shall personally issue the CEW to the officer and record the serial number of the issued CEW. The serial numbers of the CEW’s shall be entered on the unit parade sheets. The officer receiving the CEW shall record the serial number in his/her memorandum book. The

officer utilizes the AIMS to record the issuance of the CEW. Upon returning the CEW to a supervisory officer, the officer ensures that the CEW is unloaded and utilizes AIMS to record the return of the CEW” (Toronto Police Service, 2021, p.3).

- TPSC representatives confirmed that the TPSC will issue CEW product notifications in the form of a memo internally to members of the TPS.

Reporting

- “Any time a CEW is used as Demonstrated Force Presence, Drive Stun Mode, Full Deployment or accidental or negligent discharges, a Use of Force Report and a TPS 584 Conducted Energy Weapon Use Report shall be completed and submitted prior to the completion of the tour of duty, unless engaged in approved training” (Toronto Police Service, 2021, p. 3).
- The TPS utilizes their own Use of Force reporting form to augment the provincially mandated Use of Force reporting form developed by the Province of Ontario. The data from these forms are submitted to a Use of Force Analyst that flags an incident involving a CEW or Use of Force that may be in violation of existing policy or procedure. Additionally, the Use of Force Analyst compiles all forms into quarterly reports and an annual report that are submitted to the Police Service Board.
- Finally, a Sergeant from the Toronto Police Service College Armament Section conducts a bi-weekly CEW usage audit. Specifically, four CEW use incidents are randomly selected bi-weekly from a complete list of all divisions. Upon selection of the four incidents, the officer notes, Use of Force Report and CEW Report are reviewed for each incident. The review consists of the following three phases:
 - Appropriateness of the device application or presentation
 - Articulation / Justification in reference to the Ontario Use of Force Model
 - Training consistency and opportunities for development.

The results of the review are shared with the TPS Professional Standards Unit.

Full Deployment and Drive-Stun Mode

- “Verbally caution the individual before use, when practicable” Toronto Police Service, 2021, p.4).
- Police officers shall NOT use a CEW in Drive Stun Mode or Full Deployment on a subject who is (Toronto Police Service, 2021):
 - Operating a motor vehicle, bicycle or other conveyance, except as a last measure to protect life
 - Subdued and under control.
 - Known to have been in contact with flammable liquids or in a flammable atmosphere (e.g. natural gas leak, drug lab), except as a last measure to protect life.
 - In a precarious position or location where a fall will likely cause serious injury or death, except as a last measure to protect life.
 - In handcuffs (p.2)

- “The use of the CEW on sensitive areas of the body should be avoided. It should not be used on children, pregnant women or the elderly except under exceptional circumstances wherein the use of other force options would reasonably be expected to cause greater potential injury” (Toronto Police Service, 2021, p. 2).
- “When the CEW is used as a Demonstrated Force Presence shall...notify communications dispatcher that there was a CEW “Display Only” and confirm that Toronto Paramedic Services (Paramedics) is not required” (Toronto Police Service, 2021, p. 4).
 - “When the CEW is used in Drive Stun Mode or Full Deployment shall...advise the subject that they have been subjected to a CEW and that the effects are short term. Notify the communications dispatcher that a CEW was used in “Drive Stun Mode” or “Full Deployment”. Request the attendance of Paramedics and monitor the subject until their arrival. Unless the circumstances make it impossible, restrain the subject in a sitting position to promote easier breathing, monitoring them closely” (Toronto Police Service, 2021, p.4).
- “Allow only Paramedics personnel or medical staff to remove the probes, when the skin has been punctured. Service personnel are authorized to remove probes that are only attached to clothing” (Toronto Police Service, 2021, p.4).

Other Jurisdictional Safety Practices Compared to the TPS

Below are the findings of a comparison of TPS policies and procedures regarding safety policies/procedures for CEW use to provincial and other jurisdictional police services in Canada and internationally.

General Safety Principles	
Toronto Police Service	Provincial and Other Jurisdictional Police Services in Canada as well as Internationally
<ul style="list-style-type: none"> • No specific mention of de-escalation is made within the existing TPS CEW use policy. However, all training by the TPS emphasizes de-escalation techniques. 	<ul style="list-style-type: none"> • “Prior to using a CEW, officers should consider whether de-escalation techniques or other force options have not, or will not, be effective in diffusing the situation” (Public Safety Canada, 2016, paras. 6).
<p>The TPS (2020) Use of Force and Equipment policy states:</p> <ul style="list-style-type: none"> • The primary responsibility of a peace officer is to preserve and protect life. • The primary objective of any use of force is to ensure public safety. • Police officer safety is essential to public safety. • The Ontario Use of Force Model does not replace or augment the law; the law speaks for itself. 	<ul style="list-style-type: none"> • “Whenever force is used by any person in Canada it shall be used in compliance with the Canadian Charter of Rights and Freedoms and the Criminal Code” (Public Safety Canada, 2016, paras.4). • “Officers should, in all instances, use an appropriate and reasonable level of force, given the totality of circumstances” (Public Safety Canada, 2016, paras. 5). Similar language is utilized within the Ontario Police Services Act.

General Safety Principles

- The Ontario Use of Force Model was constructed in consideration of (federal) statute law and current case law.
- The Ontario Use of Force Model is not intended to dictate policy to any agency (p.2)
- “The use of a CEW, or any use-of-force option, should be consistent with a federally or provincially recognized use-of-force framework, particularly with respect to having considered or applied de-escalation techniques or other use-of-force options, as appropriate. Prior to using a CEW, officers should consider whether de-escalation techniques or other force options have not, or will not, be effective in diffusing the situation” (Public Safety Canada, 2016, paras. 6). Similar language is utilized with the Ontario Police Services Act.
- Presently the TPS does not utilize body cameras for their officers, therefore this general safety principle does not apply. However, with a move to equip TPS officers with these devices, a policy similar to the ones utilized in New Zealand and New South Wales should be considered.
- “The TASER must not be utilised in situations where the sole purpose is the gathering of digital video and audio evidence” (New Zealand Police Service, 2020, p. 14).

Summary of Similarities and Differences: General Safety Principles

- De-escalation and disengagement are not specified within the TPS CEW policy.
- Two international police services have policies prohibiting the use of a CEW where the sole purpose of the deployment is the gathering of digital video and audio evidence.
- Two of the five Canadian police departments include material in the CEW training regarding crisis intervention and tactical repositioning techniques to create as much space as possible including disengaging and containing if the balance of safety to third parties has been dealt with. Also, the New South Wales Police Force mentions the use of disengagement in the use of force model as a key concept with containment and negotiation being specified tactics.

Training

Toronto Police Service	Provincial and Other Jurisdictional Police Services in Canada as well as Internationally
<ul style="list-style-type: none"> • The Toronto Police College has implemented a mandatory 16-hour course for all members that are issued a CEW. Training includes judgement-based scenarios as well as the use of de-escalation techniques. • All TPS officers must be certified in using CEWs to be equipped with them while on-duty. 	<ul style="list-style-type: none"> • “Operator training must be a minimum of 12 hours with 4 hours devoted to judgement training in accordance with Ontario CEW Trainer’s Manual” (Ontario, 2014, Appendix B p.1). • All police service training material should, at minimum include requirements for officers who are equipped with a CEW, supervisors of officers equipped with a CEW, and professionals

Training

- All policies by the TPS are aligned with the appropriate federal, provincial, and municipal authorities.
 - Once completing the CEW use course, TPS members are required to recertify on an annual basis.
 - The following are the requirements for officers to be re-certified for CEW use:
 - Minimum 75% on the written examination.
 - Demonstrate proficiency with the CEW in drills.
 - Demonstrate proper judgement and proficiency during scenarios.
 - Meet Provincial Standard – Practical test.
 - Attendance and participation for the entire program.
 - Training and re-certification related material and processes are reviewed annually to ensure content is up to date and relevant and consistent. The review includes the use of CEW use data collected by the TPS and provided to the TPSB on a quarterly basis.
- providing training for CEWs (Public Safety Canada, 2016):
- Training policies should be in alignment with the appropriate federal, provincial, and municipal authorities.
 - Trainers and officers trained in the use of CEWs should be recertified once every two years at minimum.
 - All training and re-certification related material and processes should be reviewed regularly to ensure content is up to date and relevant and consistent (paras. 13-14).

Summary of Similarities and Differences: Training

- The TPS provides 16 hours of training for members as well as recertification annually as opposed to the suggested provincial minimum of 12 hours and Public Safety Canada suggested recertification every two years.

Testing

Toronto Police Service	Provincial and Other Jurisdictional Police Services in Canada as well as Internationally
<ul style="list-style-type: none"> • Daily testing of the device before each tour of duty to ensue proper functioning, “the daily test includes a spark test at the beginning of each tour of duty while pointing the CEW into a firearm proving unit and recording the spark test in a memorandum book” (Toronto Police Service, 2021, p.3). 	<ul style="list-style-type: none"> • “CEWs in police inventories should undergo regular testing” (Public Safety Canada, 2016, paras. 15). Although, the specific tests are not publicly available, consultation with a member of the RCMP for this review confirmed that testing referred to the same outlined within the British Columbia Provincial Policing Standards. In British Columbia, testing of the device is

Testing

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| <ul style="list-style-type: none"> • “The Armament Officer conducts random download of the data from the Service-owned CEWs for audit purposes” (Toronto Police Service, 2021, p.7). These regular downloads and audit of each device’s internal data system confirm usage and condition. | <ul style="list-style-type: none"> • required two years after a CEW was purchased and every year thereafter. Testing of the device is to be completely independent from the manufacturer to test the manufacturers specifications including: <ul style="list-style-type: none"> ○ Pulse repetition rate ○ Peak voltage ○ Peak current ○ Net charge ○ Pulse duration (British Columbia, 2021, p.2) • “Only those CEWs that test within approved operating parameters should be used for field deployment” (Public Safety Canada, 2016, paras. 16). Similar language is utilized with the Ontario Police Services Act. |
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- “Any time a CEW is activated, the date, time and duration of the firing is recorded in a microchip. This data will be downloaded for analysis and audit purposes. The CEW has a built-in weapon management system to prevent misuse/abuse and protect officers from unfounded allegations through documentation of usage” (Toronto Police Service, 2021, p.2).
 - TPS members are required to notify a supervisor as well as complete and submit a provincial use of force report as well as service specific use of force report upon the use of a CEW in either full deployment or drive-stun mode. An additional injury report in cases such as, but not limited to, probe and burn marks. In case of a death or serious injury then the TPS is required to notify the SIU.
 - “Any CEW that has been used proximal to an incident resulting in death or serious injury should be immediately sent for testing, while respecting appropriate legislated police service obligations or practices related to such investigations” (Public Safety Canada, 2016, paras. 17). In accordance with the standards of the province of British Columbia the testing of the device should be completed independently from the manufacturer to test the manufacturers specifications including:
 - Pulse repetition rate
 - Peak voltage
 - Peak current
 - Net charge
 - Pulse duration (British Columbia, 2021, p.2)

Summary of Similarities and Differences: Testing

- TPS policies regarding testing of a CEW are aligned with other jurisdictions.

Supervising	
Toronto Police Service	Provincial and Other Jurisdictional Police Services in Canada as well as Internationally
<ul style="list-style-type: none"> • Regarding supervisory of CEW use: <ul style="list-style-type: none"> ○ “Supervisory Officer attendance mandatory when a CEW has been used in Drive Stun Mode or Full Deployment” (Toronto Police Service, 2021, p.1). ○ “Supervisory Officer notification is mandatory when a CEW has been used in Demonstrated Force Presence, Drive Stun Mode or in Full Deployment” (Toronto Police Service, 2021, p.1). • A supplemental Human Resource Management System (HRMS) is utilized by the TPS to log which members are qualified/licensed to carry a CEW that will be valid for one year. Once an officer is qualified/licensed and that information is uploaded into the HRMS, all officers and their direct supervisors will receive a total of six notifications reminding them of their date of renewal throughout the year. • To maintain an accurate inventory, “a Supervisor shall obtain from the secure CEW storage cabinet the number of CEWs that are required for issue to qualified CEW operators. The supervisor shall personally issue the CEW to the officer and record the serial number of the issued CEW. The serial numbers of the CEW’s shall be entered on the unit parade sheets. The officer receiving the CEW shall record the serial number in his/her memorandum book. The officer utilizes the AIMS to record the issuance of the CEW. Upon returning the CEW to a supervisory officer, the officer ensures that the CEW is unloaded and utilizes AIMS to record the return of the CEW” (Toronto Police Service, 2021, p.3). <ul style="list-style-type: none"> ○ “When [officers] are issued with a CEW they are required to complete a spark test at the beginning of each tour of duty while pointing the CEW into a firearm proving unit and record the spark test in the 	<ul style="list-style-type: none"> • Policies and procedures should be established to describe supervisory duties for monitoring CEW storage, maintenance, reporting, and use. Additional policies should be established to (Public Safety Canada, 2016): <ul style="list-style-type: none"> ○ Ensure that officers meet all training and recertification requirements. ○ Maintain an accurate inventory of all devices, including the operational status and current location of each CEW ○ Ensure that officers conduct appropriate pre-shift and post-shift CEW checks and maintenance and submit a report in all instances where a CEW is deployed. ○ Establish a system to track CEW product notifications and, as necessary, notify all CEW users (paras. 19-20).

Supervising	
<p>memorandum book” (Toronto Police Service, 2021, p.3).</p> <ul style="list-style-type: none"> The TPSC will issue CEW product notifications in the form of a memo internally to members of the TPS. 	

Summary of Similarities and Differences: Supervising

- The TPS has comprehensive policies in place for reporting the use of CEWs.
- An internal inventory and human resource software program used by the TPS ensures that only officers certified to use CEWs receive them and that all devices are accounted for and verified for safe use by officers.

Reporting	
Toronto Police Service	Provincial and Other Jurisdictional Police Services in Canada as well as Internationally
<ul style="list-style-type: none"> Provincial and TPS specific use of force forms are submitted to a Use of Force Analyst that flags incidents involving CEW or Use of Force that may be in violation of existing policy or procedure. A Sergeant from the TPSC Armament Section conducts a bi-weekly CEW usage audit. Specifically, four CEW use incidents are randomly selected bi-weekly from a complete list of all divisions. Upon selection of the four incidents, the officer notes, Use of Force Report and CEW Report are reviewed for each incident. The review consists of the following three phases: <ul style="list-style-type: none"> Appropriateness of the device application or presentation Articulation / Justification in reference to the Ontario Use of Force Model Training consistency and opportunities for development. <p>The results of the review are shared with the TPS Professional Standards Unit.</p> “The Professional Standards Unit will be notified and commence an immediate investigation of any incident involving the use of the CEW on handcuffed persons” (Toronto Police Service, 2021, p.3). 	<ul style="list-style-type: none"> Supervisors of police officers employing CEWs operationally should receive training on how to monitor their subordinates for, and report on instances of, excessive force and appropriate individual member performance in CEW-related use of force incidents (Public Safety Canada, 2016, paras 22).

Reporting	
<ul style="list-style-type: none"> Any time a CEW is used as Demonstrated Force Presence, Drive Stun Mode, Full Deployment or accidental or negligent discharges, a Use of Force Report and a TPS 584 Conducted Energy Weapon Use Report shall be completed and submitted prior to the completion of the tour of duty, unless engaged in approved training. The TPS Use of Force Analyst compiles all the forms into quarterly reports and an annual report that are submitted to the Police Service Board. The TPS utilizes their own Use of Force reporting form to augment the provincially mandated Use of Force reporting form developed by the Province of Ontario. 	<ul style="list-style-type: none"> Police services should establish and maintain a comprehensive reporting system that captures CEW use (Public Safety Canada, 2016), paras. 21). Police officers should, in all instances where a CEW is deployed, submit a use of force report. The use of force report should include all relevant information on the incident such as surroundings, subject behaviour, officer perceptions and other considerations (Public Safety Canada, paras 23). Reports on CEW use, in an appropriate form, should be available to the public (Public Safety Canada, 2016, paras. 24).

Summary of Similarities and Differences: Reporting

- The TPS adheres to reporting policy recommendations and provides the most comprehensive information to the public regarding CEW use of any police service included in this review.

Full Deployment and Drive-Stun Mode	
Toronto Police Service	Provincial and Other Jurisdictional Police Services in Canada as well as Internationally
<ul style="list-style-type: none"> “Verbally caution the individual before use, when practicable” Toronto Police Service, 2021, p.4). <ul style="list-style-type: none"> The TPS does not have a supplement note regarding the provision of a reasonable amount of time to comply with a warning prior to using or continuing the use of a CEW. 	<ul style="list-style-type: none"> Verbal warnings should be provided by the office for an individual(s) prior to using a CEW when tactically feasible. <ul style="list-style-type: none"> “Allow a subject a reasonable amount of time to comply with a warning prior to using or continuing the use of a Taser, unless doing so would compromise the safety of a Department member or another person” (Chicago Police Department, 2019, p 3).
<ul style="list-style-type: none"> Police officers shall NOT use a CEW in Drive Stun Mode or Full Deployment on a subject who is (Toronto Police Service, 2021): <ul style="list-style-type: none"> Operating a motor vehicle, bicycle or other conveyance, except as a last measure to protect life Subdued and under control. Known to have been in contact with flammable liquids or in a flammable atmosphere (e.g. natural gas leak, drug 	<ul style="list-style-type: none"> “Do not discharge a CEW against a person where the person is at risk of a fall from an elevated height, unless the officer has reasonable grounds to believe that the potential for death or grievous bodily harm is justified” (British Columbia, 2015, p.2). The Chicago Police Department (2020) has a similar guideline as well as the following noting, “when practical, department

Full Deployment and Drive-Stun Mode

<p>lab), except as a last measure to protect life.</p> <ul style="list-style-type: none"> ○ In a precarious position or location where a fall will likely cause serious injury or death, except as a last measure to protect life. ○ In handcuffs (p.2). <ul style="list-style-type: none"> ● “The use of the CEW on sensitive areas of the body should be avoided. It should not be used on children, pregnant women or the elderly except under exceptional circumstances wherein the use of other force options would reasonably be expected to cause greater potential injury” (Toronto Police Service, 2021, p. 2). 	<p>members should avoid the use of a Taser on subjects who:</p> <ul style="list-style-type: none"> ○ Could fall and suffer an impact injury to the head or other area; ○ Could fall on a sharp object or surface (e.g. holding a knife, falling on glass); ○ May be less able to catch or protect themselves in a fall (e.g. restrained, handcuffed, incapacitated, or immobilized); ○ May have impaired reflexes (e.g. from alcohol, drugs, or certain medications); ○ Are running, or are otherwise in motion;” (pp.2-3) <ul style="list-style-type: none"> ● “Prohibited use on an individual that is known to have been in contact with flammable liquids, or in a flammable atmosphere (e.g. natural gas leak, drug lab)” (Ontario, 2014, p.2). ● “Where possible, CEW use should be avoided on a subject in control of a moving vehicle, bicycle, snowmobile or other conveyance.” (Public Safety Canada, 2016, paras.11). ● “Where possible, CEW use should be avoided on sensitive areas of the body (e.g. head, neck, genitals)” (Public Safety Canada, 2016, paras. 11). ● “Where possible, CEW use should be avoided on a woman known to be pregnant, elderly person, young child or visibly frail person” (Public Safety Canada, 2016, paras. 11). ● “Do not discharge a CEW against a person in water where there is a danger of the person drowning due to incapacitation from the CEW, unless the officer has reasonable grounds to believe the potential for death or grievous bodily harm is justified” (British Columbia, 2015, p.2).
<ul style="list-style-type: none"> ● There are no existing procedures regarding the avoidance of multiple or extended cycles nor the use of multiple CEWs or multiple completed circuits. 	<ul style="list-style-type: none"> ● “Multiple or extended cyclings should be avoided unless a single deployment is ineffective in eliminating the risk or in allowing

Full Deployment and Drive-Stun Mode

	<p>the officer(s) to gain physical control of the subject” (Public Safety Canada, 2016, paras.10).</p> <ul style="list-style-type: none"> • “Do not use multiple CEWs or multiple completed circuits at the same time without justification. Multiple CEWs or multiple completed circuits at the same time could have cumulative effects and result in increased risks.” (Axon Enterprise Inc., 2018, p.2).
<ul style="list-style-type: none"> • “When the CEW is used as a Demonstrated Force Presence shall...notify communications dispatcher that there was a CEW “Display Only” and confirm that Toronto Paramedic Services (Paramedics) is not required” (Toronto Police Service, 2021, p. 4). <ul style="list-style-type: none"> ○ “When the CEW is used in Drive Stun Mode or Full Deployment shall...advise the subject that they have been subjected to a CEW and that the effects are short term. Notify the communications dispatcher that a CEW was used in “Drive Stun Mode” or “Full Deployment”. Request the attendance of Paramedics and monitor the subject until their arrival. Unless the circumstances make it impossible, restrain the subject in a sitting position to promote easier breathing, monitoring them closely” (Toronto Police Service, 2021, p.4). • “Allow only Paramedics personnel or medical staff to remove the probes when the skin has been punctured. Service personnel are authorized to remove probes that are only attached to clothing” (Toronto Police Service, 2021, p.4). 	<ul style="list-style-type: none"> • “Where operationally feasible and taking into consideration the availability of health care professionals in isolated rural, remote and Northern communities, medical assistance should be sought as soon as practicable when a situation necessitates multiple or extended cyclings of a CEW. Medical assistance should be sought when an individual has any apparent injuries, is in obvious distress, or requests medical assistance.” (Public Safety Canada, 2016, paras. 12). In British Columbia (2013), there is a requirement to: <ul style="list-style-type: none"> ○ Ensure that officers request paramedic attendance at all medically high-risk incidents before the discharge of the CEW or, if that is not feasible, as soon as possible thereafter. Medically high-risk incidents include when a CEW is discharged in: <ul style="list-style-type: none"> ▪ Probe mode across the person’s chest; ▪ Probe mode for longer than five seconds; or ▪ Any mode against: <ul style="list-style-type: none"> ❖ An emotionally disturbed person, ❖ an elderly person, ❖ a person who the officer believes is pregnant, ❖ a child, or ❖ a person who the officer has reason to believe has a medical condition (e.g., heart disease, implanted pacemaker or defibrillator) (p.2).

Full Deployment and Drive-Stun Mode

- “A Taser should not be used in either probe mode or drive stun mode...punitively for purposes of coercion or as a prod to make a person move” (Queensland Police Service, 2019, p.14).

Summary of Similarities and Differences: Full Deployment and Drive-Stun Mode

- All police services have similar requirements for the use of verbal warnings when possible, and all utilize similar warnings. For example, “TASER, TASER, TASER!” (New Zealand Police Service, 2020, p.11). Additionally, most of the police departments include a section outlining the requirement for officers to utilize de-escalation techniques whenever practicable during potentially volatile and/or volatile situations. For example, Provincial standards in British Columbia specify that an officer must have “satisfied, on reasonable grounds, that crisis intervention and de-escalation techniques have not been or will not be effective in eliminating the risk of bodily harm; and no lesser force option has been, or will be, effective in eliminating the risk of bodily harm” (British Columbia, 2015, p.2).
- All departments are similar in the recommended target area of intended probe deployment. All include attempting to keep the targeting of the probes away from the heart. The LAPD specifies targeting the forearm, outside of thigh, calf muscle for drive-stun/direct-stun.
- TPS officers are not allowed to remove probes, except when they are deposited within an individual’s clothes. Alternatively, three of the five Canadian municipal police services allow for members to remove probes without the presence of medical staff if the probes are not in sensitive areas (i.e. head, throat, and genitals).
- TPS does not have policies advising against the use of extended or multiple cycles nor the use of multiple CEWs or multiple completed circuits.
- TPS does not have policies regarding the use of CEW on an individual in water.
- The New York Police Department and Queensland Police Service have specific policies that either prohibit or state that officers should not use a CEW for the purpose of coercion or punishment. The respective Use of Force Models for these services would not allow for this type of use. Unfortunately, no reason for these inclusions could be sourced to include in this review.
- In British Columbia, there is a policy for officers to call paramedics prior to the use of a CEW for all medically high-risk incidents when feasible. This is something to be considered by the TPS, although no supporting statistics may be provided to this procedure verifying the benefits.

Key Findings

Overall, the TPS is exceeding the training requirements for CEWs established by the RCMP and the Province of Ontario. Furthermore, TPS policies and procedures associated with the use and oversight of CEWs are some of the most comprehensive in comparison to other Canadian police services in this review. With that said, the following opportunities for improvement have been identified for

consideration by the TPS based on policies from national and international police services/departments included in this review:

- Incorporating the priority of using de-escalation prior to other use of force options by officers as well as the rationale for using de-escalation and the goals of the technique into the existing TPS procedures for using a CEW.
- Train officers in methods of creating distance to release containment pressure on a subject including disengaging (situationally dependant) within the existing use of force and CEW training, policies, and procedures.
- Incorporate a definition of sensitive areas (i.e. head, genitals, and neck) within the existing CEW policy.
- Add the weight of a subject, drug/substance use, and distance within the existing CEW policy as conditions that may impede the effectiveness of the CEW.
- Adding to the existing CEW policy for officers' instructions to only consider multiple or extended cycles in exceptional circumstances and after reassessment of the situation which caused the initial use of a CEW.
- Prohibiting the use of a CEW for the sole purposes of gathering digital video and audio evidence as well as using the device as a form of coercion or punishment.

Finally, the TPS may explore the option of incorporating a session into the annual in-service for officers to ask questions from a use of force expert instructor as well as talk with other members and share their experiences and lessons learned regarding decisions to use force as well as other options. However, a formal evaluation framework should be established to verify the value of these sessions for the service.

Commendations and Recommendations

Below are the commendations and recommendations for the TPS based on the findings of this review. The recommendations have been separated into mutually reinforcing categories wherever possible.

Commendations

1. **Improved De-escalation Training and Research into Less-Lethal Force Options:** In 2017, the TPS added a three-week judgement and decision-making training course for all recruit classes as well as an in-service day on de-escalation training for all members. The TPS have also incorporated de-escalation tactics into all use of force reality-based training scenarios. Further, the TPS implemented the use of soft-nosed impact rounds in 2016 and piloted the potential use of shields by general patrol members to respond to volatile incidents involving the public. Finally, the TPS do more reality-based training scenarios, often regarded as the ultimate standard in training, compared to the other five police services included in this review.
2. **Use of Force and CEW Policies:** The TPS was found to have clear policies regarding the use of CEWs with appropriate safety policies and controls in comparison to other police services included this review. The exception was the lack of policy related to multiple and/or simultaneous deployments which is included as a recommendation to this review.
3. **CEW training and Recertification:** The TPS provides four more hours of training for members than the 12 hours required by the Province of Ontario. They also require recertification annually compared to the minimum of two years required by the RCMP. Also, the TPS has included rapid cognition in their training drills that provide officers with opportunities to improve decision-making skills. Finally, the TPS has the highest volume of reality-based training scenarios compared to the five other municipal police services in Canada utilized in this review.
4. **Mobile Crisis Intervention Teams:** The development of these teams over the past 20 years by the TPS are an indication of the service's commitment to providing a holistic approach to individuals experiencing a mental health crisis. By the end of 2021, the Mobile Crisis Intervention Teams, along with the crisis care case managers, and Divisional Crisis Support Officers will be available 24 hours a day, seven days a week. These teams and positions will help individuals experiencing a mental health crisis by providing assessment, stabilizing supporting, and referrals. Improving interactions between police and individuals experiencing a mental health crisis is an important topic for national and international police services. These steps by the TPS will better situate the service to safely address individuals experiencing a mental health crisis.
5. **CEW Reporting:** The TPS collects more in-depth information and reports it more frequently than most of the police services included in this review. Specifically, the information collected regarding perceived subject behaviour and condition, number of cycles, and type of incident. The collection of race-based data by TPS which started in 2020 will align the service with similar

data collected by the international police services included in this review. Further, the TPS is only the police service found in this review to provide a stand-alone report on CEWs. The TPS provides quarterly reports on the specific use of CEWs which is more frequent than other police services. Only the Chicago Police Department and the New York Police Department reports use of force data more frequently. They do so via a public dashboard that is updated monthly. However, the dashboard lacks the level of detail that the TPS is reporting.

6. **Conducting Reviews on CEW Use:** the TPS is in alignment with leading practices that suggest regular reviews of CEW policies and procedures to ensure they are up to date and reflect best practices.

Recommendations

1. **Further Expanding Training in Disengagement /Releasing Containment Pressure/Creating Space in CEW :** Augmenting the existing knowledge-based training regarding creating space/disengagement with reality-based training scenarios, may reduce the number of incidents involving a use of force tactic/tool including CEWs by TPS. These tactics could be considered for a variety of situations when the TPS are attending a call with or without a weapon involved, including those involving a person in crisis, to ensure officers' tactics, when possible, contribute to avoiding or mitigating the subject's ability or opportunity to carry out an assault. Creating space/disengagement may take several forms and the scenarios should be designed to reflect the most appropriate level of disengagement. Scenarios should include a spectrum of disengagement options, for example:
 - Complete Disengagement: a scenario where the officer identifies that the police have no lawful authority to continue staying engaged with a subject who has expressed no desire to continue interacting with the police.
 - Full Structure Disengagement: a scenario where the totality of the circumstances would suggest to the officers that the best course of action is to remove themselves from the structure, contain and request special resources (Tactical team, Crises Counselor etc.)
 - Disengagement Through Tactical Repositioning: a scenario where it is recognized that the containment of an individual experiencing a mental health crisis can be safely expanded to provide more time/distance for officers and lower the containment pressure on the individual.

The training needs to focus on the officer's understanding of the balance between the safety of the individual, third parties and officer(s) on scene by utilizing these tactics. Additionally, the safety and security of other third parties must always be considered by the officer prior to disengagement. One main objective of all additional reality-based training scenarios would include the officers priming the scene by removing third parties, ensuring the officer has an exit for them if required, utilizing the environment to their advantage, and containing the scene at a place the officers have a position of advantage. While priming the scene the officer would rely on de-escalation training to continue to address the incident. One example for reality-based training that could be considered for the above tactics includes a person in crisis situation

where the police officers themselves, simply because they are the police, are the stimulus for the escalation of the subject's physical and mental anxiety. Another scenario could include the subject displaying pre - "suicide by cop" behaviour and verbal cues.

2. **Inclusive Training for All Officers:** The findings of the Andrew Loku Inquest as well as the input of several stakeholders interviewed for this review recommend that the TPS should expose members and recruits in training to the perspective of individuals from racialized communities as well as individuals with a mental health condition(s). The purpose would be to help officers understand how individuals are interpreting the officers' actions and comments that, in turn, will help to improve de-escalation techniques. Presently, the TPS is working on addressing this recommendation, aligned with recommendations 52 to 58 of the Andrew Loku Inquest.
3. **CEW Data and Use of Force Data:** The TPS should begin to collect information regarding the use of CEW during suicide calls, like the practice in New Zealand. Additionally, information should be collected regarding the number of injuries, severity of those injuries, as well as the effectiveness of other use of force tactics/tools. These additional data points would provide a more robust comparison of use of force tactics/tools utilized by the TPS to share with the public. Finally, the TPS should consider the feasibility of using a publicly available dashboard to provide use of force statistics to the public. The Chicago Police Department has a publicly available dashboard that is updated monthly with information limited to the frequency of CEW use as well as the age, sex, ethnicity, and if the individual was in possession of weapon. Due to the amount and level of depth of information collected by the TPS regarding CEW use, monthly updates would not be as robust as the quarterly or annual reports currently developed by the TPS.
4. **Continuous Monitoring of CEW Expansion:** Police services nationally and internationally are increasingly providing CEWs to all uniform officers because it has proved to be an effective tool in addressing individuals armed with an edged weapon and/or individuals that are assaultive or may cause serious bodily harm to themselves or others. The unique benefit of neuromuscular incapacitation and the low injury rates for officers and subjects compared to other use of force tactics/tools are two primary reasons for the increasing deployment of this device. There was a high degree of consensus among many of the stakeholders on the strengths of the approach taken by the TPS to the broader distribution of CEWs in the Toronto Police Service. The process has taken five years and involved extensive community consultation and reviews of best practices in other jurisdictions as well as being complete along with the development of the de-escalation policy. Overall, the TPS has continually sought to improve the safe and effective use of the CEW and should continue to do so into the future.
5. **In-Service Training:** a session should be provided to officers during annual in-service training to discuss their experience with the use of CEWs and possibly other use of force tactics/tools. These sessions would augment knowledge and reality-based training by providing a formal opportunity for officers to ask a use of force expert any questions that they have as well as to share and exchange suggestions and insights regarding decisions to utilize use of force tactics/tools or alternatives to them. These discussions need to be focused on education, as opposed to punishment or fault finding, to ensure officers feel supported and to gain value

from the discussions to improve performance. Once incorporated into annual in-service training sessions by the TPS, the TPS should establish a formal evaluation framework to properly measure the outcomes of these sessions. For instance, indicators might include monitoring the level of confidence officers have in using specific use of force tactics/tools, a reduction in injury for both officers and individuals, or a reduction in use of force incidents by the service.

6. **Specific Policy Improvements:** In comparison to other jurisdictional CEW policies and procedures included in this review, the following opportunities for improvement have been identified for the TPS to consider:
 - a. Incorporating the priority of using de-escalation prior to other use of force options by officers as well as the rationale for using de-escalation and the goals of the technique into the existing TPS procedures for using a CEW.
 - b. Reinforce methods to create distance to release containment pressure on the subject including disengaging (situationally dependant) within the existing use of force and CEW training, policies, and procedures.
 - c. Incorporate a definition of sensitive areas (i.e. head, genitals, and neck) within the existing CEW policy.
 - d. Add weight of an individual, drug/substance use, and distance within the existing CEW policy as conditions that may impede the effectiveness of the CEW.
 - e. Adding to the existing CEW policy to consider multiple or extended cycles only in exceptional circumstances and after reassessment of the situation which caused the initial use of CEW.
 - f. Prohibiting the use of a CEW for the sole purposes of gathering digital video and audio evidence as well as using the device as a form of coercion or punishment.

Finally, one additional opportunity for further exploration by the TPS would be including Crisis Counsellors in the Communication Centre. These counsellors would be available for officers and callers (subject in crisis) to provide mental health support over the phone. The ultimate goal of the support provided by the Crisis Counsellor would be to get a subject to exit the location where the subject is as long as it is safe, or to get the subject to where the officer(s) on scene deem is the safest when they are ready and in place - similar to how an armed and barricaded situation is currently dealt with by police.

Within the Toronto Police Service there are the General Patrol Units but also specially trained units such as Emergency Task Force and K-9 Unit. The proposed Crisis Counsellor would be a similar specialist, trained to help officers for calls for service that meet a particular threshold such as a suicidal individual. A well-trained police officer, generally speaking, will be better at policing than a crisis counselor, and a professionally trained crisis counselor will be better at handling a person in crisis than a police officer or emergency call taker.

The proposed Crisis Counsellor/Call Taker would be accessed by:

- Accessing the Crisis Counsellor could be done in three ways:
 - First, the Crisis Counsellor could take over calls involving someone in a personal crisis that meets the TPS threshold (e.g. suicidal), if available. Like when other specialty units including the Emergency Task Force take over once a threshold is met.

- Second, TPS officers on-duty would be able to use a separate radio channel to access support from the Crisis Counsellor. Once contacted by the officer(s), the Crisis Counsellor could work with the officers attending the scene and stay as a resource throughout the call. The Crisis Counsellor would also be trained in what officer safety issues are important. The same balance of the safety of the third parties including police officer safety would need to be considered at all times (subject alone in a house, what weapon does he/she say they have, is it a house or a business, a bridge, etc.). This would also allow the police officers real-time assistance with the Crisis Counselor who understands the subject's crisis before the officers arrive and can work with them resulting in a successful conclusion.
- Third, crisis help lines operated by other organizations in Toronto could transfer calls directly to the Crisis Counsellors who they could work with before the call is transferred via a separate number.
- The Crisis Counsellor/Call Taker could still be one team, that is, crisis counselors could still answer regular phone calls if there are no crises taking place. However, if a call meets the threshold decided by the TPS the Crisis Counsellors take the call over.

It is important to note that this approach would not always be feasible. For instance, when someone calls 911 to inform them that they have received a text from a family member expressing suicidal intentions, but that individual is not answering their phone. For these situations the Mobile Crisis Team may be a possible option. Also, there would be added expenses involved for adding or training existing call takers to be Crisis Counsellors.

To be clear, this is only a possible opportunity for the TPS to explore. While completing this review, there were no other police services that had a program or approach similar to the one described above. The suggested approach of adding a Crisis Counsellor to the communication centre is the result of a culmination of input gathered for this review and an analysis of options available by the individuals completing this review. As a result, there is no guarantee of impact or cost-effectiveness associated with this suggestion. Alternatively, further investigation as to the feasibility and effectiveness of this opportunity would be required if deemed to be an approach worth pursuing by the relevant TPS decision-makers. With that said, the TPSC representatives engaged while completing this review indicated that the service is investigating the utility of this position and approach.

Appendix A: Lacobucci Inquest

The following 16 recommendations are direct excerpts from the 2014 Police Encounters with People in Crisis – An Independent Review Conducted by the Honorable Frank Lacobucci applicable to CEWs:

- Recommendation 55: The TPS advocate an interprovincial study of the medical effects of conducted energy weapon (CEW) use on various groups of people (including vulnerable groups such as people in crisis), as suggested by the Goudge Report.
- Recommendation 56: The TPS collaborate with other municipal, provincial, and federal police services to establish a central database of standardized information concerning matters related to the use of force, and CEW use specifically, such as:
 - the location of contact by CEW probes on a subject's body;
 - the length of deployment and the number of CEW uses;
 - any medical problems observed by the officers;
 - any medical problems assessed by Emergency Medical Services (EMS) or hospital staff;
 - the time period between the use of a CEW and the manifestation of medical effects;
 - the subject's prior mental and physical health condition;
 - the use of CEWs per ratio of population;
 - the use of CEWs per ratio of officers equipped with the devices; and
 - the use of CEWs in comparison to other force options.
- Recommendation 57: The TPS review, and if necessary amend, the Use of Force and CEW Report forms to ensure that officers are prompted to include all standardized information required for the database proposed in Recommendation 56.
- Recommendation 58: The TPS collaborate with Local Health Integration Networks, hospitals, EMS, and other appropriate medical professionals to standardize reporting of data concerning the medical effects of CEWs.
- Recommendation 59: The TPS consider conducting a pilot project to assess the potential for expanding CEW access within the Service, with parameters such as:
 - Supervision: at an appropriate time to be determined by the TPS, CEWs should be issued to a selection of front line officers in a limited number of divisions for a limited period of time with the use and results to be closely monitored;
 - Cameras: all front line officers who are issued CEWs should be equipped either with body-worn cameras or audio/visual attachments for the devices;
 - Reporting: the pilot project require standardized reporting on issues such as:
 - frequency and circumstances associated with use of a CEW, including whether it was used in place of lethal force;
 - frequency and nature of misuse of CEWs by officers;
 - medical effects of CEW use; and
 - the physical and mental state of the subject;
 - Analysis: data from the pilot project be analyzed in consideration of such factors as:

- whether CEWs are used more frequently by primary response units, as compared to baseline information on current use of CEWs by supervisors;
 - whether CEWs are misused more frequently by primary response units, as compared to baseline information on current use of CEWs by supervisors;
 - the disciplinary and training responses to misuses of CEWs by officers and supervisors;
 - whether use of force overall increased with expanded availability of CEWs in the pilot project;
 - whether use of lethal force decreased with expanded availability of CEWs in the pilot project; and
 - whether TPS procedures, training or disciplinary processes need to be adjusted to emphasize the objective of reducing deaths without increasing the overall use of force or infringing on civil liberties; and
- Transparency: the TPS report the results of the pilot project to the Toronto Police Services Board (TPSB), and make the results publicly available.
- Recommendation 60: The TPS ensure that all CEWs issued to members (including those CEWs already in service) are accompanied by body-worn cameras, CEW audio/visual recording devices, or other effective monitoring technology.
- Recommendation 61: The TPS ensure that CEW Reports are reviewed regularly, and that inappropriate or excessive uses are investigated.
- Recommendation 62: The TPS discipline, as appropriate, officers who over-rely on or misuse CEWs, especially in situations involving non-violent people in crisis.
- Recommendation 63: The TPS provide additional training, as appropriate, to officers who misuse CEWs in the course of good faith efforts to contain situations without using lethal force.
- Recommendation 64: The TPS require officers to indicate on CEW Reports whether, and what, de-escalation measures were attempted prior to deploying the CEW.
- Recommendation 65: The TPS carefully monitor the data downloaded from CEWs on a periodic basis, investigate uses that are not reported by Service members and discipline officers who fail to report all uses appropriately.
- Recommendation 66: The TPS periodically conduct a comprehensive review of data downloaded from CEWs and audio/visual attachments or body cameras, to identify trends in training and supervision needs relating to CEWs as well as the adequacy of disciplinary measures following misuse.
- Recommendation 67: The TPS revise its CEW procedure to emphasize that the purpose of equipping certain officers with CEWs is to provide opportunities to reduce fatalities and serious injuries, not to increase the overall use of force by police.
- Recommendation 68: The TPS review best practices on safety of CEWs in different modes, both from TPS personnel that are already using CEWs and from other jurisdictions that have implemented policies on permitted methods of discharging CEWs.
- Recommendation 69: The TPS consider the appropriate threshold for permissible use of CEWs, and in particular whether use should be limited to circumstances in which the subject is causing bodily harm or poses an immediate risk of bodily harm to the officer or another person, and no

lesser force option, de-escalation or other crisis intervention technique is available or is effective.

- Recommendation 70: The TPS require that all officers equipped with CEWs have completed Mental Health First Aid or equivalent training in mental health issues and de-escalation techniques.
- Recommendation 71: The TPS ensure that training on potential health effects of CEWs, including any heightened risks for people in crisis or individuals with mental illnesses, is updated regularly as the state of knowledge on the topic advances (pp.95-99).

Appendix B: JKE Inquest

The following recommendations are the most relevant to the purpose of this review (2014):

1. Conduct, jointly or separately, a comprehensive research study to establish metrics against which current and future police training (delivered by the Toronto, Police Service and Ontario Police College respectively) can be evaluated to determine whether and how practices on which officers are trained are being adopted in the field.
8. The TPS and MCSCS shall consider, evaluate and implement strategies to maximize training opportunities for officers to be educated on the perspective of mental health consumers/survivors by:
 - a. incorporating more information about consumer/survivors; and
 - b. increasing opportunities for contact between officers and consumer/survivors.
9. Maximize emphasis on verbal de-escalation techniques in all aspects of police training at the Ontario Police College, at the annual in-service training program provided at Toronto Police College and at the TPS Divisional level.
10. With respect to situations involving EDPs in possession of an edged weapon:
 - a. If the EDP has failed to respond to standard initial police commands (i.e. "Stop. Police.", "Police. Don't move.", and/or "Drop the Weapon."), train officers to stop shouting those commands and attempt different defusing communication strategies.
 - b. Train officers in such situations to coordinate amongst themselves so that one officer takes the lead in communicating with the EDP and multiple officers are not all shouting commands.
11. Incorporate the facts and circumstances of each of these three deaths into scenario-based training. In particular, incorporate a neighbourhood foot pursuit of an EDP armed with an edged weapon, with several responding officers (not just two) to emphasize the importance of coordination, containment, and communication between the responding officers.
14. Train officers to, when feasible and consistent with officer and public safety, take into account whether a person is in crisis and all relevant information about his/her condition, and not just his/her behaviour, when encountering a person in crisis with a weapon (pp.2-4).

Appendix C: 2016 Ombudsman Report Recommendations

The following 22 recommendations are direct excerpts from the 2016 Ombudsman Report:

Ministry leadership

1. The Ministry of Community Safety and Correctional Services should use its legal and moral authority to take the lead on the issue of de-escalation and police-involved shootings of persons in crisis.

De-escalation regulation

2. The Ministry of Community Safety and Correctional Services should develop and implement a regulation on de-escalation, modelled on the Suspect Apprehension Pursuit Regulation, which requires officers to use communications and de-escalation techniques in all situations of conflict before considering force options, wherever tactical and safety considerations permit. This should be done as quickly as possible, and no later than 12 months after the publication of this report.

New use of force model

3. The Ministry of Community Safety and Correctional Services should institute a new use of force model that is easy to understand and clearly identifies de-escalation options, rather than just use of force options. Both the B.C. and Las Vegas models have clarity and balance, but Ontario should lead by developing its own model that builds on the best of what others have done. Given the urgency of this issue, a new model should be developed and rolled out to all police services as quickly as possible, and no later than 12 months after the publication of this report.

Coroner's jury recommendations

4. The Ministry should formally and publicly respond to all coroner's jury recommendations involving police use of force and de-escalation. This should be completed on a priority basis. The Ministry should also keep a complete and accurate record of actions taken to address coroner's jury recommendations.

Improving training

5. The Ministry of Community Safety and Correctional Services should offer more guidance for recruits and in-service officers on the use the police challenge, including when the police challenge has not been successful in de-escalating a situation and when, so long as safety and tactical considerations permit, to use de-escalation techniques. This guidance should be incorporated into a de-escalation regulation.
6. The Ministry of Community Safety and Correctional Services should revise edged-weapons training for recruits and in-service officers to stress de-escalation techniques as the first option when facing a person with an edged weapon, provided that public and officer safety and tactical considerations permit.

Recruit training

7. The Ministry of Community Safety and Correctional Services should expand the training period for new recruits at the Ontario Police College and use the additional time for more explicit training on de-escalation techniques and for practicing more de-escalation scenarios.
8. The Ministry of Community Safety and Correctional Services should use the expanded Ontario Police College curriculum to offer more training on mental illness, and strategies to de-escalate situations involving persons in crisis.
9. The Ministry of Community Safety and Correctional Services should expand mandatory annual use of force refresher/requalification training to two days, with one day dedicated to use of force techniques and one day to de-escalation techniques. This should also include clear guidelines to evaluate an officer's use of de-escalation techniques. The Ministry should monitor police services' implementation of this expanded course.

On-the-job training

10. The Ministry of Community Safety and Correctional Services should require scenario-based training as part of annual refresher training and provide recommended content.
11. The Ministry of Community Safety and Correctional Services should develop a standard syllabus on de-escalation, with definitions and training techniques, to ensure a consistent, high standard of in-service training of police officers across the province.
12. The Ministry of Community Safety and Correctional Services should revise the curriculum for use of force trainers to better enable them to provide training on de-escalation techniques as part of annual training for police officers. Rather than repeat basic concepts from recruit training, the trainers' course should focus on teaching de-escalation techniques and strike a better balance between use of force tactics and de-escalation tactics.
13. The Ministry of Community Safety and Correctional Services should set guidelines for the selection of use of force trainers, so that de-escalation and communications expertise is given equal weight with weapons training experience.
14. The Ministry of Community Safety and Correctional Services should institute and monitor a mandatory two-year recertification for use-of force trainers, the same as it does for those who teach officers to use Tasers.

Reporting, tracking and using de-escalation stories

15. The Ministry of Community Safety and Correctional Services should develop a standard reporting process that enables feedback and learning on de-escalation. The process should be used after all interactions with people perceived to be suffering from a mental illness or who are otherwise in crisis, where force was an option but was not used, and where the situations were successfully de-escalated.
16. The Ministry of Community Safety and Correctional Services should monitor de-escalation reports to identify best practices and use the information as a learning tool for recruits and in-service training. Successful de-escalations should be shared among police services as a model of expected behaviour.
17. The Ministry of Community Safety and Correctional Services should work with the Ministry of the Attorney General and the Special Investigations Unit to analyze information collected in SIU

investigations into incidents involving the death or serious injury of persons perceived to be suffering with mental illness or who are otherwise in crisis, and incorporate relevant lessons into the police training process.

Body-worn video

18. The Ministry of Community Safety and Correctional Services should actively monitor ongoing police pilot projects in the use of body-worn video to assess its value as an accountability and de-escalation tool. Based on the results of existing pilot projects, the Ministry should consider providing direction to police forces on the use of body-worn video, by no later than May 2017.

Changing police culture

19. The Ministry of Community Safety and Correctional Services should institute new mandatory training standards for coach officers, recognizing that these on-the-job mentors are a vital force in shaping new officers' skills and perceptions. The training for coach officers should be in line with the revised approach to de-escalation that will flow from the new use of force model and expanded de-escalation training at the Ontario Police College.
20. The Ministry of Community Safety and Correctional Services should make review of police services' coach officer programs part of its regular inspections of police services.
21. The Ministry of Community Safety and Correctional Services should institute new training for supervisory officers to help them develop skills in teaching de-escalation and in debriefing officers on how armed confrontations with persons experiencing a crisis were handled.

Reporting back

22. The Ministry should report back to my Office on a quarterly basis until I am satisfied that all recommendations have been implemented (pp.83-87).

Appendix D: Andrew Loku Inquest

The following 39 recommendations are direct excerpts from the 2017 Inquest:

To the Toronto Police Service:

1. Using reputable, external educators and other experts, TPS should ensure that the Service develops and implements annual/regular training at division and platoon meetings with a focus on the equitable delivery of policing services. The training should acknowledge the social inequities and challenges faced by racialized communities and consumer survivors who have experienced mental health challenges and equip officers with skills needed to provide appropriate responses and service delivery. Training topics should include, but not be limited to:
 - Bias-free service delivery
 - Social disparity
 - Equitable outcomes for all
 - Stress and fear inoculation techniques
 - Mindfulness techniques
 - De-escalation
 - Crisis communication
 - Negotiation
 - Implicit bias
 - Trauma informed approaches
 - Anti-Black Racism
 - Visible and invisible disabilities
2. Measure the effectiveness of the above-mentioned training in anti-Black racism and persons in crisis by requiring both a written and oral exam of the participants. Failure in such exams should result in requiring re-attendance at such training.
3. Mandate that all officers complete the Implicit Association Test as part of initial and requalification training.
4. TPS should continue to emphasize the importance of planning in a crisis situation to identify the lead in communication.
5. Expose or continue to expose officers in training to the perspectives and lived experience of racialized communities, the Black community and individuals with mental health issues and/or addictions.
6. Review the Intercultural Development Program deployed by the Toronto Police Service and consider the continued use of the Intercultural Development Inventory or other similar tool, as well as in-house intercultural competence facilitators, to further the intercultural competence of Toronto Police Service members.
7. Amend the annual Use of Force recertification to include qualification in areas such as mental health and/or addictions, anti-racism, particularly anti-Black racism, implicit and unconscious bias, fear inoculation, de-escalation and crisis communication.
8. Continue to emphasize that where the police challenge is issued and the subject does not comply, where possible, alternative methods of communication, de-escalation, disengagement and containment should be attempted. For example, consider making it clear that lethal force will be used if commands aren't obeyed.

9. Consider the use of trained de-briefers to be deployed following exceptional critical incidents, having regard to any SIU investigation and the rights of officers, with a view to using the knowledge gained to inform de-escalation training. If resources permit, consider using the de-briefers in situations with positive outcomes as well as negative ones, even if they are less serious incidents, in order to learn from those occurrences.
10. Require Coach officers and Supervisory officers take the 5-day Mobile Crisis Intervention Team training. Make mental health and/or addictions and policing of racialized communities, in particular Toronto's Black community, a key component of Coach Officer training.
11. Ensure that all patrol cars are equipped with less lethal weapons, e.g., CEW, sock or beanbag guns and that all officers are trained in the use of such weapons along with defensive equipment such as shields and helmets.
12. Undertake a structural/cultural review and analysis to ensure that the Service has a clear policy with respect to serving and protecting persons with mental health or addiction issues and/or racialized persons, in particular, Black persons. The Chief's review and analysis should include input from experts in this field together with persons in the communities falling within the above-mentioned descriptors. Following this, the Chief shall clearly state the TPS policy and communicate it in detail to all officers and employees. The Chief shall ensure that all members through continuous training have a clear understanding of the Chief's mandate in this regard. Failure to follow the Chief's mandate should have consequences and sanctions.
13. When making decisions about promotions, supervisors should consider an officer's skill and experience in dealing with Emotionally Disturbed Persons (EDPs), members of the Black community and racialized communities, including their ability to de-escalate and negotiate during crisis situations.
14. Encourage the Toronto Police Service to make use of the Gerstein Crisis Centre police telephone line when interacting with a person in crisis.
15. Consider additional funding and training for 911 operators in order to improve their skills in extracting more pertinent information during an emergency call. Consider beginning the de-escalation process during a 911 call.

To the Toronto Police Service Board:

16. Maintain its existing committee on mental health in ongoing partnership with members of the mental health community (throughout this document, 'mental health community' means to include the phrase in particular people who have been directly affected by mental health issues), the Toronto Police Service and subject matter experts.
17. Establish a new committee to consider possible or identified disparities in services and outcomes for racialized persons and consider interventions to address any such disparities. The committee should include representatives of the Toronto Police Service, subject matter experts and members of racialized communities, including the Black community. The committee should consider the intersectionality of mental health and race both in terms of member composition and issues to be addressed.

18. Conduct a pilot study of two divisions (preferably 14 and 51 division) where there would be more intensive community involvement, education, and training (keeping in mind resourcing) concerning interactions with people who have racial and/or mental health and/or addiction differences to determine whether this has a positive impact on reducing 'use of force' incidents.

To the Canadian Mental Health Association (CMHA -Toronto Branch):

19. Offer education to the appropriate building superintendents and managers on information sharing policies; in particular, what sort of information ought to be shared with CMHA (Toronto Branch) housing or support workers about CMHA (Toronto Branch) residential clients. In addition, it should deliver in-service training on how to better serve these clients.
20. Together with Across Boundaries study ways of ensuring that clients are able to access the services that they require across multiple agencies so that clients don't 'fall through the cracks'.

To the Ministry of Health and Long Term Care/LHIN's:

21. Fund a province-wide telephone crisis support line staffed by people trained in crisis intervention or peer support to be available to clients in supportive housing and community mental health and addiction programs, 24 hours a day, 7 days per week.
22. Provide additional funding for a sufficient number of nurses to staff Mobile Crisis Intervention Teams (MCIT) in Toronto, 24 hours a day in each police division.
23. Together with the Toronto Police Service, explore all possible avenues to assess whether MCITs could be available as first responders in crisis situations, specifically including situations where weapons are involved.
24. Fund and create a program to provide appropriate housing support to individuals suffering from noise sensitivity.

To the Ministry of Community Safety And Correctional Service:

25. Using a research based approach, update provincial standards for de-escalation, crisis communication and bias-free police training.
26. Provide funding to research and establish appropriate benchmarks for measuring effectiveness and outcomes of current police response to persons in crisis.
27. The Ontario Police College should consider additional training for police officers on de-escalation techniques, implicit bias awareness training, crisis intervention, mechanisms for combating stressful encounters and negotiation techniques.
28. Consider requiring annual de-escalation, crisis communication and bias-free policing requalification, separate from any 'use of force' requalification based on developed provincial standards.
29. Establish a provincial standard for the collection of race-based data pertinent to all interactions involving police and persons in crisis, including as a sub-set those interactions resulting in an application of use of force. This standard should be applicable to police services across the province and must include sustained funding for research to establish

appropriate benchmarking for, the collection of and analysis of the data by an independent auditor.

30. Establish a provincial standard for the collection of data concerning emotionally disturbed persons pertinent to all interactions involving police and persons in crisis, including as a subset those interactions resulting in an application of use of force. This standard should be applicable to police services across the province and must include sustained funding for research to establish appropriate benchmarking for, the collection of and analysis of the data by an independent auditor.
31. Once the data in recommendations 29 and 30 has been analyzed and interpreted, the results should be made public in an accessible format. The data should be collected in a manner consistent with human rights principles and in consultation with affected communities and appropriate experts about the purpose, use, benefits and methods of collecting data.
32. The Police Services Act - Use of Force Report (UFR Form 1 2013/12, or its successor) should be amended to include the collection of race-based data including perceived race.
33. The Use of Force Report (or its successor) should be redesigned to require officers to set out what de-escalation techniques were attempted before force was used.
34. Establish a provincial standard, in conjunction with police services and accredited academic institutions, for measuring the effectiveness of police training. This standard should be applicable to police services across the province and must include sustained funding for research to establish appropriate benchmarking for the collection and analysis of data. The province should ensure that any trends or indicators that are subsequently identified be used to inform the provincial standard on an ongoing basis. Data will be used to inform police training in municipalities that provide training additional to the Ontario Police College.
35. Fund and continue to study the use and deployment of less-lethal use of force options such as, the CEW, sock rounds and the use of defensive equipment such as helmets and shields and to study the expanded use and deployment and related training on less-lethal use of force options to front-line officers as well as specialized teams.
36. Ensure that all front-line or "primary response" officers are trained and equipped with conductive energy weapons (CEWs known as "Tasers").
37. Study and consider implementing de-escalation techniques as used in other jurisdictions, particularly those in the U.K. for example, study and consider equipping officers with less lethal weapons.
38. Create a program to encourage, fund and support the participation of members of the mental health and addictions community, racialized communities and the Black community in training at the Ontario Police College, the Toronto Police College and the divisional level, and to participate in any standing or advisory committees.
39. Rename the Use of Force Model (e.g. Compliance Model) and redesign it to incorporate and emphasize communication, de-escalation, disengagement and containment and that the use of lethal force is a last resort (pp.2-6).

Appendix E: Interview Guides

Frontline Staff (Constables, Sergeants, ETF)

Introduction

MNP^{LLP} is working with the Toronto Police Service College (TPSC) to complete a use of force review focused on Conductive Energy Weapons (CEW). The review is approved by the Toronto Police Service (TPS) and Toronto Police Service Board (TPSB).

The objectives of the review include:

1. Identifying possible alternatives to CEWs and other tactical approaches including de-escalation tactics used in other jurisdictions
2. Completing a global benchmarking exercise on the use of CEWs by other police services
3. Evaluating best practices on safety of CEWs in different modes (full deployment and drive-stun mode)

Ultimately, the review will be utilized by the TPS and the TPSB to inform decisions related to the use of CEWs by the service. As part of this review, MNP has worked with the TPSC to identify relevant and appropriate internal and external stakeholders for the purpose of providing insights regarding the use of CEWs as well as relevant data and research where available.

Confidentiality Statement:

Individual responses will be held strictly confidential by MNP and will not be released to the Toronto Police College, Toronto Police Service or any other party. Your participation is also voluntary. The results of the review will be reported in aggregate with no direct quotes used by name or job title. Finally, all information provided to MNP, including completed responses, will be used solely for the purposes of this assessment.

More information about MNP can be found at www.mnp.ca.

Note: Questions will be presented in a conversational format and allow for probing. Accordingly, all questions may not be asked in the exact order or format as presented in the question guide during the interview.

Questions

1. Please describe your experience(s) when you have deployed the CEW while on-duty?

2. In your opinion, what are the strengths of a CEW in full deployment and in drive-stun mode?

3. In your opinion, what are the weaknesses of a CEW in full deployment and in drive-stun mode?

4. Based on your experience and perspective, how effective do you believe the training is for CEWs?

Probe [not enough, too little?]

a. How effective has the training been for you in using CEW to on-duty scenarios?

5. From your perspective, is the number of occurrences that CEWs are being used aligned with the circumstances warranted for its use by the service as a whole? Why or why not?

a. Do you believe that various options on the use of force continuum are being considered by members prior to utilizing CEWs? Is there any concern that CEWs are becoming a "go to" tool for members?

b. In your opinion, should CEWs be ranked in a different position on the Use of Force Model continuum utilized by the TPS?

6. If you could, would you recommend any revisions regarding the use of CEWs. For example, training, policy, data collection on use, etc.?

7. Are you aware of the current safety standards utilized to guide the use of CEWs?

a. Do you believe these standards are effective or require improvement? Why or why not?

8. How many cross connects between the two cartridges have you done and what is the success rate of the cross connect working?

9. In your opinion, what do you believe are effective alternatives to CEWs (e.g. ERIW, Shields, etc.) if any?

10. What type of training is provided to TPS members where the objective is to use tactics including disengagement / tactical communication to avoid using the CEW?

a. Do you believe there is enough training to TPS members to reduce the need for tools such as the CEW? Why or why not? Why or why not?

11. Do you believe that the alternative forms of force being taught are being considered by the members during heightened situations while on-duty? Why or why not?

a. If you feel there is room for improvement, do you have some suggestions or thoughts on how to improve this?

12. Do you have any additional information to share that you believe would be helpful in completing this project that has not been previously mentioned?

13. Are there any reports or data that you believe we should include when completing this review?

[Probe to see what type of CEW use data they have any if they are willing to share five years of it for the review]

Thank you for your participation.

If you have further input, questions, or concerns you would like share following the interview, please contact the Project Manager:

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Master Trainers

Introduction

MNP^{LLP} is working with the Toronto Police Service College (TPSC) to complete a use of force review focused on Conductive Energy Weapons (CEW). The review is approved by the Toronto Police Service (TPS) and Toronto Police Service Board (TPSB).

The objectives of the review include:

1. Identifying possible alternatives to CEWs and other tactical approaches including de-escalation tactics used in other jurisdictions
2. Completing a global benchmarking exercise on the use of CEWs by other police services
3. Evaluating best practices on safety of CEWs in different modes (full deployment and drive-stun mode)

Ultimately, the review will be utilized by the TPS and the TPSB to inform decisions related to the use of CEWs by the service. As part of this review, MNP has worked with the TPSC to identify relevant and appropriate internal and external stakeholders for the purpose of providing insights regarding the use of CEWs as well as relevant data and research where available.

Confidentiality Statement:

Individual responses will be held strictly confidential by MNP and will not be released to the Toronto Police College, Toronto Police Service or any other party. Your participation is also voluntary. The results of the review will be reported in aggregate with no direct quotes used by name or job title. Finally, all information provided to MNP, including completed responses, will be used solely for the purposes of this assessment.

More information about MNP can be found at www.mnp.ca.

Note: Questions will be presented in a conversational format and allow for probing. Accordingly, all questions may not be asked in the exact order or format as presented in the question guide during the interview.

Questions

1. In your opinion, what are the strengths of a CEW in full deployment and in drive-stun mode?

2. In your opinion, what are the weaknesses of a CEW in full deployment and in drive-stun mode?

3. Based on your experience and perspective, how effective do you believe the training is for CEWs?

Probe [not enough, too little?]

- a. How applicable is the training provided to the members in using CEW to on-duty scenarios?
- b. What are the safety standards for using CEWs? What is the basis for these standards?
- c. Would you be willing to share the content of your training material for CEWs?

4. From your perspective, is the number of occurrences that CEWs are being used aligned with the circumstances warranted for its use by the service as a whole? Why or why not?

- a. Do you believe that various options on the use of force continuum are being considered by members prior to utilizing CEWs? Is there any concern that CEWs are becoming a “go to” tool for members?
- b. In your opinion, should CEWs be ranked in a different position on the Use of Force Model utilized by your service?

5. If you could, would you recommend any revisions regarding the use of CEWs. For example, training, policy, data collection on use, etc.?

6. How many cross connects between the two cartridges have you done and what is the success rate of the cross connect working?

7. In your opinion, what do you believe are effective alternatives to CEWs (e.g. ERIW, Shields, etc.) if any?

8. What type of training is provided to TPS members where the objective is to use tactics including disengagement / tactical communication to avoid using the CEW?
- a. Do you believe there is enough training to TPS members to reduce the need for tools such as the CEW? Why or why not? Why or why not?

9. Do you believe that the alternative forms of force being taught are being considered by the members during heightened situations while on-duty? Why or why not?
- a. If you feel there is room for improvement, do you have some suggestions or thoughts on how to improve this?

10. Do you have any additional information to share that you believe would be helpful in completing this project that has not been previously mentioned?

11. Are there any reports or data that you believe we should include when completing this review?

[Ask to see what type of CEW use data they have any if they are willing to share five years of it for the review]

Thank you for your participation.

If you have further input, questions, or concerns you would like share following the interview, please contact the Project Manager:

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Oversight and Administration

Introduction

MNP^{LLP} is working with the Toronto Police Service College (TPSC) to complete a use of force review focused on Conductive Energy Weapons (CEW). The review is approved by the Toronto Police Service (TPS) and Toronto Police Service Board (TPSB).

The objectives of the review include:

1. Identifying possible alternatives to CEWs and other tactical approaches including de-escalation tactics used in other jurisdictions
2. Completing a global benchmarking exercise on the use of CEWs by other police services
3. Evaluating best practices on safety of CEWs in different modes (full deployment and drive-stun mode)

Ultimately, the review will be utilized by the TPS and the TPSB to inform decisions related to the use of CEWs by the service. As part of this review, MNP has worked with the TPSC to identify relevant and appropriate internal and external stakeholders for the purpose of providing insights regarding the use of CEWs as well as relevant data and research where available.

Confidentiality Statement:

Individual responses will be held strictly confidential by MNP and will not be released to the Toronto Police College, Toronto Police Service or any other party. Your participation is also voluntary. The results of the review will be reported in aggregate with no direct quotes used by name or job title. Finally, all information provided to MNP, including completed responses, will be used solely for the purposes of this assessment.

More information about MNP can be found at www.mnp.ca.

Note: Questions will be presented in a conversational format and allow for probing. Accordingly, all questions may not be asked in the exact order or format as presented in the question guide during the interview.

Questions

1. Would you be able to provide a description of your role and department/organization you work with?

2. How does your department/organization relate to the TPS use of CEWs?

3. In your opinion, what are the strengths of a CEW?

4. In your opinion, what are the weaknesses of a CEW?

5. Based on your experience and perspective, how effective do you believe the training is for CEWs?

Probe [not enough, too little?]

- a. Policies/procedures?
- b. Data collection and analysis?

6. From your perspective, is the number of occurrences that CEWs are being used aligned with the circumstances warranted for its use by the service as a whole? Why or why not?
 - a. Do you believe that various options on the use of force continuum are being considered by members prior to utilizing CEWs? Is there any concern that CEWs are becoming a "go to" tool for members?
 - b. In your opinion, should CEWs be ranked in a different position on the Use of Force Model utilized by your service?

7. Are you aware of the current safety standards utilized to guide the use of CEWs?
 - a. Do you believe these standards are effective or require improvement? Why or why not?

8. If you could, would you recommend any revisions regarding the use of CEWs. For example, training, policy, data collection on use, etc.?

9. In your opinion, what do you believe are effective alternatives to CEWs (e.g. ERIW, Shields, etc.) if any?

10. Based on your experience, what value, if any, do you believe tactical communication (i.e. de-escalation techniques) provides to uniform officers?

11. Do you believe there is an effective degree of tactical communication training provided and subsequently utilized by uniform officers? Why or why not?

12. Do you have any additional information to share that you believe would be helpful in completing this project that has not been previously mentioned?

13. Are there any reports or data that you believe we should include when completing this review?

[Ask to see what type of CEW use data they have any if they are willing to share five years of it for the review]

Thank you for your participation.

If you have further input, questions, or concerns you would like share following the interview, please contact the Project Manager:

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Appendix F: Other Police Service CEW Type of Use Definitions and CEW Use Criteria

RCMP

Type of CEW Use Definitions

Uses of a CEW are recorded in the six following categories organized from the highest level of force to the lowest.

Level of Force	Type of Use	Definition
Highest Level	Probe Mode	“Means that a CEW is deployed by discharging and propelling two electrical probes, equipped with small barbs that hook onto a subject's clothing or skin, allowing electrical energy to be transferred to that subject” (RCMP, 2020, Conducted Energy Weapon)
	Contact Mode	“Means that the CEW is deployed by pressing or pushing an activated CEW onto a subject, allowing electrical energy to be transferred to that subject. Contact mode may include pressing or pushing the CEW with or without a cartridge inserted” (RCMP, 2020, Conducted Energy Weapon)
	Spark Display Activated	No official definition could be sourced to be included in this review.
	Laser Sight Activated	No official definition could be sourced to be included in this review.
	Pointed at Subject	No official definition could be sourced to be included in this review.
Lowest Level	Draw and Display	No official definition could be sourced to be included in this review.

CEW Use Criteria

For the RCMP, “CEW policy states that the CEW may only be used where a subject is causing bodily harm, as defined in section 2 of the Criminal Code, or if the officer believes on reasonable grounds that the subject will imminently cause bodily harm as determined by the officer's assessment of the totality of the situation” (RCMP, 2020, Conducted Energy Weapon).

England and Wales Police Services

Type of CEW Use Definitions

Uses of a CEW are recorded in the seven following categories organized from the highest level of force to the lowest.

Level of Force	Type of Use	Definition
Highest Level	Fired	"The Taser is fired with a live cartridge installed. When the trigger is pulled, the probes are fired towards the subject with the intention of completing an electrical circuit and delivering an incapacitating effect" (Home Office, 2017, p.5).
	Angle-driven stun	"The officer fires the weapon with a live cartridge installed. One or both probes may attach to the subject. The officer then holds the Taser against the subject's body in a different area to the probe(s), in order to complete the electrical circuit and deliver an incapacitating effect" (Home Office, 2017, p.5).
	Drive-stun	"The Taser is held against the subject's body and the trigger is pulled with no probes being fired. Contact with the subject completes the electrical circuit which causes pain but does not deliver an incapacitating effect" (Home Office, 2017, p.5).
	Red-dot	"The weapon is not fired. Instead, the Taser is deliberately aimed and then partially activated so that a laser red dot is placed onto the subject" (Home Office, 2017, p.5).
	Arching	"Sparking of the Taser without aiming it or firing it" (Home Office, 2017, p.5).
	Aimed	"Deliberate aiming of the Taser at a targeted subject" (Home Office, 2017, p.5).
Lowest Level	Drawn	"Drawing of the Taser in circumstances where any person could reasonably perceive the action to be a use of force" (Home Office, 2017, p.5).

CEW Use Criteria

Since 2007, officers in the United Kingdom are authorized to use a CEW "...where the authorising officer has reason to suppose the police are facing violence or threats of violence of such severity that they would need to use force to protect the public, themselves, or the subject" (McGuinness, 2016, p.5). The briefing paper goes on to note that, "the use of a Taser for a reason other than mitigating a threat of violence may engage Article 3 of the European Convention of Human Rights (the prohibition of torture and of inhuman or degrading treatment)" (McGuinness, 2016, p.8).

Chicago Police Department

Type of CEW Use Definitions

The use of a CEW is recorded as a field deployment that includes the following types of deployment:

Level of Force	Type of Use	Definition
Not applicable	Field Deployment	<p>“A Field Deployment of a Taser is:</p> <ul style="list-style-type: none"> • Any probe discharge, including accidental discharges; • The use of the device by physical contact to stun a subject; or • The use of a spark display during a use of force incident” <p>(Chicago Police Department, 2016, p.2).</p>

CEW Use Criteria

The Chicago Police Department policies regarding CEW use state that members are only authorized to use a CEW for the purpose of gaining control of and restraining (2020):

- Active Resisters: a person who attempts to create distance between himself or herself and the member's reach with the intent to avoid physical control and/or defeat the arrest. This type of resistance includes, but is not limited, to evasive movement of the arm, flailing arms, and full flight by running. Active resistance also includes attempting to avoid apprehension and failing to comply with a sworn member's orders to reveal themselves. The use of a Taser as a force option against an active resister is limited to when there is an objectively reasonable belief at the time of ANY of the following:
 - a subject that is armed.
 - a subject that is violent or exhibiting violent or aggressive behavior.
 - a subject that has committed a felony.
 - a subject that has committed a misdemeanor offense that is not property-related, a quality of life offense, or a petty municipal code or traffic offense.
- Assailants are defined by the Chicago Police Department (2020) as:
 - a person who is using or threatening the use of force against another person or himself/herself which is likely to cause physical injury. Assailants are further subdivided into two categories: (1) a person whose actions are aggressively offensive with or without weapons and (2) a person whose actions constitute an imminent threat of death or great bodily harm to a Department member or to another person (Subsection 4C).

New York Police Department

Type of CEW Use Definitions

Uses of a CEW are recorded in one of two categories organized from the highest level of force to the lowest.

Level of Force	Type of Use	Definition
Highest Level	Probe	“In this mode, two metal probes are propelled by the CEW’s cartridge toward a subject across an intervening space, providing adequate separation from the intended target” (New York Police Department, 2019, p.656).
Lowest Level	Drive-Stun	“When the front electrodes on the CEW, or an expended cartridge attached to the front of the CEW, are brought into immediate, direct, or close proximity contact with a subject’s body or clothing” (New York Police Department, 2019, p.656).

CEW Use Criteria

The New York Police Department, outline the following regarding the use of CEWs (2019):

Officers are required to consider the totality of the circumstances when deciding the reasonable amount of force necessary to overcome resistance when effecting an arrest or when taking a mentally ill or emotionally disturbed person into custody. Some factors to consider when determining the appropriate use of force include, but are not limited to:

- The nature and severity of the crime/circumstances
- Actions taken by the subject
- Duration of the action
- Immediacy of perceived threat or harm to subject, members of the service, and/or bystanders
- Whether the subject is actively resisting custody
- Whether the subject is attempting to evade arrest by flight
- Number of subjects in comparison to number of officers present
- Size, age, and condition of subject in comparison to officer(s) present
- Subject’s violent history, if known
- Presence of hostile crowd or agitators
- Subject apparently under influence of a stimulant/narcotic which would affect pain tolerance or increase the likelihood of violence (p.660).

Additionally, for CEWs officers are only to use them against persons who are actively resisting, exhibiting active aggression or to prevent individuals from physically injuring themselves or other person(s) actually present.

- Active resistance is defined as physically evasive movements to defeat a member of the service’s attempt at control, including bracing, tensing, pushing, or verbally signaling an intention to avoid or prevent being taken into or retained in custody.

- Active aggression is defined as the threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent (pp.660-661).

Los Angeles Police Department

Type of CEW Use Definitions

Uses of a CEW are recorded in one of two categories organized from the highest level of force to the lowest.

Level of Force	Type of Use	Definition
Highest Level	Probe Mode	“Utilizes the CEW cartridge while attached to the CEW unit. Firing the two probes attached to wires making contact with the suspect which could cause neuromuscular incapacitation” (Los Angeles Police Department, 2018, p.5).
Lowest Level	Drive-Stun/Direct-Stun	“Two contacts on the cartridge or the CEW unit that conduct energy to affect the suspect’s sensory nerves causing localized pain” (Los Angeles Police Department, 2018, p.5).

CEW Use Criteria

Los Angeles police officers are only permissible to use a less-lethal force option such as the CEW when they (2018),

An officer reasonably believe the suspect or subject is violently resisting arrest or poses an immediate threat of violence or physical harm. Less-lethal force options shall not be used for a suspect or subject who is passively resisting or merely failing to comply with commands. Verbal threats of violence or mere non-compliance by a suspect do not alone justify the use of less-lethal force. An officer may use a CEW as a reasonable force option to control a suspect when the suspect poses an immediate threat to the safety of the officer or others. Officers shall also consider:

- The severity of the crime versus the governmental interest in the seizure; and
- Whether the suspect was actively resisting arrest or attempting to evade arrest (p.1)

No definition of violently resisting arrest could be found after reviewing the publicly available use of force policies of the Los Angeles Police Department.

New Zealand Police Service

Type of CEW Use Definitions

Uses of a CEW are recorded in the five following categories organized from the highest level of force to the lowest.

Level of Force	Type of Use	Definition
Highest Level	Discharge	"Application by firing two probes over a distance from a cartridge attached to the TASER, or subsequent applications of electrical current via the probes (Trigger or Arc) which are in contact with the subject after firing, in conjunction with a verbal warning. Important: Both probes must hit the target. This makes distance, correct aiming and target selection critically important (New Zealand Police Service, 2020, p. 12).
	Follow up contact-stun	"Activating the TASER, immediately following a provide discharge, correct aiming and target selection [are] critically important" (New Zealand Police Service, 2020, p.12)
	Contact-Stun	"Activating the device while the device is directly applied to the body of the subject." (New Zealand Police Service, 2020, p.12).
	Laser Painting	"Turning the device on and overlaying the laser sighting system of the TASER on a subject as a visual deterrent, in conjunction with a verbal warning" (New Zealand Police Service, 2020, p.12).
	Arching	"Activating the device as a visual deterrent, in conjunction with a verbal warning" (New Zealand Police Service, 2020, p.12).
Lowest Level	Presentation	"Drawing and presenting the device at a subject as a visual deterrent, in conjunction with a verbal warning" (New Zealand Police Service, 2020, p.12).

CEW Use Criteria

For members of the New Zealand Police Service, they must consider the use of a CEW with (2020):

- The deployment of a TASER is a use of force and as such, its use must be necessary, proportionate and therefore reasonable in the circumstances. You may use [a] TASER to effect lawful purpose in situations where you fear imminent physical harm to yourself or some other person. Therefore, if you use [a] TASER, you will need to show that there was a risk of physical harm likely to occur at any moment. Once the likelihood of physical harm is no longer present, the use of [a] TASER will no longer be necessary, and therefore no longer be reasonable (p.11).

The policy also states that, “An operator may show a TASER as a deterrent in situations below the assaultive range on occasions where their perceived cumulative assessment (PCA) is that it is necessary because the situation has the potential to escalate to within or beyond the assaultive range” (New Zealand Police Service, 2020, p.10).

Toronto Police Service

Type of CEW Use Definitions

Uses of a CEW are recorded in the three following categories organized from the highest level of force to the lowest.

Level of Force	Type of Use	Definition
Highest Level	Full Deployment	“Probes are fired at a subject and the electrical pulse applied. In this mode, the device is designed to override the subject’s nervous system and affect both the sensory and motor functions causing incapacitation. As with drive stun, this mode is only justified to gain control of a subject who is assaultive or where the subject presents imminent threat of serious bodily harm or death” (Toronto Police Service, 2020, p.3)
	Drive Stun Mode	“This term, coined by the manufacturer, describes when the device is placed in direct contact with the subject and the current applied; the probes are not fired. Due to minimal distance between the contact points on the CEW., drive stun is primarily a pain compliance mode. This mode is only justified to gain control of a subject who is assaultive or where the subject presents imminent threat of serious bodily harm or death” (Toronto Police Service, 2020, p.3)
Lowest Level	Demonstrated Force Presence	“The CEW is un-holstered and/or pointed in the presence of the subject, and/or a spark is demonstrated, and/or the laser sighting systemic is activated. This mode is justified for gaining compliance of a subject who is displaying passive or active resistance and under certain conditions, may be effective in situations where a subject is assaultive or presents the threat of serious bodily harm or death” (Toronto Police Service, 2020, p.3).

CEW Use Criteria

TPS (2020) members are allowed to use a CEW in relation to the Ontario Use of Force Model in situations that involve an individual exhibiting behaviours that are defined as:

- Assaultive: the subject attempts to apply, or applies force to any person; attempts or threatens by an act or gesture, to apply force to another person, if he/she has, or causes that other person to believe upon reasonable grounds that he/she has, present ability to effect his/her purpose. Examples include kicking and punching but may also include aggressive body language that signals the intent to assault.
- Serious bodily harm or death: the subject exhibit actions that the officer reasonably believes are intended to, or likely to cause serious bodily harm or death to any person. Examples include

assaults with a knife stick or firearm, or actions that would result in serious injury to an officer or member of the public (p.5).

Additional situations that a TPS (2020) officer is able to utilize a CEW include:

- To prevent themselves from being overpowered when violently attacked
- To prevent a prisoner being taken from police custody
- To disarm an apparently dangerous person armed with an offensive weapon
- To control a potentially violent situation when other use of force options are not viable
- For any other lawful and justifiable purpose (p.2).

Appendix G: Toronto Police Service CEW Use by Incident Type

Table 16: Toronto Police Service Total Annual CEW Use by Incident Type Between 2010 and 2020

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	Average
Persons in Crisis	47	49	71	57	58	66	63	84	124	113	59	72
Weapons Call	26	39	35	27	30	54	54	57	105	135	150	65
Disturbance - Other	0	15	27	18	24	34	35	24	69	63	75	35
Warrant Related	38	17	22	15	15	20	14	24	25	17	22	21
Assault Related	19	12	15	15	11	16	21	10	23	53	46	22
Domestic Disturbance	9	19	19	12	14	14	21	21	22	34	23	19
Prisoner Related	11	15	12	9	11	22	35	22	18	18	0	16
Unknown Trouble	5	6	13	2	10	8	6	7	26	40	44	15
Unintentional Discharge	6	7	7	3	10	5	6	6	19	48	0	11
Wanted Persons	0	5	11	8	1	7	10	14	16	21	17	10
Drug Related	11	8	7	10	3	6	7	12	7	4	0	7
Traffic	1	7	4	4	6	3	7	6	22	15	19	9
Robbery	6	5	1	8	6	4	7	8	13	12	8	7
Break and Enter	0	5	7	2	4	5	6	7	10	22	13	7
Theft	0	0	0	1	1	1	0	4	3	8	10	3
Suspicious Person/Disturbance	16	0	0	0	0	0	0	0	0	0	0	1
Investigation	0	10	0	0	0	0	0	0	0	0	0	0.9
Property Related	9	0	0	0	0	0	0	0	0	0	0	0.8
Homicide	0	0	0	1	1	0	0	2	0	2	2	0.7
Address Check	4	0	0	0	0	0	0	0	0	0	0	0.4
Serious Injury	0	3	0	0	0	0	0	0	0	0	0	0.3
Directed Patrol	0	0	2	0	0	0	0	0	0	0	0	0.2
Fire Related	0	0	2	0	0	0	0	0	0	0	0	0.2
Animal Related	1	0	0	0	0	0	0	0	0	0	0	0.1
Unlawful/Unauthorized Use	1	0	0	0	0	0	0	0	0	0	0	0.1
Total	210	222	255	192	205	265	292	308	502	605	488	322

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Toronto Police Services Board Report

June 08, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

SUBJECT: AWARD OF CONTRACT FOR THE SUPPLY OF CONDUCTED ENERGY WEAPONS – AXON CANADA

RECOMMENDATIONS

It is recommended that the Toronto Police Services Board (Board):

1. approve the purchase and full frontline rollout on a personal issue model of Taser 7 Conducted Energy Weapons (C.E.W.) from Axon Canada (Axon) for a five-year term commencing July 1, 2021, to June 30, 2026, and at a cost of \$4,147,000 over the five-year period;
2. delegate the authority to the Chief of Police, to exercise the option to extend for one additional year; and
3. authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor, as to form.

BACKGROUND / PURPOSE

The purpose of this report is two-fold. First it is to advise that the Toronto Police Service (Service) has decided to move from a shared asset deployment model to a personal issue deployment model in order to take fullest operational advantage of the functionalities that are offered by the most current generation of the Axon C.E.W. especially with its interconnectivity with other already procured equipment. The second is to obtain Board approval for the purchase of Taser 7 C.E.W.s from Axon Canada, in order to move to a personal issue deployment model, which will require an increase in the number of deployable devices to authorized frontline officers.

Shared Asset Deployment versus Personal Issue Asset Deployment:

Shared Asset Deployment is where a pool of devices are available and shared between officers. A device is issued to a trained and authorized frontline officer at the beginning of their shift and returned at the end. This device is then re-issued to another officer at the start of the next shift. This process occurs approximately 1,000 times per day throughout the Toronto Police Service (Service).

These devices each bear a unique serial number identifier, which requires manual tracking across many systems and processes in order to account for their use.

Personal Issue Asset Deployment is where the Service issues each trained frontline officer their own device. The officer is accountable for that device and it is not used by, or assigned to anyone else. The officer is permanently connected to that device and its accessories, until such time as the officer is redeployed out of frontline duties and the device is reassigned. Body Worn Cameras (B.W.C.) are already issued on a personal asset deployment basis and will be paired with an assigned Taser 7.

Personal issue will permit the Service to take full advantage of the complete suite of software options that accompany the Taser 7 device. It will also identify opportunities to improve training and deployment based on data analysis. This model will further allow the Chief to more comprehensively report data surrounding C.E.W. use at each of the reporting intervals.

The current shared asset deployment model limits the Service's ability to operationalize all components of the software and could leave gaps in accountability and reporting opportunities. It also requires a supervisor's time to be devoted to the manual assignment of the unit to each officer. Furthermore, as this process is manual, there is a possibility of human error.

Overview:

In the late 1990s, the Service recognized the need to provide frontline officers with use of force options that were less lethal. One option that was explored was the C.E.W. At that time, the C.E.W. was used exclusively by the Emergency Task Force (E.T.F.). The C.E.W. provided these officers with an additional tool to de-escalate and resolve high risk incidents, while using the least amount of reasonable force.

After approval from the Ministry of the Solicitor General for C.E.W.s to be deployed to frontline officers, the Board and the Service, in February 2018, approved an expansion of the C.E.W. deployment to include all frontline police constables (Min. No. P19/18 refers). As a result, the number of deployable devices was increased from 685 to 1,085. Currently these devices are deployed using a shared asset deployment model for frontline officers, except the members of the E.T.F., who use a personal asset deployment model.

The C.E.W.s are life-cycled every five years to account for damage, wear and tear, reduced effectiveness, and expiration of warranty. The Service has been advised that Axon will announce the phasing out the Taser X2 sometime this year; however, they will continue to support deployed devices until 2025¹. In advance of this announcement, the Service has already commenced its lifecycle replacement by purchasing the Taser 7 device. That purchase was also made in order to take advantage of significant improvements in the device as well as the opportunities provided by using Evidence.com.

Evidence.com is a cloud based platform that integrates our digital evidence, Taser 7 management, B.W.C. management, and integrates with our Records Management System (R.M.S.) and Computer Aided Dispatch (C.A.D.) system.

Each generation of Tasers requires the approval of the Solicitor General prior to deployment in Ontario. The approval for use of the Taser 7 device was received on October 16, 2020. Axon is the only manufacturer of the provincially approved Taser 7 device.

The Taser 7 device also has a number of technical improvements which are not available with the Taser X2 model. These include:

- A more effective and improved probe deployment design, which will reduce the likelihood of multiple cycles being required or ineffective deployment that results in other use of force options being employed.
- A single rechargeable battery for the lifespan of the weapon.
- The Taser 7 program uses a subscription price model that includes the costs of all accessories required to train and operate the device on an annual basis. This provides for predictable and consistent expenses over the contract period. The subscription cost includes the C.E.W.s, docks, smart activation holsters, training cartridges, duty cartridges, batteries, training suits & targets, instructor training and all licensing costs (Evidence.com).
- Smart activation holsters will automatically trigger the B.W.C., of the user connected to that device, to commence recording.
- The program also includes a virtual reality empathy training module that lets an officer experience a police interaction from the perspective of a person-in-crisis.

FINANCIAL IMPLICATIONS

The cost to implement a personal issue deployment model for the Taser 7 device, as outlined in this report, is funded from the 2021 Capital budget as well as the Community Safety and Policing (C.S.P.) grant. The annual subscription costs over the lifecycle of

¹ A cost comparison between purchasing the Taser 7 and supporting the Taser X2 over the next five (5) is outlined in Appendix A.

the Taser 7 device will be incorporated into the budget for each of those years from 2022 through to 2026.

The approved 2021-2030 Capital program provides funding for the lifecycle replacement of the existing 1,085 devices under Vehicle and Equipment Reserve (Min. No. 2021-0113-3.2 refers).

The Service has already purchased 622 Taser 7s as part of this lifecycle replacement for \$500,000 which includes all accessories and subscription costs required for use and training of these devices over their lifetime (five years).

In order to complete the lifecycle replacement of the current inventory, an additional 463 Taser 7s must be purchased.

Lifecycle replacement is 622 (already purchased) plus 463 (required purchase) for a total of 1,085 devices.

Personal Issue Asset Deployment Model:

In order to provide a personally issued Taser 7 to authorized frontline police officers, the deployment would require an increase of 1,265 devices. This represents an increase to the purchase of equipment stock that would allow the Service to issue a C.E.W. to each authorized frontline officer. In the current shared asset model, each trained frontline officer is able to sign out a C.E.W., if available. The personal asset deployment model removes the requirement to sign out the device.

The number of frontline officers remains relatively stable, as does the number of officers who are trained and authorized to carry a C.E.W. A personal issue deployment model will result in an increase in deployed devices into the community at any given time, as the number of authorized frontline officers on shift varies daily.

As reported in the 2020 Annual C.E.W. report, there were 2,322 officers trained and authorized in the use of the C.E.W. The current daily deployment is approximately 428 frontline officers who are trained on use of the C.E.W. device, and of that, up to 318 (74%) frontline officers actually deploy to their duties with a C.E.W. The move to personal issue deployment of the Taser 7 will permit those officers who are trained but are not currently being assigned a device under the shared asset model, to have a device assigned to them, providing them with an additional intermediary use of force option.

As outlined earlier, the Service is still required to purchase 463 devices that are currently due for lifecycle replacement.

A personal asset deployment model requires the purchase of an additional 1,265 devices.

The financial implications of moving to a personal issue model is based on the total purchase required to complete the lifecycle replacement of the current devices (463) and the net new devices required (1,265) to enable the Service to personally issue a C.E.W. to each frontline officer. This represents a total purchase requirement of 1,728 devices.

Total deployment under personal issue asset model will be 622 (previously purchased lifecycle), plus 463 (remaining lifecycle purchase) and 1,265 (net new purchase for personal issue) for a total of 2,350 total devices.

The Service is purchasing, on a subscription basis, the Taser 7 devices and all related requirements directly from the manufacturer, Axon Canada. The negotiated five-year price for 1,728 devices is \$4,147,000 or \$829.4K per year. The initial net new purchase of 1,265 includes year 1 subscription costs and will be funded from the C.S.P. grant.

Year 2 through Year 5 funding for this purchase will be from the Vehicle and Equipment reserve in Capital Program at an amount of \$559K per year, with the remaining \$270.4K funded from the Service's operating budget (559K + 270.4K = 829.4K). If the C.S.P. grant is not extended, additional funding required will be requested in future year operating budget requests.

The plan is to migrate the purchase of existing devices to the Taser 7 as well as purchase additional net new devices to enable the move to personal issue model. More detailed information on the respective annual cost, is provided in Appendix A.

DISCUSSION

The current C.E.W. model Taser X2 will be phased out and replaced with the Taser 7 model. The Taser 7 model works in synergy with the B.W.C., when paired, and is integrated through Evidence.com.

The Service requires additional C.E.W. devices in order to move from a shared asset deployment model to a personal asset deployment model.

Taser 7 Personal Issue Asset Deployment Model Benefits:

The B.W.C. is already a personal issue asset. By pairing the B.W.C. with a Taser 7 personal issue asset, the suite of capabilities contained within the Evidence.com platform allows the officer and the Service to realize the full benefit of both technologies.

The benefits of this model include the following:

1. Allows for the technology to communicate seamlessly. When provided the opportunity to dock, the health of the device's software and battery can be monitored and issues that require repair reported in a timelier manner. Personal

issue provides the opportunity of docking for sufficient periods of time to allow for this process to occur. In addition, this technology will integrate with other Service platforms through Evidence.com.

2. Presents evidence in a robust and traceable manner at court. The B.W.C. that is paired with a Taser 7, through Evidence.com, will allow the video captured from an incident to be presented in conjunction with the Taser 7 data. The smart holster automatically commences recording when the Taser 7 is removed. This captures video and Taser 7 data for all incidents for presentation in court, regardless of the type of deployment.
3. The Service can proactively identify training opportunities for both individuals and the entire Service. When docked, the Taser 7 uploads a variety of data, including test fire duration. If an officer has a habit of stopping their test fire before the full five second cycle, this could translate into the officer inappropriately turning off the Taser 7 too early during a dynamic scenario because of the developed pattern of behaviour. This could result in an individual harming themselves or someone else because the Taser 7 was disengaged inadvertently before full physical control was in place. When Taser 7 data is analyzed, this type of patterned behaviour could be identified and immediately corrected.
4. Provides increased accountability. The personal asset deployment model removes any possibility for human error when assigning the device. Each device is assigned to a specific officer that is tracked and recorded. This device remains assigned to one officer until that officer is reassigned out of frontline duties. This provides for more accurate spot checking of video recordings and essentially eliminates the potential for a Taser 7 to be incorrectly assigned, which would result in an incorrect B.W.C. pairing. One error in asset assignment results in errors in tracking what device was in use and in what capacity. This also results in missed pairing with the B.W.C. automated activation features. These are issues that would be detrimental in a prosecution or any oversight investigation. Personal issue would also provide a more robust oversight capability for supervisors who monitor appropriate use of the C.E.W.
5. A more robust reporting system. The personal asset deployment model automates the reporting protocols and removes the need for the officer to self report incidents. As soon as the Taser 7 is removed from the holster, the event is recorded by the Taser 7 and the B.W.C. commences audio and video recording. The event is then flagged for reporting so the officer's supervisors can expect that report. The Use of Force Training Analyst at the Toronto Police College (T.P.C.) can also ensure complete and proper reporting across the entire Service. Robust reporting would also allow for more reliable data collection under the Service's Race Based Data Collection Policy.

In 2021, the Chief is required to submit two interim reports and one annual report on C.E.W. use. The personal issue model will provide the Chief with more robust

data in order to provide the Board with a more comprehensive report on C.E.W. use and aggregate data.

Taser 7 Shared Asset Deployment Model:

The shared asset model currently in place by the Service, requires all frontline officers to be assigned a Taser 7 device at the start of each shift. This presents a number of challenges as summarized below:

1. The required logistics around daily issuance can cause delays in the deployment of officers. The officer and supervisor have to properly record the issuance of all the devices. The supervisor then manually pairs the Taser 7 to the B.W.C. each time they issue a device. At times this pairing requires troubleshooting connection issues before the officer can deploy to their duties. This process adds a number of delays for the officer by virtue of the required logistics around shared issue. Anecdotally, it has been reported that the average time this function takes is 30 minutes to accomplish. Considering this assignment process occurs with up to approximately 1,000 individuals per day, Service-wide, there would be substantial time saved by eliminating this process. It also introduces the risk of incorrect pairing, which in turn creates jeopardy if the Taser 7 fails to activate the B.W.C. recording during a dynamic situation.
2. Increased repair issues. With a shared device, officers have less personal connection to, and accountability for, the device. As such, devices may not be handled with the same degree of care. If there is damage that does not impact the overall operation of the device, there could be some time before the damage is discovered and accounted for. Shared asset deployment has already shown to require 20% more batteries and docking stations as well as increased warranty replacement. It also results in added costs and inconvenience of shipping these devices, which is a cost not covered under the warranty. By comparison, a shared device is deployed 60 times per month, whereas a personal issue device would be deployed only 16 times per month.
3. Increased opportunity for equipment to be lost or misplaced.
4. Shared assets have less time in in the dock. This may prevent the device from properly updating firmware or maintaining its battery health, thereby potentially reducing its effectiveness. This could result in malfunctions during dynamic incidents and result in injuries.
5. Reduced accountability. A shared asset deployment model requires a significant investigative investment in order to ensure the equipment was assigned properly and the correct video recording is paired with the correct Taser 7 data. This investigative investment grows exponentially when there are mistakes made during the daily issuance process by supervisors. This introduces unnecessary and completely avoidable risks to prosecutions and investigations of misconduct.

6. Increased reliance of self-reporting incidents². With a shared asset deployment model, automated reporting triggers become more complex. Self-reporting becomes more important to ensure reports are submitted and evaluated in a timely manner. Automation will provide a backstop for unreported incidents; however, additional time would be required in order to identify which report is missing and which officer failed to report the incident.
7. Reduced opportunities to identify training issues proactively. Shared assets do not provide the opportunities to identify patterns with officers where training may be required.

Independent Review of Use of C.E.W.s by MNP LLP:

In September 2020, the Service, at the direction of the Board, commissioned an external third party to conduct a review of the Service's Use of Force practices in relation to the C.E.W. Following a competitive procurement process, MNP LLP was engaged in February 2021 to conduct this review.

It is clear from this independent report that the Service's approach to the entire C.E.W. program has been effective. In addition, it has been demonstrated that an increase in available devices has a corresponding increase in overall device use, the overwhelming majority of which are demonstrated force presence deployments. This has held true across all Services/Departments examined in this review.

This increase in deployable devices to 2,350 is required to move to a personal issue deployment model and will increase the overall number of devices that are deployed into the community at any given time. As evidenced in the MNP report, the Service has demonstrated a high level of accountability surrounding its C.E.W. program. Implementation of the report's recommendations, in conjunction with the added accountability options of the Taser 7 program, will only serve to further enhance the current C.E.W. program.

As referenced in the 2020 Annual C.E.W. report, as of December 31, 2020, 2,322 officers were qualified to use the Taser X-2 model which is currently the model being used in the field. Qualified C.E.W. users include members of the E.T.F., uniform frontline supervisors and police constables (P.C.s), as well as officers assigned to high-risk units such as Emergency Management and Public Order (E.M.P.O.), Hold-Up, Intelligence Services, and Organized Crime Enforcement (including Drug Squad, Integrated Guns & Gang Task Force, Provincial Repeat Offender and Parole Enforcement (R.O.P.E.) and Fugitive Squad).

² Self-Report is defined as when the officer recognizes on their own when a report is required and submits a report (i.e. C.E.W. report or Use of Force report) rather than a supervisor or system that identifies independently that a report will be required.

As of December 31, 2020, officers attended 617,263 calls for service, of which 48,460 calls involved violence and 33,059 involved Persons in Crisis.

Despite approximately 81,000 calls involving violence and Persons in Crisis, in 2020 a C.E.W. was utilized 604 times during 488 separate incidents involving 499 persons. The following table represents the breakdown for what mode the C.E.W. was used in these incidents:

Type of Use	#	%
Demonstrated Force Presence (D.F.P.)	426	70.5
Full Deployment (F.D.)	132	21.9
Drive Stun Mode (D.S.M.)	25	4.1
Full Deployment + Drive Stun Mode	21	3.5
Total Uses	604	100.0

Evidence.com Platform

Evidence.com is a proprietary cloud based platform that provides the following:

- Digital evidence management platform that manages all forms of digital evidence (photos, video, or other data) on one secure platform which can also securely disclose this evidence to other agency partners (Ministry of the Attorney General), rather than using a manual disclosure process.
- Integration of data captured by the B.W.C. and Taser 7 individually, but also as paired devices.
- Integration of B.W.C. and Taser 7 data with C.A.D. and R.M.S. systems:
 - Data is extracted from C.A.D. and R.M.S. systems which is combined with Taser 7 data then integrated with B.W.C. video in order to provide a more comprehensive overview of a single event using multiple data sources.
- Inventory management of Taser 7 devices:
 - Assignment tracking
 - Warranty repairs
 - Deployment data
 - Audit logs
- Identification device health (firmware, function test results and battery health).

All B.W.C. and Taser 7 data is owned and controlled by the Service. It is encrypted and stored in cloud storage servers located in Canada. The Service has been working with the Information Privacy Commissioner of Ontario throughout the B.W.C. project and will continue to consult on an ongoing basis during the Taser 7 rollout.

CONCLUSION

It is recommended that the Board approve the purchase and full frontline rollout on a personal issue model of Taser 7 C.E.W.s from Axon Canada for a five-year term commencing May 1, 2021, to April 30, 2026, and at a cost of \$4,147,000 over the five-year period.

The current C.E.W. model (X2) is anticipated to be phased out and will be replaced with the Taser 7. Moreover, the implementation of the B.W.C. program necessitates a review of the current Taser deployment model in order to fully benefit from the available technology.

The Taser 7 has become the new operating standard for C.E.W.s and includes greater capacity, creating efficiencies such as automatic uploading of data and pairing ability with the Service's B.W.C. device.

The merits of moving to a personal issue model are many including: enhanced traceability and accountability of officer actions; ability to evaluate effectiveness of training; ability to realize the full potential of coupling technology with a personal issued B.W.C.; seamless integration of information; and overall longevity of the device.

The B.W.C. program is one means by which the Service will increase transparency, accountability and officer safety, with the desired outcome of enhanced community trust.

Evidence.com, is a cloud based digital evidence management platform that will facilitate the creation, collection, management and disclosure of digital evidence. Implementation of the B.W.C., Taser 7 and Evidence.com initiatives represent a complete transformation of the Service's digital evidence process, with outcomes including: cost reduction on evidence storage and collection, efficiencies in workflow from officers to the courts, streamlined disclosure, and heightened accountability.

The Service would be the first in Ontario to adopt the personal asset deployment model for the paired B.W.C. and Taser 7.

Mr. Tony Veneziano, Chief Administrative Officer and Mr. Colin Stairs, Chief Information Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office

Appendix A - Purchase Plan Costing Table

Year	# of devices	Amount	Source of Funding			Comment
			Capital/ Reserve	Operating	Grant	
Current Board Approved C.E.W.s Complement - 1,085 Existing Devices						
2021 - Initial purchase - Lifecycle Replacement	622	\$500,000	\$500,000			-Already approved and purchased. -This One time payment includes equipment and subscription for five years. -Funding was provided from the approved 2021-2030 Capital Program.
Year 1 of contract - remainder purchases of Lifecycle Replacement	463	\$222,200	\$168,800		\$53,400	-Remainder of the Lifecycle Replacement of C.E.W.s. -Includes equipment and first year subscription -Funding for the equipment will be provided from the approved 2021-2030 Capital Program and the cartridges are funded from the C.S.P. grant
Total lifecycle Cost for Existing Devices	1,085	\$722,200	\$668,800		\$53,400	
Proposed purchase of additional C.E.W.s to move to Personal Issue Model - 1,265 Devices						
Year 1 of contract - additional C.E.W.s	1,265	\$607,200			\$607,200	-The additional purchase brings the number of C.E.W.s to 2,350 -Includes equipment and first year subscription -Funding will be from C.S.P grant
Annual cost subsequent to approval of additional C.E.W.s to move to Personal Issue Model						
Year 2	1,728	\$829,400	\$559,000	\$270,400		-The 622 devices already purchased in 2021, includes the yearly subscription costs for the full five years. -In year 1 to 5 we pay the costs of equipment and subscription for 1,728 devices.
Year 3	1,728	\$829,400	\$559,000	\$270,400		
Year 4	1,728	\$829,400	\$559,000	\$270,400		
Year 5	1,728	\$829,400	\$559,000	\$270,400		
Total	1,728	\$3,317,600	\$2,236,000	\$1,081,600	\$0	
Costing Breakdown						
Total 5 years including lifecycle and proposed additional C.E.W.s	2,350	\$4,647,000	\$2,904,800	\$1,081,600	\$660,600	This represents the total purchase with Axon (includes the initial 622 devices purchased and delivered)
Total 5 years excluding the 622 devices already purchased	1,728	\$4,147,000	\$2,404,800	\$1,081,600	\$660,600	This represents the total contract with Axon recommended in this board report (excludes the initial 622 devices)

The costing of the Taser 7 for our current 1,085 C.E.W.s and the costing of a full deployment of 2,350 of C.E.W.s is provided in the table below. The annual cost differential between the shared asset model (\$661.8K) and personal issue model (\$829.4K) is \$167.6K.

Deployment Model Comparison

	OPTION A PERSONAL ISSUE	OPTION B SHARED ASSET
C.E.W. MODEL	TASER 7	TASER 7
OFFICERS TRAINED	2,350	2,350
C.E.W.s DEPLOYED	2,350 (622 + 1728)	1,085 (622 + 463)
2020 Initial Purchase Lifecycle	\$ 500,000	\$500,000
2021	\$ 829,400	\$ 682,100
2022	\$ 829,400	\$ 661,800
2023	\$ 829,400	\$ 661,800
2024	\$ 829,400	\$ 661,800
2025	\$ 829,400	\$ 661,800
5 YEAR COST Less Initial purchase of \$500K	\$ 4,147,000	\$ 3,329,300

Cost Comparison Table - Taser 7 Subscription v. X2 Support

	TASER X2 SHARED ASSET	TASER 7 PERSONAL ISSUE
CEW MODEL	X2	T7
OFFICERS TRAINED	2,350	2,350
CEWs DEPLOYED	1,085	2,350
2020		\$ 500,000
2021	\$ 953,000	\$ 829,400
2022	\$ 1,001,000	\$ 829,400
2023	\$ 1,052,000	\$ 829,400
2024	\$ 1,105,000	\$ 829,400
2025	\$ 1,161,000	\$ 829,400
TOTAL COST	\$ 5,272,000	\$ 4,647,000

*note that X2 costs were higher despite fewer devices deployed



Toronto Police Services Board Report

June 15, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Contract Increase for ACCEO Solutions Inc. for Wireless Parking Ticket Issuance System Enhancement and Integrated Vehicle Impound Parking Module

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board):

1. approve an increase of \$1.53M to the existing contract with ACCEO Solutions Inc. to enhance the functionality of the current Wireless Parking Ticket Issuance System; and
2. authorize the Chair to execute all required agreement amendments and related documents on behalf of the Board for the purposes of this project, subject to approval by the City Solicitor as to form.

Background / Purpose:

The Toronto Police Service's (Service) parking enforcement officers currently use a Wireless Parking Ticket Issuance System (W.I.P.S.) to provide parking enforcement services in the City of Toronto. This system is used to enforce parking by-laws through the issuance of printed parking tickets and tow cards.

In 2017, the Board awarded the W.I.P.S. contract to ACCEO Solutions through a competitive procurement process (Min. No. P189/2017 refers). The agreement between the Board and ACCEO allows for additional statements of work including system enhancements.

This current Vehicle Impound Parking (V.I.P.) application was developed in-house in 1999, and was last upgraded in 2008. The application provides basic information as it relates to the tracking of all vehicles that have been towed, impounded, and relocated by the members of the Service. However, it does not provide any advanced

functionality or analytics, spawning spreadsheet-based workarounds and creating inefficiencies.

The V.I.P. application is based on obsolete and unsupported technology. Since the system is not web based, it requires the Service to provision and manage an infrastructure at each tow operator location.

The purpose of this report is to obtain Board approval to increase the contract amount with the current vendor so that a V.I.P. module can be integrated to the existing W.I.P.S. The contract increase will also include additional needed enhancements and support cost for W.I.P.S. system.

Financial Implications:

As part of the 2017- 2026 Capital Program the Board approved the acquisition of a Wireless Parking Ticket Issuance System (Min. No. P277/17 refers). In 2017, the Board approved ACCEO Solutions Inc. as the vendor for the Wireless Parking Ticket Issuance System at a total cost of \$3.99M for a five year period (Min. No. P189/2017 refers).

New V.I.P. Module:

Since the current V.I.P application has reached its end of life, funding of \$1.0M for the replacement of this application was included and approved as part of the 2021 Parking Enforcement Unit operating budget. (Min. No. P2021-0113-3.3 refers).

The vendor's cost for this solution is approximately \$884K to replace the aging V.I.P application. The total cost includes \$694K for software and implementation costs, and \$190K for system customizations. It is anticipated that it will take approximately three months to complete the implementation and two months to validate and test the deliverables.

The annual maintenance cost of the V.I.P. module is approximately \$81K, and will be included in the 2022 Parking Enforcement operating budget request. The last payment in 2022 will cover the support and maintenance to the end of August 2023.

The needed overall enhancements to the current Wireless Parking Ticket Issuance System including V.I.P. module requires an increase of \$1.53M to the approved contract amount. Table 1 shows the details of required contract increase breakdown:

Table 1. Net Contract Increase Request:

Description	Cost
V.I.P. Module (\$694K + \$190K) <ul style="list-style-type: none"> • Cost estimate of \$1M is included in the 2021 Parking Enforcement operating budget 	\$884K
V.I.P. Module annual support costs for 2021/2022 and 2022/2023 (\$81K/yr.) <ul style="list-style-type: none"> • \$81K for 2021/2022 is already included as part of the \$1M included in the 2021 Parking Enforcement operating budget • 2022/2023 will be included in the 2022 Parking Enforcement operating budget 	\$162K
Increase to the current system contract amount for W.I.P.S. customizations and enhancements as well as support cost <ul style="list-style-type: none"> • \$34K included in the approved 2021-2030 Service's Capital Budget • \$194K included in the 2021 Parking Enforcement operating budget • \$194K will be included in the 2022 Parking Enforcement operating budget 	\$422K
Enhancement to Car-Share enforcement requirements and address Car-Share related offenses (City requirement) <ul style="list-style-type: none"> • Charge back to the City during 2021 - 2022 	\$62.5K
Total Increase to the contract	\$1.53M

Discussion:

The current V.I.P. application requires enhancements to automated functionality such as improved dispatch and interface capabilities with other systems and personnel, both internally, and with other agencies. This is to reduce inefficiencies and liabilities such as improper tows and the inaccurate tracking of towed vehicles and tow-related information.

The integrated V.I.P. module will fall in-line with the Service's modernization efforts, by improving capabilities related to data, information and analytics-sharing, leading to improved towing information for the Service and the City of Toronto. The requested enhancements would make the Service a leader in the use of this type of information technology.

Business goals achieved with the V.I.P. Module:

- Enhance the current W.I.P.S. System platform to support all aspects of digitization and automation -pertaining to tow dispatch, vehicle intake, lot inventory, final disposition, and digital record keeping of towed vehicles, while delivering real-time data and information to all stakeholders;
- Design the solution platform to utilize on premise and Cloud infrastructure – system access for internal and external user groups (tow companies, tow truck drivers, parking enforcement officers);
- Expand the use of mobile application – Tow Request status via Global Positioning System (G.P.S.) locator;
- Improve user access management, security and audit logs that aligns with Service’s enterprise security policies and procedures;
- Improve reporting and document generation capabilities in Word, Excel or Portable Document Format (P.D.F.) for regulatory compliance as well as customizable ad hoc requirements to meet operational, legal, financial and procedural requests;
- Create customizable application programming interfaces (APIs) that allow for the system to interact and exchange near real-time information with various systems; for example: Canadian Police Information Centre (C.P.I.C.), Ministry of Transportation of Ontario (M.T.O.), I.P.I.N.S. (Integrated Parking Information System);
- Reduce and minimize Information Technology Services (ITS) technical support re: Hardware - workstations, printers as well as Network wiring at pound sites; and
- The current V.I.P system electronic tow card data is manually entered from the printed tow card, however, in the proposed V.I.P module this will not be required as the electronic tow data is already in the system.

The proposed solution procurement path is to acquire the V.I.P. solution from ACCEO.

The following factors were taken into account from a procurement process perspective:

- The agreement between the Board and ACCEO allows for additional statements of work including system enhancements.
- No off-the-shelf solution will meet Service’s requirements without a great deal of customization;
- Current Wireless Parking Ticket Issuance System already has 30% of the towing functionalities built. Building the vehicle impound management and advanced tow dispatch functionalities complete the digitalization of the end-to-end towing process in one unified system;
- Net new Infrastructure required for a brand-new solution will increase the cost, resource effort and system implementation time. It also does not meet the timing and funding constraint; and

- Data integration required between W.I.P.S. and a brand-new solution for tow card, infraction notices, lookup data; interfaces, pound locations, etc. will make the solution more complex and difficult to maintain.

Conclusion:

As the W.I.P.S. contains data related to parking tags and towed vehicles, it is recommended that the V.I.P. module from the same vendor be added to this system to achieve the above noted enhancements. This requires an increase of \$1.53M to the contract amount, as broken down in Table 1 in this report.

Mr. Tony Veneziano, Chief Administrative Officer and Deputy Chief Peter Yuen, Community Safety Command, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police



Toronto Police Services Board Report

June 17, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Contract Extension – Softchoice Canada as the Microsoft Licensing Solutions Provider for Microsoft Enterprise Agreement

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board):

- (1) Amend the approval of Softchoice Canada Incorporated (Softchoice) as the Microsoft Licensing Solutions vendor authorized to provide Microsoft Enterprise Agreement software volume licensing and professional services to the Toronto Police Service (Service) to extend the agreement for an additional two year period commencing April 1, 2024 to March 31, 2026, inclusive, at an estimated cost of \$8.76 Million; and
- (2) authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form.

Financial Implications:

The Toronto Police Service (Service) has a contract in place with Softchoice Canada Incorporated (Softchoice) as the Microsoft Licensing Solutions vendor to provide Microsoft Enterprise Agreement software volume licensing and professional services. The Board approved Softchoice as the vendor for these services for a three year term, in November, 2020 (Min. No. P190/20 refers).

The initial term of the agreement approved by the Board in November, 2020, is from April 1, 2021 to March 31, 2024 with an estimated spend of \$13 Million (M) (excluding taxes). Funding to cover the estimated cost of 2021 portion of the maintenance contract is included in the 2021 operating budget (Min. No. P2021-0113-3.1 refers). The future year's requirements will be included in the respective operating budget requests.

The cost to extend the contract from April 1, 2024 to March 31, 2026 is estimated to be \$4.03M per year for a total of \$8.06M for the proposed extension period. A provisional amount of \$700,000 over the two year extension of the contract has been included, increasing the total estimated contract value for the proposed extension period to approximately \$8.76M. This provisional amount would only be used, if necessary, as individual projects within the Service come up over the five year period; however, any additional purchases would be subject to operational requirements and the availability of funds.

The estimates are based on the inventory of licenses at the present time. This cost will change based on actual licenses owned by the Toronto Police Service (Service) during the timeframe of the agreement.

Background / Purpose:

At its meeting on November 24, 2020, the Board approved Softchoice as the Microsoft Licensing Solutions vendor to provide Microsoft Enterprise Agreement software volume licensing and professional services for a term from April 1, 2021 to March 31, 2024 for \$13M (Min. No. P190/20 refers). This purchase was made pursuant to section 14 of the Purchasing By-law – Piggybacking of Same Goods and Services from Public Body, utilizing a negotiated pricing arrangement established by the Ontario Education Collaborative Marketplace (O.E.C.M.) which conducted a competitive procurement process for Microsoft products.

As the discounted pricing is only available during the term of the Service's agreement with the vendor, it is in the best interests of the Service to extend the length of the term to maximize the amount of savings from Microsoft licensing.

The purpose of this report is to obtain Board approval to extend the agreement with Softchoice to provide Microsoft Enterprise Agreement software volume licensing and professional services by two years to allow the Service to gain these additional Microsoft licensing savings for that additional two year period. Such an extension is also utilizing the O.E.C.M. arrangement.

Discussion:

Microsoft 365 and Power Apps are important technologies for the Service, allowing for enhanced features, including the ability to utilize Cloud enabled services, and enabling the progression of the Information & Technology strategic plan.

Microsoft, via Softchoice, is offering this modern licencing model at the same cost as a traditional on-premises licencing model. By utilizing the promotional pricing, and extending the current three year agreement by an additional two years, the Service can utilize these enhanced technologies and avoid approximately \$1.5M per year (\$3M total) of costs that would otherwise be incurred at the non-discounted price.

Conclusion:

Extending the agreement with Softchoice to provide Microsoft Enterprise Agreement software volume licensing and professional services for an additional two year period, commencing April 1, 2024 to March 31, 2026, will enable the Service to maximize value for the monies spent on this agreement.

Mr. Colin Stairs, Chief Information Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police



Toronto Police Services Board Report

May 11, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Special Constable Re-Appointments – June 2021

Recommendation:

It is recommended that the Toronto Police Services Board (Board) approve the agency initiated re-appointment request for the individuals listed in this report as special constables for the University of Toronto (U of T), subject to the approval of the Ministry of the Solicitor General (Ministry).

Financial Implications:

There are no financial implications relating to the recommendations contained within this report.

Background / Purpose:

Under Section 53 of the *Police Services Act*, the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Ministry. Pursuant to this authority, the Board has an agreement with the U of T, governing the administration of special constables (Min. Nos. P571/94 refer).

The Service received a request from U of T to appoint the following individuals as special constables (Appendix 'A' refers):

Table 1 Name of Agency and Special Constable Applicant

Agency	Name	Status Requested	Expiry
U of T St. George Campus	John Bongers	Re-Appointment	August 30, 2021
U of T St. George Campus	Deborah Fritz	Re-Appointment	August 21, 2021

Discussion:

Special constables are appointed to enforce the *Criminal Code* and certain sections of the *Controlled Drugs and Substances Act*, *Trespass to Property Act*, *Liquor Licence Act* and *Mental Health Act* on their respective properties within the City of Toronto.

The agreements between the Board and each agency require that background investigations be conducted on all individuals who are being recommended for appointment and re-appointment as special constables. The Service's Talent Acquisition Unit completed background investigations on these individuals and there is nothing on file to preclude them from being appointed as special constables for a five-year term.

The agencies have advised the Service that the above individuals satisfy all of the appointment criteria as set out in their agreements with the Board. The U of T's approved and current complements are indicated below:

Table 2 Name of Agency, Approved Complement and Current Complement of Special Constables

Agency	Approved Complement	Current Complement
U of T St. George Campus	50	42

Conclusion:

The Service continues to work together in partnership with U of T to identify individuals to be appointed and re-appointed as special constables who will contribute positively to the safety and well-being of persons engaged in activities on their properties within the City of Toronto.

Acting Deputy Chief Myron Demkiw, Specialized Operations Command, will be in attendance to answer any questions that the Board may have with respect to this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*copy with original signature on file at Board Office



University of Toronto
CAMPUS COMMUNITY POLICE SERVICES
A division of Facilities and Services

21 Sussex Avenue, Suite 100, Toronto, Ontario M5S 1J6

Tel (416) 978-2323 Fax: 416-946-8300

May 5, 2021

To: Detective Julie Tint

From: Michael Munroe

Subject Request for Toronto Police Services Board approval for Re-
Appointment of Special Constables

In accordance with the terms and conditions set out in the Agreement between the Toronto Police Services Board and the University of Toronto, the Board is authorized to appoint and re-appoint special constables subject to the approval of the Ministry of the Solicitor General.

The two individuals identified below meet the qualifications required to be re-appointed as special constables for University of Toronto St. George Campus.

32525 BONGERS, John

32523 FRITZ, Deborah

It is requested that the Board approve this submission and forward the decision to the Ministry for a re-appointment term of five years.

Please feel free to contact me should you have any questions

Regards

Michael Munroe – Director



Toronto Police Services Board Report

June 15, 2020

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director and Chief of Staff

Subject: Special Fund Status Update Report and Temporary Moratorium

Recommendation(s):

It is recommended that:

- 1) the Board place a moratorium on discretionary expenditures from the Special Fund until it is in good financial standing, with the ability to confidently fulfil its ongoing commitments; and,
- 2) the Executive Director and Chief of Staff review the status of the Special Fund and report back to the Board by its December 2021 meeting on its health and make a recommendation as to whether the moratorium should be lifted or should remain in place.

Financial Implications:

The Board is currently at risk of being unable to meet its ongoing Special Fund financial commitments, due to the pandemic-related pause on revenue-generating auctions, the proceeds from which are deposited into the Special Fund. If the Recommendation is approved, the Board would not fund any discretionary expenditures from the Special Fund for a period of time, until consistent deposits from auction revenue resume.

Background / Purpose:

The Board's Special Fund is maintained through the auction sale of unclaimed property, the proceeds of which are deposited into the Fund. Section 132(2) of the *Police Services Act* states "the chief of police may cause the property to be sold, and the board may use the proceeds for any purpose that it considers in the public interest." The Board uses its Fund to support local community initiatives that support Toronto Police Service police and community relations and employee recognition programs (long service, awards for performance, etc.), subject to funds being available. The Board has the sole legislated authority to expend the contents of the Fund.

Discussion:

How money makes its way into the Fund

Historically, the Service's Property & Video Evidence Management Unit (PVEMU) has processed and forwarded unclaimed property to the Service's auction company and the Board's Fund receives the revenue generated from these auctions, minus the auction company's commission. In addition, the Service's cashier's office would process any unclaimed funds and deposit them to the Fund. Unclaimed property and funds would consist of property where a rightful owner could not be determined, or items that remain unclaimed after exhausting all available options to notify the potential claimants.

The pandemic's restrictions has significantly reduced the flow of money to the Fund

In March 2020, in adherence to the pandemic guidelines, all Service facilities were closed to the public. As a result, the PVEMU could not return property to claimants during this time, and the entire processing and auctioning of unclaimed items was temporarily suspended. In March 2021, the PVEMU resumed processing unclaimed items, and deposits to the Fund have only recently recommenced.

The Fund's projected balance justify a moratorium on discretionary funding

The existing base funding required for the Fund, coupled with the Fund's projected balance given already-approved and or future required expenditures, justifies a moratorium on discretionary funding for a period of time:

- The Board's Special Fund Policy requires that the Fund maintain a minimum balance of \$150,000 in order to meet its corporate recognition commitments;
- As at May 31, 2021, the Fund's balance was approximately \$423,910. It is anticipated that by the end of 2021, approximately \$80,000 will be disbursed from the Fund to meet funding commitments previously approved by the Board. These disbursements include funds earmarked to recognize Members of the Service, including corporate awards, civilian long service recognition, audit fees and other small miscellaneous expenditures;
- Based on these expenditures and projected revenues, the Fund's balance will be approximately \$336,538 at the end of 2021; and,
- In addition, given anticipated funding commitments that the Board has traditionally approved or are required by the Fund's Policy, by the end of Q1 2022, the Fund's balance could be as low as \$200,793.

Without the ability to confirm when and by how much the Fund will increase as auctions and deposits resume, it is prudent for the Board to place a moratorium on the consideration of discretionary requests for financial assistance from the Fund until such time as the regular processing of unclaimed items and deposits has resumed to a pre-pandemic level, and the Board Office is confident that projected revenue will return the Fund to a level where discretionary spending can resume without jeopardizing the Fund's health.

As part of the Board Office's ongoing work to review and modernize the Board's policies, Board Staff are currently in the process of reviewing the Special Fund Policy, a revised version of which will be presented to the Board for consideration at a future meeting.

Conclusion:

The Board's requirement to maintain a \$150,000 balance, coupled with ongoing/approved commitments and an inability to project future deposits, justifies that a moratorium be placed on discretionary spending from the Fund. The Executive Director and Chief of Staff will review the status of the Fund and report to the Board's December 2021 meeting on its health and make a recommendation as to whether the moratorium should be lifted or remain in place.

Respectfully submitted,



Ryan Teschner
Executive Director and Chief of Staff



Toronto Police Services Board Report

June 8, 2021

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director & Chief of Staff

**Subject: City Council Decision – Infrastructure and Environment
Committee Item 21.7 E-scooters – Accessibility and Insurance Issues.**

Recommendation(s):

- 1) It is recommended that the Board refer this report to the Chief of Police for consideration and direct the Chief to liaise with City officials and others, as deemed appropriate;
- 2) Forward a copy of this report to the City Clerk for information and to inform Council, as required.

Financial Implications:

There are no financial implications arising from the Board's consideration of this report.

Background / Purpose:

City Council, at its meeting on May 5 and 6 2020, adopted an item with respect to Infrastructure and Environment Committee Item 21.7 – E-scooters – Accessibility and Insurance Issues. The motion is available at this link.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.IE21.7>

Discussion:

In considering this matter, City Council adopted the following:

4. City Council request the Toronto Police Services Board, the General Manager, Transportation Services and the Executive Director, Municipal Licensing and Standards to consult with accessibility stakeholders to:

a. develop a public education campaign to effectively convey the existing By-laws on the prohibition of e-scooters use in all public spaces; and

b. actively scale up City-wide enforcement of the By-law prohibiting use of e-scooters in all public spaces.

Conclusion:

It is, therefore, recommended that:

- 1) the Board refer this report to the Chief of Police for consideration and direct the Chief to liaise with City officials and others, as deemed appropriate;
- 2) Forward a copy of this report to the City Clerk for information and to inform Council, as required.

Respectfully submitted,

Ryan Teschner
Executive Director and Chief of Staff



Toronto Police Services Board Report

June 15, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: 2021 Operating Budget Variance for the Toronto Police Service, Period Ending March 31, 2021

Recommendation:

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto (City) Chief Financial Officer and Treasurer, for information and inclusion in the variance reporting to the City's Budget Committee.

Financial Implications:

At its January 13, 2021 meeting, the Board approved the Toronto Police Service's (Service) budget request at \$1,076.2 Million (M) (Min. No. P2021-0113-3.1 refers), a 0% increase over the 2020 approved operating budget.

Subsequently, City Council, at its February 18, 2021 meeting, approved the Service's 2021 operating budget at \$1,080.1M. The Council-approved budget reflects an increase of \$3.899M for the estimated impacts of COVID-19 in 2021.

Background / Purpose:

The purpose of this report is to provide the Board with the Service's 2021 projected year-end variance as at March 31, 2021.

Discussion:

As at March 31, 2021, the Service is projecting a final variance of zero. However, while still early in the year, preliminary projections show that the Service will have to manage \$2.8M of unfavourable variance risk to come in on budget. The Service is assessing spending plans and opportunities to manage this risk to stay within budget. This includes reviewing the following:

- timing and pace of hiring;
- premium pay spending;

- non-salary expenditures;
- revenue and cost-recovery opportunities; and
- reserve draw and contribution strategies.

It is important to note that while the Service did consider COVID-19 in developing the 2021 operating budget, the financial implications are difficult to predict. For planning purposes, the projections below assume that the majority of the COVID-19 restrictions will end by September 30th, when it is anticipated that the City will move to a “new normal.”

COVID-19:

Since early 2020, the COVID-19 pandemic has greatly impacted how the Service conducts its operations and has altered demands for service. More specifically:

- Service facilities have been closed to the public;
- many courts have shut down;
- special events have been cancelled;
- enforcement of the province’s emergency orders;
- members have been in self- isolation for periods of time;
- personal protective equipment purchases have increased substantially;
- social distancing rules have been created that require enforcement; and
- workplace adjustments to prevent COVID-19 spread have been made.

Despite the foregoing, the Service must still provide responsive public safety services to the communities we serve. COVID-19 has presented service challenges and has resulted in financial impacts as well.

Variance Details

The following chart summarizes the variance by expenditure and revenue category. Details regarding these categories are discussed in the section that follows.

Category	2021 Budget (\$Ms)	Actual to Mar 31/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Salaries	\$815.2	\$181.8	\$810.0	\$5.2
Premium Pay	\$48.8	\$9.0	\$58.6	(\$9.8)
Benefits	\$230.6	\$58.9	\$229.6	\$1.0

Category	2021 Budget (\$Ms)	Actual to Mar 31/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Non Salary	\$84.4	\$44.5	\$84.7	(\$0.3)
Contributions to / (Draws from) Reserves	\$13.3	\$0.0	\$13.3	\$0.0
Revenue	(\$112.3)	(\$9.3)	(\$107.4)	(\$4.9)
Total Net Before Grants	\$1,080.0	\$284.9	\$1,088.8	(\$8.8)
Net Impact of Grants	\$0.1	(\$2.0)	(\$5.9)	\$6.0
Total Preliminary Net	\$1,080.1	\$282.9	\$1,082.9	(\$2.8)
Expenditure Reductions			(\$2.8)	\$2.8
Total Net	\$1,080.1	\$282.9	\$1,080.1	\$0.0

It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year-end. Rather, the projection of expenditures to year-end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns. In addition, the Service receives significant amounts of in-year grant funding and the revenues from the grant funding offset any related expenditures.

Salaries:

A favourable variance of \$5.2M is projected in the salaries category.

Expenditure Category	2021 Budget (\$Ms)	Actual to Mar 31/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Uniform	\$605.7	\$135.6	\$603.1	\$2.6
Civilian	\$209.5	\$46.2	\$206.9	\$2.6
Total Salaries	\$815.2	\$181.8	\$810.0	\$5.2

Uniform Officers - The 2021 approved budget assumed that there would be 225 uniform officer separations during the year. To date, 46 Officers have separated from the Service, as compared to the 74 that was assumed in the budget over the same time period. As a result, the year-end projected separations has been lowered to 200. The unfavourable variance from the reduced number of separations has been more than offset by a greater than budgeted number of members on unpaid leaves (e.g. maternity and parental), as well as higher than anticipated separations at the end of 2020 (199 actual for the year versus budgeted of 185), which has resulted in projected savings of \$2.6M in 2021.

The 2021 approved budget includes funding for 230 uniform hires with class sizes of 10 in April, 69 in August, 131 in December and 20 lateral hires. It was subsequently

determined that a larger April class size would be more efficient from a hiring, training and deployment perspective. The April class now consists of 42 cadets and the increase in the April class will be offset by a reduction in future class sizes and lateral hires.

Actual separations are monitored monthly, and the Service will reassess future recruiting efforts based on the actual pace of hiring and separations.

Civilians - The 2021 approved budget includes funding to continue the hiring of Communications Operators and Bookers to approved staffing levels. In addition, funding was included to backfill civilian vacancies that support the front line and to continue hiring in support of modernization initiatives. While the Service has been hiring to fill key positions, many of the positions have been filled through internal promotions thereby creating other vacancies. As a result, the Service is projected to be below its funded civilian strength on average during the year. Therefore, the Service is projecting savings of \$2.6M in civilian salaries. The longer than anticipated hiring timelines have, however, resulted in civilian premium pay pressures as described below.

Premium Pay:

An unfavourable variance of \$9.8M is projected in the premium pay category.

Expenditure Category	2021 Budget (\$Ms)	Actual to Mar 31/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Uniform	\$43.5	\$8.3	\$49.1	(\$5.6)
Civilian	\$5.3	\$0.7	\$9.5	(\$4.2)
Total Premium Pay	\$48.8	\$9.0	\$58.6	(\$9.8)

Premium pay is incurred when staff are required to work beyond their normal assigned hours, such as for:

- extended tours of duty (e.g. when officers are involved in an arrest at the time their shift ends);
- court attendance scheduled for when the officer is off-duty; and
- call-backs (e.g. when an officer is required to work additional shifts to ensure appropriate staffing levels are maintained or for specific initiatives).

The Service’s ability to deal with and absorb the impact of major unplanned events (e.g. demonstrations, emergency events, and homicide / missing persons) relies on the use of off-duty officers which results in premium pay costs. For example the Service has incurred \$0.4M in premium pay costs associated with demonstrations and \$0.1M in premium pay costs associated with COVID-19 enforcement to March 31st. These costs have increased significantly since March 31, 2021, and will be reported on in the June 30th variance report to the Board.

The 2021 operating budget includes an opening premium pay pressure of approximately \$7M, as the Service experienced an unfavourable premium pay variance of \$5.1M in 2020 and the 2021 operating budget submission includes a \$1.6M decrease to the premium pay budget. An unfavourable variance occurred in 2020, despite the fact COVID-19 resulted in significant savings due to court closures for part of the year and reduced special events as result of the pandemic. While it is difficult to predict with any degree of certainty when the City will return to a “new normal”, current projections assume that the majority of the COVID-19 restrictions will end by Q3/Q4 of 2021.

Additional premium pay is also incurred as units address critical workload issues resulting from a 7% civilian vacancy, or approximately 190 vacant positions across the Service. Civilian overtime and call-backs are authorized when required to ensure deadlines are met, key service levels maintained, and tasks completed in order to ensure risks are mitigated and additional hard dollar costs are avoided. While year to date premium is low, civilian premium pay is projecting unfavourable at this time as based on history, the majority of lieu time cash payments occur at the end of the year and members are currently accumulating more lieu time than at the same point in time last year. Reductions in civilian premium pay spending are expected as civilian staffing vacancies decrease. However, many of the civilian positions require weeks or months of ongoing training before the staff can be utilized to their full potential. The projected higher than budgeted civilian premium pay expenditures have been mostly offset by savings in civilian salaries.

Every effort is being taken to manage risks to the Service’s overall financial condition. This includes improved monitoring and controlling of premium pay expenditures, which is a significant factor in the Service’s ability to come in on budget. Although underfunded on the whole, the allocation of premium pay budgets to units is being reviewed to arrive at more realistic premium pay budgets and targets across units. This is an important exercise in moving towards improved monitoring of actual premium pay expenditures and greater accountability on spending. Increased scrutiny over premium pay expenditures is being made and actions taken to reduce and contain premium pay as much as possible, within the exigencies of policing.

Benefits:

A favourable variance of \$1.0M is projected in this category.

Expenditure Category	2021 Budget (\$Ms)	Actual to Mar 31/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Medical / Dental	\$44.7	\$8.4	\$44.7	\$0.0
O.M.E.R.S. / C.P.P. / E.I. / E.H.T.	\$141.6	\$42.5	\$141.2	\$0.4
Sick Pay Gratuity /C.S.B./L.T.D.	\$21.5	\$4.0	\$21.5	\$0.0

Other (e.g., W.S.I.B., life insurance)	\$22.8	\$4.0	\$22.2	\$0.6
Total Benefits	\$230.6	\$58.9	\$229.6	\$1.0

It must be noted that benefit projections are based on historical trends, as cost do not follow a linear pattern. Cost can fluctuate significantly from month to month and significant adjustments are required at year end to take into account members submitting claims for the current year after the end of the year.

Medical/Dental costs are trending to be on budget in the first quarter of the year; therefore, no variance is projected at this time. Should the COVID-19 lockdowns continue, the Service could expect to see some savings in group benefit costs associated with physiotherapy, chiropractor, massages, and non-emergency dental services as social distancing has resulted in the reduction of many of these services. The amount of savings is difficult to predict, because of not only the unknown duration of the pandemic and lockdown orders, but also the extent to which members may catch up on procedures when services become available again.

Favourable variances in the O.M.E.R.S. /C.P.P. /E.I. /E.H.T. category is a result of reduced civilian staffing levels. Year to date costs for retiree insurance are trending favourable.

Non-Salary:

An unfavourable variance of \$0.3M is projected in this category.

Non Salary	2021 Budget (\$Ms)	Actual to Mar 31/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Vehicles (e.g. gas, parts)	\$13.9	\$10.4	\$13.9	\$0.0
Information Technology	\$30.2	\$21.2	\$30.8	(\$0.6)
Contracted Services	\$12.5	\$3.6	\$12.7	(\$0.2)
Uniforms and outfitting	\$9.1	\$4.7	\$9.1	\$0.0
Other	\$18.7	\$4.6	\$18.2	\$0.5
Total Non Salary	\$84.4	\$44.5	\$84.7	(\$0.3)

The unfavourable variances in Information Technology and Contracted Services categories are offset by favourable variances in the “Other” category and from recoveries and fees (which can be found in the “Revenues” section below). The “Other” category is comprised of multiple items that support staff and policing operations, the largest of which include budgets of \$2.5M for training, \$1.4M for the operating impact from capital, \$1.2M for equipment purchases, \$0.7M for photocopying and \$0.3M for bank service charges. Other smaller line items in this category include various supplies and services such as fingerprint supplies, traffic enforcement supplies, expenses to support investigations and translation services. The favourable variance is due to units reducing and deferring expenses wherever possible in order to stay within the overall

approved budget.

Due to COVID-19, the Service needs to ensure its members have the equipment and supplies to keep them and the community safe as they do their work. As a result, there will be an on-going need to purchase gloves, masks, sanitizer and other supplies, equipment and services to keep our members, their workspace, their vehicles and equipment, free from contamination. Year to date expenditures are in line with the budgeted amounts; however, as the pandemic is expected to last longer than originally expected, the Service is assessing the budget impacts.

Contributions to / (Draws from) Reserves:

A net zero variance is projected in this category.

Reserves Category	2021 Budget (\$Ms)	Actual to Mar 31/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Contribution to Reserves:				
Collective Agreement Mandated - Central Sick, Sick Pay Gratuity & Post-Retirement Health	\$14.3	\$0.0	\$14.3	\$0.0
Legal	\$0.9	\$0.0	\$0.9	\$0.0
Insurance	\$9.5	\$0.0	\$9.5	\$0.0
Vehicle & Equipment	\$20.8	\$0.0	\$20.8	\$0.0
Contribution to Reserves	\$45.5	\$0.0	\$45.5	\$0.0
Draws from Reserves:				
Collective Agreement Mandated - Central Sick, Sick Pay Gratuity & Post-Retirement Health	(\$23.5)	\$0.0	(\$23.5)	\$0.0
Legal & Modernization	(\$8.7)	\$0.0	(\$8.7)	\$0.0
Draws from Reserves	(\$32.2)	\$0.0	(\$32.2)	\$0.0
Contributions to / (Draws from) Reserves	\$13.3	\$0.0	\$13.3	\$0.0

As part of the annual operating budget process, the Board and Council approve contributions to and expenditures from reserves. The various reserves are established to provide funding for anticipated expenditures to be incurred by the Service, and to avoid large swings in costs from year to year. The Service contributes to and/or draws from the following reserves: City Sick Pay Gratuity; City Insurance; Vehicle and Equipment; Central Sick; Post-Retirement Health; and Legal.

The adequacy of reserves is reviewed annually, based on the Service's estimated spending and asset replacement strategies. Contributions are made and expensed to the operating budget accordingly. At this time, no variance is anticipated.

Revenue:

An unfavourable variance of \$4.9M is projected in this category.

Revenue Category	2021 Budget (\$Ms)	Actual to Mar 31/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Provincial Recoveries	(\$52.3)	\$0.5	(\$52.9)	\$0.6
Fees and Recoveries (e.g., paid duty, secondments, vulnerable sector screening.)	(\$32.1)	(\$4.0)	(\$28.7)	(\$3.4)
Paid Duty - Officer Portion	(\$24.7)	(\$5.3)	(\$24.7)	\$0.0
Miscellaneous Revenue	(\$3.2)	(\$0.5)	(\$1.1)	(\$2.1)
Total Revenues	(\$112.3)	(\$9.3)	(\$107.4)	(\$4.9)

Favourable variances in provincial recoveries are a result of the provincial uploading of court costs being greater than anticipated. While the Province is undertaking a review of the court services program, they have committed to continuing the funding in 2021.

For Fees and Recoveries, the Service experienced a reduction in revenues during 2020, as there was less demand for paid duties and vulnerable sector screenings as a result of COVID-19. In preparing the 2021 operating budget, it was anticipated that revenue losses due to COVID-19 would continue to June 30th. Year to date recoveries are in line with this estimate; however, given that the Service is now anticipating that most of the restrictions may not end until Q3/Q4, the Service is projecting a \$0.6M unfavourable variance. The Service is projecting a \$3.1M unfavourable variance associated with recoverable premium pay for officer off duty attendance at Provincial Offences Act courts, which are currently closed and are expected to only partially reopen during the summer. The loss of this recovery results in a net zero variance as premium pay spending is favourable by the same amount. The Service is projecting favourable recoveries of \$0.3M from outside agencies to facilitate the purchase of I.T. equipment, bringing the total unfavourable variance in fees and recoveries to \$3.4M.

The \$2.1M unfavourable variance in Miscellaneous Revenue is a result of the budget reduction to achieve a zero increase in the 2021 budget. It was anticipated at the time of budget preparation that there would be a net favourable variance in Grants, as the Service would not be able to backfill all of the associated positions, and would instead have to reassign internal staff; however the amount of grant savings was difficult to project at the time of the budget was prepared.

Grants:

A favourable variance of \$6.0M is projected in this category.

Grants	2021 Budget (\$Ms)	Actual to Mar 31/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Expenses:				
Guns & Gangs	\$5.0	\$0.3	\$5.4	(\$0.4)
Community Safety & Policing	\$0.0	\$1.6	\$4.0	(\$4.0)
Other	\$0.0	\$0.6	\$1.4	(\$1.4)
Total Expenses	\$5.0	\$2.5	\$10.8	(\$5.8)
Revenues:				
Guns & Gangs	(\$4.9)	(\$1.3)	(\$8.0)	\$3.1
Community Safety & Policing	\$0.0	(\$2.7)	(\$5.8)	\$5.8
Other	\$0.0	(\$0.5)	(\$2.9)	\$2.9
Total Revenues	(\$4.9)	(\$4.5)	(\$16.7)	\$11.8
Net Impact From Grants	\$0.1	(\$2.0)	(\$5.9)	\$6.0

Grant funding generally results in a net zero variance, as funds are provided for expenditures to achieve specific purposes. However, a net favourable variance is projected in this category since a number of permanent, funded positions are assigned to provincially supported programs and as a result are covered by the grant, and these positions were not all backfilled. Savings are projected due to the following grants: Guns and Gangs (\$2.7M), Community Safety & Policing (\$1.8M) and the Provincial Strategy to Protect Children from Sexual Abuse and Exploitation on the Internet (\$1.5M).

The Service is usually aware of grant opportunities prior to budget approval; however, revenue and expenditure budgets cannot be set up if the grant contracts are not approved. In addition, as the provincial fiscal year ends on March 31st, versus December 31st for the Service, unspent provincial grant funding from 2020 is carried forward into the first quarter of 2021. The amounts being carried forward are not finalized until well after year-end. As a result, the base budgets for grants are often zero and the grants are reflected as in year funding.

As the Service receives other grant funding during the year, future variance reports will reflect these spending plans as the grant applications are approved and agreements are finalized.

Expenditure Reductions to Achieve Zero Year-end Variance:

While preliminary projections are trending \$2.8M unfavourable, it must be noted that projections are based on estimates. The Service is working to stay within its approved budget, and some of the actions and mitigations that the Service is currently exploring include the following:

- ongoing review of the timing and pace of hiring and associated impacts to the Service's workforce;
- close monitoring of premium pay expenses across the Service to keep expenditures to an absolute minimum, taking into account pressures on the front line, investigative and support units as a result of low staffing levels;
- a reassessment of non-salary expenditures; and
- subject to protecting future funding viability, reassessing contribution strategies with a view to deferring reserve contributions where warranted.

Conclusion:

As at March 31, 2021, the Service is projecting to be on budget. However, preliminary projections show that the Service is managing \$2.8M of unfavourable variance risk. The Service is evaluating spending plans and opportunities to manage this risk in order to stay within budget. Although the 2021 budget included estimates for financial impacts of COVID-19, these costs are difficult to accurately predict as the length of the pandemic and the impact of the Service's operations, are not known with any degree of certainty. Given the foregoing it is difficult to fully project the financial impact. The Service is therefore evaluating spending plans and opportunities to manage this risk in order to continue to stay within budget, recognizing that unanticipated events could require increased action and response to keep our communities safe.

The Board will be kept apprised through the variance reporting process or ad hoc reports, as necessary and appropriate.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

June 15, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

**Subject: Capital Budget Variance Report for the Toronto Police Service -
Period Ending March 31, 2021**

Recommendations:

It is recommended that the Toronto Police Services Board (Board):

- (1) approve a transfer of \$213,000 from the Vehicle Preparation project (sub-project of Vehicle Replacement) to the Vehicle Replacement project;
- (2) approve a transfer of \$937,000 from the Long Term Facility Plan - Facility and Process Improvement project to the Radio Replacement project; and
- (3) forward a copy of this report to the City of Toronto's (City) Chief Financial Officer and Treasurer for consideration of Recommendations 1 and 2 and for information and inclusion in the City's overall capital variance report to the City's Budget Committee.

Financial Implications:

Toronto City Council (Council), at its meeting of February 18, 2021, approved the Toronto Police Service's (Service) 2021-2030 capital program at a net amount of \$18.4 Million (M) and gross amount of \$44.3M for 2021 (excluding carry forwards), and a 10-year total of \$212.5M net and \$614.7M gross. Please see Attachment A for more details.

Table 1 – Summary of 2021 Budget and Expenditures

Category	2021 Gross (M's)	2021 Net (M's)
2021 approved program excluding carry forward	\$44.3	\$18.4
2019 & 2020 carry forwards	\$28.5	\$14.1
Total 2021 available funding	\$72.8	\$32.5
2021 Projection	\$58.6	\$26.0
Variance to available funding	\$14.3	\$6.6
Carry forward to 2022	\$12.2	\$6.6
Spending rate	80%	80%

Note: due to rounding, numbers presented may not add up precisely. These figures include the budget transfers noted in this report.

The 2021 estimated gross spending rate is 80%. From the estimated 2021 gross under-expenditure of \$14.3M, \$12.2M will be carried forward to 2022. The remaining balance of \$2.1M will be returned to the Vehicle and Equipment reserve due to:

- savings realized in the Workstation, Laptop, Printer lifecycle project due to lower pricing (\$1.3M);
- utilization of Provincial grant funds for the replacement of servers in the Closed Circuit Television project (\$0.2M);
- Lifecycle replacement for Connected Officer phones (\$0.2M) that are not required; and
- the Wireless Parking System project being delivered below budget (\$0.3M).

Background / Purpose:

The purpose of this report is to provide the Board with the status of the Service's capital projects as at March 31, 2021.

COVID-19 Impact on Capital projects:

There have been some delays in various projects due to COVID-19 restrictions and challenges. The Service continues to monitor the impacts of COVID-19 on projects in the capital plan in order to ensure any action required is undertaken.

Discussion:

Attachment A provides the Service's approved 2021-2030 capital program.

Attachment B provides the Service's variance report as at March 31, 2021 with a status summary of the ongoing projects from 2020 as well as project description and status for projects that started in 2021.

Key Highlights / Issues:

As part of its project management framework, the Service tracks the project risk and issues to determine the status and health (i.e. Green, Yellow, and Red) of capital projects. The overall health of each capital project is based on budget, schedule and scope considerations. The colour codes are defined as follows:

- Green - on target to meet project goals (scope/functionality), on budget and on schedule and no corrective action is required.
- Yellow - at risk of not meeting certain goals, some scope, budget and/or schedule issues, and minimal corrective action is required.
- Red - high risk of not meeting goals, significant scope, budget and/or schedule issues, and extensive corrective action is required.

Table 2 - 2021 Capital Budget Variance Report as at March 31, 2021 (\$000s)

	2021 Cash Flow		Variance (Over)/ Under	Spending Rate	Carry Forward to 2022	Overall Project Health
	Available to Spend	Projected Actuals				
Debt - Funded Projects						
Facility Projects:						
54/55 Divisions Amalgamation	908.5	550.0	358.5	61%	358.5	Yellow
41 Division	6,016.4	4,175.8	1,840.6	69%	1,840.6	Yellow
Communication Center Consulting	500.0	300.0	200.0	60%	200.0	Yellow
Long Term Facility Plan - Facility and Process Improvement	700.0	700.0	0.0	100%	0.0	Green
Long Term Facility Plan - Consultant	750.0	300.0	450.0	40%	450.0	Red
Information Technology Modernization Projects:						
Transforming Corporate Support	1,376.3	1,176.3	200.0	85%	200.0	Green
ANCOE (Enterprise Business Intelligence and Global Search)	1,019.0	869.0	150.0	85%	150.0	Green
Body Worn Camera - Phase II	2,800.0	2,600.0	200.0	93%	200.0	Green
Next Generation (N.G.) 9-1-1	6,694.6	5,694.7	999.9	85%	999.9	Green
Replacements/ Maintenance/ Equipment Projects:						
State-of-Good-Repair	6,058.5	3,946.9	2,111.6	65%	2,111.6	Yellow
Radio Replacement	6,129.6	6,129.6	0.0	100%	0.0	Green
Automated Fingerprint Identification System (A.F.I.S.) Replacement	1,581.0	1,344.0	237.0	85%	237.0	Green
Mobile Command Centre	1,735.0	1,335.0	400.0	77%	400.0	Green
Total Debt - Funded Projects	36,269	29,121	7,148	80%	7,148	
Lifecycle Projects (Vehicle & Equipment Reserve)						
Vehicle Replacement	8,373.2	8,221.3	151.9	98%	150.0	
IT- Related Replacements	17,024.4	13,265.9	3,758.5	78%	2,460.1	
Other Equipment	11,179.9	7,974.5	3,205.4	71%	2,482.3	
Total Lifecycle Projects	36,577.5	29,461.7	7,115.8	81%	5,092.5	
Total Gross Expenditures	72,846.4	58,582.9	14,263.5	80%	12,240.1	
Less other-than-debt Funding						
Funding from Developmental Charges	(3,724.5)	(3,166.0)	(558.5)	85%	(558.5)	
Vehicle & Equipment Reserve	(36,577.5)	(29,461.7)	(7,115.8)	81%	(5,092.5)	
Total Other-than-debt Funding	(40,302.0)	(32,627.7)	(7,674.3)	81%	(5,650.9)	
Total Net Expenditures	32,544.4	25,955.2	6,589.2	80%	6,589.2	

Note: the above numbers reflect the budget transfers noted in this report.

The subsequent sections provides project updates for key, on-going projects and includes high-level project descriptions for new projects within the 2021-2030 program.

Facility Projects:

Due to COVID-19, there have been delays in planned construction schedules, including labour and critical supply chain disruptions, delays in obtaining required permits as well as 2020 Capital from Current (C.F.C.) funding shortfall from the City. These factors played a significant role in the progress of the Service's facility related projects.

The Service is acquiring external expertise to develop a strategic building and office/operational space optimization program that assesses current space utilization and forecasts the short and long term requirements of the Service with respect to its current building portfolio. The facility related capital program will be updated for future years as more information becomes available.

54/55 Divisions Amalgamation (Yellow):

- The process of rezoning, environmental assessment of site and soil conditions are complete.
- The architectural firm is currently preparing a design brief complete with schematic block plans for use in the Construction Management Request for Proposal (R.F.P.) that will be tendered in the second quarter of 2021.
- Facilities Management Unit (F.C.M.) will engage the 54/55 Facility Steering Committee for continuation of the investigative/schematic design phase.
- F.C.M. is liaising with local City councillors to discuss further community engagement and input during the investigative design stage.
- Construction will commence by the second quarter of 2022.
- The current plan is to return the 54 and 55 divisional properties back to the City, once the building is constructed and operational.
- Timeline and construction cost is adjusted for 2021. However, due to new COVID-19 restrictions, it is anticipated that there will be some delays in the project. Therefore, the overall status of this project is Yellow at this point.

41 Division (Yellow):

- This new divisional build is being constructed on the existing 41 Division site, and operations will continue while the construction is occurring.
- The schematic design was approved by Command in November 2020. The project has moved into the Detailed Design Phase.
- The 50% Detailed Design Set was completed in March. The budget has been prepared by the construction management firm and cost consultants. Additional value engineering sessions will be conducted for cost containment purposes.

- F.C.M. is continuing to develop the enabling site preparation work in conjunction with the architectural and construction management firms, as well as the divisional move committee. The enabling work package is currently out for tender.
- Renovation work to be completed in May/June 2021 with relocation of staff scheduled shortly thereafter.
- Phase 1 of demolition is expected to start in August 2021.
- Community engagement has been initiated with two Town Hall meetings. One was in November of 2019 and the second in May 2021. A third meeting will be scheduled later on this year.
- Timeline and construction cost is adjusted for 2021. However, due to COVID-19 restrictions the overall status of this project is Yellow at this point.
- In the fourth quarter of 2020, the City approved a funding transfer of \$250,000 from the 41 Division project to the Body-worn camera (B.W.C.) project. The 41 Division project was behind schedule and funding was required by the B.W.C. project for an invoice payment. The transfer was made with the understanding that funds will be returned in 2021. The City has approved the return of funds in 2021 and the budget change is reflected in the first quarter report.

Communication Centre Requirements Review (Yellow)

- This project provides funding to acquire external expertise to assist the Service with a comprehensive review of all the requirements for a new Communication Centre, taking into account the impact of Next Generation (N.G.) 9-1-1 and other key considerations.
- The existing location for Communications Services (C.O.M.) has reached the maximum capacity for personnel, workspace and technology. The current facility cannot accommodate the anticipated expansion that will be required as a result of N.G. 9-1-1.
- The estimated cost for a new Communication Centre facility is not included in the Service's capital program, as the Service is going to engage external expertise as an important first step to moving this project forward. This project and its funding should be jointly coordinated with other City Emergency Services, and the Service will work with City Finance, Toronto Fire and Toronto Paramedic Services to that end. The external expert will conduct a comprehensive analysis of the impact of technological changes from N.G. 9-1-1, population growth, shifts in calling behaviour (text versus voice, videos), staffing requirements, location, size, and backup site.
- An R.F.P. was issued, and a contract has been awarded to AECOM Canada Ltd., which is one of the Board approved pre-qualified vendors, for the provision of

architectural services for various renovation and construction projects at Toronto Police Service facilities (Min. No. P118/2018 refers).

- The project team have successfully completed their mandatory background screening. A kick-off project meeting was held in January. Programming and information gathering has commenced.
- The new communications building Feasibility Study will be completed in 2021.
- The status of this project is Yellow, as it is anticipated that from the available funding of \$500K, \$300K will be spent in 2021 and the rest will be carried forward to 2022 for contract administration and any design work at the secondary site, if required.

Long-Term Facility Plan – Facilities and Process Improvement – District Model (Green)

- The remote appearance video bail pilot project was implemented at 14 and 23 Divisions in collaboration with the Ministry of the Attorney General (M.A.G.) and other external agencies. The expansion of the video bail pilot to 43 and 55 Divisions is now underway.
- The review of operational processes continues to focus on opportunities to improve service delivery. This work includes system enhancements for shift schedule-related activities, the investigative review processes, the standardization of non-emergency event processes, etc. All these efforts allow the front-line officers to more efficiently respond to higher priority emergency calls, proactively engage the community, and support policing initiatives that promote community safety.
- It is requested that the Board approve a transfer of \$937K from this project to Radio Replacement project. This project is on time, however based on various scope changes to this project the 2020 carry forward is no longer required.

Long-Term Facility Plan – Consulting Services (Red)

- The Service is the largest municipal police service in Canada with over 52 buildings throughout Toronto. Some of these buildings are over 35 years old and are in need of replacement or major renovation to meet current and projected staffing and operational needs.
- The Service is acquiring external expertise to develop a Strategic Building Program that assesses current space utilization and forecasts the short and long term requirements of the Service with respect to its current building portfolio, office space, staffing needs, and the ability to provide services in a growing city. As well, it will explore best practices, trends, issues and options within the industry to establish priorities relating to the consolidation and/or expansion of Service operations and the impact on future building needs. The consultant will develop consistent/standardized operational and office areas that will be used as

a guide for future construction project planning. The consultant will review divisional boundaries, including trends in calls for service to best identify location(s) for new construction.

- The review will assess the condition of existing buildings, locations, cost to renovate versus building new and/or cost to relocate in order to meet current and future operational requirements of the Service.
- A Request for Quotation (R.F.Q.) for consulting services has been prepared. F.C.M. and Purchasing Services are finalizing the R.F.Q. to be issued to the shortlist of architects in the second quarter of 2021.
- The work is extensive and involves various stakeholder engagements and building assessments. Given the challenges of COVID-19, along with units determining what the future of their operations will look like after the pandemic, it is anticipated that the work will take approximately 18-24 months. The Service has learned many lessons about work assignments as a result of the pandemic. Although we do not yet know what changes will be adopted as a long term strategy, we will be considering those lessons learned and make adjustment as appropriate.
- The health status of this project is Red as it is anticipated that from the available \$750K, \$300K will be utilized in 2021 and the rest will be carried forward to 2022.

Information Technology Modernization Projects:

Transforming Corporate Support (Human Resource Management System (H.R.M.S.) and Time Resource Management System (T.R.M.S.) (Green)

- The Service will update the time and labour system through a technical upgrade of the current T.R.M.S. application.
- A project charter and high-level implementation plan has been developed and approved by all parties.
- Project start up and procurement activities are currently underway.
- Continuous improvements to the H.R.M.S. functionality, reports and processes are continuing in 2021 to address gaps and increase process and functional maturity.

Analytics Centre of Excellence (A.N.C.O.E.) program; Enterprise Business Intelligence (E.B.I.) and Global Search (Green):

E.B.I.

- The program is mostly complete and will continue to improve the analytical reporting environments with new and enhanced Power B.I., geospatial and

reporting technologies. The A.N.C.O.E. program has delivered streamlined service processes that made data and analytics products available to front-line members, management, and the public. This included enhancements to the reporting database and data marts for existing Service requirements from various operational data sources.

- Planned deliverables include the second phase of the Situational Awareness solution, which includes improvements in Computer Aided Dispatch (C.A.D.) reporting, the re-engineering of the Geographic Information System (G.I.S.) platform for improved robustness and accessibility and the promotion and implementation of additional G.I.S. services and dashboards.

Global Search:

- When the Service's Records Management System (R.M.S.) was changed from e.C.O.P.S. to Versadex in 2013, users could not concurrently perform an integrated search of the current Versadex R.M.S. and the legacy databases through a single interface.
- With the production implementation of this platform, members of the Service will be able to conduct searches of internal systems more quickly and comprehensively and retrieve critical operational information.
- At the end of 2020, the A.N.C.O.E. program delivered the pilot phase of Global Search, providing search capabilities on Versadex and Legacy data to the Service.
- Planned deliverables for 2021 include the upgrade of the Global Search environment to address future demands and improvements in solution robustness, the inclusion of traffic related data, and ongoing enhancements based on member feedback and use experience best practices.

Body Worn Cameras (B.W.C.) (Green)

- The contract award to Axon Canada was approved by the Board at its August 2020 meeting (Min. No. P129/20 refers).
- To date, 770 front-line police officers in 23 Division, 12 Division, 11 Division, 22 Division, those assigned to the Community Response Unit at 52 Division and the Public Safety Response Team have been trained and issued body-worn cameras.
- Training was halted in February due to COVID-19 concerns but has resumed in a limited capacity.
- Body-worn cameras continue to be rolled out to front-line officers in 31 Division, 14 Division, 52 Division and 13 Division.

- In the fourth quarter of 2020, the B.W.C. project was short funded for an invoice payment. Since the 41 Division project was behind schedule, a \$250K funding transfer was approved by the City from 41 Division to B.W.C. The transfer was made with the understanding that funds will be returned in 2021. The City has approved the return of funds in 2021 and the budget change is reflected in the first quarter report.

Next Generation (N.G.) 9-1-1 (Green)

- The new N.G. 9-1-1 solution, as proposed by Comtech Solacom (Solacom), was approved by the Board at its September 2020 meeting (Min. No. P133/20 refers).
- After a thorough legal analysis (performed by a third party law firm on behalf of the Service), the following have been agreed upon with Solacom and signed off by both parties:
 - Commercial Agreement
 - Software License Agreement
- A Purchase Order (P.O.) has been issued to Solacom.
- The Detail Design phase is in progress.
- The new training room is in the planning stages, with considerations around proper command centre furniture.
- A P.O. has been issued to Motorola for the new Radio Site for the Training Room/Tertiary (Production) use.
- Voice Logging System upgrade – for a fully N.G. - compliant version is in progress.
- Collaboration meetings have commenced with the secondary Public Safety Answering Points (Toronto Paramedic Services and Toronto Fire) on the N.G. platform.
- Pending any COVID-related delays or unplanned interruptions, it is anticipated that the solution will be fully implemented in the first quarter of 2022 and will Go Live in the second quarter of 2022.
- The performance of a Public Safety Answering Point (P.S.A.P.) is measured against the National Emergency Number Association (N.E.N.A.) standards (90% of all incoming 9-1-1 calls answered within 15 seconds). The implementation of Real Time Text (R.T.T.) will however presents a significant challenge with respect to the ability to meet the N.E.N.A. standards. Although the technical components of R.T.T. are yet to be finalized, the processing of text calls will take significantly longer than traditional voice calls. Limited data from across Canada

from the present text to 9-1-1 calls with the deaf and hard of hearing community suggest that the processing time is approximately 15 times longer than a traditional voice call. In order to meet the N.E.N.A. standards, the Service will very likely need additional Communications Operators to handle the text and voice calls. It is not possible, at this time, to determine the number of additional Communications Operators that will be required.

- To accommodate the implementation of N.G. 9-1-1 and to house the additional call-taking positions; the call-taking space on the operational floor is being expanded during renovations. At this point there is no funding for additional equipment or staffing. Space is being created to prepare for the anticipation of increased demand which would then require additional equipment and staff.
- The Status of this project is changed to Green as the overall implementation timeline and budget have been adjusted for COVID-19 impacts and legal-related delays in 2020.

Replacements/ Maintenance/ Equipment Projects:

All projects in this category are on budget and on time except for the replacement of the Automated Fingerprint Identification System. There are no other significant variances to report. Please refer to Attachment B for the list of projects.

State of Good Repair (S.O.G.R.) (Yellow):

- By definition, S.O.G.R. funds are used to maintain the safety, condition and requirements of existing Service buildings. This funding source is also used by the Service for technology upgrades in order to optimize service delivery and increase efficiencies. In light of the future plans for Service facilities, planned use of these funds will be aligned with the Long-Term Facility Plan, with priority being given to projects in the backlog that must continue and that will not be impacted by the transformation of the Service's facility footprint.
- Some examples of S.O.G.R. work in 2021 are security/access control maintenance in various locations, light emitting diode (L.E.D.) retrofits, realignment of headquarter (H.Q.) units, Marine Unit dock replacement, Mounted Unit horse stall repairs, Police Dog Services canopy, etc.
- The health status of this project is Yellow due to anticipated delays from COVID-19.

Radio Lifecycle Replacement (Green)

- The Service's Telecommunications Services Unit (T.S.U.) maintains 4,697 mobile and portable radio units. The replacement lifecycle of the radios was

extended from seven years to ten years, a number of years ago, in order to reduce the replacement cost of these important assets.

- It is requested that the Board approve a transfer of \$937K from the Long Term Facility Plan - Facility and Process Improvement to the Radio Lifecycle Replacement project. The accelerated funding in 2021 will provide for migration of the radios to the latest version of the Association of Public-Safety Communications Officials (A.P.C.O.) standards which allows for more radios to operate simultaneously. The Service's older radios are not capable of this method of operation. Migration to the newer standard eases officers' concerns with respect to operating different models of radios as well as enables the expanded use of newer features such as improved security and Global Positioning System (G.P.S.).

Automated Fingerprint Identification System (A.F.I.S.) (Green)

- The contract award to IDEMIA was approved by the Board Delegates on April 28, 2020 and contract negotiations were completed December 11, 2020 (special meeting with no minute number).
- Due to delays in contract negotiations and the continuing impact of COVID-19 with travel restrictions and logistics with shipping and receiving of materials, the implementation timeline has been extended from 8 months to 15 months.
- In February 2021, planning documents were created and forwarded to the Forensic Identification Services unit for review. The planning phase was completed at the end of March 2021. The design phase has already commenced and is continuing through to June 2021.
- The status of this project is changed to Green as the project baseline was adjusted to reflect the revised timeline and lower than budgeted cost (funding of \$1.47M was returned to the City at the end of 2020). The new A.F.I.S. is expected to be fully operational in the first quarter of 2022.

Mobile Command Centre (Green)

- The Service will be acquiring a new Mobile Command Vehicle to support the challenges of providing public safety services in a large urban city. The vehicle will play an essential role and fulfill the need to readily support any and all operations and occurrences within the City.
- The design will allow for the flexibility to cover emergencies and non-emergency events such as extreme event response, major sporting events, searches, and joint operations.
- Additionally, the vehicle will be designed to operate with other emergency services, as well as municipal, provincial and federal agencies. The technology will focus on both the current and future technological needs required to work

within the C3 (Command, Control, Communications) environment, further ensuring efficient and effective management of police responses.

- A project management team and working group have been established. A project charter is being developed and milestones defined. Stakeholders have been engaged to assist in defining the communications, technological and structural requirements.

Lifecycle Projects (Vehicle and Equipment Reserve):

Table 3 – Summary of vehicle and equipment lifecycle replacement (\$000s)

Project Name	Carry Forward from 2019 & 2020	2021 Budget	Available to Spend	Year End Actuals	YE Variance (Over)/ Under	Carry Forward to 2022	Total Project Cost	
							Budget	Life to Date
Vehicle Replacement	251.2	8,122.0	8,373.2	8,221.3	151.9	150.0	On-going	On-going
IT- Related Replacements	5,694.4	11,330.0	17,024.4	13,265.9	3,758.5	2,460.1	On-going	On-going
Other Equipment	7,075.9	4,104.0	11,179.9	7,974.5	3,205.4	2,482.3	On-going	On-going
Total Lifecycle Projects	13,021.5	23,556.0	36,577.5	29,461.7	7,115.8	5,092.5		

Projects listed in this category are funded from the Vehicle and Equipment Reserve (Reserve), which is in turn funded through annual contributions from the Service and Parking Enforcement operating budgets. The Reserve has no impact on the capital program at this time, as it does not require debt funding. Items funded through this reserve include the regular replacement of vehicles and information technology equipment, based on the deemed lifecycle for the various vehicles and equipment.

It is important to note that as the Service modernizes, new systems that have been implemented over the years (e.g. In-Car Camera program, data and analytics initiatives) and increasing storage requirements (e.g. to accommodate video), have put significant pressure on this Reserve, as the amount of equipment with maintenance and replacement requirements continues to increase year over year. This in turn puts pressure on the operating budget, as increased annual contributions are required to ensure the Reserve can adequately meet the Service’s vehicle and equipment requirements.

While the Service has taken steps to create efficiencies, the amount of equipment that must be replaced continues to increase. The Service will continue to review all projects planned expenditures to address the future pressures, including additional contributions that may be required. The Service is also exploring other options (e.g. cloud) for more efficient and potentially less costly data storage.

Vehicle Lifecycle Replacement

- The Vehicle Replacement – Service project requires additional funds to purchase four hybrid vehicles to determine the benefits of possibly moving part of the Service’s fleet to these type of vehicles. The total required cost is \$213K which will be accommodated by the permanent transfer of funds from the Vehicle Replacement – Vehicle Preparation project (a sub-project of the Vehicle replacement project). Costs for vehicle preparation for 2021 came in below budget as some equipment is being purchased from other lifecycle projects such as the Automated Vehicle Locator System (A.V.L.S.) and the Mobile Workstation projects.

Conclusion:

The Service’s 2021 gross spending rate is estimated at 80%. From the estimated 2021 gross under-expenditure of \$14.3M, \$12.2M will be carried forward to 2022. The remaining balance of \$2.1M will be returned to the Vehicle and Equipment reserve.

Projects will continue to be monitored on an ongoing basis and known issues will continue to be actively addressed. The Board will be kept apprised of any major issues as projects progress as well as proposed capital program changes.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office

APPROVED 2021 – 2030 Capital Program Request (\$000s)

Attachment A

	Prior to 2021	2021	2022	2023	2024	2025	2021-2025	2026	2027	2028	2029	2030	2026-2030	2021-2030	Total Project
Projects in Progress															
01. State-of-Good-Repair - Police	0	4,600	4,400	4,400	4,400	4,400	22,200	4,400	4,400	4,400	4,400	4,400	22,000	44,200	44,200
02. Transforming Corporate Support (HRMS, TRMS)	7,935	0	500	0	0	0	500	0	0	0	0	0	0	500	8,435
03. Long Term Facility Plan - 54/55 Amalgamation; New Build	1,184	0	6,710	18,800	11,280	10,026	46,816	2,500	0	0	0	0	2,500	49,316	50,500
04. Long Term Facility Plan - 32 Division Renovation	373	0	0	0	0	0	0	0	0	0	0	0	0	0	373
05. Long Term Facility Plan - 41 Division; New Build	4,956	2,116	19,500	13,000	10,928	0	45,544	0	0	0	0	0	0	45,544	50,500
06. Long Term Facility Plan - Facility and Process Improvement	3,022	1,485	735	0	0	0	2,220	0	0	0	0	0	0	2,220	5,242
07. ANCOE (Enterprise Business Intelligence, Global Search)	11,427	677	202	202	0	0	1,081	0	0	0	0	0	0	1,081	12,507
08. Radio Replacement	29,685	5,074	3,292	0	0	0	8,366	0	14,141	4,250	6,025	4,600	29,016	37,382	67,067
09. Automated Fingerprint Identification System (A.F.I.S.) Replacement	1,581	0	0	0	0	0	0	3,053	0	0	0	0	3,053	3,053	4,634
10. Next Generation (N.G.) 9-1-1	5,250	2,100	1,075	280	280	0	3,735	0	0	0	0	0	0	3,735	8,985
11. Body Worn Camera - Phase II	3,282	2,973	0	0	0	0	2,973	0	0	0	0	0	0	2,973	6,255
12. TPS Archiving	613	0	0	0	0	0	0	0	0	0	0	0	0	0	613
13. Additional Vehicles	6,621	0	0	0	0	0	0	0	0	0	0	0	0	0	6,621
14. Communication Centre - New Facility Assessment	500	0	0	0	0	0	0	0	0	0	0	0	0	0	500
Projects in Progress Total	76,427	19,025	36,414	36,682	26,888	14,426	133,435	9,953	18,541	8,650	10,425	9,000	56,569	190,004	266,430
Upcoming Projects															
15. Property & Evidence Warehouse Racking	30	0	0	0	50	950	1,000	0	0	0	0	0	0	1,000	1,030
16. Mobile Command Centre	0	1,735	0	0	0	0	1,735	270	50	0	0	270	590	2,325	2,325
17. Long Term Facility Plan - 13/53 Division; New Build	0	0	600	6,516	16,796	13,096	37,008	4,364	0	0	0	0	4,364	41,372	41,372
18. Long Term Facility Plan - 22 Division; New Build	0	0	0	0	0	600	600	6,516	15,596	13,196	5,492	0	40,800	41,400	41,400
19. Long Term Facility Plan - 51 Division; Major Expansion	0	0	0	0	0	0	0	0	3,300	5,240	3,460	0	12,000	12,000	12,000
Upcoming Projects Total	30	1,735	600	6,516	16,846	14,646	40,343	11,150	18,946	18,436	8,952	270	57,754	98,097	98,127
Vehicle and Equipment Reserve Total	282,961	23,556	28,173	33,417	33,404	34,031	152,581	37,328	33,825	32,171	27,253	43,478	174,055	326,636	609,597
Gross Total	359,418	44,316	65,187	76,615	77,138	63,103	326,359	58,431	71,312	59,257	46,630	52,748	288,378	614,737	974,154
Revenue															
100. DC and Grant funding applicable to Connected officer	(2,632)	0	1,403	296	1,723	307	3,729	1,787	318	1,851	329	63	4,348	8,077	5,445
101. Development charges Funding	(33,759)	(2,316)	(10,107)	(16,812)	(17,099)	(6,907)	(53,241)	(12,303)	(15,914)	(1,851)	(329)	(63)	(30,460)	(83,701)	(117,460)
102. Total Reserve Projects	(282,961)	(23,556)	(26,770)	(33,121)	(31,681)	(33,724)	(148,852)	(35,541)	(33,507)	(30,320)	(26,924)	(43,415)	(169,707)	(318,559)	(601,520)
103. Total Debt Projects	42,698	18,444	28,310	26,682	28,358	22,472	124,266	10,587	21,891	27,086	19,377	9,270	88,211	212,477	255,174

2021 Capital Budget Variance Report as at March 31, 2021 (\$000s)																
Project Name	Carry Forward from 2019 & 2020	2021 Cash Flow			Variance (Over)/ Under	Lost Funding/ Return to Reserve	Spending Rate	Carry Forward to 2022	Total Project Cost		Status	Start Date	End Date		Overall Project Health	Comments
		Budget	Available to Spend	Projected Actuals					Budget	Life to Date			Planned	Revised		
Debt - Funded Projects																
Facility Projects:																
54/55 Divisions Amalgamation	908.5	0.0	908.5	550.0	358.5	0.0	61%	358.5	50,499.8	290.0	Delayed	Jan-17	Dec-24	Dec-26	Yellow	Please refer to the body of the report
41 Division	3,650.4	2,366.0	6,016.4	4,175.8	1,840.6	0.0	69%	1,840.6	50,500.0	1,213.9	Delayed	Jan-18	Dec-22	Dec-24	Yellow	Please refer to the body of the report
Communication Center Consulting	500.0	0.0	500.0	300.0	200.0	0.0	60%	200.0	500.0	0.0	Delayed	Jan-20	Dec-20	Dec-22	Yellow	Please refer to the body of the report
Long Term Facility Plan - Facility and Process Improvement	700.0	0.0	700.0	700.0	0.0	0.0	100%	0.0	4,492.0	2,153.0	On Time	Jan-18	Dec-23	Dec-22	Green	Please refer to the body of the report
Long Term Facility Plan - Consultant	0.0	750.0	750.0	300.0	450.0	0.0	40%	450.0	750.0	0.0	On Time	Jan-21	Dec-22	Dec-22	Red	Please refer to the body of the report
Information Technology Modernization Projects:																
Transforming Corporate Support	1,376.3	0.0	1,376.3	1,176.3	200.0	0.0	85%	200.0	9,242.5	6,558.3	On Time	Jan-14	Dec-20	Dec-22	Green	Please refer to the body of the report
ANCOE (Enterprise Business Intelligence and Global Search)	342.0	677.0	1,019.0	869.0	150.0	0.0	85%	150.0	12,527.6	11,840.5	On Time	Jan-15	Dec-18	Dec-23	Green	Please refer to the body of the report
Body Worn Camera - Phase II	77.0	2,723.0	2,800.0	2,600.0	200.0	0.0	93%	200.0	5,854.8	4,390.7	On Time	Jan-17	Dec-20	Dec-21	Green	Please refer to the body of the report
Next Generation (N.G.) 9-1-1	4,594.6	2,100.0	6,694.6	5,694.7	999.9	0.0	85%	999.9	8,985.0	696.1	On Time	Jan-19	Dec-23	Dec-24	Green	Please refer to the body of the report
Replacements/ Maintenance/ Equipment Projects:																
State-of-Good-Repair	1,361.1	4,697.4	6,058.5	3,946.9	2,111.6	0.0	65%	2,111.6	on-going	on-going	On Time	on-going	on-going	on-going	Yellow	Please refer to the body of the report
Radio Replacement	418.0	5,711.6	6,129.6	6,129.6	0.0	0.0	100%	0.0	38,050.5	29,651.7	On Time	Jan-16	on-going	on-going	Green	This is for lifecycle replacement of radios and is on time and on budget
Automated Fingerprint Identification System (A.F.I.S.) Replacement	1,581.0	0.0	1,581.0	1,344.0	237.0	0.0	85%	237.0	4,285.0	2,704.1	On Time	Jan-19	Dec-20	Mar-22	Green	Please refer to the body of the report
Mobile Command Centre	0.0	1,735.0	1,735.0	1,335.0	400.0	0.0	77%	400.0	1,735.0	0.0	On Time	Feb-21	Apr-22	Apr-22	Green	Please refer to the body of the report
Total Debt - Funded Projects	15,509	20,760	36,269	29,121	7,148	0	80%	7,148	187,422	59,498						
Lifecycle Projects (Vehicle & IT-Related)																
Vehicle Replacement	251.2	8,122.0	8,373.2	8,221.3	151.9	1.9	98%	150.0	On-going	On-going	On-going					
IT-Related Replacements	5,694.4	11,330.0	17,024.4	13,265.9	3,758.5	1,298.3	78%	2,460.1	On-going	On-going	On-going					
Other Equipment	7,075.9	4,104.0	11,179.9	7,974.5	3,205.4	723.1	71%	2,482.3	On-going	On-going	On-going					
Total Lifecycle Projects	13,021.5	23,556.0	36,577.5	29,461.7	7,115.8	2,023.4	81%	5,092.5								
Total Gross Expenditures	28,530.4	44,316.0	72,846.4	58,582.9	14,263.5	2,023.4	80%	12,240.1								
Less other-than-debt Funding																
Funding from Developmental Charges	(1,408.5)	(2,316.0)	(3,724.5)	(3,166.0)	(558.5)	0.0	85%	(558.5)								
Vehicle & Equipment Reserve	(13,021.5)	(23,556.0)	(36,577.5)	(29,461.7)	(7,115.8)	(2,023.4)	81%	(5,092.5)								
Total Other-than-debt Funding	(14,430.0)	(25,872.0)	(40,302.0)	(32,627.7)	(7,674.3)	(2,023.4)	81%	(5,650.9)								
Total Net Expenditures	14,100.4	18,444.0	32,544.4	25,955.2	6,589.2	0.0	80%	6,589.2								



Toronto Police Services Board Report

May 25, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: 2021 Operating Budget Variance Report for the Toronto Police Service Parking Enforcement Unit, Period Ending March 31, 2021

Recommendations:

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto (City) Chief Financial Officer and Treasurer for information and inclusion in the variance reporting to the City's Budget Committee.

Financial Implications:

At its January 13, 2021 meeting, the Board approved the Toronto Police Service's Parking Enforcement Unit (P.E.U.) operating budget request at \$49.2 Million (M) (Min. No. P2021-0113-3.3 refers), a 0% increase over the 2020 approved budget.

Subsequently, City Council, at its February 18, 2021 meeting, approved the P.E.U.'s 2021 operating budget at the same amount.

As at March 31, 2021, the Service is currently projecting a zero variance for the P.E.U.

Background / Purpose:

The P.E.U. operating budget is not part of the Toronto Police Service (Service) operating budget. While the P.E.U. is managed by the Service, the P.E.U.'s budget is maintained separately in the City's non-program budget. In addition, revenues from the collection of parking tags issued accrue to the City, not the Service.

The purpose of this report is to provide information on the P.E.U.'s 2021 projected year-end variance as at March 31, 2021.

Discussion:

While the Service is currently projecting a zero variance for the P.E.U. budget, we will continue to review spending plans to ensure the P.E.U. stays within budget. This includes reviewing the timing and pace of hiring, premium pay spending and non-salary

expenditures. It is important to note that while the P.E.U. did consider COVID-19 in developing its 2021 operating budget, the financial implications are difficult to predict. For planning purposes, the projections below assume that the majority of the COVID-19 restrictions will end by September 30th, when it's anticipated that the City will move to a "new normal".

COVID-19:

Since early 2020, the COVID-19 pandemic has greatly impacted how the P.E.U. conducts its operations and has altered demands for service. More specifically:

- reduced parking tag enforcement;
- reduced pound operations;
- members have been in self-isolation for periods of time;
- personal protective equipment purchases have increased substantially; and
- workplace adjustments to prevent COVID-19 spread are or will be made.

COVID-19 has presented service challenges, and has resulted in financial impacts as well.

The following chart summarizes the variance by category of expenditure, followed by information on the variance for both salary and non-salary related expenses.

Category	2021 Budget (\$Ms)	Actual to Mar 31/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav/(Unfav) (\$Ms)
Salaries	\$33.0	\$8.3	\$33.5	(\$0.5)
Benefits	\$8.2	\$1.7	\$8.2	\$0.0
Total Salaries & Benefits	\$41.2	\$10.0	\$41.7	(\$0.5)
Premium Pay	\$1.3	\$0.1	\$0.9	\$0.4
Materials & Equipment	\$2.4	\$0.1	\$2.4	\$0.0
Services	\$5.6	\$1.2	\$5.6	\$0.0
Total Non-Salary	\$8.0	\$1.3	\$8.0	\$0.0
Revenue (e.g. Toronto Transit Commission (T.T.C.), towing recoveries)	(\$1.3)	\$0.0	(\$1.4)	\$0.1
Total Net	\$49.2	\$11.4	\$49.2	\$0.0

It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year-end. Rather, the projection of expenditures to year-end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns.

Salaries and Benefits (\$0.5M unfavourable variance):

Retirements and resignations are currently trending lower than planned. However, while regular attrition has slowed down, several parking enforcement staff have been successful in obtaining other positions within the Service (e.g. police officers and other civilian support positions), offsetting the reduced retirements and resignations. As a result, a \$0.5M unfavourable variance is projected in salaries and benefits at this time. One recruit class is currently scheduled for December. The size of this class will depend on attrition and anticipated service level requirements in 2022.

Premium Pay (\$0.4M favourable):

Historically, nearly all premium pay at the P.E.U. is related to enforcement activities, such as special events or directed enforcement activities. Directed enforcement activities are instituted to address specific problems. A favourable variance of \$0.4M is projected in premium pay at this time. Although year to date expenditures are low, it is currently anticipated that premium pay related to enforcement activities will start to be incurred towards the end of summer.

Materials, Equipment and Services (zero variance):

No variance is anticipated in the non-salary accounts at this time.

Revenue (\$0.1M favourable):

Revenues include towing recoveries, contribution from reserves and recoveries from the T.T.C. The recoveries from the T.T.C. are for premium pay expenditures that are incurred to enforce parking by-laws on T.T.C. right of ways, which are necessitated by the continuing weekend subway closures for signal replacements maintenance. A favourable variance of \$0.1M is projected for these recoveries.

Conclusion:

As at March 31, 2021, the P.E.U. is projecting to be on budget, and the unit is continually reviewing its spending plans to ensure that objective is achieved.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

June 16, 2021

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director and Chief of Staff

Subject: 2021 Operating Budget Variance Report for the Toronto Police Services Board, Period Ending March 31, 2021

Recommendation:

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto (City) Chief Financial Officer and Treasurer for information and inclusion in the variance reporting to the City's Budget Committee.

Financial Implications:

At this time, the Board is anticipating a \$65,500 unfavourable variance on its 2021 operating budget.

Background / Purpose:

The Board, at its January 13, 2021 meeting, approved the Toronto Police Services Board's 2021 operating budget at a net amount of \$1,931,100 (Min. No. P2021-0113-3.4 refers), a 0% increase over the 2020 operating budget. Subsequently, City Council, at its February 18, 2021 meeting, approved the Board's 2021 operating budget at the same net amount.

The purpose of this report is to provide information on the Board's 2021 projected year-end variance.

Discussion:

As at March 31, 2021, a \$65,500 unfavourable variance is anticipated. Details are discussed below. It is important to note, that while COVID-19 has had a significant impact on the way the Board conducts its business and how it interacts with the public, the Board Office has been able to leverage available technology and other approaches to ensure the net financial impact of the pandemic on the Board's budget is marginal.

The following chart summarizes the Board's variance by expenditure category. Details regarding these categories are discussed in the sections that follow.

Expenditure Category	2021 Budget (\$000s)	Actual to Mar 31/21 (\$000s)	Projected Year-End Actual (\$000s)	Fav/(Unfav) (\$000s)
Salaries & Benefits	\$1,330.3	\$314.8	\$1,273.5	\$56.8
Non-Salary Expenditures	\$2,576.5	\$619.9	\$2,661.6	(\$85.1)
Draws from Reserves	(\$1,975.7)	\$0.0	(\$1,938.5)	(\$37.2)
Total Net	\$1,931.1	\$934.7	\$1,996.6	(\$65.5)

It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year-end. Rather, the projection of expenditures to year-end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns.

Salaries & Benefits

Year-to-date expenditures are lower than planned, therefore a favourable projection of \$56,800 is projected to year-end.

Non-salary Budget/Draws from Reserves

The majority of the costs in this category are for arbitrations/grievances and City charge backs for legal services. In addition, this category includes expenditure and associated draws from reserve funding to facilitate the Independent Civilian Review into Missing Persons Investigations, discussed further below.

The Toronto Police Services Board cannot predict or control the number of grievances filed or referred to arbitration as filings are at the discretion of bargaining units. In order to address this uncertainty and ensure adequate financial resources are available to respond to these matters when they arise, the 2021 budget includes a \$424,800 contribution to a Reserve for costs associated with the provision of legal advice and representation. Fluctuations in legal spending will be dealt with by increasing or decreasing the budgeted reserve contribution in future years' operating budgets so that the Board ultimately has funds available in the Reserve, upon which to draw, to fund these variable expenditures.

Chief of Police Public Consultation and Selection Process

The Board authorized commencing the process for two outside professional firms to assist the Board with (i) broad public engagement and consultation to determine what criteria should be used in selecting Toronto's next Chief of Police, and (ii) executive

search services. The Board, at its October 22, 2020 meeting, approved the Chief of Police Selection Process – Contract Award to Environics to Deliver Public Consultation Services (Min. No. P160/20 refers). Costs for the public consultation process are estimated to be \$75,000 and evenly divided between 2020 and 2021. Subsequently, the Board, at its meeting of November 24, 2020, approved the Chief of Police Selection Process – Contract Award to BESC Toronto Inc. (Boyden) to Deliver Executive Search Services (Min. No. P184/20 refers). Costs for the executive search process are estimated to be \$75,000 and to occur mainly during 2021. For 2020, the expenditure incurred with respect to the Chief of Police consultation and selection process was \$27,700 and was absorbed from within the Board Office budget. Every effort will be made to absorb costs associated with this process in 2021 from within; however, as a Chief Selection process does not occur regularly, the funds associated with the process are not ‘built in’ to the Board Office’s annual budget, and, therefore, the Board is currently projecting a \$122,300 budget pressure.

Independent Civilian Review into Missing Persons Investigations

On April 13th the Report by the Honourable Gloria J. Epstein, Head of the Independent Civilian Review into Missing Person Investigations, was made public. This extremely comprehensive Report, a culmination of almost three years of diligent and dedicated research, detailed analysis, as well as consultation with Toronto’s LGBTQ2S+ and other communities, is forthright and powerful. It also outlines 151 recommendations that the Board and Service have committed to implementing.

With the Review’s work now complete and its final account already submitted and approved by the Board (at the May 2021 Board Meeting), this will be the last variance report that includes budget information associated with the Review. To summarize, the total funding and expenditures associated with the Review were as follows:

Initial Scope of Review	3,000,000
Expanded Scope of Review	1,000,000
Extended Time Line and Police Reform	700,000
Total Funding from Tax Stabilization Reserve	4,700,000
Expenditures 2018 to 2020	3,791,715
Expenditures 2021	862,822
Total Expenditures	4,654,537

The 2021 non-salary expenditure budget includes funding of \$900,000, with an offsetting draw from reserves, to complete the Review. The difference between the in year budget for the Review and in year expenditures of \$37,178 will not be drawn from reserves, resulting in an unfavourable variance in the reserves category, but with an offsetting favourable variance in the non-salary category.

The Review has completed its work within the allocated budget, as amended. The Review has made recommendations that are concrete and significant, and the Board

and Service have committed to implementing them in partnership with impacted communities. When implemented, the Service's ability to effectively and compassionately investigate missing persons in our city will be enhanced. In addition, broader recommendations in the Review that focus on how the Board and Service can more effectively engage with the communities we serve will, when implemented, enhance the relationship of trust and positive community relations on which effective policing must, always, be based.

Conclusion:

As at March 31, 2021, a net \$65,500 unfavourable variance is projected. The unfavourable variance is a result of the Chief selection process. Every effort will be made to absorb the costs associated with this process in 2021 from within.

Respectfully submitted,



Ryan Teschner
Executive Director and Chief of Staff



Toronto Police Services Board Report

June 15, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Toronto Police Service Board's Race-Based Data Collection (R.B.D.C.), Analysis and Public Reporting Policy – Progress Update on Implementation

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive this report.

Financial Implications:

There are no immediate financial implications arising from the recommendations contained in this report. All costs for the R.B.D.C. Strategy are covered by the Community Service Partnerships grant until March 2022.

Background / Purpose:

At its meeting on September 19, 2019, the Board requested that the Toronto Police Service (Service) develop an R.B.D.C. Strategy to implement the Board's Race-Based Data Collection, Analysis and Public Reporting Policy (Policy) (Min. No. P178/19 refers).

The Service presented the R.B.D.C. Strategy to the Board at its meeting on December 16, 2019, and the Board requested regular updates on the progression of the Strategy (Min. No. P238/19 refers).

Discussion:

At its meeting on September 19, 2019, the Board approved the Race-Based Data Collection, Analysis and Public Reporting Policy (Policy), with the first phase of its implementation for Use of Force incidents to begin January 1, 2020 (Min. No. P178/19). Guided by the legal principles of the Ontario Human Rights Code and Ontario's Anti-Racism Act and grounded in a very comprehensive process of consultations, the Policy is the expression of the collective expertise and wisdom of the Anti-Racism Advisory Panel (A.R.A.P.), internal members, subject matter experts, and community members with lived experiences.

The Policy reflects the joint effort and commitment between the Board and the Service to identifying, monitoring and addressing systemic racial disparities in policing. Collecting, analysing and reporting on race-based data is critical to achieve the Board's and the Service's goal of eliminating racial bias, promoting equity, and providing fair and non-discriminatory police services in Toronto.

The Policy builds on Ontario's Anti-Racism Data Standards. Established under s. 6(1) of the Anti-Racism Act, 2017, the Data Standards were established to identify and monitor systemic racism and racial disparities within the public sector. In alignment with these Standards, the Policy clearly states that its purpose is to use race based data collection, analysis and public reporting to identify, monitor and eliminate potential systemic racism and racial bias; improve the delivery of police services; and enhance trend analysis, professional development and public accountability.

The **R.B.D.C. Roadmap: Driving Equity** represents the R.B.D.C. data cycle, illustrated as follows:

Driving Equity

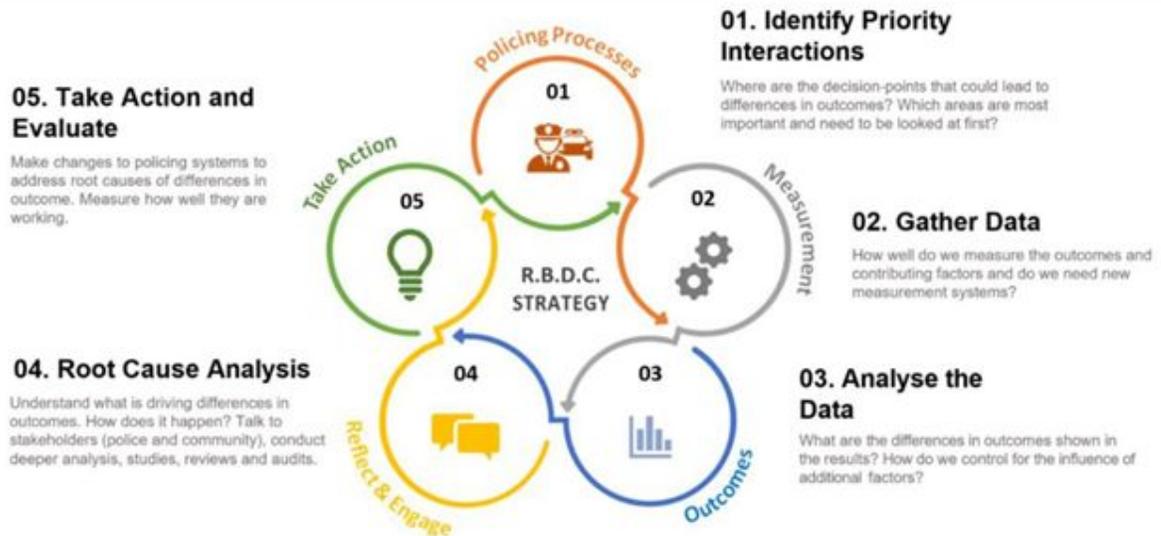


Figure 1: R.B.D.C. Strategy: Driving Equity Road Map

More specifically, the stages of the Roadmap include the following activities:

1. *Identify Priority Interactions*: Identify and describe impactful decision-making points where issues of racial equity may be likely to arise.
2. *Gather Data*: Assess system needs and gaps to prepare and put in place appropriate data collection, management and privacy protection practices.
3. *Analyse the Data*: Develop analysis plans and conduct analyses to identify the extent to to which race may influence outcomes compared to other factors.
4. *Root Cause Analysis*: Employ a variety of methods to better understand what is causing identified disparities. This could include additional data collection, focus groups, review of policy and/or audit of procedures.
5. *Take Action and Evaluate Changes*: Establish action plans to mitigate or reduce disparities, including robust evaluation and monitoring.

Each phase of the R.B.D.C. Strategy will cycle through the stages above, with different phases occurring at different points in the cycle at any point in time. For example, as the Phase 1 work progresses to the root cause analysis stage, Phase 2 work will progress to the analysis stage. A phase represents a specific set of decision points or interactions for collection and analysis. Over time, race-based data will be collected and analysed

for more and more police interactions. This will lead to a cumulative impact in future years, with multiple phases of work moving through the cycle at the same time.

The governance structure for the Strategy has been updated, with Deputy Chief Peter Yuen as lead and Chief Information Officer (C.I.O.) Colin Stairs as co-lead. Deputy Chief Yuen will play the fundamental role of overall project governance, along with community engagement. The C.I.O. will continue to play an essential role in governing data management and analysis. High ranking members of the Service govern other aspects of the work, including communications, training and internal engagement.

Phase 1 Update:

In Phase 1, the Service prioritized the collection and analysis of perception race data in Use of Force incidents and Strip Searches. Data collection began on January 1, 2020. The Service is in the process of analysing the Use of Force Reports and Strip Search data from January 1, 2020 to December 31, 2020. The Board's Policy directs the first phase of implementation to include collection, analysis and reporting of Use of Force incidents, to begin January 1, 2020. The Service went one step further and included Level 3 (strip) searches in response to the Office of Independent Police Review Director's report entitled "Breaking the Golden Rule: A Review of the Police Strip Searches in Ontario".

The Service has been able to move to this essential stage of the work, due to its continued efforts since the Policy was established in September 2019, including:

- Procedures for data collection
- Procedures for data management and protection
- Internal and external communication
- Extensive engagement with internal members, external stakeholders and community members
- Establishment of Unit Champions across the Service
- Mandatory training

The data analysis is guided by an Analysis Framework and Analysis Plan for each distinct interaction (Use of Force and Strip Search). The Service undertook an extensive process to establish these clear and transparent analysis plans. This work involved consultation with external stakeholders, the Community Advisory Panel (C.A.P.) and internal data partners to consider different perspectives prior to conducting the analyses. This engagement allows the Service to have more robust, trusted and insightful results, and promotes the development of impactful solutions. The Service's approach to analyses applies best practices and methodologies to identify racial disparities and leverages data to understand the contexts and factors that may influence outcomes.

Over the spring, data teams worked in close partnership to finalize procedures to anonymize data for extraction and assess quality before use in analyses. The R.B.D.C. team subsequently undertook the time consuming process of transforming operational data into data usable and appropriate for advanced analytics, as well as data cleaning.

To ensure robust, objective and transparent data analysis, the Service is working to engage an independent academic or other institution to verify the process and methodology of the Phase 1 data analysis.

Preliminary results will be shared through multiple approaches, including an open data release of de-identified data, public reports, and broad community engagement. Community engagement and partnerships will remain essential components of all aspects of the Strategy.

Phase 2 Update:

As part of the launch of Phase 1 data collection, perceived race data was also collected from a number of key police interactions, including apprehensions, arrests, charges, releases and youth diversion. Perceived race is the information derived from a member making a determination with respect to the race of an individual by observation, solely based on the basis of that member's perception. The collection began at this time due to information technology (I.T.) system requirements for the collection in Strip Search interactions, and the inclusion of essential data for analytical purposes.

Early in 2021, the Service approved the inclusion of these key interactions into the R.B.D.C. Strategy. Phase 2 data analysis will begin in January 2022.

The Service continues to assess new and existing sources of data to expand existing phases or launch future phases of work.

Community Advisory Panel:

The C.A.P. for the R.B.D.C. Strategy launched on January 31, 2021. The panel continues to meet monthly, with Deputy Chief Peter Yuen and a community member serving as co-chairs.

Community engagement is an integral pillar of the Board Policy directing this Strategy. The C.A.P. is an important body established under the Policy, crucial to bringing forward diverse perspectives and lived experiences. The panel includes twelve diverse residents, particularly from Black, Indigenous and racialized communities, as well as youth representatives. The members of the panel bring experience in community organizing, academia, and social services. The panel also includes four consultants with highly specialized expertise in racial equity and policing. A list of panel members can be found in Appendix 1.

There was immense interest in the C.A.P., with 319 applications received. The R.B.D.C. team partnered with the Wellesley Institute to develop outreach, recruitment and selection processes. Interviews were held with 30 applicants.

Discussions with the panel provide a unique opportunity to hear diverse community perspectives, and to consider these voices in our decision-making about the R.B.D.C. Strategy. Panel members also bring an understanding of systemic racism and experience in research, analytics, advocacy, and frontline work.

The work with the C.A.P. will be instrumental in ensuring transparency and accountability of the entire process of data analysis, the sharing of findings with community members, and designing and implementing action plans.

Internal Member Engagement:

Regular communication and direct engagement with frontline members is essential for change management. Unit Champions have been confirmed for 2021. Due to organizational changes, transfers, and promotional processes, a number of new Champions have joined the team, ensuring all Divisions have at least one Champion. In addition to the divisional Unit Champions, specialized units that work in conjunction with the front line have also identified civilian and/or uniform members to lead understanding and training for R.B.D.C. These specialized units include, but are not limited to: Organized Crime Enforcement, Emergency Task Force, Specialized Criminal Investigations, Court Services, and Communications Services.

Two training sessions were provided in April 2021 to all new Inspectors who joined the rank in 2021.

Full-day training sessions will be provided to all Unit Champions in June 2021, to support an in-depth understanding of the Strategy, its primary purpose of addressing systemic racism, and recent progress. Ongoing engagement with Unit Champions and all members of the Service will continue on an ongoing basis.

Training:

Training Service members represents a critical step in the successful implementation of the Policy. Initial virtual training was launched in 2019 for all Service members. Curriculum development was staged to meet the January 1, 2020 deadline and provide the opportunity to incorporate broader concepts of systemic racism in future offerings.

The pandemic continues to pose a barrier to the provision of in-class sessions. As such, the existing online module launched in 2019 will be expanded to a 3-hour module, launching in the summer of 2021. The training curriculum will provide foundational understanding of systemic racism, purpose for race-based data collection in policing and legal mandate. It will also incorporate specific instructions for procedures and forms for the collection of race-based data. This training will be evaluated and updated on a

regular basis to reflect evaluation results and subsequent phases of the R.B.D.C. Strategy implementation.

Community stakeholders and subject matter experts were consulted to ensure impactful content and effective delivery that builds understanding and competencies within the Service on the collection and use of race and identity-based data.

Summary of Key Deliverables:

	Key Deliverable	Status	Target Date
1	Phase I Collection of Race in Use of Force Reports (U.F.R.)	Completed	Q1 2020
2	Data Privacy Safeguards	In Progress	Q2 2021 & ongoing
3	Training	In Progress	Q3 2021
4	Communications and Public Awareness	In Progress	Q4 2021
5	Community Engagement	In Progress	Q4 2021
6	Community Advisory Panel	In Progress	Q1 2021 & ongoing
7	Data Analysis and Reporting Framework	In Progress	Q4 2020 & ongoing
8	Open Data and Open Analytics	In Progress	Q4 2021 & ongoing
9	Phase II Collection of Race In Other Interaction (in accordance with O.Reg. 267/18)	In Progress	Q1 2020 & ongoing
10	Independent Researcher or Organization	In Progress	Q2 2021

Update on Open Issues:

Indigenous Engagement Strategy

Meaningful engagement of Indigenous communities is critical to the success of the R.B.D.C. Strategy. While the pandemic poses significant challenges for community engagement, the Service continues its work in building stepping stones for a stand-alone Indigenous Strategy, to enable authentic engagement of Indigenous communities and organizations in Toronto.

The Service continued to build relationships with members of our Indigenous communities, such as presenting to the Indigenous Community of Practice (City of Toronto) and ongoing collaborations with the Native Child and Family Services of Toronto.

The interview process for the Indigenous Engagement Specialist was conducted and completed in February 2021. This process included 45 applicants and 5 interviewees. Interviewees were selected on the criteria of having a balance of community engagement experience, engagement with Indigenous practices and knowledge of Indigenous programs and services in the Toronto area. The successful candidate joined the Service with the Equity, Inclusion and Human Right Unit in May 2021. This position is essential to ensure a positive community relationship is maintained through

affiliations, priorities, protocols and dialogue and that the unique context of colonialism is considered throughout the data analysis, interpretation and reporting of findings. While this is a contract position under the Community Safety Grant, some community stakeholders have expressed the desire for this role to be permanent within the Service, to demonstrate commitment to Indigenous peoples under recommendations put forward by the Truth and Reconciliation Commission's Final Report.

Self-Identification Pilot

The Board's Race-Based Data Collection Policy requires piloting a phased-in approach to the collection of self-identification data. This would allow members of the public to self-identify their race, ethnicity, religion, and/or indigenous identity to the Service, as a result of an interaction with a Service Member.

Options analysis including possible workflows and technology needs on how best to meet this requirement will be undertaken this summer.

Achievements To-Date

The progress achieved thus far as detailed in this report enabled the Service to:

- Launch a Community Advisory Panel comprised of twelve diverse residents, from Black, Indigenous and racialized communities, along with three stakeholder experts.
- Extract and prepare datasets for the analysis of Phase 1 interactions (Use of Force and Strip Searches).
- Begin to analyse perceived race data for Phase 1 interactions (Use of Force incidents and Strip Searches).
- Establish a range of interactions to be part of Phase 2 (apprehensions, arrests, charges, releases and youth diversion).
- Continue effective internal member engagement through enhanced and expanded sessions with new Inspectors and Unit Champions.
- Complete the hiring of an Indigenous Engagement Specialist who will play a key role in engaging various Indigenous communities in the development of the Indigenous engagement strategy.

Conclusion:

The Service has made significant progress in its implementation of the R.B.D.C. Strategy, moving from Phase 1 data collection to analysis. The work with the

Community Advisory Panel will be instrumental in ensuring transparency and accountability, providing a forum for regular engagement with community members who bring expertise, diverse perspectives and varied lived experience. Work continues to ensure internal members are appropriately trained and opportunities for engagement are consistent across the entire membership.

Implementation of the R.B.D.C. Strategy continues to be affected by the pandemic, creating significant impacts on plans for engaging Indigenous communities and stakeholder consultations on the Phase 1 Analysis. While the full impact of this remains unknown, the Service is monitoring the situation closely. Despite delays caused by the pandemic, the Service is sustaining its efforts by identifying and leveraging opportunities, and testing new ways to address challenges while facing competing demands, in order to keep momentum on this important work.

Preliminary findings from the Phase 1 data analysis will be presented in the next semi-annual report to the Board.

Chief Administrative Officer Tony Veneziano, Deputy Chief Peter Yuen, Community Safety Command, and Chief Information Officer Colin Stairs, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board Office

Appendix 1: Community Advisory Panel members

Panel members include the following individuals:

Community Members:

- Rayon Brown
- Paula Davis
- Dr. Ardavan Eizadirad
- Stephanie Hill
- Dr. Sean Hillier
- Robb Johannes
- Haris Khan
- Gerald Mak
- Apondi Judith Odhiambo
- Reyhana Patel
- Patrick Roncal
- Nate Wilson-Taylor

Consultants:

- Avvy Go
- Caspar Hall
- Michael Kerr
- Dr. Sara Thompson



Toronto Police Services Board Report

March 16, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: 2020 Annual Report: Toronto Community Housing Corporation Special Constables

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

Section 53 of the Agreement between the Board and Toronto Community Housing Corporation (T.C.H.C.) regarding special constables states that:

“The T.C.H.C. shall provide to the Board an annual report with statistical information including but not limited to information regarding enforcement activities, training, supervision, complaints and other issues of concern to the parties and such further categories of information as may be requested by the Board from time to time”.

Discussion:

As directed by the Board, appended to this report is the 2020 annual report from the T.C.H.C. regarding special constables. The report is consistent with the reporting guidelines established by the Board.

Conclusion:

The Service has established a strong working relationship with the T.C.H.C. In 2020, a number of community outreach initiatives were undertaken by T.C.H.C. special constables to enhance the feeling of safety and security for residents, staff and visitors on T.C.H.C. properties. These initiatives are consistent with the Service's community policing model and align with The Way Forward's goal to embrace partnerships to create safe communities.

Acting Deputy Chief Myron Demkiw, Specialized Operations Command, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*Original with signature on file with the Board

Toronto Community Housing Corporation Community Safety Unit

**931 Yonge Street
Toronto, Ontario
M4W 2H2**

General: (416) 921-2323



**2020 Annual Report
to the
Toronto Police Services Board**

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Executive Summary

2020 Special Constable Annual Report
Toronto Community Housing Corporation

Toronto Community Housing Corporation's Special Constable Program was established in March 2000, and as of December 31, 2020, there were 164 sworn members within the Community Safety Unit (C.S.U.)

The objectives of the program are to:

- strengthen relationship between the C.S.U. and the Toronto Police Service (T.P.S.)
- reduce the level of crime/anti-social behaviors in Toronto Community Housing Corporation (T.C.H.C.) communities
- enhance law enforcement activities as required
- improve residents' feelings of safety and security
- ensure officers are able to spend more time in T.C.H.C. communities
- improve officer safety

Having T.C.H.C. Special Constables allows T.C.H.C. to move well-trained and qualified officers into situations that are particularly unique to T.C.H.C. communities. A specific focus for Special Constables is *Trespass to Property Act* (T.P.A.) violations, *Liquor License Act* (L.L.A.) violations and the utilization of Peace Officer on an as needed basis – Police Officer powers under the following statutes:

- *Criminal Code*;
- *Controlled Drugs and Substance Act*
- *Trespass to Property Act*
- *Liquor License Act*
- *Mental Health Act*

The Special Constable agreement between T.C.H.C. and the Toronto Police Services Board (Board) has created a strong partnership reaching back over many years. This relations has supported communication and co-operations between our organizations to the benefit of all. As result of the enhanced training, legal status, and access to information available to Special Constables, they have been able to support and assist T.P.S. and T.C.H.C. residents in hundreds of investigations.

In 2020, T.C.H.C.'s Special Constables completed 737 Criminal Investigations as authorized for T.P.S. of which 70.4% were related to property offences such as Mischief and Theft.

Last year, T.C.H.C. Special Constables conducted investigations for Theft, Mischief, Assault, and other less serious violent matters. In instances involving major crimes, they have been the first officers on scene, assisting with primary assessments, notification, scene protection, crowd control, witness canvassing, evidence security, and prisoner transports.

T.C.H.C. Special Constables and T.P.S. Officers have attended many calls together. The combinations of a Special Constable's community knowledge and the T.P.S. Officer's skills, knowledge and authority have proven to be mutually supportive, allowing incidents and problems to be resolved professionally in a safe and timely manner.

Our communities benefit when T.C.H.C. Special Constables are able to:

1. Process minor offences and release of prisoners at the scene without tying up T.P.S. resources and holding a person in custody for longer than required.
2. Act directly to apprehend offenders and wanted persons and transport them to the local T.P.S. Division for booking. In doing so, they interrupt illegal and anti-social behavior and help keep the peace in our neighbourhoods.
3. Support the T.P.S. not only with factual information, but also with detailed intelligence about criminal activity within T.C.H.C. communities.

We continue to value and strive to enhance our working partnership with the T.P.S. and our joint Special Constable Memorandum of Understanding. In 2020, T.C.H.C.'s Special Constable Program continues to promote safe, secure, and healthy communities.

Background

T.C.H.C. is legally organized as a corporation, owned completely by the City of Toronto and operated at arm's length from the City. It is governed by a Board of Directors made up of the Mayor (or designate), four City Councillors, and nine other citizens, including two tenants (elected by fellow tenants) living in Toronto Community Housing.

T.C.H.C. provides homes for approximately 110,000 people. Our portfolio is made up of high-rise and low-rise apartment buildings, townhouses, rooming houses, and a variety of detached and semi-detached homes. T.C.H.C.'s tenants reflect the demographics of Toronto and operates about 58,500 housing units; T.C.H.C. is the second largest housing provider in North America.

In 2020, the C.S.U. employed 223 professionals who performed a variety of functions. These included Special Constables, Special Constables in Training, Parking Enforcement Officers, Dispatchers, Community Safety Advisors, Managers and other support staff. As all of our communities are diverse and unique, each position was designed with different authorities and resources to help address those needs.

The Community Safety Unit's mandate and vision express our role in helping to accomplish the goals of Toronto Community Housing. The mandate of the C.S.U. is to partner with communities, promote a safe environment for residents, and preserve the assets of Toronto Community Housing.

In 2002, Toronto Community Housing Board of Directors entered into an agreement with the Board to allow the creation of the T.C.H.C. C.S.U. Special Constable program. In 2020, there

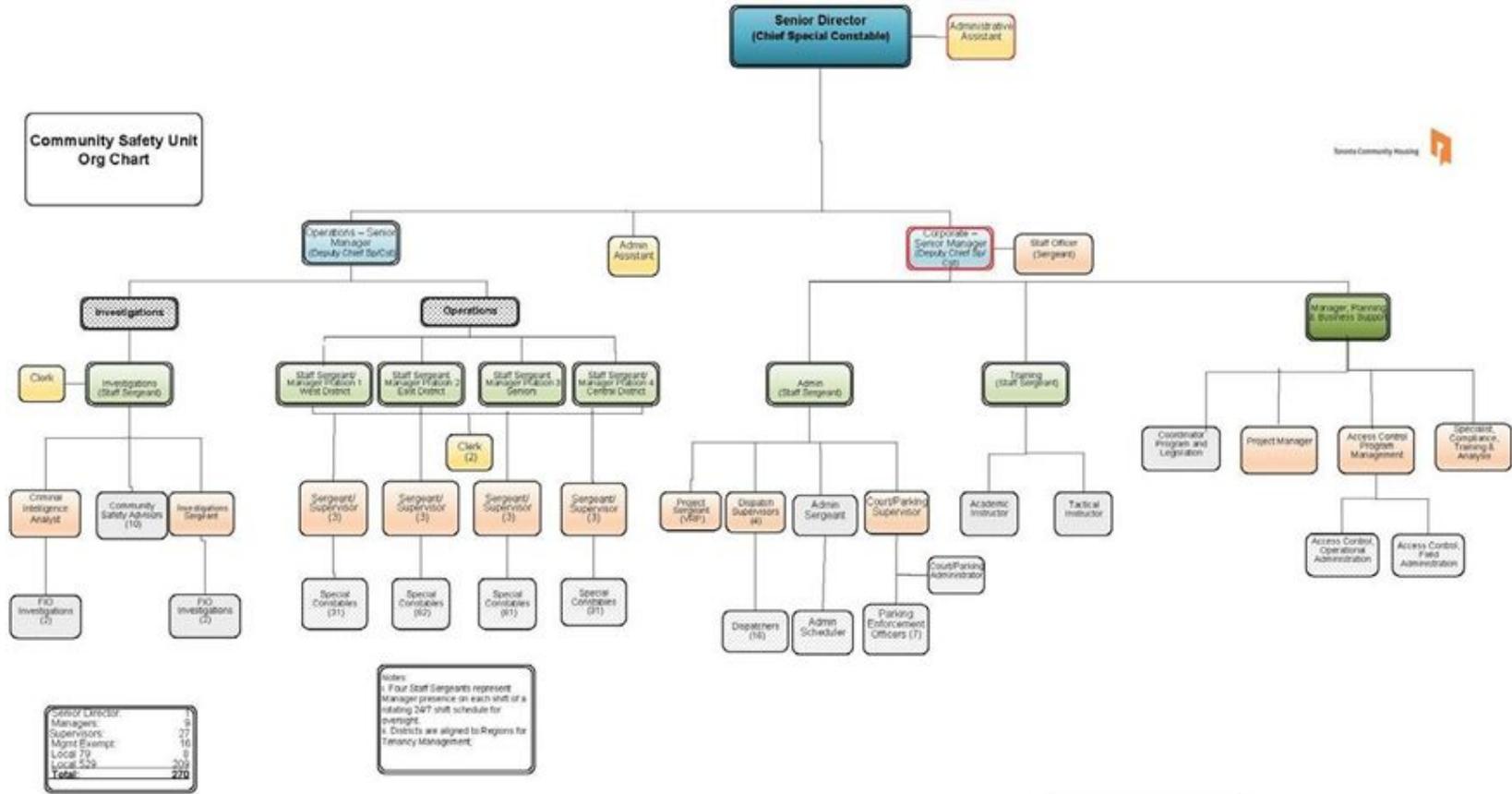
were 164 C.S.U. staff sworn as Special Constables with the approval of the Ministry of Public Safety and Security. This report provides an overview of our Special Constable program in 2020.

Supervision

As of December 31, 2020, the C.S.U. had 8 Managers, and 17 Field Supervisors with Special Constable status who oversaw operations 24 hours a day, 365 days a year. The C.S.U. had 138 Special Constables, six Provincial Offences Officers (Special Constables in Training), five Parking Enforcement Officers and 16 Dispatchers. They were all supported by a Senior Director, two Senior Managers, a Manager in Planning and Business Support, a Specialist in Compliance, Training and Investigations, four Dispatch Supervisors, a Parking Coordinator, a Court Administrator, a Criminal Intelligence Analyst. Field Intelligence Officers, Community Safety Advisors and a Coordinator of Systems and Procurement.

Officers were assigned in Toronto Community Housing communities throughout the City. Methods operation included foot, bicycle and vehicular deployments. Duties included patrolling for visibility and deterrence, responding to radio calls, conducting investigations and enforcement, answering service requests, parking control, special attention checks, and providing back-up to other officers. Special Constables also participated in many community engagement events, activities and meetings throughout the City of Toronto.

**Community Safety Unit
Org Chart**



Notes:
 1. Four Staff Sergeants represent Manager presence on each shift of a rotating 24/7 shift schedule for overnight.
 2. Districts are aligned to Regions for Tenancy Management.

Senior Director	1
Managers	9
Supervisors	27
Admin Exempt	16
Local 79	8
Local 529	209
Total	270

Updated July 6, 2020

Chart 1: CSU Organizational Chart

Appointments

Total Applications (January 1 – December 31)	New Appointments (January 1 – December 31)	Re-Appointments (January 1 – December 31)	Total Special Constable As of (December 31, 2020)
40	30	10	164

Departures

Number of Terminations	Number of Suspensions	Number of Resignations	Number of Retirements
3	2	15	1

Training – Mandatory

Course/Topic	Delivered by	Duration	Number Trained
Annual Use of Force (Refresher)	The Control Institute and C.S.U. Training Staff Sergeant	3 days	50
Special Constable Training	The Control Institute and C.S.U. Training Staff Sergeant	24 days	20
First Aid C.P.R.	Workplace Medical Corporation	1 day	54

Additional Training

Course/Topic	Delivered by	Duration	Number Trained
Specialized Refresher Training	The Control Institute	2 days	39
Supervisor Leadership Training	The Control Institute	2 days	0

Equipment

In 2020, T.C.H.C. Special Constables had no changes to the authorized equipment as noted below.

Equipment Issued to Special Constables

- One badge with appropriate carrier and T.C.H.C. Special Constable photo ID card
 - Soft body armour with appropriate carriers
 - Duty Belt
 - Disposable bio-hazard gloves, C.P.R. mask and belt pouch
 - One set of handcuffs with appropriate belt or Molle vest case
 - One 21" or 26" inch expandable baton with scabbard
 - One container of O.C. foam with belt case (with T.P.S. approval we switched to O.C. stream)
 - One AAA battery flashlight with belt or Molle vest case
 - One clip on personal work light
 - One pair of cut resistant Kevlar-lined leather gloves
 - One pair of winter gloves
 - Tourniquet and pouch
 - 2 doses Narcan and carrying pouch, Memo book and cover
 - Key ring holder
 - One C.S.U. Standard Operating Procedures (S.O.P.) manual
 - One radio with m and Earpiece with belt or Molle vest case
 - Duty Bag
-
- Personalized T.C.H.C. business cards
 - Uniform – Navy blue shirts with dark navy cargo pants with royal blue braid
 - P.C. style forage cap, royal blue band

Reporting Requirement

In 2020, T.C.H.C. Special Constables documented 75,408 incidents pertaining to requests for service, investigations of events and self-initiated patrols on or related to Toronto Community Housing properties.

Many of these calls were attended by both T.C.H.C. Special Constables and T.P.S. Officers. These matters were reported by T.P.S. Officers involved and were cross-referenced in the Toronto Community Housing daily activity report submitted to the Special Constable Liaison Office. The statistics below reflect enforcement and investigations that were initiated or conducted both independently by T.C.H.C. Special Constables and in concert with the T.P.S.

As per the Memorandum of Understanding between the Board and Toronto Community Housing Board of Directors, Special Constables making arrests on or in relation to T.C.H.C. properties advise the Officer-in-Charge of the Division that the arrest occurred in and follow their direction.

Crime and Order Management

Authority	Total Arrested and/or Charged	Charged and Released – Form 9/Part III P.O.A./P.O.T.	Released Unconditional No Charges	Delivered in Custody to Toronto Police
<i>Criminal Code</i>	416	Form 10: 85 Form 9: 30	14	287
<i>Controlled Drugs and Substances Act</i>	32	Form 10: 4	4	24
<i>Trespass to Property Act</i>	477	P.O.T.-T.P.A.: 467 104 T.P.A.: 4	6	0
<i>Liquor License Act</i>	112	P.O.T.-L.L.A. 108 104 L.L.A.: 1	3	0
<i>Mental Health Act</i>	35	N/A	0	35 delivered to care of physician
<i>Emergency Management and Civil Protection Act (E.M.C.P.A.)</i>	35	P.O.T.: 12	0	0

*As provided in the Special Appointment

Incident Reporting

Serious Violent Incidents:

Unit Specific Heading	Total
Aggravated Assault	6
Armed Robbery	16
Assault Peace Officer	31
Assault Police Officer	5
Assault with Weapon or Bodily Harm	141
Attempted Homicide	20
Discharge Firearm (Danger Life)	81
Discharge Firearm (Wound, Maim)	7
Homicide	10
Manslaughter	1
Other Weapon Related Offences	13
Robbery	71
Sexual Assault	29
Unlawfully Cause Bodily Harm	1
Grand Total	432

Offences Against Justice

Unit Specific Heading	Total
Breach of Probation (Provincial)	3
<i>Emergency Management and Civil Protection Act</i>	49
Carrying Concealed Weapons	2
Fail to Comply – Recognizance	118
Fail to Comply – Probation	46
Obstruct (Peace, Police) Officers	1
Possession Weapons Dangerous	26
Public Mischief	5
Grand Total	250

Miscellaneous Criminal Offences

Unit Specific Heading	Total
Cruelty to Animals	7
Fraudulent Use of Credit Card	1
Other Criminal Code Offences	18
Other Federal Statutes	1
Possession Under – Property Obtained by Crime	1
Grand Total	28

Crisis Support

Unit Specific Heading	Total
Child Neglect	7
<i>Mental Health Act</i>	237
Missing Person	74
Sudden Death – Suicide	7
Suicide – Attempt	9
First Aid-Naloxone Used	9
Grand Total	343

Opioid-related deaths have been on the rise in the City of Toronto. Naloxone is a life-saving medication which can be used to temporarily counteract an opioid overdose and prevent an overdose death, providing life-saving assistance while waiting for medical personnel to attend. In 2020, the use of Narcan® brand (Naloxone) nasal spray was introduced in the C.S.U. with T.P.S. approval. Training of designated C.S.U. employees began in May 2020, with Naloxone spray kits being deployed as of June 2020. Each Naloxone nasal spray kit contains 2 doses of Naloxone nasal spray (4mg/0.1 ml). It was administered a total of nine times from June to December.

Warrant Execution:

Unit Specific Heading	Total
Warrant – Executed Arrest	188
Warrant – Executed Search	78
Grand Total	266

Disputes:

Unit Specific Heading	Total
Dispute – Domestic	325
Dispute – Landlord/Tenant	244
Dispute – Neighbour	9406
Dispute – Other	246
DisputesTotal	10221

Anti-social Behaviour

Unit Specific Heading	Total
Assault	325
Attempt Break and Enter – Office	2
Attempt Break and Enter – Other	3
Attempt Break and Enter – Residence	25
Attempt Theft	7
Attempt Theft (Bicycle or Tricycle)	4
Attempt Theft from Vehicle	10
Attempt Theft of Motor Vehicle	3
Break and Enter - Office	6
Break and Enter – Other	29
Break and Enter – Residence	54
Cause Disturbance or Loitering	8461
Criminal Harassment	13
Drug Offence – Other	8
Drug Offence – Possession	9
Drug Offence – Possession for the Purpose of Trafficking	7
Drug Offence – Trafficking	4
Indecent Exposure (or Act)	3
<i>Liquor License Act</i>	226
Loitering – Physical Distancing	30
Mischief	580
Mischief – Graffiti	62
Other Provincial Statutes	39
Theft from Vehicle Over	3
Theft from Vehicle Under	76
Sub-Total brought down	9989

Anti-social Behaviour (Continued)

Unit Specific Heading	Total
Sub-Total carry over	9989
Theft of Auto Over \$5000	21
Theft of Auto Under \$5000	9
Theft of License Plate (Single)	8
Theft of License Plates (Set)	18
Theft of Tricycle/Scooter	5
Theft Over	6
Theft Over (Bicycle)	1
Theft Under	305
Theft Under (Bicycle)	44
Threatening	102
T.P.A. – Prohibited Activity Illegal Dumping	45
Trespass Release – 3 rd Party	4
Trespass Release – C.S.U.	37
<i>Trespass to Property Act</i>	1998
Unlawfully in Dwelling	33
Grand Total	12625

Incidents Affecting Quality of Life

Unit Specific Heading	Total
Arson	22
FACODE31 – Alarm System Equipment Malfunction	194
FACODE32 – Alarm System Equipment – Accidental Activation (excluding Code 35)	119
FACODE33 – Human – Malicious Intent/Prank	254
FACODE34 – Human – Perceived Emergency	78
FACODE35 – Human – Accidental (alarm accidentally activated by person)	241
FACODE39 – Other False Fire Alarm	1633
FACODE40 – Call to Fire (No Alarm)	108
FACODEFE – Fire	339
Fire/Fire Alarm Total	2988
Dog By-laws	52
<i>Dog Owner's Liability Act (D.O.L.A.)</i>	53
D.O.L.A. Total	105
Grand Total	3093

Other Calls for Service

Unit Specific Heading	Total
Ambulance Call	892
Assist Other – Access	427
Assist Other – Eviction	25
Assist Other – General	469
Assist Other – Information	780
Assist Resident – Check Welfare	3253
Assist Resident – Information	2218
Assist Resident – Other	1675
Assist Resident – Access	186
Assist Security – Back-up	817
Assist Security – Detail	29
Attempt Fraud	1
Call Cancelled	477
C.C.T.V. (F.O.I., Legal, O.U. T.P.S.)	966
Defective Equipment – Access	203
Defective Equipment – C.C.T.V.	42
Defective Equipment – Elevator	327
Defective Equipment – Fire and Life Safety	394
Defective Equipment – Other	181
Found Property	24
Hazardous Condition	988
Information Only	967
Insecure Premises – Dwelling	55
Insecure Premises – Other	41
Insecure Premises – T.C.H.C.	461
Intrusion Alarm – Accidental	52
Intrusion Alarm – Defective	19
Law Enforcement – Information	1354
L.W.V. Escort – 3 rd Party	9
L.W.V. Escort – C.S.U.	39
Mediated Agreement Breach	2
Personal Injury – Other	3
Personal Injury – T.C.H.C. Officer	1
Personal Injury – Tenant	24
Recovered Auto	12
Sudden Death – Accidental	7
Sudden Death – Natural Causes	89
Sudden Death – Undetermined	134
Vehicle Accident	81
Grand Total	17724

Community Patrols

Group	Unit Specific Heading	Total
Patrol	Bike Patrol – Self Initiated	1
	Patrol – Focused	22172
	Patrol – Joint C.S.U. and T.P.S.	404
	Patrol – Officer Initiated	907
Patrol Total		23484
Special Attention	Special Attention – Other	1687
	Special Attention – Vacant Unit	43
Special Attention Total		1730
Grand Total		25214

Parking Enforcement

Unit Specific Heading	Total
Parking Information	1086
Parking Violation	3764
Parking Violation – Towing	34
Special Attention – Parking	107
Parking Total	5002

Law Enforcement Meetings

Unit Specific Heading	Total
Meeting – Corporate	35
Meeting – C.P.L.C.	6
Meeting – Crime Management	39
Meeting – Law Enforcement	125
Meeting – Tenant Management	40
Grand Total	245

Property

All property seized by T.C.H.C. Special Constables were held in accordance with T.P.S. policies and procedures.

Any seized property required for cases under investigation by the T.P.S. were immediately forwarded to T.P.S. for storage and/or evidence.

All other seizures (drugs, cash, weapons and found property) were surrendered directly to the T.P.S. at the time of the initial investigation, including completion of the applicable reports, T.P.S. property processing procedures, and in compliance with our Special Constable M.O.U.

Complaints

As required by the agreement between Toronto Community Housing Board of Directors and the Board, T.C.H.C. has established a complaint investigation procedure for Special Constables which corresponds with the procedure used by the T.P.S. T.C.H.C. provides a quarterly report of all complaints and their investigations to the Board. Any findings of misconduct are reported forthwith.

There were 18 complaints submitted to the Community Safety Unit in 2020. Of those, 2 Special Constable Complaints were investigated by Professional Standards (P.R.S.) as external complaints containing non-criminal allegations. Both complaints were resolved and the Special Constables were recommended use of force refresher training, to which they received. As well, there were 5 other complaints received against other officers; however, they did not meet the criteria to be categorized as formal complaints as articulated in the M.O.U. They were deemed internal matters and were investigated by the Investigative Sergeant and T.C.H.C.'s Human Resources Department. Finally, there were 11 other informal complaints that were received and resolved at the local level by the Investigative Sergeant. All complaints received in 2020 have been resolved; there are no outstanding incidents for review.

The 2019 Ombudsman's Report¹ relevant to Special Constable complaint investigations was adopted and the Public Complaints Investigator position was created for C.S.U. complaints, this position will be under the Legal Division, which is a separate unit from C.S.U. The hiring and implementation was initiated in Q4 2020.

Total Number of Complaints	Investigated by C.S.U.	Investigated by T.P.S.	Number Resolved	Number Outstanding
18	16	2	18	0

Use of Force

In 2020, 18 Use of Force reports were completed by T.C.H.C. Special Constables. There were 3 instances officers used soft empty hand techniques and 10 hard empty hand techniques to apply handcuffs to efficiently execute arrests. There was 1 instance where officers used their baton and 5 incidents where O.C. Foam was deployed to prevent assault behavior. There were 0 incidents resulting in injuries to officers requiring attendance to hospital for treatment.

¹ <https://www.ombudsmantoronto.ca/getattachment/288fb5f5-6fe3-464f-b20f-729875470f8f/July-9-2019-Ombudsman-Toronto-Enquiry-Report.pdf.aspx?lang=en-US&ext=.pdf>

Category of Offence	Use of Force Baton	Use of Force O.C. Foam	Use of Force: Hand (soft/hard)
Assault			1 soft
Assault with Weapon or Bodily Harm			3 hard
Warrant-Executed Arrest			
Other <i>Criminal Code</i> Offences		2	1 soft 1 hard
Assault Peace Officer		2	1 soft 2 hard
Fail to Comply – Probation		1	
Trespass Release			3 hard
<i>Liquor License Act</i>			1 hard
Drug Offence – Possession	1		

Governance

T.C.H.C. Special Constable Program is guided by the C.S.U. mandate and code of ethics in addition to existing Standard Operating Procedures and T.C.H.C.'s Code of Conduct. T.C.H.C. Special Constables are fully conversant with the laws and regulations governing enforcement authorities pertaining to their designation.

T.C.H.C. – C.S.U. employs team of supervisors and managers who also hold the status of Special Constable and are responsible for the appearance, conduct, discipline and performance of all officers. All Special Constables understand the contract agreement between Toronto Community Housing Board of Directors and the Board as well as the expectations concerning their conduct and/or job performance.

T.P.S. 2020 Annual Report – Highlights

Special Constable Designations

On December 18, 2018, the Board approved T.C.H.C.'s application to increase its allowable complement of Special Constables from 160 to 300 designations.

In 2020, the C.S.U. continued with its recruitment strategy and hired 36 new frontline officers and 3 Staff Sergeants aimed at improving consistency and collaboration between T.C.H.C. and T.P.S. to ultimately benefit the tenants and communities we both serve.

Violence Reduction Program

T.C.H.C.'s C.S.U. joined the collective efforts of all three levels of government, community partners and law enforcement agencies to reduce gun violence in the city of Toronto.

To support T.C.H.C.'s Violence Reduction Program (V.R.P.), the C.S.U. adapted a new deployment model-dividing officers into four, 12 hour platoons with various groups dedicated to 10 priority communities.

Throughout the year, the program utilized dedicated Special Constables working within a community based policing framework to ensure a holistic approach in resolving community safety concerns. Our Special Constables balanced engagement, education, enforcement and collaboration in their daily duties with an overall goal of reducing anti-social behavior and acts of violence on T.C.H.C. properties.

The program aimed to engage tenants in preventive, community safety audit walks, and increase enforcement in response to crime, violence, trespassing, vandalism and anti-social behaviour in the communities. In addition, it aimed to gain tighter access controls, build relationships with tenants, and allow for regular community safety meetings involving T.C.H.C., T.P.S., City of Toronto, and community partners.

In 2020, dedicated V.R.P. Special Constables responded to 17844 calls for service, conducted 14773 patrols and special attentions, and attended 247 crime management meetings.

Site	Calls for Service	Self-Initiated Patrols	Crime Management Meetings
Regent Park	916	1434	45
220 Oak Street	1644	584	22
Bleecker Street	2285	1561	17
Wellesley Street East	2446	1041	8
Moss Park/155 Sherbourne Street	4066	2737	46
2195 Jane Street	1093	509	16
Edgeley/Shoreham Court	373	862	10
Falstaff Avenue	689	866	25
Victoria Park/Chester Le Boulevard	247	487	11
Morningside Apartments	1755	1752	23
West Hill Apartments	1192	1387	6
Lawrence Heights	1138	1553	18
Grand Total	17844	14773	247

Phase 1 of the V.R.P. program was implemented in 019 and included 20, 30, 40 Falstaff Avenue and 2195 Jane Street, 275, 325, 375 Bleecker Street and 200 Wellesley Street, 4175 and 4205 Lawrence Avenue East, Chester Le Boulevard and 2739 and 2743 Victoria Park. Phase 1 was supported by 24 dedicated Special Constables.

Phase 2 of the V.R.P. program was implemented in 2020, to the communities of Lawrence Heights, Edgeley Village and Shoreham Court, Regent Park and 220 Oak Street, 275, 285 and 295 Shuter Street (Moss Park) and 155 Sherbourne Street. Phase 2 was supported by additional

24 dedicated Special Constables.

The deployment of Special Constables to the identified V.R.P. communities is scheduled to be completed by June 2021. It is anticipated to include two additional communities supported by 8 dedicated Special Constables for a grand total of 60 Special Constables.

Emergency Management and Civil Protection Act (E.M.C.P.A.)

In April of 2020, C.S.U. was granted authority to enforce the E.M.C.P.A – on and in relation to T.C.H.C .property.

Enforcement by the C.S.U. Special Constables included educational messaging, specific warnings, and ultimately the issuance of a ticket or a summons under the P.O.A.

In 2020, Special Constables responded to 49 calls related to E.M.C.P.A. violations and 30 incidents of loitering and violation of social distancing guidelines.

C.S.U./T.P.S. Joint Patrols

Between January 1, 2020 and December 31, 2020, T.C.H.C. Special Constables and T.P.S. participated in *426 joint patrols and walk-throughs in our communities. This initiative focused on deterring anti-social behavior on Toronto Community Housing properties.

*404 reported as the primary event type, 22 as secondary event type

Resident and Community Engagement

Due to COVID-19, restricted gatherings and lockdowns, many of C.S.U.'s regularly scheduled Community events and meetings were limited. However, despite these challenges, in 2020, the C.S.U. was still able to organize and put forward 299 resident, community engagement activities. These events included Community Safety meetings, Charity giveaway events, Community engagements, Safety walks, BBQ's, food banks, presentations, senior's hot meals, Halloween events, community clean ups and Back to School events.

Confronting Anti-Black Racism

The Confronting Anti-Black Racism (C.A.B.R.) Strategy Team at T.C.H.C. was established in September 2020 in response to the acknowledgement that as an organization T.C.H.C. has failed to address the realities of anti-Black racism and to respond to the realities of anti-Black racism in its communities and organization. Since September 2020, the team has consulted with over 600 employees and tenants at T.C.H.C. who have shared their experiences and insights.

The strategy contains specific references to opportunities for the C.S.U. to contribute to proactively tackling anti-Black racism and dismantling policies, systems and procedures that reinforce it.

In 2020, C.S.U. staff participated in C.A.B.R. specific training and C.A.B.R. strategy consultation sessions.

The C.S.U. plays a critical role in ensuring the safety of T.C.H.C. communities and our tenants. We recognize in the strategy that the blurred lines between T.P.S. and C.S.U. provide an entryway for the relationship between the police, Black tenants and C.S.U. to overlap. The recommendations in the strategy provide opportunities for C.S.U. to strengthen its relationships with Black tenants.

Vehicles

In 2020, The C.S.U. obtained 15 new Hybrid Ford SUVs to replace our aging and high mileage fleet vehicles. These new “green” vehicles assisted officers in attending calls in a timely fashion and allowed the C.S.U. to retire vehicles that had been in the fleet since 2010, all overdue for replacement.

The C.S.U. also added a 10 Passenger transit van to move staff and equipment across the city, in addition to a Dodge Ram pick-up and trailer that can be stocked with supplies and rapidly deployed to support T.C.H.C. communities and tenants following critical incidents.

Training Bureau

In 2020, C.S.U. internalized Special Constable training from a contracted model. T.C.H.C. C.S.U. staffed the training unit with experienced topical professionals. This was done in accordance with the existing M.O.U. and all training initiatives are approved by T.P.S. on behalf of the Board.

This allowed new efficiencies to be created, along with increased training opportunities.

Conclusion

This report is in compliance with T.C.H.C.’s Special Constable Memorandum of Understanding with T.P.S. The Annual Report provides the Board 2020 statistical information including but not limited to information regarding enforcement activities, training, supervision, complaints and other issues of concern to both parties.



Toronto Police Services Board Report

March 16, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: 2020 Annual Reports: University of Toronto Special Constables

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

Section 45 of the Agreement between the Board and the University of Toronto (U. of T.) Governing Council regarding special constables states that:

“The University shall provide to the Board an annual report with statistical information including but not limited to information as to enforcement activities, training, supervision, complaints and other issues of concern to the parties and such further relevant information as may be requested by the Board”.

Discussion:

As directed by the Board, appended to this report are the 2020 annual reports from the U. of T. Scarborough and St. George Campuses regarding special constables. The

reports are consistent with the reporting guidelines established by the Board.

Conclusion:

The Service has established a strong working relationship with the U. of T. In 2020, a number of community outreach initiatives were undertaken by U. of T. special constables to enhance the feeling of safety and security for students, faculty and visitors on U. of T. properties. These initiatives are consistent with the Service's community policing model and align with The Way Forward's goal to embrace partnership to create safe communities.

Acting Deputy Chief Myron Demkiw, Specialized Operations Command, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*Original with signature on file with the Board

2020 University of Toronto Scarborough Campus Police Annual Report



**University of Toronto Scarborough
Campus Police
1265 Military Trail, Suite SW304
Toronto, Ontario
M1C 1A4**

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Executive Summary

At the University of Toronto Scarborough (U.T.S.C.), we believe that developing a safe and secure environment is a shared responsibility, and along with the strong partnership, we have developed with various departments and our community; community-based policing initiatives play a particularly key role in our continued success.

In 2020, the world and, U.T.S.C. was severely impacted by the COVID-19 Pandemic. With the introduction of legislation enacted by the provincial and municipal governments, U.T.S.C. closed its doors to in person instruction, switching to virtual learning platforms. This also impacted the staff and faculty's ability to attend campus as only those who were deemed essential were authorized to attend campus.

The Campus Police worked very closely with the University's Environmental Health and Safety Department and the institution's leadership team to ensure proper health and safety protocols were implemented for staff and faculty that were authorized to attend campus, including signage, physical distancing, and access control. As the pandemic impact fluctuated throughout the year, the restrictions imposed by the various levels of government also changed and policies were adapted at U.T.S.C.

To assist the U.T.S.C. student community who had limited opportunity for appropriate technology, including access to Wi-Fi, limited and study space was made available in the library and computer labs with proper physical distancing and hygiene protocols established.

In August, the University mandated the use of face coverings while inside any building. U-check, a digital self-screening tool was created and became mandatory for anyone who was required to attend campus.

As a result of the in-person restrictions placed on post-secondary institutions, the Campus Police were not able to implement the number and types of community policing initiatives that are normally conducted throughout the year.

The criminal statistics, general reports and overall calls for service at U.T.S.C. are significantly decreased on campus and clearly reflects the reduced number of community members attending in person.

The University of Toronto Scarborough Campus Police provides effective support to our Community, ensuring that prescribed service standards are met, while ensuring that the administration, promotion, and support of professionalism are upheld. These standards include the practices, conduct, appearance, ethics, and integrity of its members, with a goal of strengthening public confidence and co-operation within the community.

U.T.S.C. Committee Participation

Members of the Campus Police management and front-line personnel participate in various committees on campus, many of which focus on providing a safe environment for our students, faculty and staff. Other committees are efforts to increase the level of engagement with members of marginalized communities, including:

- The Campus Police continue their partnership with the Department of Student Life (D.S.L.) and Scarborough Campus Student Union (S.C.S.U.) during orientation activities, allowing the opportunity to remove barriers between students and police. Campus Police management also works with D.S.L. and S.C.S.U. to provide financial support and provide strategic approaches to ensure safety during various orientation events.
- Campus Police members sit on the University of Toronto Scarborough's Principal's Advisory Committee on "Positive Space Campaign" (P.S.C.). The P.S.C. is intended to help create a campus that is free of discrimination based on sexual orientation and gender identities. It also aims to generate a broad and visible commitment to welcoming sexual diversity and at making discussions around diversity more comfortable, open and increasingly welcoming.
- Campus Police chair the Campus Safety Committee, which is comprised of representatives from a cross section of our community who explore ways to enhance safety and security from the various user groups' perspectives. The primary goal of this committee is to solicit issues of concern from various constituents and to determine and prioritize safety solutions.
- Campus Police take part in the Student Welfare Committee, comprised of Managers and Directors who collaborate to case manage situations of students at risk to ensure students receive the support necessary to increase the chance of success in their educational endeavors, while also ensuring community safety.
- Campus Police sit on the Risk Assessment Committee. This is a committee comprised of management and student representatives that identify and mitigate personal and physical risks associated with events held on campus, thereby ensuring the success and safety of the participants during the event.
- Leadership, Education and Development (L.E.A.D.) program – The Director and Assistant Director continued to participate in this initiative as a mentor and was paired a mentee throughout the program which ran from September 2019 to April 2020. The mentees met with their mentors to focus on topics of interest and to learn from their mentor's experience and wisdom.
- Emergency Response Team – Campus Police participate in a campus wide committee that has been struck to ensure the legislation that has been enacted regarding the activities permitted and safety protocols required are in place in order to protect the staff and faculty that are required and authorized to attend campus

are effective, while assisting with the academic mission of the institution.

Community Policing Initiatives

Under normal circumstances, the Campus Police participate in a wide variety of community policing initiatives; however, in 2020, due to the pandemic, this number was reduced with the majority being implemented virtually and only a few in person events.

- Faculty and Staff Children's Holiday Party
- Remembrance Day Ceremony
- National Day of Remembrance and Action on Violence Against Women
- Residence Life Team Training
- Christmas Toy Drive
- Tennis with the Campus Safety Team
- Career fair University of Ontario Institute of Technology (U.O.I.T.)/Department of Civil and Mineral Engineering (D.C.)
- First Aid Awareness day with Student EMRG
- Wellness Fair
- Benefits of working at U.T.S.C. Fair
- Global Medic Food Drive through
- Flu Shot Clinic
- Ontario institute for Studies in Education (O.I.S.E.) Executive team, taught De-Escalation

Moving Forward

The U.T.S.C. Police continue with reactive and proactive strategies to both identify safety concerns and implement strategies that help us to better serve our community and continue our relationship with 43 Division. We are extremely invested in community-based policing by partnering with our community and look forward to renewing the initiatives once the impact of the COVID-19 Pandemic is under control.

Organization, Statistics and Mandatory Reporting

Supervision

The Assistant Director of the U.T.S.C. Police reports to the Director of Campus Safety, Issue and Emergency Management, who in turn reports to the Chief Administrative Officer specific to U.T.S.C. The Assistant Director and the Staff Sergeants of the U.T.S.C. Special Constable Services are responsible for the management, training and general supervision of all Corporals and Special Constables, while the Corporals are responsible for the supervision of the Special Constables on duty. Managers are generally on duty from 7:00 A.M. – 7:00 P.M., Monday to Friday, and are on call at other times. There is a Corporal or Acting Corporal on duty 24/7/365 who is designated as the shift supervisor and is responsible for supervising between one and four officers as well as our Building

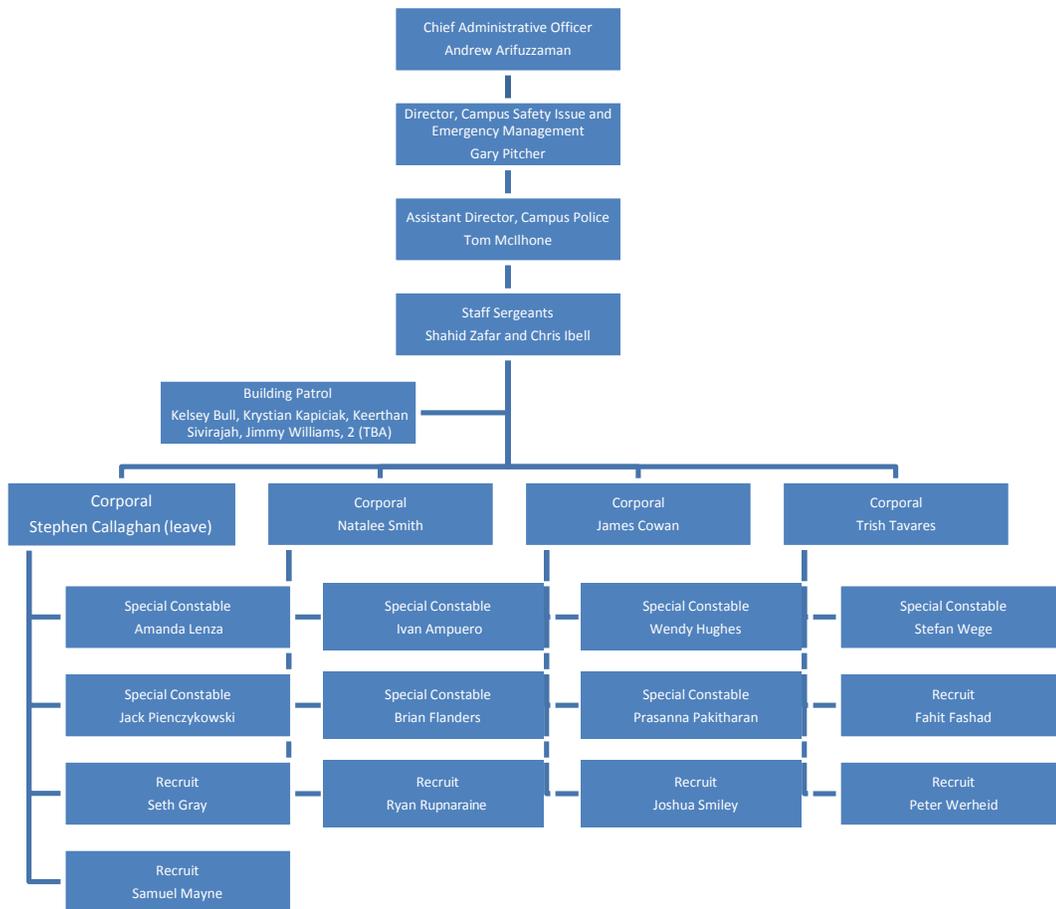
Patrollers.

Staffing

In 2020, three Special Constables separated from the University to pursue a career with other local Police Services and six new recruits were on boarded and were appointed in January 2021. Recruiting methods are reviewed on an ongoing basis in order to determine the most effective way to recruit and retain our personnel. In keeping with the diversity of our campus, we strive to have our members reflect the U.T.S.C. community.

The Campus Police also employs six Building Patrol Officers (licensed security guards) who complement the Special Constables in providing safety and security in our community. The Building Patrol Officers also play a key role in ensuring a safe environment assisting with access calls, alarm response, general campus patrols and personal safety escorts on campus for those who feel vulnerable.

Organizational Chart



Special Constable Appointments

Number of Total Applications (January 1 – December 31)	Number of New Appointments (January 1 – December 31)	Number of Re-Appointments (January 1 – December 31)	Number of Special Constables (As of December 31)
6	6	1	19

Terminations/ Suspensions/ Resignations and Retirements

Number of Terminations (January 1 – December 31)	Number of Suspensions (January 1 – December 31)	Number of Resignations (January 1 – December 31)	Number of Retirements (As of December 31)
0	0	3	0

Training

The U.T.S.C. Police is committed to continuous improvement of front-line training for officers that is reflective of the diverse needs and expectations of the University community. Our training is also designed to meet the needs of the U.T.S.C. community in combination with directives from the Toronto Police Services Board. The training program is developed through consultation with the community, other institutions and debriefing of situations, with a strong emphasis on diversity and unconscious bias components.

Training resources are drawn from several areas, including the University's Centre for Learning, Leadership and Culture (L.L.C.) internal mentorship and supervision, the Canadian Police Knowledge Network, the Toronto Police Service and our external recruit trainers, Ed Judd and Associates.

Recommendations from all levels of police personnel contribute to the process of designing courses to meet the specific needs of the Campus Police and the community. The training curriculum is designed to ensure a balanced mix of mandatory skills training, sensitivity to a university environment, and practical field experience. The use of classroom lectures, seminars and participation in group discussions in relation to campus policing situations. Campus resources are used where possible, but due to the unique policing challenges on a campus setting, outside resources are occasionally used as well.

Mandatory Training

Subject Matter	Delivered By	Duration	Number Receiving Training	Total Hours
Use of Force	Campus Police	40 hours	6	240
Annual Use of Force Recertification	Campus Police	8 hours	3	24
First Aid, CPR	St. John Ambulance and Canadian Police Knowledge Network	16 hours	3	48

*All officers have current first aid/CPR certification.

*As a result of the Emergency Order, the Chief of Police authorized an extension of the Use of Force recertification.

Additional Training

Subject Matter	Delivered By	Duration	Number Receiving Training	Total Hours
De-escalating Potentially Violent Situations	U.T.P./U. of T.	8 hours	7	56
Building and Cultivating Resilience	U. of T.	2 hours	1	2
Talking about Racism at Home	U. of T.	2 hours	1	2
Identify/Addressing Racial/Sexual Harassment	U. of T., L.L.C.	2 hours	3	6
Recruitment Workshop for Managers	U. of T.	2 hours	1	2
Snider Lecture- Abolish Police-Black Liberation	U. of T.	2 hours	4	8
Understanding Anti-Black Racism Mod 1	U. of T. L.L.C.	2 hours	3	6
Understanding Anti-Black Racism Mod 2	U. of T. L.L.C.	2 hours	3	6
Understanding Anti-Black Racism Mod 3	U. of T. L.L.C.	16 hours	3	6
Debunking Institutional Racism for Managers	U. of T. L.L.C.	2 hours	3	6
Preventing Racial Discrimination and Harassment	U. of T. L.L.C.	2 hours	3	6

Subject Matter	Delivered By	Duration	Number Receiving Training	Total Hours
Addressing Racial Micro Aggression	U. of T. L.L.C.	2 hours	2	4
Arrest	Ed Judd and Associates	4 hours	6	24
Federal/Provincial Offences	Ed Judd and Associates	8 hours	6	48
Identifying Addressing Attitudinal Barriers to Equity Diversity Inclusion	U. of T. L.L.C.	2 hours	2	2

*There are several educational courses that have been designed and delivered by the University's Centre for Learning, Leadership and Culture as well as the Anti-Racism and Cultural Diversity Office (A.R.C.D.O.) for which many of our officers have been waitlisted.

Special Constable Complaints

There were 2 complaints submitted to Campus Police management in 2020, both containing non-criminal allegations. The Toronto Police Service's Professional Standards Unit reviewed the complaints and classified them as less serious and were returned to U of T for investigation. In accordance with the Agreement, a final investigative report was submitted for one complaint, citing that it was unsubstantiated and the second investigative report is still pending.

Total Number of Complaints	Investigated by Agency	Investigated by Toronto Police Service	Number Resolved	Number Outstanding
2	2	0	0	1

Use of Force

In 2020, there were no incidents where Special Constables of the University of Toronto Scarborough Campus Police had to use force on persons that required the submission of a Use of Force Report (R.R.O. 1990, Reg. 926 s 14.5 (1)).

Equipment

Equipment Issued to Special Constables

- One wallet badge, appropriate wallet and Agency identification card
- Soft body armour with appropriate carriers
- One set of standard handcuffs with appropriate carrying case
- One expandable baton with appropriate carrying case
- One approved memo book

- Access to Directives
- Uniform

Restricted Equipment

The University of Toronto Scarborough Campus Special Constables are issued with collapsible batons. None of the officers are issued oleoresin capsicum spray or foam.

Crime, Traffic and Order Management

The statistics included in these tables do not reflect the total workload of the Campus Special Constables. Proactive policing still accounts for most of the time spent by officers during their tour of duty. Officers therefore account for many self-generated Calls-for-Service, many of which involve checking and patrolling specific locations on campus to ensure safety. In 2020, Campus Police Special Constables generated or responded to 3,233 calls for service which resulted in the submission of 334 reports. These statistics also do not reflect the informal and impromptu contacts the officers have with members of the University Community, which also contribute to an enhanced sense of personal safety.

Authority as per Agreement	Arrested	Charged (Form 1/9, P.O.T.)	No Charges (Unconditional Release or Caution Only)	Turned Over to Toronto Police Service
Criminal Code	0	2	0	0
Controlled Drugs and Substance Act	0	0	0	0
Trespass to Property Act	0	5	60	0
Liquor License Act	0	7	34	0
Mental Health Act	2	0	2	0

Criminal Stats

Incident Types	2020
Break and Enter	3
Robbery	0
Theft Over \$5,000	0
Theft Under \$5,000	29
Theft Bicycles	3
Possess stolen property	1
Disturb Peace	0
Indecent Acts	2
Mischief/Damage	12
Other Offences	0
Sexual Assaults	1
Assault	2
Impaired Driving	0
Criminal Harassment	3
Threatening	2
Homophobic/Hate Crimes	0
Homicide	0
Total Crime Occurrences	58

Property

Property that is evidence of criminal charges is managed by the Toronto Police Service. Found property is maintained by the University's Lost and Found protocols and therefore does not generate reporting by the Campus Police Special Constables to the Toronto Police Service. Lost and found items that are not claimed are sold through Police Auctions Canada and the funds are used to purchase toys and supplies that are donated to the Chum City Christmas Wish program. In 2020, items valued at a total of \$1,000 were donated.



**UNIVERSITY OF TORONTO - ST. GEORGE CAMPUS
SPECIAL CONSTABLE ANNUAL REPORT 2020**



2020 SPECIAL CONSTABLE ANNUAL REPORT



Contents

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4	Appointments
4	Terminations, Suspensions, Resignations and Retirements
5	Training
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Executive Summary

The University of Toronto was established in 1827 by Royal Charter. In 1904, the University hired its first Police Constable who was also responsible for discipline. Over the years, as times have changed, so has the role of the University of Toronto Campus Community Police (U.O.T.C.C.P.). The U.O.T.C.C.P. was not originally part of the city service plan, it was responsible for its own policing. Constables were appointed by the Province. Later, city police service was provided through mutual aid agreements.

The University of Toronto Governing Council and the Toronto Police Services Board entered into an agreement in 1995. Today, we provide special constable services to support the University community and the Toronto Police Service by responding to calls for service and incidents on the campus in a timely and community oriented manner. Currently providing service to a community of approximately 70,000 students and more than 10,000 faculty and staff. The U.O.T.C.C.P. Special Constable Service has three functional groups – St. George (Downtown), Scarborough and Mississauga Campuses. Each is functionally separate but work under a common policy.

There are two separate Special Constable Agreements – one with Peel Police Services Board and the other with the Toronto Police Services Board. More than 10,000 students are in residence on the St. George campus and the balance use transit and other means of transportation to attend as day students.

The University of Toronto is the largest university in Canada and the United States (by enrolment) and the most diverse university in the world. Almost every racial, language, ethnic, national, political and religious group is represented. Approximately 20,000 new students are admitted to the University every year and a similar number are granted degrees. During the non-academic year, the University is host to students from around the world looking for a Canadian experience. The University is a peaceful place where issues are explored, debated and at times argued. The freedom to speak, believe and learn is fundamental to the institution.

Despite, or because of its differences, the University thrives in the world of research and culture by all of the standards used to assess the safety of a community in Canada. The University of Toronto remains a safe environment. Our campuses are open to the community. They are the source of much of the academic culture available in the cities of Toronto and Mississauga.

It is the role of the Special Constable Service to recognize and anticipate issues and take corrective action. For this reason, each campus service has responsibilities beyond community policing and law enforcement. We provide safety and security plans, systems and services.

Our methodology relies heavily on Crime Prevention through Environmental Design (C.P.T.E.D.) principles for physical security and through partnerships with various university offices for social and community development, safety planning and coordination of crisis services. The result is a level of service sought by many academic and community organizations. It serves our community well.

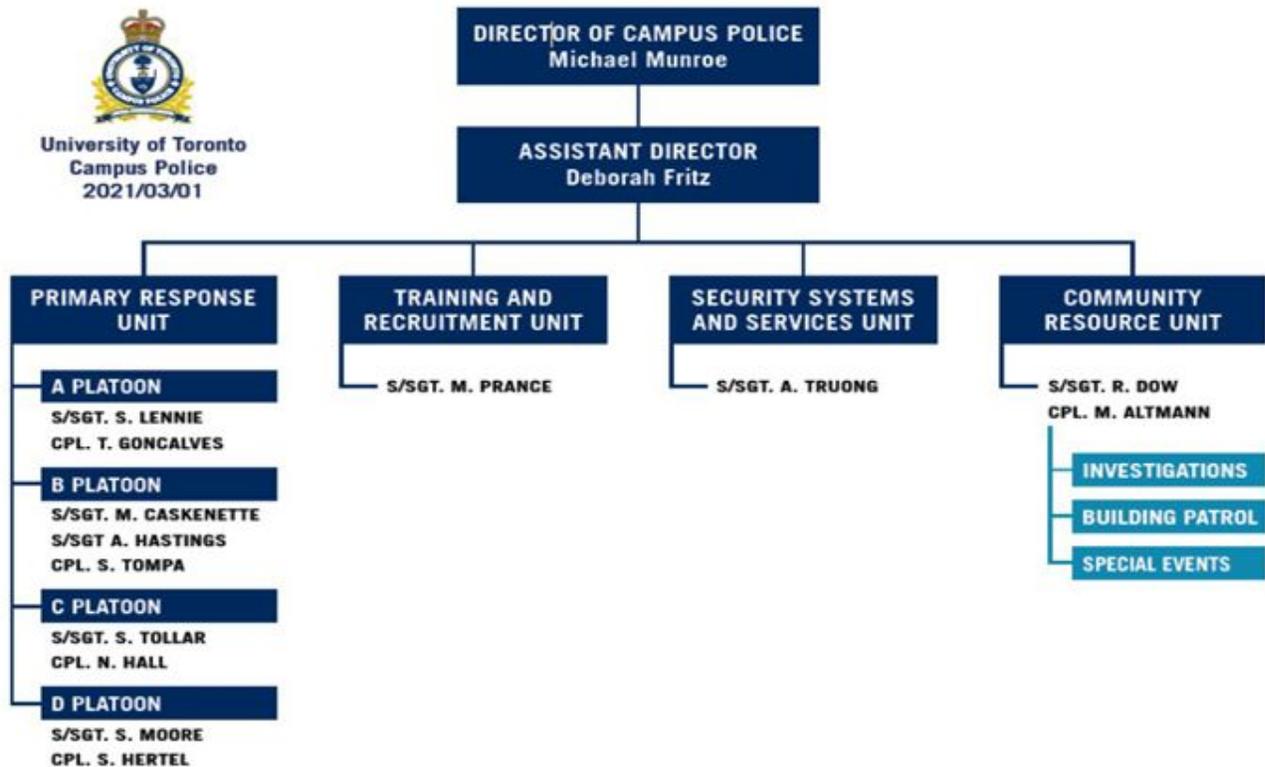
2020 SPECIAL CONSTABLE ANNUAL REPORT

Direction, Management and Supervision

The University of Toronto Campus Community Police at the St. George Campus operate 24/7 utilizing groups of uniform personnel led by a Staff Sergeant, assisted by a Corporal and dispatcher to support and guide the Special Constables in their work.

The Director, Campus Police Services manages a portfolio that includes the Special Constable Service, led by the Assistant Director, Campus Police Operations. Non-sworn services include Security Guard Services, Call Centre and Security Systems and Access. They are not part of the special constable operation and no report is made for their activity.

Organizational Chart





Appointments

Number of Total Applications (January 1 – December 31)	Number of New Appointments (January 1 – December 31)	Number of Re-Appointments (January 1 – December 31)	Total Number of Special Constables (As of December 31)
11	7	11	34

Terminations, Suspensions, Resignations and Retirements

Number of Terminations (January 1 – December 31)	Number of Suspension (January 1 – December 31)	Number of Resignations (January 1 – December 31)	Number of Retirements (January 1 – December 31)
0	0	3	0

2020 SPECIAL CONSTABLE ANNUAL REPORT

Training

Our training mandate is designed to meet the needs of the University. Training combines Directives from the Toronto Police Service and the Ministry of the Solicitor General. Changes in law, court decisions, and Federal and Provincial standards are included into a comprehensive learning model.

The Service strives to keep current with community policing, public safety and law enforcement trends while recognizing trends in social development and learning from professionals within and outside the University. The training program is developed through consultation with the community, other institutions and case debriefing of situations.

The recent passing of Bill 68, the *Community Safety Policing Act*, impacts Special Constables with specific topics that are legislated to be included into the training programs of special constables in the province of Ontario. Those topics include Ethics and Leadership, Racial Profiling, Anti-Oppression-Micro Aggression and Diversity, Crime Scene Management and Community Based Policing - (C.P.T.E.D.). We include this learning in our Orientation and Refresher training that all of our Special Constables receive.

The Service welcomes constructive comment from its clients. Recommendations from all levels of policing contribute to the process of designing and delivering the courses to meet the specific needs of the service and its community. The training curriculum is designed to ensure a balanced mix of mandatory skills training, sensitivity to the University environment and practical field experience. This is accomplished through a combination of on-line and in-class lectures, seminars and participative, in-group discussions to approximate campus policing situations.



Campus resources are used whenever possible, but due to the unique style of policing that is required on campus; outside resources are occasionally used. The nature of the University community requires its special constables to have a high level of understanding of the cultures, beliefs and experiences of people from all over the world.

Understanding people and developing empathy for their situations is essential to providing community policing services. There are core learning requirements that lead to understanding diversity in many parts of the training, not just in courses titled as such. The initiatives taken are highlighted in the chart.

The following table details the training provided during 2020 to Special Constables at the University of Toronto - St. George Campus:

Mandatory Training

Course/Topic	Delivered By	Duration	Number who received training
Annual Use of Force	Campus Police Instructors	8 hours	31
Standard First Aid	Canadian Red Cross	16 hours	9

Additional Training

Course/Topic	Delivered By	Duration	Number who received training
Applied Suicide Intervention Skills	Living Work	16 hours	20
Bill C-75 Update	Toronto Police College Ministry of the Attorney General	4 hours	2
Bill C-75 Overview	TNT Justice Consultants	8 hours	21
Mobile Crisis Intervention Teams MCIT Level 1	Toronto Police College	40 hours	1
Mountain Bike Training	Campus Police Instructors	24 hours	12
Scenes of Crime Officer	Ontario Police College	80 hours	2

2020 SPECIAL CONSTABLE ANNUAL REPORT

Additional Training (Continued)

Course/Topic	Delivered By	Duration	Number who received training
Scenario Based Mental Health and De-escalation Training	Canadian Police Knowledge Network	1.5 hours	6
Special Constable Orientation Course	TNT Justice Consultants	390 hours	14
Special Constable Refresher Course	TNT Justice Consultants	60 hours	6
Speaking our Truths: The Journey to Reconciliation	Office of Indigenous Initiatives University of Toronto	2 hours	30
Strengthening Racially Inclusive Practices	Antiracism and Cultural Diversity Office University of Toronto	1.5 hours	28
Stop the Bleed Tourniquet Training	Stop the Bleed Instructor	2 hours	31
Unit Complaints Coordinator	Toronto Police College	40 hours	2

7449 HOURS

The total number of training hours that University of Toronto Campus Police Special Constables received in 2020.



Use of Force

In 2020, there were no instances of Special Constables at the University of Toronto (St. George) Campus Police using force on a person that required the submission of a Use of Force Report (R.R.O. 1990, Reg. 926 s 14.5 (1)).

Complaints

Total Number of Complaints	Investigated by Agency	Investigated by Toronto Police Service	Number Resolved	Number Outstanding

Equipment Issued to Special Constables

All University of Toronto Campus Police Special Constables are issued the following pieces of equipment by the Service:

- One wallet badge, appropriate wallet and Agency identification card
- Soft body armour with appropriate carriers
- One set of standard handcuffs with appropriate carrying case
- One expandable baton with appropriate carrying case
- One memo book
- Access to electronic directives
- Uniform



2020 SPECIAL CONSTABLE ANNUAL REPORT

Crime, Traffic and Order Management

Authority	Arrested	Charged (Form 9/10 P.O.T.)	Released No Charges (Unconditionally)	Turned over to Toronto Police Service
Criminal Code	10	5	1	4
Controlled Drug and Substance Act	0	0	0	0
Trespass to Property Act	5	5	0	0
Liquor License Act	0	0	0	0
By-law	0	0	0	0

2020 Statistical Overview Reportable Incidents

Property Crimes

Description	2020	2019	Change
Arson	0	0	0
Break and Enter	5	12	-7
Unlawfully in a Dwelling	0	0	0
Fraud/False Pretenses	13	21	-8
Mischief	210	111	+99
Mischief – Interfere lawful enjoyment of property	0	0	0
Public Mischief – Mislead peace officer	0	0	0
Theft	120	318	-198
Possession Stolen Property	0	2	-2
Possession of Burglary Tools	0	0	0

2020 Statistical Overview Reportable Incidents (continued)

Quality of Life

Description	2020	2019	Change
Cause Disturbance	1	0	+1
Damage without Intent	31	32	-1
False Alarm of Fire	1	2	-1
Hate Crime	1	2	-1
Hazardous Conditions	1	3	-2
Bomb Threat	2	0	+2
Suspicious Person	40	95	-55
Suspicious Vehicles	3	1	+2
Trespassing/Cautioned	28	82	-54
Trespassing/Charged	17	27	-10
Trespass at Night	0	2	-2

2020 SPECIAL CONSTABLE ANNUAL REPORT

Crimes against Persons

Description	2020	2019	Change
Domestic Incident	7	7	0
Sexual Assault	2	10	-8
Assault – Common	12	23	-11
Assault – Injuries and/or Weapons	2	7	-5
Assault Peace Officer	0	1	-1
Obstruct Peace Officer	0	0	0
Criminal Harassment	15	20	-5
Indecent Acts	6	11	-5
Voyeurism	0	2	-2
Robbery/Robbery Attempt	3	8	-5
Extortion	1	4	-3
Threats	8	33	-25
Offensive Weapons	0	2	-2

2020 Statistical Overview Reportable Incidents (continued)

Other Categories

Criminal Code Offence	2020	2019	Change
Police Assistance	33	61	-28
Police Information	146	177	-31
Bail Violations	0	0	0
Breach of Probation/FTC	2	2	0
Warrants	4	10	-6
Sudden Death	1	2	-1
Suicide or Attempted Suicide	1	2	-1
Drugs – Possession/Use/Trafficking	0	1	-1
Fire (Actual)	5	2	+3
Liquor License Act	0	13	-13
Mental Health Act	49	55	-6
Well-being Check	22	-	-
Missing Persons	2	7	-5
Motor Vehicle Incidents	10	11	-1
By-Law – Dogs	0	0	0

2020 SPECIAL CONSTABLE ANNUAL REPORT

WE ARE ACCOUNTABLE TO OUR COMMUNITY AND GUIDED BY THE FOLLOWING PRINCIPLES AND VALUES:

RESPECT

for the dignity, privacy, worth and diversity of all persons;

FAIR AND IMPARTIAL

treatment of all individuals;

a departmental philosophy that promotes

SAFETY AND SECURITY

as a responsibility of all members of the community;

RELIABILITY, competence, **ACCOUNTABILITY**, teamwork and open communication, and;

an approach to campus policing that welcomes and encourages

COMMUNITY INVOLVEMENT

and promotes **EQUITY**.





University of Toronto Campus Police
21 Sussex Avenue,
Toronto, ON M5S 1J6





Toronto Police Services Board Report

May 27, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: 2020 Annual Report: Toronto Transit Commission - Special Constables

Recommendation:

It is recommended that the Board receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

Section 8.9 of the Agreement between the Toronto Police Services Board (Board) and Toronto Transit Commission (T.T.C.) regarding special constables states that:

“The TTC shall provide to the Board an annual report with statistical information including information regarding enforcement activities, training, use of force, supervision, complaints and other issues of concern to the Parties and such further categories of information as may be requested by the Board or the Chief, from time to time”.

Discussion:

As directed by the Board, appended to this report is the 2020 annual report from the T.T.C. regarding special constables. The report is consistent with the reporting guidelines established by the Board.

Conclusion:

The Service has established a strong working relationship with the T.T.C. In 2020, a number of community outreach initiatives were undertaken by T.T.C. special constables to enhance the feeling of safety and security for customers, staff and visitors on T.T.C. properties. These initiatives are consistent with the Service's community policing model and align with The Way Forward's goal to embrace partnerships to create safe communities.

Acting Deputy Chief Myron Demkiw, Specialized Operations Command, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*Original with signature on file with the Board

TORONTO TRANSIT COMMISSION SPECIAL CONSTABLE SERVICES



**Annual Report
2020**

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EXECUTIVE SUMMARY

A reorganization of the Transit Enforcement Unit was initiated in early 2020 to split the department into two departments – Revenue Protection and Special Constable Service. This reorganization addressed the most urgent and important issue facing the Unit – changing the culture of the departments while enhancing their focus on the key priorities of transit safety, security and maximizing revenue protection. In July 2020, the Revenue Protection and Special Constable Service departments moved from the Operations Group to the Strategy and Customer Experience Group, signalling the TTC's commitment to putting the customer at the centre while we modernize our service to better serve customers and the residents of Toronto.

Special Constables exercise the powers and authorities granted by the Toronto Police Services (TPS) Board and approved by the Ministry of the Solicitor General in a responsible, efficient manner to ensure they provide a duty of care and maintain community expectations of safety and security on the transit system.

COVID-19 Response

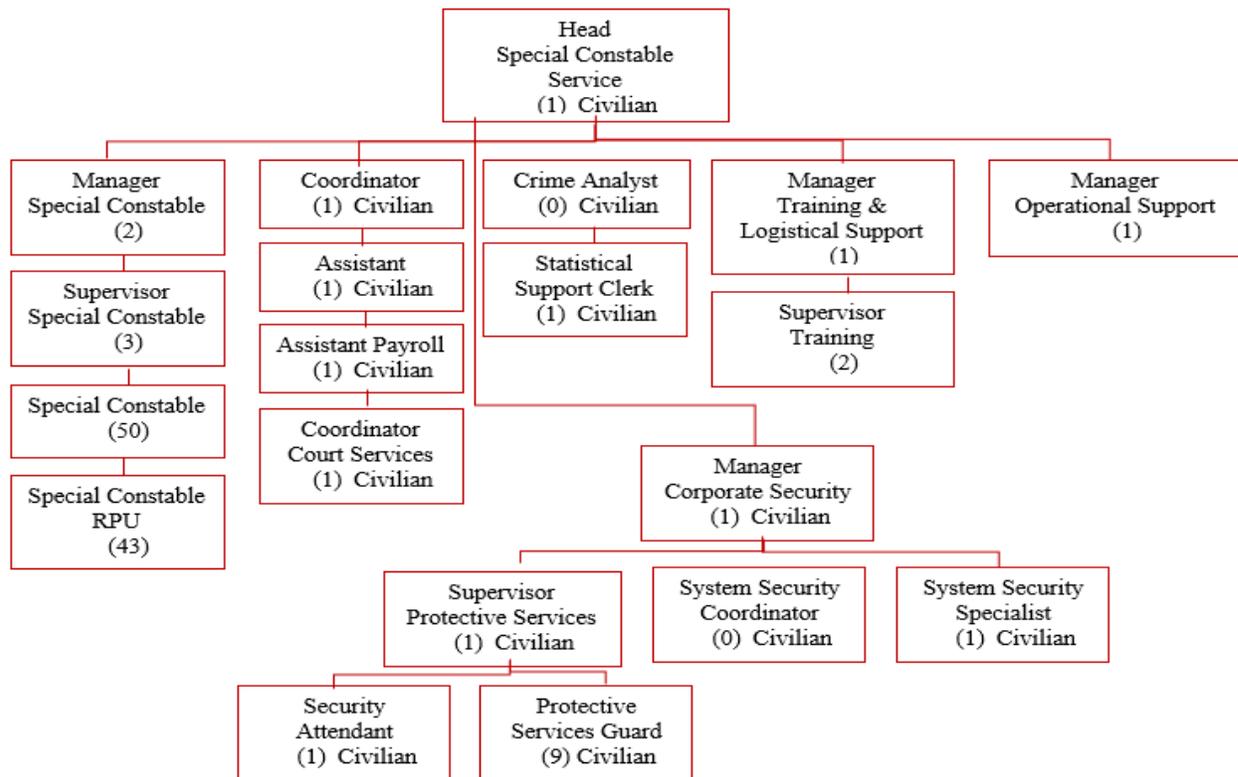
The onset of the COVID-19 pandemic created unique challenges to our transportation system. The Special Constable Service's Continuity of Operations Plan brought changes to reporting and deployment strategies to ensure that the critical functions and services that the Special Constable Service provides to the TTC and its customers were sustained. The COVID-19 pandemic has resulted in a ridership reduction of nearly 57.2%. However Special Constable Service received 26,674 calls for service and attended 17,515 of those service calls, an increase of 24% over 2019. The calls for service are broken down into the following categories:

- Subway – 80.16% (21,381).
- Surface (bus and streetcar) – 18.46% (4,925).
- Line 3 Scarborough (SRT) system – 1.38% (368).

To aid in the adherence to public health physical distancing guidelines, new satellite offices were created in various subway stations. Employees were assigned permanent partners to reduce the risk of exposure to COVID-19 throughout the entire team.

Organizational Chart

The Head of Special Constable Service is responsible for the general supervision of Special Constables. In July 2020, Andrew Dixon was appointed as Head – Special Constable Service. The Head – Special Constable Service has delegated this authority through the organizational chart below. This organizational chart reflects the actual workforce appointed as Special Constables as of December 31, 2020.



Appointments

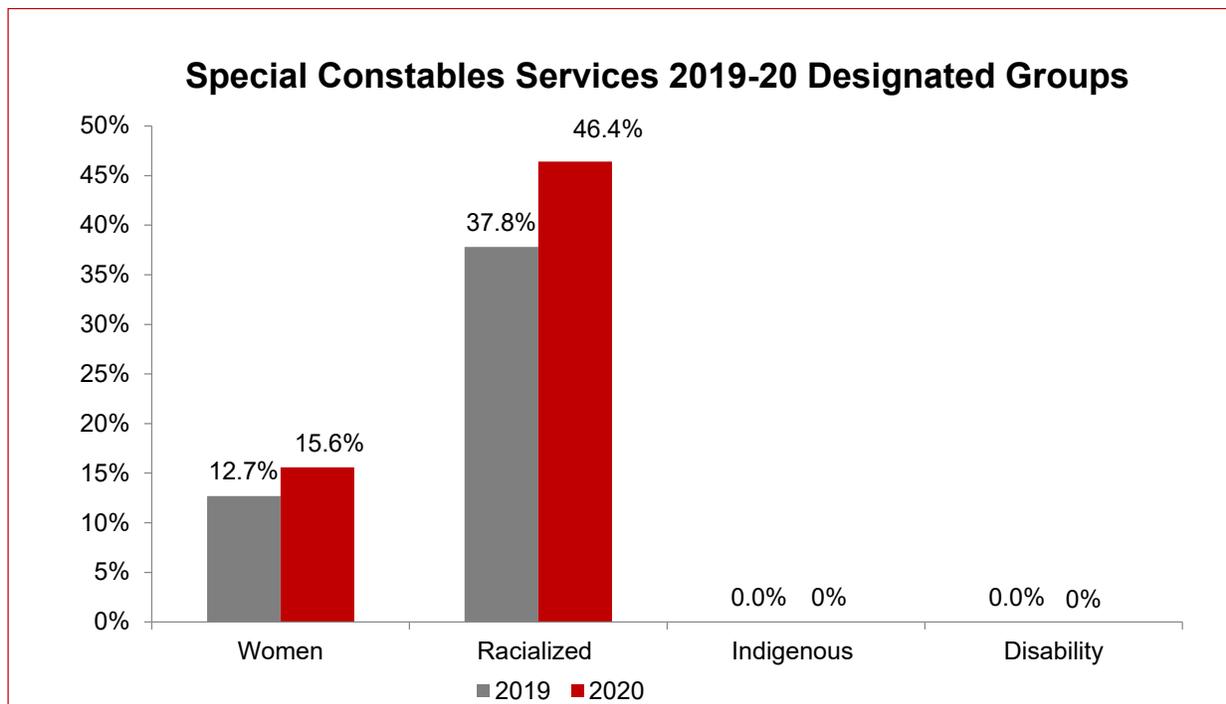
The following chart represents Special Constable appointments for the reporting year. The actual strength as of December 31, 2020 was 91 Special Constables.

Total Applications	Re-Appointments	New Appointments
64	27	18

Departures

Number of Terminations	Number of Suspensions	Number of Resignations	Number of Retirements
0	0	7	1

Diversity Breakdown



TRAINING

All TTC Special Constable training is reviewed and approved by the Toronto Police Service on an annual basis. Pursuant to the Special Constable Agreement between the TTC and the Toronto Police Services Board, Special Constable Service has an obligation to train Special Constables in the following areas:

- Arrest Authorities
- Canadian Police Information Centre (CPIC) Use First Aid
- Interim Communicable Diseases
- LGBTQ2S
- Controlled Drugs and Substances Act
- Major Controlled Drugs and Substances Act
- Criminal Offences
- PRESTO Ethics and Professionalism in Policing
- Arrest/Search Incident to Arrest
- Case Preparation Provincial Offences
- Community Mobilization/Community Policing
- Community Mobilization/Community Policing
- Crime Scene Management
- Diversity Awareness and Human Rights Issues
- Emotionally Disturbed Persons/Mental Health Act
- First Aid/CPR

- Roles Field Interviewing/Taking Statements
- Rules Memorandum Books/Note-Taking
- Provincial Offences Act
- Streetcar Search and Seizure Authorities
- Streets TTC Special Constable Status – Roles and Responsibilities
- Subway Trespass to Property Act
- Vehicle Operations
- TTC Fares
- Young Persons and the Law
- Introduction to Law
- Liquor License Act
- Occurrence/Report Writing/Field Information Report
- Sex Offences
- Testimony/Criminal/Provincial Justice System/Rules of Evidence
- Train Use of Force Legislation and Reporting

The TTC reviews and revises the Special Constable training program annually and the Fare Inspector program as necessary. The training program was revamped in recent years, through consultation with the Ombudsman Toronto, the 519 Community Centre, mental health professionals and other emergency services. The latest changes to the training program were in response to 2017 and 2019 Ombudsman Toronto report recommendations. Changes were also made to incorporate feedback from customers who experience challenges riding the system.

Recruit Program

Special Constables currently receive 90 days of initial onboard training. As part of that training, Special Constables receive 13 days of training on crisis communications, de-escalation, mental health awareness and the Mental Health Act.

Both the Special Constable and Fare Inspector training programs include simulations conducted with actors in a transit environment, in order to evaluate the knowledge and skills that each employee receives and to observe their decision-making abilities in a real-time environment.

As part of the initial training, staff also participate in instructor-led training delivered by the Alzheimer's Society of Toronto and the City of Toronto Streets to Homes program. In 2019, the TTC added Confronting Anti-Black Racism (CABR) training delivered by the City of Toronto's CABR Unit. Transit Special Constables and Fare Inspectors participate in holistic, simulation-based training as part of the curriculum. In January 2020, new modules on Mental Health Interventions and Mental Health Act Section 17 Apprehensions were launched. Discussions are underway with experts in the field of mental health to extend the concepts and deliver additional modules.

Annual Recertification

The Special Constable Annual Recertification Training Program is three days for a total of 24 hours. This includes mandatory defensive tactics and use of force training. In 2020, additional training on mental health intervention strategies, and a review of the Mental Health Act was conducted to sharpen the skills officers use when called to incidents that may involve mental health. Holistic, simulation-based training continues through the annual recertification as a successful tool to reinforce training and expectations.

Confronting Anti-Black Racism

Throughout 2020, the TTC's Special Constable Service received training with the City of Toronto's Confronting Anti-Black Racism (CABR) Unit to provide important training on Anti-Black Racism, the impacts of conscious and unconscious biases and racism. It is important that we confront and remove barriers caused by Anti-Black racism to provide a service that benefits all of our communities, riders and employees. This training has been delivered to all Special Constables, and forms part of the Special Constable Recruit Training Program for all new members, and will be continually reviewed as training progresses.

Diversity, Equity and Inclusion

The TTC continually revamps its training surrounding issues of diversity, equity and inclusion across the organization. All frontline members of the Special Constable Service also participate in these deliveries to provide a multifaceted approach to human rights training.

As issues or customer concerns arise, they will be further discussed using a collaborative approach, which may include stakeholder consultation, best practice review and changes to policy and procedures. Training programs will continue to be updated accordingly.

Mandatory Training

Course / Topic	Delivered By	Duration	Number trained
Special Constable Recruit Training	3 rd Party Provider/Toronto Transit Commission	60 days	39
Annual Use of Force and Legislative Update Block Training	3 rd Party Provider	3 days	63
Standard First Aid	Rescue 7	2 days	49

Additional In-Service Training

Course / Topic	Delivered By	Duration	Number trained
Incident Management System	TTC Special Constable	2 days	39
Confronting Anti-Black Racism	City of Toronto	6 hours	60
Cannabis Legislation	CPKN	3 hours	39
Naloxone	CPKN	1 hour	39

Equipment

Pursuant to the Agreement with the Board, Special Constables are issued with the following equipment:

- Uniform.
- One wallet badge, appropriate wallet and agency identification card.
- Soft body armour with appropriate carriers.
- One set of standard handcuffs with appropriate carrying case.
- One container of Oleoresin Capsicum foam with appropriate carrying case.
- One expandable baton with appropriate carrying case.
- One approved memo book.
- One flashlight with appropriate carrying case.
- One Provincial Offences Notice book and appropriate hard cover.
- One TTC Special Constable Service Policies, Procedures and Rules Manual.

REPORTING AND STATISTICS

Calls for Service

Special Constables received 26,674 calls for service in 2020, a 24% increase over 2019.

Mode	Calls Received	% of Total
Scarborough RT	368	1.38
Subway	21,381	80.16
Surface	4,925	18.46
Total	26,674	100

Crime And Order Management – Arrest/Apprehension Totals

Special Constables submitted 346 records of arrest for Criminal Code offences in 2020, a 19% increase over 2019. They also made 96 apprehensions under the Mental Health Act, representing a 32% decrease over 2019.

Authority	Total Arrested/ Charged/ Apprehended
Criminal Code	346
Mental Health Act	96
Liquor License Act	22
Trespass To Property Act	37
Controlled Drugs & Substances Act	0

Reporting

General Occurrence Reports and Records of Arrest	No.
Abandoning Child C.C. 218	2
Aggravated Assault C.C. 268	1
Animal Cruelty C.C.445	1
Arson	1
Arson by Negligence C.C. 436(1)	1
Arson: Damage to Property C.C. 434	4
Assault C.C. 266	587
Assault - Aggravated C.C. 268	1
Assault Bodily Harm C.C. 267(1)(b)	11
Assault Causing Bodily Harm C.C. 267 (b)	3
Assault Peace Officer C.C. 270(1)(a)	14
Assault With A Weapon C.C. 267(1)(a)	39
Assault With Weapon C.C. 267 (a)	7
Being Unlawfully at Large C.C. 145 (1)(b)	1
Bench Warrant C.C. 597 (2)	2
Break And Enter With Intent C.C. 348(1)(a) Attempt	3
Breaking, Entering and Committing C.C. 348 (1)(b)	2
Carry Concealed Weapon C.C. 90(1)	2
Cause A Disturbance 175(1)	5
Criminal Harassment C.C. 264 (1), (2)	13
FAIL TO COMPLY PROBATION C.C. 733.1	5
Failing to Compy with Condition of Undertaking or Recognizance C.C. 145 (3)	1
False Alarm of Fire C.C. 437	1
Fraud Transportation 393(3)	4
Indecent Acts C.C. 173(1)	23
Intelligence Report	1
L.L.A. 31 (4) INTOXICATED IN COMMON AREA	2
L.L.A. 31(4) Intoxicated in a Public Place	25
MENTAL HEALTH ACT SEC. 17	96
Mental Health Act Sec. 16	1
Mischief C.C. 430 (1)	184
Mischief C.C. 430 (1) (c)	1
Mischief Interfere With Lawful Enjoyment of Property C.C. 430 (4)	1
Mischief Endangering Life C.C. 430 (2)	1
Mischief Interfere 430(1)(c)	1
Mischief Not Exceeding \$5,000 C.C. 430 (4)	493
Mischief Over \$5,000 C.C. 430 (3)	6

General Occurrence Reports and Records of Arrest	No.
Mischief Under \$5000.00	4
Naloxone Administration	1
Opioid Overdose	2
Possession of House Breaking Instruments C.C. 351(1)	1
Possession of Property Obtained By Crime C.C. 354 (1)	1
Probation Order: Non-Compliance C.C. 733.1(1)	1
Public Mischief C.C. 140 (1)	1
Robbery C.C. 344 (b)	15
Sexual Assault C.C.271	6
Suspicious Event	1
Suspicious Incident	10
Suspicious Person	5
T.P.A. Fail To Leave When Directed	15
T.P.A. Engage in Prohibited Activity on Premises	6
T.P.A. Enter Premises When Entry Prohibited	4
T.T.C. # 1-2.1 Refuse to Pay Fare	2
T.T.C. # 1-2.3(b) Fail to Comply with Conditions of Use of Fare Media	98
T.T.C. # 1-3.16(b) Unauthorized Solicit on TTC Property	1
T.T.C. # 1-3.24 Loiter on TTC Property	1
T.T.C. # 1-3.25 Cause A Disturbance on TTC Property	4
T.T.C. # 1-3.25(b) Improper Language(Gestures) on TTC Property	1
T.T.C. # 1-3.25(c) Behave in Indecent (Offensive) Manner on TTC Property	2
T.T.C. # 1-3.25(f) Interfere with Ordinary Enjoyment of Transit System	2
T.T.C. # 1-3.32 Smoke on TTC Property	1
T.T.C. # 1-3.4 Unauthorized Crossing or Entering Upon Subway Tracks	2
T.T.C. # 1-3.5 Project Body beyond Platform Edge or Platform Safety Markings	1
Theft Under \$5000.00 C.C. 334(b)	121
Trespass to Property Act - Fail to Leave Premises When Directed	1
TTC #1-13 Enter upon tracks of Rapid Transit System	1
TTC #1-7 DISTRIBUTE ON TTC PREMISES (VEHICLE)	1
TTC #1-8(c) Fail to comply with conditions of use of (Metropass, pass or permit)	1
Uttering Threats C.C. 264.1 (1)	216
Uttering Threats C.C. 264.1 (1) (Employee)	1
Uttering Threats C.C. 264.1 (1) -Employee	1
Uttering Threats C.C. 264.1 (1); Mischief Not Exceeding \$5,000 C.C. 430 (4)	1
Uttering Threats to Cause Death or Bodily Harm C.C. 264.1 (1)(a)	115
Weapon etc: possession for dangerous purpose C.C. 88	14
Weapon: carrying concealed weapon C.C. 90	1

Other TTC Internal Incident Reports (SCS and other TTC Divisional Supervisory Reports)	No.
Administer Noxious Substance	4
Aggravated Assault - Patron	4
Armed Robbery Patron	1
Arson	1
Assault Bodily Harm Or W/ Wpn - Misc Employee	1
Assault Bodily Harm Or W/ Wpn - Patron	43
Assault Police Officer	1
Attempt Armed Robbery Patron	1
Attempt Murder	1
Attempt Robbery Patron	8
Bomb Threat No Bomb Found	6
Breach Of Probation	3
Breach Of Recognizance	1
Break And Enter Gateway New Stand	2
Break And Enter Misc	6
Carry Concealed Weapon	1
Cause Disturbance	37
Common Assault - Misc Employee	1
Common Assault - Operator	4
Common Assault - Patron	127
Dangerous Operation Of M.Veh	1
Fail To Comply	2
Fraud	1
Fraud Transportation	1
Fraudulent Use Of Credit Card	2
Harassment (Criminal)	2
Indecent Exposure	9
Indecent Show	2
Mental Health Act	59
Mischief	143
Other Weapon Offences	7
Poss. Prop.Obtained By Crime	1
Possession Offensive Weapon	32
Robbery Patron	26
Robbery Patron – Mugging	2
Robbery Patron – Swarming	4
Sexual Assault	49

Other TTC Internal Incident Reports (SCS and other TTC Divisional Supervisory Reports)	No.
Theft Bicycle Under \$5000	1
Theft From Tenant Under \$5000	4
Theft From TTC Under \$5000	2
Theft From Patron Under \$5000	15
Theft From Tenant Over	1
Theft From TTC Over \$5000	1
Theft Of Vehicle (Auto)	2
Theft Over \$5000	1
Theft Under \$5000	2
Threatening	19

Property

Special Constable Service is responsible for keeping all evidence and property seized in connection with their duties except in the following circumstances:

- Where Toronto Police request the evidence be turned over to them.
- Where an accused is held in Toronto Police custody.
- All drugs seized/found.
- All firearms seized/found.

All property and evidence seized from persons that is not turned over to the Toronto Police Service is stored, preserved and disposed of in a manner consistent with Toronto Police Service standards and procedures for the storage and disposition of property. In 2020, Special Constables seized and processed 219 pieces of property into their property vault.

PUBLIC COMPLAINTS

All public complaints relating to conduct of TTC Special Constables are forwarded to the Toronto Police Service's Professional Standards Unit for assessment. The Toronto Police Service reviews and assesses each complaint as either serious misconduct (i.e. criminal allegation) or less serious. Complaints assessed by Toronto Police Service as serious misconduct are investigated by the Toronto Police Service. Complaints assessed by Toronto Police Service as less serious are returned to TTC for investigation.

In response to the 2019 Toronto Ombudsman's Report, immediate interim changes were made to the public complaints procedures, and the oversight of the public complaints relating to Fare Inspectors and Special Constables was transferred to the TTC's Human Rights and Investigations Department. The interim public complaint procedures are publicly available on the TTC's website: [https://www.ttc.ca/Riding the TTC/Safety and Security/TransitEnforcement/Compliments Complaints/index.jsp](https://www.ttc.ca/Riding%20the%20TTC/Safety%20and%20Security/TransitEnforcement/Compliments%20Complaints/index.jsp)

In summary, for 2020, TTC received 20 complaints, which is a reduction from 26 complaints in 2019. Four were general in nature relating to TTC enforcement services, and 16 complaints raised allegations of misconduct involving a TTC Special Constable.

Of the 16 complaints of misconduct:

- Two complaints alleging discourtesy were resolved through informal resolution;
- One third-party complaint alleging excessive use of force is under review by TTC and TPS;
- Three complaints that included allegations of discourtesy and/or unprofessional conduct were investigated by the UCC, and two were found to be unsubstantiated and one substantiated.
- One third-party complaint alleging unnecessary arrest of a passenger is under investigation by the UCC;
- One internal workplace complaint was investigated by TTC Human Rights and found unsubstantiated;
- Eight complaints were investigated by external investigators, with:
 - Three substantiated; one finding of unnecessary use of force and discrimination (Note #1) and two finding unprofessional conduct.
 - Two complaints were found unsubstantiated; and
 - Three complaints remain under investigation (Note #2).

In addition to the interim changes to the public complaint process, the TTC has been working on long-term improvements, including the establishment of a new Fare Inspector and Special Constable Complaints (FISC) Office; with a dedicated team of diverse and qualified investigators to receive, investigate and/or resolve public complaints involving TTC Special Constables. A more fulsome complaint reporting, along with the long-term improvements to the public complaint process through the new FISC Office, will be provided directly to the Board in a future report by the TTC.

Note:

- 1) This matter was brought to the TTC Board's attention at the December 2020 Board meeting. It was an external investigation into the February 7, 2020 incident on the TTC streetcar.
- 2) Including a matter that has been brought to the Board's attention recently relating to an internal workplace matter. The Board will be presented a process outlining the external investigations to be reported to the Board in future.

USE OF FORCE REPORTING

Special Constables are bound by Ontario Regulation 926/90, which compels Police Officers to submit a Use of Force Report (UFR Form 1) to the Chief of Police when a Police Officer who, when in the performance of their duties, uses force on another person that results in an injury requiring medical attention or uses a weapon on another person.

The TTC's internal policy on reporting use of force by Special Constables uses a lower threshold. Each incident where an application of force is used that is beyond compliant handcuffing is required to be reported.

The following chart further summarizes the number of incidents and the category of offence involved in each type of force application:

As per Police Services Act:

Highest Level of Force Used	Number of Incidents	Use of Force Reports Submitted	Criminal Code	Provincial Offence (LLA, MHA,TPA)
OC Foam	7	7	6 ¹	1 ²
Injury	3	3	2	1
Total	10	10	8	2

There were 75 incidents in 2020 in which internal 132 Use of Force reports were submitted as per departmental policy. In four of these incidents, batons were presented, and in one incident OC Foam was presented, but not used during interactions with assaultive subjects.

As per Departmental Policy:

Highest Level of Force Used	Number of Incidents	Use of Force Reports Submitted	Criminal Code	Provincial Offence (LLA, MHA,TPA) or Other
Physical Control- Soft	69	117*	47	22
Physical Control- Hard	12	16*	10	2
Impact Weapon Soft	1	1	1	0
Baton or OC Foam Presented- Not Used	4	4	3	1

* Multiple Use of Force reports submitted, one per individual officer attending the same incident

INJURY REPORTING

Suspects

A total of 26 Injury Reports were submitted by Special Constables on behalf of the accused in 2020, five less than the 31 submitted in 2019. Ten of the 26 reports were as a result of Special Constable action; either OC foam, use of physical force or handcuff rub. Seven of the 26 were self-inflicted injuries caused by the suspect. One injury was due to an anxiety attack, one injury was due to a physical altercation with another person and eight reports documented suspect injuries in which the cause was unknown and occurred prior to the arrest.

Prior to Arrest:

¹ 4 incidents of Assault Peace Officer, 1 incident relating to Mischief, 1 incident relating to Theft

² 1 incident relating to the Mental Health Act

A total of 15 of the 26 injury reports were submitted in relation to pre-existing conditions or injuries presented by the accused prior to the arrest, such as visible cuts and abrasions, soreness, intoxication and sprains. Four of these 15 incidents resulted in the accused being transported to hospital for treatment of minor cuts and abrasions. Eleven incidents required no medical aid, or it was refused by the accused.

During Arrest:

Eight of these reports were submitted in relation to injuries sustained during the course of an arrest. Two of these eight incidents resulted in the accused being transported to hospital for treatment. Two incidents required only EMS treatment on scene. Four incidents required no medical aid, or medical aid was refused by the accused.

After Arrest:

Three of these reports were submitted in relation to hostile suspect behaviour following an arrest (i.e. banging head in patrol car). Two incidents resulted in the accused being transported to hospital for treatment of lacerations and bumps to the head and one incident required EMS only.

Special Constables

The following types of occupational injury were reported while on duty by Special Constables:

- Precautionary - 67
- Minor Injuries - 25
- COVID exposure - 17
- Lost-time Injuries — 21
- Lost-time injuries occurred as a result of arrests - 4
- Accidental Incidents - 7

GOVERNANCE

The business of the Special Constable Service is governed by the TTC's agreement with the TPS Board in areas of appointment, identification, equipment, training, powers and responsibilities.

Special Constables exercise the powers and authorities granted by the Board in a responsible, efficient manner to ensure they provide a duty of care and maintain community expectations of safety and security on the transit system.

A Special Constable must comply with the applicable sections of the Police Services Act relating to their appointment as a Special Constable, the applicable regulations thereunder, all internal policies and procedures of the TTC, and all Service policies, standards and procedures applicable to the duties, powers and responsibilities of Special Constables.

The TTC shall, at a minimum, establish and maintain:

- a) Written policies and procedures with respect to the duties, powers and responsibilities of Special Constables;
- b) A Code of Conduct for Special Constable, as described in the Agreement;
- c) A written procedure for supervising and evaluating Special Constables' powers; and

- d) A written disciplinary process regarding all matters relating to any allegation of improper exercise of any power or duty of a Special Constable as granted pursuant to the Agreement.

Special Constable Service maintains written policies, procedures and rules with respect to the duties, authorities and responsibilities of all members. Special Constable Service members are expected to comply with the departmental Code of Conduct, Core Values and TTC corporate policies. In addition, a TTC Corporate Discipline Policy is in place to manage the conduct of all Special Constables.

Special Constables must comply with all Toronto Police Service policies and procedures applicable to the duties and responsibilities of Special Constables, including any directives or policies of the Board. These items are routinely transmitted through the Toronto Police Special Constable Liaison Office.

In addition, pursuant to the agreement with the Board, the Special Constable Service has established a complaint investigation procedure for the intake and investigation of complaints concerning the conduct of a Special Constable.

Special Constables must comply with the applicable sections of the Police Services Act relating to their appointment as a Special Constable, the applicable regulations thereunder, all internal policies and procedures of the TTC, and all Service policies, standards and procedures applicable to the duties, powers and responsibilities of Special Constables as provided to the TTC in accordance with the Special Constable Agreement, including any directives or policies of the Board for any Special Constable appointed by the Board.

At all times during the term of the agreement, the TTC must maintain adequate and effective supervision of any employee who has been appointed as a Special Constable by the Board pursuant to the Agreement.

The TTC and Special Constables must co-operate with the Toronto Police Service in any matter where a Special Constable has been involved in an investigation.

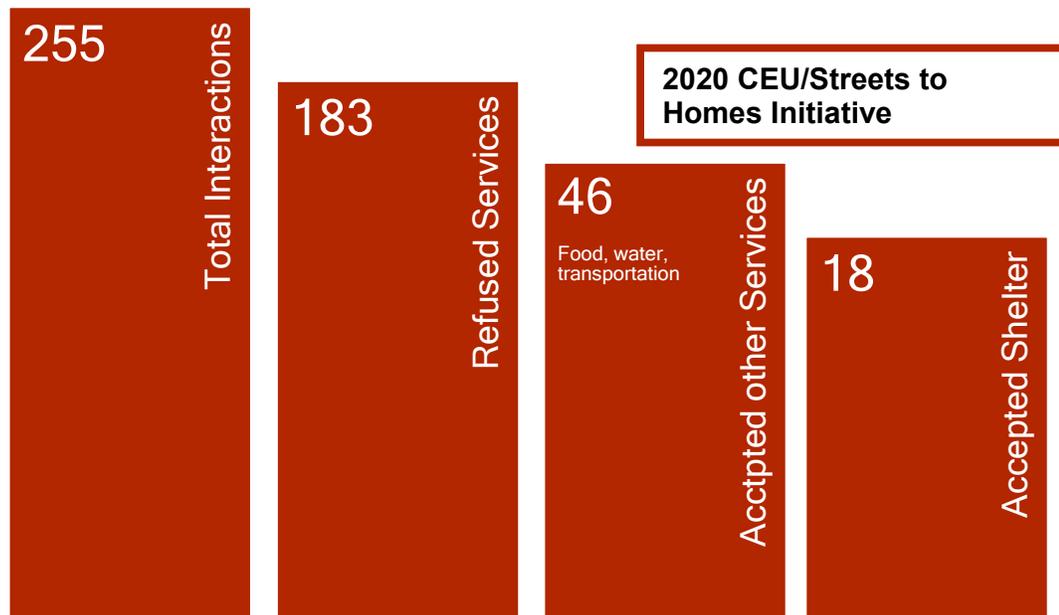
COMMUNITY ENGAGEMENT

The Community Engagement Unit (CEU) focuses on assisting customers living with mental illness by engaging other community stakeholders to share resources and form sustainable solutions to issues of mutual concern, such as panhandling and homelessness. In 2020, the number of Special Constable Services dedicated to the CEU was increased to four from two. The CEU continues to work with city agencies and partners, such as Furthering Our Community by Uniting Services Toronto (F.O.C.U.S. TO), Streets to Homes, Gerstein Crisis Centre, Mental Health Commission of Canada and the Toronto Police Mobile Crisis Intervention Team.

In 2021, the TTC will investigate the expansion of the CEU unit, including partnering with other agencies, such as York Region Transit and York Region Police.

The TTC is committed to working with internal and external partners to promote community engagement and foster collaborative initiatives to promote safety. In extreme weather situations, TTC staff are asked to be extra vigilant to help those people in our city who may be at increased risk in extreme conditions. As part of their regular duties, Fare Inspectors and Special Constables provide people who are vulnerable or at risk with information about downtown Toronto drop-in resources, and distribute free hot or cold beverage vouchers.

Special Constables and Fare Inspectors also have access to City agencies for support, including Out of the Cold programs, Streets to Homes, CAMH and The 519, among others. Additionally, Special Constables have a direct number for the Streets to Homes Supervisors should a priority response be necessary.



The following is a current list of projects assigned to the Community Engagement Officers:

FOCUS Toronto

Furthering Our Community by Uniting Services (FOCUS Toronto) is an innovative project servicing Toronto. This initiative is led by the City of Toronto (the City), United Way Greater Toronto (UWGT), Toronto Police Service (TPS) and aims to reduce crime, victimization and improve community resiliency in the Toronto area. The Community Engagement Unit continued to contribute and attend to the FOCUS table sessions, made referrals and participated in interventions as appropriate.

Events Support Bus Program/Major Incident Planning

To assist the Toronto Police Service in enhancing public safety at various large scale events, the Special Constable Service Training and Logistical Support Unit co-ordinates the deployment and use of six decommissioned TTC buses now used as Events Support Buses. To support the

program, the Special Constable Service has trained 10 Special Constables to operate these buses through the three-week Operator Initial Training and Licensing program. Members of the Supervisory team continue to act as liaisons to Toronto Police Command through the Major Incident Command Centre, as requested.

Naloxone Program

Special Constables have conducted a Naloxone administration pilot where all TTC Special Constables have been trained on the use of Naloxone and issued intranasal Naloxone as part of their first aid equipment. During this pilot, Special Constables developed processes covering administration procedures, training, medical oversight and reporting requirements to Toronto Police. This pilot has concluded and the program has now been adopted.

In 2020, Special Constables administered naloxone six times to persons suspected of suffering from an opioid overdose. In each incident the person was successfully revived.

Partnership with Toronto Community Housing Corporation (TCHC)

Prior to March 2020, information sessions were conducted in over 16 different Toronto Community Housing Corporation (TCHC) community centres throughout the city. These sessions allowed community members to ask questions of our Fare Inspectors and Special Constables about the TTC and their roles within the TTC. The community members were educated on how to apply for a job at TTC and received information about many other jobs within the TTC. Members from the Human Resources Department attended to answer questions on recruitment, qualifications and job opportunities.

PROJECTS AND INITIATIVES

In alignment with corporate and departmental objectives, a number of initiatives and projects were implemented by the Special Constable Service Department. Key accomplishments are highlighted below:

Process Efficiency Reviews

Various procedures and work instructions were developed to ensure consistency and efficiency in performing day-to-day activities. This aligned staff and management on role expectations and assisted in performance tracking to aid in employee evaluations.

Part I and Part III Electronic Filing

Special Constable Service and Revenue Protection worked with the City of Toronto to implement an electronic Provincial Offence Act (POA) Part III filing process, allowing documents to be sworn to remotely by a Justice of the Peace. In addition, a Part I filing solution was implemented to reduce redundancies associated with the data entry of Provincial Offence Notice's (PON) and creation of the Court Filing Log. The ability to electronically file and transfer Part I and Part III ticket information is a great achievement and provides substantial benefits to both Revenue Protection and the City of Toronto Court Services.

Complimentary Mask and PRESTO Card Distribution

As part of the TTC's response to the COVID-19 pandemic the TTC launched a mask campaign and PRESTO Card giveaway led by Revenue Protection. The Revenue Protection and Special Constable Services targeted neighbourhood improvement areas to engage the communities hardest hit by the pandemic. They also teamed up in collaboration with Fairview Mall to hand out PRESTO Cards and masks at different locations in the mall and at Don Mills Station. Over 30,000 masks were given out in 2020 to transit riders throughout the city. Some of the locations were subway stations, streetcar routes, bus routes, major intersections, high-traffic school zones and several are malls such as Sheridan and Jane and Finch malls. A total of 28,000 complimentary PRESTO cards were distributed resulting in approximately \$167,000 in customer savings.

COMTO Toronto & Region Chapter

In August 2020 Revenue Protection, Special Constables and Protective Services Guards participated in the back to school backpack give-away with COMTO Toronto & Region, which provided backpacks and school supplies to hundreds of children.

HIGHLIGHTS OF THE YEAR 2020



QUARTER 1

- Information sessions at Black Business & Professional Association, Regent Park Community Centre, Alexander Park Community Centre, Woodgreen Community Centre and various Toronto Community Housing locations
- Job fairs at Learning Enrichment Foundation, Church Street Spanish LGBTQ Community Centre, Durham College, Mohawk College and Sheridan College
- Nine new Fare Inspectors graduated their training program provided by Special Constable Service.

QUARTER 2

- As a result of the COVID-19 pandemic, Special Constables partnered with Streets to Homes, a program funded by the City of Toronto to assist those on the TTC system who require shelter, food or medical assistance
- Special Constables took part in the Heath Workers Gratitude Procession
- Working alongside the Salvation Army, Officers handed out masks at Spadina Station to help ensure the safety of all customers
- Five new Fare Inspectors graduated their training program provided by Special Constable Service.



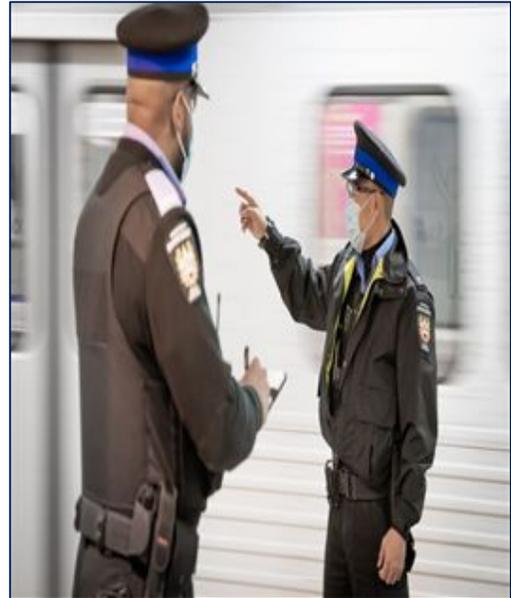


QUARTER 3

- During the COVID-19 pandemic Special Constables worked with Streets to Homes, a program funded by the City of Toronto to assist those on the TTC system
- In the fall, Special Constables participated in the TTC Mask Campaign led by Revenue Protection, distributing masks to customers on the system and at local schools
- A class of 20 new Special Constable began their training program, facilitated by Special Constable Service on a virtual platform

QUARTER 4

- A class of 18 new Special Constable began their training program, facilitated by Special Constable Service on a virtual platform
- Q3 class of 20 Special Constable recruits completed their Special Constable training.
- Continued to support frontline TTC employees and customers through proactive patrols, liaising with and providing support networks, handing out masks to riders, and addressing safety concerns as they arose.
- Eight new Fare Inspectors graduated their training program provided by Special Constable Service.



CONCLUSION

The Revenue Protection and Special Constable Service departments have developed a culture change framework with the objective of providing a revenue protection and safety and security service that is customer-focused and founded in respect and dignity for customers and fellow employees. In order to achieve this goal, improvements are required to the manner in which that work is done in these departments while considering recommendations from various third-party reports, expert and community consultations, the TTC's External Advisor on Diversity and Inclusion, Arleen Huggins, and industry bench marking with our peers.

Key third-party reports that were used as inputs into the Culture Change Program include:

- 2017: Ombudsman Toronto Report: An Investigation into the Toronto Transit Commission's Oversight of its Transit Enforcement Unit;
- 2019: Ombudsman Toronto Enquiry Report: Review of the Toronto Transit Commission's Investigation of a February 18, 2018 Incident Involving Transit Fare Inspectors;
- 2019: Auditor General's (AG's) Report – Review of Toronto Transit Commission's Revenue Operations: Phase One – Fare Evasion and Fare Inspection;
- 2020: Confronting Anti-Black Racism (CABR) Unit internal report – An Initial Review of TTC Transit Enforcement Policies and Practices from an Anti-Black Racism Analysis; and
- 2020: Dr. Owusu-Bempah and Dr. Wortley – Toronto Transit Commission Racial Equity Impact Assessment: Interim Report.

In order to affect change internally and externally, we must take a holistic approach to change, and look at people, processes and technology in order to achieve the change objective. The Revenue Protection and Special Constable Service Culture Change framework is founded upon four pillars:

- Structure for Success – standardize job titles in accordance with job titles across the TTC e.g. Sergeant becomes Supervisor. Also remove barriers in the recruitment, onboarding and performance evaluation processes to support diversity and inclusion;
- Modernize policy, procedures, standards and programs – in alignment with third-party reports;
- Update technologies – Body Worn Camera (BWC), In car camera (ICCS), Mobile Bylaw Ticketing, Special Constable Service Revenue Protection (SCSRP) System to enhance Revenue Protection and Special Constable Service Programs; and
- Overhaul training and monitoring systems – to ensure Revenue Protection and Special Constable staff meet the multiple objectives of safety, security, revenue protection and TTC brand ambassadors.

The Revenue Protection and Special Constable Service departments will continue working with those in our community and other organizations within the city to build relationships.

In June 2021, a progress report on the Revenue Protection and Special Constable Service culture changes that are underway will be presented to the TTC Board for information.

Contact Information

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Special Constable Service
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Toronto Police Services Board Report

June 17, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Annual Report: April 1, 2020 to March 31, 2021 – Grant Applications and Contracts

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive this report.

Financial Implications:

Grant funding fully or partially subsidizes the program for which a grant is intended. Grants with confirmed annual funding at the time of budget development are included in the Toronto Police Service's (Service) operating and capital budgets. Grants that are awarded in-year, result in a budget adjustment to both expenditure and revenue accounts, with a net zero impact to the Service. Any program costs not covered by grants are accounted for in the Service's capital or operating budgets.

For the reporting period of April 1, 2020 to March 31, 2021, the Service was awarded \$28 Million (M) in grant funding from the Provincial and Federal governments.

Background / Purpose:

At its meeting of February 28, 2002, the Board granted standing authority to the Chair of the Board to sign all grant and funding applications and contracts on behalf of the Board (Min. No. P66/02 refers).

At its meeting of November 24, 2011, the Board approved that the Chief report annually on grant applications and contracts (Min. No. P295/11 refers).

This annual report covers the period of April 1, 2020 to March 31, 2021.

Discussion:

Appendix A provides the details of grant applications submitted by the Service, but not necessarily awarded by other levels of government. During the current reporting period, April 1, 2020 to March 31, 2021, there were six applications submitted for grant funding.

Appendix B provides the details of new grants awarded and contract amendments signed by the Chair. During the current reporting period, April 1, 2020 to March 31, 2021, the Chair signed 13 grant contracts and two contract amendments.

Active Grants:

As of March 31, 2021, the Service had a total of 19 active grants. Some of these grants were awarded in prior reporting periods, span multiple years and therefore would not be in Appendix A or B. The 19 active grants at this point in time are outlined below:

1. Youth In Policing Initiative and Youth In Policing Initiative - After School Program
 - \$392,100 for year ending March 31, 2021 - awarded annually;
2. Provincial Strategy to Protect Children from Sexual Abuse and Exploitation on the Internet
 - \$637,282 annually for four years ending March 31, 2021;
3. Reduce Impaired Driving Everywhere (R.I.D.E.)
 - \$184,747 for year ending March 31, 2021, \$184,829 for year ending March 31, 2022;
4. Increasing Closed Circuit Television (C.C.T.V.) Capacity
 - three year grant;
 - \$2,000,000 for year ending March 31, 2020, \$500,000 for year ending March 31, 2021, and \$500,000 for year ending March 31, 2022;
5. Proceeds of Crime Front-line Policing Grant – Project Engage
 - three year grant;
 - \$100,000 for year ending March 31, 2021, \$100,000 for year ending March 31, 2022 and \$100,000 for year ending March 31, 2023;
6. Proceeds of Crime Front-line Policing Grant – YourChoice.to – Supporting the L.G.B.T.Q.I.2.S. Survivors
 - three year grant;
 - \$100,000 for year ending March 31, 2021, \$100,000 for year ending March 31, 2022 and \$100,000 for year ending March 31, 2023;
7. Crime Prevention Action Fund – Life Skills to Succeed
 - three year grant;

- \$53,628 for year ending March 31, 2019, \$200,000 for year ending March 31, 2020, and \$146,372 for year ending March 31, 2021;
8. Children at Risk of Exploitation (C.A.R.E.) Units Grant
 - five year grant;
 - \$753,000 for year ending March 31, 2021, \$1,369,500 for year ending March 31, 2022, \$1,167,000 for year ending March 31, 2023, \$1,195,500 for year ending March 31, 2024, \$1,224,800 for year ending March 31, 2025;
 9. Civil Remedies Grant – The Human Trafficking Guide
 - \$92,703 – one-time funding ending March 31, 2021;
 10. Civil Remedies Grant – Toronto Homicide Mentoring Program
 - \$99,989 – one-time funding ending March 31, 2022;
 11. Victims Fund – 2020 Victims and Survivors of Crime Week – “First Step” Awareness Campaign: Helping Survivors of Intimate Partner Violence (I.P.V.) Take Their First Step Towards Safety
 - \$20,000 – one-time funding ending March 31, 2021;
 12. Ontario’s Strategy to End Human Trafficking
 - \$69,900 – one-time funding ending March 31, 2021;
 13. Provincial Human Trafficking Intelligence-Led Joint Forces Strategy
 - \$217,090 – one-time funding ending March 31, 2021;
 14. Criminal Intelligence Service Ontario – Proceeds of Crime Law Enforcement Grant
 - \$94,470 – one-time funding ending March 31, 2021;
 15. Criminal Intelligence Service Ontario Grant
 - \$155,077 – one-time funding ending March 31, 2021;
 16. Criminal Intelligence Service Ontario Grant
 - \$556,800 – one-time funding ending September 23, 2021;
 17. Provincial Guns and Gangs Initiative Grant
 - four year grant;
 - \$4,911,000 for year ending March 31, 2019, \$6,411,000 for year ending March 31, 2020, \$4,911,000 for year ending March 31, 2021 and \$4,911,000 for year ending March 31, 2022;

18. Community Safety and Policing (C.S.P.) Grant

- three year grant;
- \$17,413,656 for year ending March 31, 2020, \$18,913,656 for year ending March 31, 2021, and \$18,913,656 for year ending March 31, 2022;
- funds the Public Safety Response Team (\$9.7M), Connected Officer program (\$2.9M), various IT improvements (\$2.8M), expansion of the Neighbourhood Officer Program into the Yonge & Dundas Square (\$1.5M), transformative initiatives leading to more equitable policing (\$1.2M) and CEW training for front-line officers and new recruits (\$0.8M).

19. Federal Contribution to Provincial Strategy to Protect Children from Sexual Abuse and Exploitation on the Internet

- \$70,850 – one-time funding ending March 31, 2021;

The Service was awarded \$28 Million (M) from the above 19 active grants for the reporting period of April 1, 2020 to March 31, 2021.

Conclusion:

This report provides the Board with information on grant related activity that occurred during the period of April 1, 2020 to March 31, 2021, as well as the active grants in place as at the same date.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office

Appendix A

**Grant Applications Submitted by the Service
April 1, 2020 to March 31, 2021**

Name and Description of Grant	Amount of Funding Requested	Grant Term	Comments
<p>Children at Risk of Exploitation (C.A.R.E.) Units Grant</p> <ul style="list-style-type: none"> A project to prototype a C.A.R.E. Unit in the City of Toronto. C.A.R.E. Units are a new provincial initiative intended as specialized multidisciplinary intervention teams that pair police officers and child protection workers in teams to proactively identify, investigate, locate and engage children and youth who are at high risk of, or are victims of, child sex trafficking. 	\$5,709,800	October 1, 2020 to June 30, 2025	<p>Proposal submitted to Ministry of the Solicitor General in October 2020.</p> <p>Funding approved - See Appendix B.</p>
<p>Reduce Impaired Driving Everywhere (R.I.D.E.) Grant</p> <ul style="list-style-type: none"> A program to reduce impaired driving. 	\$469,100	April 1, 2020 to April 30, 2022	<p>Application submitted to Ministry of the Solicitor General in June 2020.</p> <p>Funding approved at \$369,576 – See Appendix B.</p>
<p>Civil Remedies Grant Program - Mass Casualty Victim Management Response</p> <ul style="list-style-type: none"> A project to equip the Victim Management Team, newly created under the Extreme Event Victim Management Program, with the equipment/technology and training to better support victims and their families when the City is faced with an Extreme Event. 	\$100,000	April 1, 2021 to March 31, 2022	<p>Application submitted to Ministry of the Attorney General in December 2020.</p> <p>Application was not successful.</p>
<p>Civil Remedies Grant Program - Supporting Victims of Human Trafficking</p> <ul style="list-style-type: none"> A project to support victims of human trafficking through 1) improved enforcement by using the latest technology and 2) enhanced training. 	\$100,000	April 1, 2021 to March 31, 2022	<p>Application submitted to Ministry of the Attorney General in December 2020.</p> <p>Application was not successful.</p>

Appendix A

Grant Applications Submitted by the Service April 1, 2020 to March 31, 2021

Name and Description of Grant	Amount of Funding Requested	Grant Term	Comments
<p>Public Safety Canada's Contribution Program to Combat Serious and Organized Crime (C.P.C.S.O.C.) – Leveraging Technology to Empower and Identify Victims of Crime</p> <ul style="list-style-type: none"> A project to acquire the most current equipment, software and relevant licenses and provide training to officers for enhancing the Service's ability in the combat of human trafficking as well as assist with providing victim support services. 	\$600,000	April 1, 2020 to March 31, 2024	<p>Application submitted to Public Safety Canada in September 2020.</p> <p>Application was not successful.</p>
<p>Youth In Policing Initiative and Youth In Policing Initiative - After School Program</p> <ul style="list-style-type: none"> A program to provide summer and after school employment opportunities for youth who are reflective of the cultural diversity of the community. 	\$392,100	April 1, 2020 to March 31, 2021	<p>Application submitted to Ministry of Children, Community and Social Services in October 2020.</p> <p>Funding approved – See Appendix B.</p>

Appendix B

New Grants Awarded April 1, 2020 to March 31, 2021

Name and Description of Grant	Amount of Funding Approved	Grant Term	Comments
<p>Youth In Policing Initiative and Youth In Policing Initiative - After School Program</p> <ul style="list-style-type: none"> A program to provide summer and after school employment opportunities for youth who are reflective of the cultural diversity of the community. 	\$392,100	April 1, 2020 to March 31, 2021	Grant contract received from the Ministry of Children, Community and Social Services is under review.
<p>Civil Remedies Grant Program - Toronto Homicide Mentoring Program</p> <ul style="list-style-type: none"> A training program established where seasoned Service homicide investigators train accredited major case officers from across the Province on strategies used in the investigation of gang-related murder cases. 	\$99,989	April 1, 2020 to March 31, 2022	The Chair signed the contract in April 2020 and subsequently signed the amendment in February 2021 to extend the contract term from March 31, 2021 to March 31, 2022.
<p>Civil Remedies Grant Program - The Human Trafficking Guide</p> <ul style="list-style-type: none"> A project to create an awareness platform, in partnership with the community service providers, to provide information to those at risk of human trafficking and ensuring they have the knowledge of social support services available so that potential victims are able to obtain the support and treatment they require to exit their human trafficking situations. 	\$92,703	April 1, 2020 to March 31, 2021	The Chair signed the contract in April 2020.
<p>Proceeds of Crime Front-line Policing Grant – YourChoice.to – Supporting the L.G.B.T.Q.I.2.S. Survivors</p> <ul style="list-style-type: none"> A three-year project to add the new component, adaptation to include the need of the L.G.B.T.Q.I.2.S. survivors, to YourChoice.to which is a resource that empowers and promotes multi-faceted media strategy promoting and supporting the right of survivors of sexual violence to choose what happens next with focus on emotional/physical wellbeing of survivors and features translated versions of the Guide for Survivors of Sexual Assault. 	\$300,000	April 1, 2020 to March 31, 2023	The Chair signed the contract in August 2020.

Appendix B

New Grants Awarded April 1, 2020 to March 31, 2021

Name and Description of Grant	Amount of Funding Approved	Grant Term	Comments
<p>Proceeds of Crime Front-line Policing Grant – Project Engage</p> <ul style="list-style-type: none"> This three-year project is an expansion and new component of the Service's greater gang prevention strategy that focuses on implementing the evidence-based Office of Juvenile Justice and Delinquency Prevention's Comprehensive Gang Model (U.S.) at a neighborhood level, modified to fit the diverse needs of the residents of the City of Toronto. 	\$300,000	April 1, 2020 to March 31, 2023	The Chair signed the contract in August 2020.
<p>Criminal Intelligence Service Ontario Grant</p> <ul style="list-style-type: none"> Funding to be used in investigation of serious and/or organized crime. 	\$155,077	April 1, 2020 to March 31, 2021	The Chair signed the contract in October 2020.
<p>Criminal Intelligence Service Ontario Grant - Proceeds of Crime Law Enforcement Grant</p> <ul style="list-style-type: none"> Funding to be used in investigation of serious and/or organized crime and to support Joint Force Operations. 	\$94,407	April 1, 2020 to March 31, 2021	The Chair signed the contract in March 2021.
<p>Criminal Intelligence Service Ontario Grant</p> <ul style="list-style-type: none"> Funding to be used in investigation of serious and/or organized crime and to support Joint Force Operations. 	\$556,800	April 1, 2020 to March 31, 2021	The Chair signed the contract in March 2021.

Appendix B

**New Grants Awarded
April 1, 2020 to March 31, 2021**

Name and Description of Grant	Amount of Funding Approved	Grant Term	Comments
<p>Ontario's Strategy to End Human Trafficking</p> <ul style="list-style-type: none"> Funding to assist police services in coordinating the increased identification of victims, provide support services to victims of human trafficking and exploitation, and assist in preventing the cycle of recurring victimization. The strategy will build capacity and sustainability by establishing a coordinated, strategic plan between police services, Crown attorneys and victim support services in investigating human trafficking and protecting victims. 	<p>\$69,900</p>	<p>April 1, 2020 to March 31, 2021</p>	<p>The Chair signed the contract in August 2020.</p>
<p>Federal Contribution to Provincial Strategy to Protect Children from Sexual Abuse and Exploitation on the Internet</p> <ul style="list-style-type: none"> Funding received by the Province from Public Safety Canada under the "Contribution Agreement: Building Local Internet Child Exploitation Unit Capacity in Ontario to Combat Child Sexual Exploitation Online" is redistributed to municipal police services, including the Service, is used to partially cover the salaries of a full-time Internet Child Exploitation Investigator. 	<p>\$70,850</p>	<p>October 1, 2020 to March 31, 2021</p>	<p>The Chair signed the contract in October 2020 and subsequently signed the amendment in March 2021 to increase grant funding received.</p>
<p>Provincial Human Trafficking Intelligence-Led Joint Forces Strategy</p> <ul style="list-style-type: none"> The funding is to partially cover the salaries and benefits of a Human Trafficking Investigator and a Human Trafficking Intelligence Analysis dedicated to investigative activities undertaken as part of the Province's Intelligence-Led Joint Force Strategy. 	<p>\$217,090</p>	<p>September 1, 2020 to March 31, 2021</p>	<p>The Chair signed the contract in March 2021.</p>

Appendix B

**New Grants Awarded
April 1, 2020 to March 31, 2021**

Name and Description of Grant	Amount of Funding Approved	Grant Term	Comments
<p>Reduce Impaired Driving Everywhere (R.I.D.E.) Grant</p> <ul style="list-style-type: none"> A program to reduce impaired driving. 	<p>\$369,576</p>	<p>April 1, 2020 to April 30, 2022</p>	<p>The Chair signed the contract in December 2020.</p>
<p>Victims Fund – 2020 Victims and Survivors of Crime Week – “First Step” Awareness Campaign: Helping Survivors of Intimate Partner Violence (I.P.V.) Take Their First Step Towards Safety</p> <ul style="list-style-type: none"> A project, in collaboration with partner agencies, to hold an Awareness Campaign that focuses on barriers faced by victims/survivors on leaving their abusers of I.P.V. 	<p>\$20,000</p>	<p>April 1, 2020 to March 31, 2021</p>	<p>The Chair signed the grant letter in April 2020.</p>
<p>Children at Risk of Exploitation (C.A.R.E.) Units Grant</p> <ul style="list-style-type: none"> A project to prototype a C.A.R.E. Unit in the City of Toronto. C.A.R.E. Units are a new provincial initiative intended as specialized multidisciplinary intervention teams that pair police officers and child protection workers in teams to proactively identify, investigate, locate and engage children and youth who are at high risk of, or are victims of, child sex trafficking. 	<p>\$5,709,800</p>	<p>October 1, 2020 to June 30, 2025</p>	<p>The Chair signed the contract in December 2020.</p>



Toronto Police Services Board Report

April 28, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2020.04

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the Chief of Police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

Sometime prior to January 20, 2020, five persons that included Custody Injury Complainant 2020.04 (2020.04) and Mr. J.M., conspired to commit the indictable criminal offence of kidnap for ransom. The offence was deliberately planned and jointly executed by all five persons.

On January 21, 2020, shortly after 0030 hours, 2020.04 and Mr. J.M. attended the victim's home. They gained entry to the victim's address while he was alone and asleep. The victim woke up to the two accused in his room. Both 2020.04 and Mr. J.M. were wearing coverings over their faces. Either 2020.04 or Mr. J.M. was armed with a

black handgun and pointed it at the victim's head. The victim was ordered to stand up. Once standing, the victim tried to escape. Either 2020.04 or Mr. J.M. choked him by the neck and proceeded to put tape over the victim's eyes and mouth. They used plastic zip ties to bind his hands together at his wrists and feet together at his ankles. The victim's mouth was pried open and he was forced to swallow medication intended to make him tired, with the goal that the victim would fall asleep. The two accused waited for several hours for the victim to fall asleep. The medication was ineffective and the victim was unable to fall asleep. They gave him several doses of medication in an effort to have the victim pass out.

Sometime after 0700 hours, 2020.04 and Mr. J.M. forced the victim into a large bag and closed the zipper on the bag with the victim inside. 2020.04 and Mr. J.M. put the bag containing the victim on a cart with wheels and moved him first to an elevator, then down some stairs, and finally to the trunk of a vehicle. The victim recalled being struck by the accused on the head while inside the bag. 2020.04 and Mr. J.M. transported the victim to a house in Richmond Hill, and carried him to a second floor bedroom where he was locked in and secured.

On January 23, 2020, other accused persons facilitated a "WeChat" audio call between the victim and his father. During the *WeChat* audio call, the victim relayed a message from the accused persons that a demand was being made for 500 bitcoin, (approximately \$6,000,000 CAD value) from the victim's father for the safe return of the victim. This demand remained consistent and was relayed several times over the next 10 days. Between January 23, 2020, and February 2, 2020, 2020.04 and Mr. J. M., in company with another accused remained at the house monitoring the captive victim. They provided food and escorted him to and from the bathroom when necessary. During the entire time, the victim was blindfolded with his hands and feet bound. At some point, the accused persons replaced the plastic zip ties with metal chains and replaced the tape that was over his eyes with a dark cloth blindfold.

On January 23, 2020, friends and family of the victim reported the kidnapping to the Toronto Police Service (T.P.S.). A major investigation was commenced by the T.P.S.

On February 2, 2020, at 1638 hours, members from the Emergency Task Force (E.T.F.), Teams 2 and 3, along with members of 52 Division Major Crime Unit (M.C.U.), executed a *Criminal Code* search warrant at the address in Richmond Hill. Another search warrant was executed simultaneously at an address in Toronto also involving members of the E.T.F.

Both search warrants were part of the ongoing investigation in the kidnapping of the victim, a Chinese national citizen, identified as Mr. W.J.M. The other involved accused persons were arrested at the Toronto address by 52 Division M.C.U.

While clearing the basement at the Richmond Hill address, E.T.F. members located the victim, in a locked bedroom. He was on a mattress on the floor, hands and feet chained and face covered by a blindfold. The windows of the bedroom had been boarded shut.

While other E.T.F. officers were clearing the rest of the house, two male parties, later identified as 2020.04 and Mr. J.M. were seen running in the backyard of the home. They had climbed out a second floor window and were attempting to escape through the backyard. Uniformed officers were able to contain them in the backyard. Both 2020.04 and Mr. J.M. laid down on the ground in the snow and 2020.04 was holding what was described as a spike in his hand. Two E.T.F. officers attempted to secure both males. During this process, the males were actively resisting arrest. Both officers employed empty hand techniques to gain compliance and successfully handcuffed both males. Once standing, officers observed that 2020.04 had an injury to his face. There was blood in the snow near what appeared to be the metal stake or spike.

Toronto Paramedic Services (Paramedics) who were on scene assessed 2020.04 and Mr. J.M. Mr. J.M. was cleared medically and 2020.04 was taken to North York General Hospital.

2020.04 was diagnosed with a fracture to his L1 vertebrae and injuries to the left side of his face including his orbital bone. He was transferred to St. Michael's Hospital for further assessment. At St. Michael's Hospital, a Computerized Tomography (C.T.) scan was conducted and he was admitted for treatment. The injuries were considered not life threatening and his condition was listed as stable.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated two officers as subject officials; seven other officers were designated as witness officials.

In a letter to the T.P.S., dated November 20, 2020, Director Joseph Martino of the S.I.U. advised that the investigation was completed, the file had been closed and no further action was contemplated. Director Martino stated;

"In my view, there were no grounds in the evidence to proceed with criminal charges against either of the subject officers."

The S.I.U. published a media release on November 24, 2020. The media release is available at: https://www.siu.on.ca/en/news_template.php?nrid=6163

The Director's Report of Investigation is published on the link; https://www.siu.on.ca/en/directors_report_details.php?drid=996

Mr. Martino commented in his report about the identification of E.T.F. officers by saying;

"The issue around the identification of tactical team officers, or other teams of officers whose faces are obscured by headwear, and its implications for police accountability is longstanding. In its investigation of the circumstances surrounding serious injuries sustained by Cecil Bernard George during the confrontation between OPP officers and

First Nations protesters at Ipperwash Provincial Park, the SIU concluded there were grounds to believe Mr. George had been unlawfully assaulted but was stymied from laying charges because of a lack of evidence going to identification. There, as in the instant case involving ETF officers, the team of officers responsible for arresting Mr. George – a crowd control unit – wore helmets that concealed their identities.

The Report of the Ipperwash Inquiry¹ confirmed the SIU's finding, noting that excessive force was used against Mr. George by unknown OPP officers in the course of his arrest. Among its recommendations, the Inquiry called upon the OPP to;

“ensure that the names and badge numbers of officers at public order events should continue to be inscribed visibly and prominently on outer clothing or helmets” (Recommendation 12, Volume 1).

“I see no reason why steps should not be taken to similarly ensure that tactical team officers wear insignia that can assist in identifying them; if not their names or badge numbers, then something else.”

¹ Linden, S. B. (2007).

Report of the Ipperwash Inquiry. Ipperwash Inquiry.

As the result of a previous comment from the S.I.U. Director about this issue, the T.P.S. had already undertaken research into appropriate identification of tactical officers that are unique to their role, equipment and issued uniforms.

Beginning in March 2020, E.T.F. officers began to affix an alphanumeric identification system to their helmets and body armor carriers. These markers are unique and provide immediate and verifiable information about who the involved officers are at any given time. E.T.F. officers now also wear issued name identification tags as per uniform standards.

Summary of the Toronto Police Service's Investigation:

Professional Standards (P.R.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.R.S. examined the injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 02-17 (Obtaining a Search Warrant)
- Procedure 02-18 (Executing a Search Warrant)

- Procedure 04-27 (Use of Police Dog Services)
- Procedure 05-32 (Kidnapping)
- Procedure 10-05 (Incidents Requiring the Emergency Task Force)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-17 (In-Car Camera System)

The P.R.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 Section 14.3 (Use of Force Qualifications)

The P.R.S. investigation determined that the T.P.S.'s policies and procedures associated with the custody injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Acting Staff Superintendent Robert Johnson, Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

March 17, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Vehicle Injuries of Complainant 2020.15

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the chief of police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On April 13, 2020, at 1128 hours, a two officer unit from 32 Division responded to a call for a person armed with a knife at the Downsview Park subway station. These officers were operating a fully marked Toronto Police Service (T.P.S.) vehicle. The officers activated the police vehicle's full emergency equipment and drove westbound on Sheppard Avenue West from Yonge Street toward the call. At the intersection of Sheppard Avenue West and Allen Road, the officer who was driving, brought the police vehicle to a stop for the red light for westbound traffic on Sheppard Avenue West.

Traffic travelling northbound on Allen Road, seeing and hearing the police vehicle came to a stop and the officer cautiously entered the intersection against the red light and cleared the northbound lanes. Traffic in lanes two and three of southbound Allen Road had also come to a stop for the police vehicle and the officer continued driving through the intersection.

Vehicle Injury Complainant 2020.15 (2020.15) who was driving a 2019 Tesla motor vehicle was travelling southbound on Allen Road in lane number one (the curb lane). 2020.15 passed the other stopped southbound vehicles, entered into the intersection and collided with the police vehicle.

At the time of the collision, 2020.15 was proceeding on a green light and the officer was proceeding through the intersection against the red light for westbound traffic on Sheppard Avenue West.

Evidence collected in the subsequent collision investigation revealed that in the moments just prior to the collision, 2020.15 was travelling at 115 kilometers per hour (km/hr) and was travelling at 100 km/hr at the point of impact. The posted speed limit for southbound traffic on Allen Road is 60 km/hr.

Toronto Paramedic Services (Paramedics) and Toronto Fire Services attended the scene and rendered medical assistance to the officers and 2020.15. 2020.15 was transported to Sunnybrook Health Sciences Centre where he was examined by a physician, diagnosed and treated for a compound fracture to his right ankle. The two officers in the police vehicle were transported to hospital where they were examined and treated for minor injuries.

2020.15 was charged under the *Highway Traffic Act* (H.T.A.) with careless driving causing bodily harm.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated one officer as a subject official; four other officers were designated as witness officials.

In a letter to the T.P.S. dated March 9, 2021, Director Joseph Martino of the S.I.U. advised, "*the file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer*".

The S.I.U. Director's public report to the Attorney General can be found by linking http://www.siu.on.ca/en/directors_report_details.php?drid=1140

Summary of the Toronto Police Service's Investigation:

Professional Standards (P.R.S.) and the Traffic Services (T.S.V.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

The investigation examined the vehicle injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. and T.S.V. investigation reviewed the following T.P.S. procedures:

- Procedure 07-01 (Transportation Collisions)
- Procedure 07-05 (Service Vehicle Collisions)
- Procedure 08-03 (Injured on Duty Reporting)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-17 (In-Car Camera System)

The P.R.S. and T.S.V. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)

The P.R.S. and T.S.V. investigation determined that the T.P.S.'s policies and procedures associated with this vehicle injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the subject and witness officers was in compliance with the applicable provincial legislation and T.P.S. procedures.

Acting Staff Superintendent Robert Johnson, Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

March 11, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Firearms Injury of Complainant 2020.17

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the chief of police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On April 15, 2020, at 0016 hours, Toronto Police Service (T.P.S.) Communications Services (Communications) received a radio call to attend an apartment building on Greenbrae Circuit regarding a Person in Crisis. The caller advised Communications that their neighbor; later identified as Firearms Injury Complainant 2020.17 (2020.17), was banging on their fourth floor apartment door, was asking for entry into the apartment, was armed with a knife and was scratching on their door with it.

Three uniformed officers from 43 Division responded to the call.

Officers entered the building and took the elevator to the third floor of the building. The three officers then used the stairs to walk to the fourth floor where the incident was occurring. A tactical plan was discussed between the officers on how to deal with the event should they encounter 2020.17 and find him to be armed. Each officer deployed a different force option, which would allow for varying and escalating force options. One officer was armed with a pistol, one officer with a Conducted Energy Weapon (C.E.W.) and the third was armed with a less lethal shotgun.

The officers entered the fourth floor hallway from the stairwell and observed 2020.17 in front of an apartment door holding a large butcher style knife above his shoulder.

At this time 2020.17 was approximately fifteen to twenty feet from the three officers. The officers ordered 2020.17 to drop the knife. 2020.17 did not comply with the officers' commands and instead turned and began walking quickly towards them. The officer armed with the less lethal shotgun pointed it at 2020.17 and again demanded he drop the knife. 2020.17 refused to comply and continued advancing. The officers moved back to create distance as 2020.17 continued to move towards them. A third demand was made for 2020.17 to drop the knife but these commands were ignored. 2020.17 then started asking the officers to shoot him. Two rounds from his less lethal shotgun were fired striking 2020.17 in the stomach. This was ineffective in stopping 2020.17. The C.E.W. was then discharged which struck 2020.17 but was also ineffective in stopping his advance towards the officers.

An additional two rounds from his less lethal shotgun were fired at 2020.17, both of which struck him in the stomach area. This was again ineffective in subduing 2020.17 and he continued to advance towards the officers while still armed with the knife.

At this time, one of the officers fired one shot from his T.P.S. issued pistol striking 2020.17 in the leg. This did not stop 2020.17 and he continued to advance towards the officers.

The C.E.W. was discharged a second time which stopped 2020.17's advance for several seconds however he continued to hold the knife.

A second shot was fired from the pistol, which struck 2020.17 who fell to the ground with the knife in his right hand. The officers approached 2020.17 and kicked the knife away from him. 2020.17 was subdued, handcuffed and arrested.

The officers immediately commenced first aid on 2020.17 until Toronto Paramedic Services (Paramedics) attended and took over.

Paramedics transported 2020.17 to hospital where he was examined by a physician and treated for gunshot wounds.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated one officer as a subject officer; nine other officers were designated as witness officers.

In a letter to the T.P.S. dated February 8, 2021, Director Joseph Martino of the S.I.U. advised that *“the file is closed and no further action is contemplated. In my view there were no grounds in the evidence to proceed with criminal charges against the subject officer.”*

In his report to the Attorney General Director Martino articulated his decision in part as follows;

“On this record, it is clear that the officers acted proportionately in dealing with the threat level as it evolved and only resorted to lethal force when their attempts at lesser force had failed to neutralize the Complainant and at a point when the Complainant was within two to three metres of the officers. At that range, equipped with a cleaver and disposed as he was, there can be little doubt that the Complainant represented an imminent risk of death or grievous bodily harm to the lives of the SO, WO #2 and WO #1. Even then, the SO took aim at the Complainant’s lower body for fear that a missed round aimed at his chest could enter an apartment and harm a resident. That decision not only mitigated the risks of third-party casualties but may well also have prevented the Complainant’s death... In the final analysis, as I am satisfied on reasonable grounds that the SO, and WO #2 and WO #1, conducted themselves lawfully and used only force that was justified pursuant to section 34 of the Criminal Code, there is no basis for proceeding with criminal charges in this case against the officers. The file is closed.”

The S.I.U. Director’s full public report to the Attorney General can be found by linking http://www.siu.on.ca/en/directors_report_details.php?drid=1065

Summary of the Toronto Police Service’s Investigation:

The Professional Standards Unit (P.R.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

The investigation examined the firearms injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 06-04 (Emotionally Disturbed Persons)
- Procedure 08-03 (Injured on Duty Reporting)
- Procedure 08-04 (Members Involved in a Traumatic Critical Incident)
- Procedure 10-05 (Incidents Requiring the Emergency Task Force)

- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-03 (Service Firearms)
- Procedure 15-06 (Less Lethal Shotguns)
- Procedure 15-09 (Conducted Energy Weapons)
- Procedure 15-17 (In-Car Camera System)

The P.R.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 (12)- Firearm Discharge
- Ontario Regulation 926 14 (2)- Use of Force Qualifications
- Ontario Regulation 926 14.5(c)- Reporting on the Use of Force

The P.R.S. investigation determined that the T.P.S.'s policies and procedures associated with this firearm injury were lawful, in keeping with current legislation, and written in a manner, which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The officers were responding to a male who was armed and acting in a bizarre manner. The reason for this behaviour was unknown to the officers who responded. The officers created a tactical plan that involved a variety of force options including two less lethal options. When the officers encountered 2020.17, they attempted to talk him into dropping the knife. When 2020.17 refused to comply with the officers' commands, they deployed less lethal options on multiple occasions before resorting to a potential lethal force option. The force used by the officers was proportionate, authorized, lawful and reasonable given the circumstances.

Once 2020.17 was subdued the officers immediately rendered first aid to 2020.17 including using a homemade tourniquet to stem the bleeding.

The Emergency Task Force who are notified of events when *persons armed with firearms and/or offensive weapons, and known to be violent* were notified of this call from the onset but due to how quickly the call unfolded they were unable to attend prior to the resolution of the event.

The Mobile Crisis Intervention Team (M.C.I.T.) was not dispatched to this call due to the presence of weapons and the potential for violence. The mandate of the M.C.I.T. is posted on the T.P.S.'s public facing webpage and states:

*“Are MCITs first responders? No. Priority Response Units (PRU) are the officers that respond to all calls for service including 9-1-1 emergency calls. They will attend calls for individuals experiencing a mental health crisis first to ensure it is safe for the nurse. The MCIT will then attend as secondary responders **when the PRU indicates it’s safe to do so.**”*

*“Although MCITs have traditionally been considered secondary responders, the program has evolved since its inception in 2000. The MCITs now may operate as co-responders to calls that **do not include weapons or any other identified safety concerns.** This means, when appropriate, MCITs will respond simultaneously with Priority Response Unit officers.”*

The Investigating Supervisor has determined that the conduct of the designated subject officer and witness officers was in compliance with applicable provincial legislation, T.P.S. procedures and the officers’ training.

Acting Staff Superintendent Robert Johnson, Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

March 8, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Vehicle Injury to Complainant 2020.37

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the chief of police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On August 14, 2020, at 0206 hours, officers from 51 Division responded to 155 Sherbourne Street for the sounds of gunshots.

Numerous officers from 51 Division responded to the call. A sergeant from 51 Division was the first to arrive on scene and was met by Toronto Community Housing Corporation (T.C.H.C.) Special Constables who pointed out a female who was entering a silver Hyundai Sonata (Hyundai). The T.C.H.C. Special Constables advised the sergeant that this female was in possession of a firearm and was the "shooter".

As the sergeant broadcast this information to responding units, the Hyundai exited the parking lot onto Sherbourne Street at a high rate of speed.

Two police constables from 51 Division who were operating a fully marked police vehicle heard the sergeant's broadcast and observed the Hyundai fleeing from the parking lot. The officers activated their emergency equipment and attempted to stop the fleeing Hyundai.

The Hyundai failed to stop for the officers and drove southbound on Sherbourne Street to eastbound Queen Street East then circled back into the parking lot of 155 Sherbourne Street.

With the officers still in pursuit, the Hyundai drove through the parking lot of 155 Sherbourne Street and exited out onto Parliament Street. The Hyundai continued northbound on Parliament Street at a high rate of speed.

The pursuing officers advised Toronto Police Service (T.P.S.) Communications Services (Communications) of the pursuit, regularly updated Communications on the vehicle description, the speed of the Hyundai and their location. The officers were unable to obtain a licence plate number on the Hyundai.

The pursuit travelled northbound on Parliament toward Bloor Street East.

At the intersection of Bloor Street East and Parliament Street, the Hyundai failed to negotiate the turn from northbound Parliament Street to eastbound Bloor Street East and collided with a stone barrier on the north side of Bloor Street East.

The pursuing officers arrived at the collision scene within seconds along with several other units from 51 Division. Officers were unable to extricate the sole female occupant from the Hyundai due to the extensive damage to the Hyundai. Toronto Fire Services (T.F.S.) and Toronto Paramedic Services (Paramedics) arrived on scene and utilized a hydraulic pry tool to extricate the female from the vehicle.

Paramedics transported the female, identified as Vehicle Injury Complainant 2020.37 (2020.37), to hospital. A physician diagnosed and treated her for a fractured sternum.

A prohibited magazine and a quantity of ammunition was located within the Hyundai.

Closed-circuit television (C.C.T.V) from the T.C.H.C. buildings at 155 Sherbourne Street and 277 Shuter Street recorded 2020.37 discharging a pistol several times in the breezeway, which connects the two buildings. The video showed 2020.37 discharging her firearm at a group of males gathered at the opposite end of the breezeway and then being pulled away from the scene by several male accomplices.

2020.37 was charged with Discharging a Restricted Firearm, Unauthorized Possession of a Firearm, Possession of loaded Prohibited or Restricted Firearm, Dangerous Driving and Flight while being Pursued by Police.

2020.37's male accomplices were identified and also charged.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated one officer as a subject officer; seven other officers were designated as witness officers.

In a letter to the T.P.S. dated February 18, 2021, Director Joseph Martino of the S.I.U. advised, *"the file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer"*.

In his report to the Attorney General, Director Martino articulated this decision in part as follows;

"There were a number of extenuating considerations at play that tempered the risks inherent in any pursuit and, in particular, this one. The weather was good, the roads were dry and, given the time of day, there was very little vehicular and pedestrian activity in the vicinity of the pursuit. In the circumstances, though the pursuit travelled through areas that were a mix of commercial and residential premises, the environmental conditions that prevailed at the time did not unduly aggravate the danger to public safety. The use by the SO of his emergency lights and siren throughout the pursuit further mitigated the perils associated with the officer's speed and travel through intersections. What little traffic there was on the roadway would have been afforded an opportunity to take notice of the pursuit and adjust their movements accordingly. In similar vein, it does not appear that the SO's cruiser was at any point the cause of any evasive action by third-parties. Worth noting as well is section 128(13) of the Highway Traffic Act, which exempts police vehicles from the speed limitations where they are being used in the lawful performance of an officer's duty.

While the section does not provide police officers carte blanche to speed as they wish without regard for public safety, it does provide a measure of immunity where an officer's speed is commensurate with the law enforcement objectives at hand. This was not a case where the balance of risks clearly favoured a less aggressive pursuit or a termination of the pursuit altogether at some point prior to the collision. Given the nature of the crime for which the Complainant was being pursued - a serious firearm offence – the SO could reasonably believe that the need to immediately apprehend the Complainant outweighed the risks to public safety being created by the pursuit.

On the aforementioned-record, I find that the dangers associated with the pursuit in this case fall short of rendering the SO's conduct a marked deviation from a reasonable

level of care in the circumstances. Consequently, there is no basis for proceeding with criminal charges against the officer, and the file is closed”.

The S.I.U. Director’s public report to the Attorney General can be found by linking https://www.siu.on.ca/en/directors_report_details.php?drid=1083

Summary of the Toronto Police Service’s Investigation:

Professional Standards (P.R.S.) and the Traffic Services (T.S.V.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

The investigation examined the vehicle injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. and T.S.V. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 07-01 (Transportation Collisions)
- Procedure 07-03 (Life Threatening Injury/Fatal Collisions)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-10 (Suspect Apprehension Pursuits)
- Procedure 15-17 (In-Car Camera System)

The P.R.S. and T.S.V. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 266/10 (Suspect Apprehension Pursuits)

The P.R.S. and T.S.V. investigation determined that the T.P.S.’s policies and procedures associated with this vehicle injury were lawful, in keeping with current legislation, and written in a manner, which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

In relation to the conduct of the officers engaged in this pursuit it was identified that the pursuing officer failed to stop at a red light while pursuing 2020.37. A separate investigation was commenced under Part V of the *Police Services Act* (P.S.A.) and dealt with at the unit level.

Acting Staff Superintendent Robert Johnson, Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

March 15, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Vehicle Injury to Complainant 2020.39

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the chief of police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On August 20, 2020, two uniformed officers from 31 Division were conducting speed enforcement on Sheppard Avenue West at Downsview Dells Park.

One officer was on foot and observing traffic travelling eastbound on Sheppard Avenue West and enforcing the posted 50 kilometer per hour (km/hr) speed limit. This officer was operating a Light Detection and Ranging (L.I.D.A.R.) laser speed-measuring device.

The other officer was parked a short distance away completing his notes from a prior vehicle stop. This officer was driving a fully marked Toronto Police Service (T.P.S.) vehicle.

At 1533 hours, the officer conducting speed enforcement observed an eastbound Porsche Cayenne Sports Utility Vehicle (Porsche) travelling at what appeared to be an excessive speed eastbound on Sheppard Avenue West. The officer measured the Porsche's speed and obtained a reading of 84 km/hr.

The officer stepped out onto Sheppard Avenue West and directed the driver of the Porsche to stop. The driver of the Porsche disobeyed this direction and continued to drive eastbound on Sheppard Avenue West at a high rate of speed.

The officer conducting speed enforcement was picked up by his escort who activated the emergency equipment and initiated a Suspect Apprehension Pursuit (S.A.P.) in an attempt to identify the licence plate and/or the driver of the Porsche.

The officers lost sight of the Porsche as it crested the hill approaching Keele Street.

The Porsche entered into the intersection of Sheppard Avenue West and Keele Street and collided with a Hino Truck and a G.M.C. Savana van, which were both travelling southbound on Keele Street. The impact of this collision caused the Porsche to careen onto the sidewalk and collide with a Toronto Transit Commission (T.T.C.) bus stop bench, which was occupied by several citizens. The Porsche travelled through the bench and came to a stop when it collided with a large mounted sign.

The driver of the Porsche exited the vehicle and fled on foot westbound on Sheppard Avenue West.

As the pursuing officers approached the intersection, several citizens alerted them that the driver of the Porsche was fleeing and pointed out his direction of travel.

The officers did not get close enough to the intersection of Keele Street and Sheppard Avenue West to observe that a collision had occurred.

One officer exited the police vehicle and pursued the driver of the Porsche on foot while the other officer made a U-turn and followed the foot pursuit in the police vehicle.

The driver of the Porsche was located a short distance away where he was arrested and handcuffed.

Numerous other units from 31 Division responded to the intersection for calls regarding the collision. T.P.S. Traffic Services (T.S.V.) ultimately took over the collision investigation.

The driver of the Porsche was transported to hospital, treated for minor injuries and released into police custody.

The drivers and passengers of the other involved vehicles as well as several citizens who were sitting on the bench were taken to area hospitals for treatment of injuries.

One of the passengers in the G.M.C. van; later identified as Vehicle Injury Complainant 2020.39 (2020.39) was examined and diagnosed with a fractured right wrist.

All of the other injured parties were treated for minor injuries and released from hospital.

The driver of the Porsche was charged with: Failing to Stop for police, Dangerous Operation causing bodily harm, Leaving an Accident scene causing bodily harm, Driving a Motor Vehicle with No Insurance, Speeding, Failing to Stop when signalled or requested to do so by a police officer, Red light - Fail to Stop, Careless Driving causing bodily harm or death, Failing to Remain at an accident and G1 driver- not accompanied by qualified driver.

The S.A.P. lasted 44 seconds and covered a distance of between 750 and 800 metres.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated one officer as a subject officer; four other officers were designated as witness officers.

In a letter to the T.P.S. dated 2021.03.04, Director Joseph Martino of the S.I.U. advised, *“the file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer”*.

In his report to the Attorney General, Director Martino articulated this decision in part as follows; *“On the aforementioned-record, I am satisfied that the SO conducted himself within the limits of care prescribed by the criminal law in the course of a very brief pursuit, and that the driver of the Porsche, left with every opportunity to abort his reckless driving had he been so inclined, is alone responsible for the collision. Accordingly, there is no basis for proceeding with criminal charges against the SO, and the file is closed.”*

The S.I.U. Director’s public report to the Attorney General can be found by linking http://www.siu.on.ca/en/directors_report_details.php?drid=1136

Summary of the Toronto Police Service’s Investigation:

Professional Standards (P.R.S.) and T.S.V. conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

The investigation examined the vehicle injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. and T.S.V. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 07-01 (Transportation Collisions)
- Procedure 07-02 (Fail to Remain Collisions)
- Procedure 07-10 (Speed Enforcement)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-10 (Suspect Apprehension Pursuits)
- Procedure 15-17 (In-Car Camera System)

The P.R.S. and T.S.V. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 266/10 (Suspect Apprehension Pursuits)

The P.R.S. and T.S.V. investigation determined that the T.P.S.'s policies and procedures associated with this vehicle injury were lawful, in keeping with current legislation, and written in a manner, which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The P.R.S. and T.S.V. investigation found that the officer driving the police vehicle failed to come to a complete stop at a red light during the pursuit with the Porsche. It was found that although the officer slowed significantly prior to safely proceeding through the intersection he did not come to a full stop. At no time did any pedestrians or third party vehicles have to take evasive measures as a result of this action. This issue was referred back to the unit to be dealt with.

Acting Staff Superintendent Robert Johnson, Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

April 12, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

**Subject: Chief's Administrative Investigation into the Custody
Death of Complainant 2020.40**

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the chief of police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On August 21, 2020, at 1622 hours, officers from 12 Division were dispatched to an address on Outlook Avenue in response to *unknown trouble*. Information was received that the resident of a ninth floor apartment was "*trying to jump*" from his balcony and was hanging from the railing. Toronto Fire Services (T.F.S.) was made aware of the call and dispatched an aerial unit to the call.

The responding officers arrived on scene and requested the Emergency Task Force (E.T.F.) and the Mobile Crisis Intervention Team (M.C.I.T.) to attend.

Two officers attended the ninth floor while the other two officers remained on the ground level below the apartment in question.

When the officers arrived on the ninth floor, they found the door to the apartment had been barricaded.

At approximately 1638 hours, officers attended the neighbouring apartment and were permitted entry by the resident. The officers entered onto the balcony and observed a male; later identified as Custody Death Complainant 2020.40 (2020.40) hanging from the railing on the outside of his balcony.

A Sergeant from 12 Division had heard the call for service and volunteered to attend and assist with the call. The Sergeant arrived on scene and joined the two officers on the balcony. The officers began negotiating with 2020.40 who was unresponsive and did not answer their questions. The Sergeant and one of the Constables made their way onto 2020.40's balcony by going over a thin metal privacy wall that separated the two balconies.

Once on the balcony, the Sergeant and the Constable continued to negotiate with 2020.40 who was hanging from the outside of the balcony with one hand. 2020.40's hand was shaking and he was visibly sweaty. At this point, the officers had been negotiating with 2020.40 for approximately four minutes. Believing 2020.40 was at imminent risk of falling the Sergeant seized on an opportunity to take physical control of him. The Sergeant grabbed 2020.40 by the hand and attempted to pull him to safety. At 1642 hours, 2020.40 broke the Sergeant's grip with his free hand and fell to the ground below.

The two officers on the ground level immediately attended to 2020.40 and commenced life saving efforts until Toronto Paramedic Services (Paramedics) and T.F.S. arrived on scene and took over.

2020.40 was pronounced deceased at the scene.

Due to the speed this event unfolded neither the E.T.F. or M.C.I.T. arrived in time to assist with the call.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated one officer as a subject official; four other officers were designated as witness officials.

In a letter to the Toronto Police Service (T.P.S.) dated March 15, 2021, Director Joseph Martino of the S.I.U. advised, *"the file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer"*.

In his report to the Attorney General Director Martino articulated this decision in part as follows;

The SO, and WO #2 and WO #1, were clearly engaged in the exercise of their duty – their foremost duty to protect and preserve life – when they attended at the address in an effort to prevent the Complainant from hurting himself. The Complainant had given every indication that he was troubled and about to jump from his 9th floor balcony and the officers were within their rights in attempting to prevent that from happening.

I am also satisfied that the SO approached the situation with due care and regard for the Complainant's well-being. As WO #2 and WO #1 had done before his arrival, the SO attempted to reassure the Complainant and talk him down from the danger in which he had placed himself. He was aware that ETF officers, specifically trained for these high-risk incidents, were on their way but decided he could not wait for their arrival as it appeared the Complainant was on the precipice of falling. He had observed the Complainant with sweaty hands and crouched below the top of the railing tenuously holding on. In view of the exigencies of the situation, the SO acted reasonably, in my view, in attempting a physical intervention to secure the Complainant. Regrettably, through no fault of the SO, the Complainant was able to break free of the officer's grasp and fell nine storeys to his death.

It appears on the evidence collected by the SIU that the Complainant was distraught with recent bouts of poor health, which might explain why he took the drastic action he did on the day in question. Be that as it may, as I am satisfied that the SO conducted himself within the limits of care prescribed by the criminal law throughout his engagement with the Complainant, there is no basis for proceeding with criminal charges against the officer. The file is closed.

The S.I.U. Director's public report to the Attorney General can be found by linking http://www.siu.on.ca/en/directors_report_details.php?drid=1156

Summary of the Toronto Police Service's Investigation:

Professional Standards (P.R.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

This investigation examined the circumstances of the custody death in relation to the applicable legislation, service procedures, and the conduct of the involved officers.

The P.R.S. investigation reviewed the following T.P.S. procedures:

- Procedure 04-02 (Death Investigations);
- Procedure 04-16 (Death in Police Custody);
- Procedure 06-04 (Emotionally Disturbed Persons);
- Procedure 08-03 (Injured on Duty Reporting);

- Procedure 08-04 (Members Involved in a Traumatic Critical Incident);
- Procedure 10-05 (Incidents Requiring the Emergency Task Force);
- Procedure 10-06 (Medical Emergencies);
- Procedure 13-16 (Special Investigations Unit);
- Procedure 13-17 (Notes and Reports);
- Procedure 15-17 (In-Car Camera System).

The P.R.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)

The P.R.S. investigation determined that the T.P.S.'s policies and procedures associated with this custody death were lawful, in keeping with current legislation, and written in a manner, which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The P.R.S. investigation determined the conduct of the designated officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Acting Staff Superintendent Robert Johnson (5909), Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

April 26, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2020.41

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the Chief of Police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On August 29, 2020, at about 1930 hours, there was a demonstration and march in support of the business owners along Eglinton Avenue West who had suffered economic losses due to both the Eglinton Crosstown Light Rail Transit (L.R.T) construction, and the COVID-19 pandemic.

Marchers had started in the Keele Street and Eglinton Avenue West neighborhood, and marched to the area of Eglinton Avenue West and Oakwood Avenue. When the march ended, approximately thirty to forty people began to have an impromptu barbeque east of the intersection of Eglinton Avenue West and Oakwood Avenue.

At approximately 1955 hours, a male, later identified as Custody Injury Complainant 2020.41 (2020.41), made his way onto the roadway from the area of the barbeque and jumped onto the hood of a vehicle that was stopped at the intersection. The driver of the vehicle did not know 2020.41. 2020.41 began to stomp on the hood causing severe damage.

Two uniformed Police Constables from 13 Division were in the area and witnessed the event. They told 2020.41 to get off the vehicle. He refused, and the officers removed him from the hood and placed him under arrest. As they did so, 2020.41 punched both officers in the head. Another officer witnessed the assault and joined the original two officers to affect the arrest.

Two of the officers deployed their Conducted Energy Weapons (C.E.W.) while struggling with 2020.41. While this struggle was occurring, a second male, identified as Mr. T.G. intervened on 2020.41's behalf, swinging his coat violently at the arresting officers who were struggling with 2020.41. The officers deployed their C.E.W.s a second time. This time, both deployments were successful and both 2020.41 and Mr. T.G. were placed under arrest. Mr. T.G. was placed in handcuffs and led away by other responding officers.

2020.41 continued to violently struggle with the remaining officers and they were only able to place handcuffs to his front and secure his legs with restraints. One of the uniformed Police Constables attempted to verbally calm 2020.41 and as he was kneeling close to him, 2020.41 reached out and grabbed the officer's firearm, which was still in his holster. That officer delivered several closed fist strikes to 2020.41's head and covered his pistol grip as he tried to pry 2020.41's hands free of the firearm. The officer was successful in controlling the firearm and was able to disengage. Members of Toronto Paramedics Services (Paramedics) attended the scene and were involved in removing the C.E.W. probes from 2020.41 when he became violent again and had to be held down for the Paramedics to complete their examination and removal of the probes. Once again, 2020.41 grabbed the same officer's firearm and the officer delivered several closed fist strikes to 2020.41's face in an effort to distract him from his attempt to disarm the officer.

2020.41 was injected by the Paramedics with a sedative and eventually placed onto a stretcher. While on the stretcher and before he could be restrained in that position, 2020.41 for a third time grabbed the same officer's firearm. The officer delivered several closed fist strikes to 2020.41's upper body and arms, causing him to release the firearm once again.

2020.41 was transported to Humber River Regional Hospital – Finch Site where he was diagnosed and treated for fractures to his orbital bone and nasal bone.

The S.I.U. was notified and invoked its mandate.

The S.I.U. published a media release on August 30, 2020, in a search for witnesses to the event.

The media release is available at;

https://www.siu.on.ca/en/news_template.php?nrid=5989

The S.I.U. designated one officer as a subject official; seven other officers were designated as witness officials.

In a letter to the Toronto Police Service (T.P.S.), dated March 15, 2021, Director Joseph Martino of the S.I.U. advised that the investigation was completed, the file has been closed and no further action is contemplated. Director Martino stated;

“In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer.”

The S.I.U. published a media release on March 16, 2021. The media release is available at;

https://www.siu.on.ca/en/news_template.php?nrid=6465

The media release was titled;

“No Charges to Issue Against Toronto Officer who Repeatedly Punched Man who had Taken Hold of Officer’s Handgun”

The Director’s Report of Investigation is published on the link;

https://www.siu.on.ca/en/directors_report_details.php?drid=1160

In his report, Director Martino referred to the officer’s use of force by stating;

“The gravamen of the force used against the Complainant consisted of punches to the face and chest area by the SO. Though very likely responsible for the Complainant’s facial injuries, I am unable to reasonably conclude that the SO’s conduct fell afoul of the limits imposed by the criminal law. On the clear weight of the evidence, the officer’s volleys of punches were in reaction to the Complainant taking hold of his handgun in its holster. In the context of the vigour with which the Complainant had resisted the officers’ efforts to that point, the SO, I am satisfied, would have had reason to believe that his life, as well as the lives of those around him, was in imminent peril in the event the Complainant managed to take possession of the gun. On this record, it seems to me that the officer acted reasonably when he punched at the Complainant, particularly as verbal commands and brute manpower had been unsuccessful to that point in having him release his hold of the weapon.”

Summary of the Toronto Police Service's Investigation:

Professional Standards (P.R.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.R.S. examined the injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 10-06 (Medical Emergencies)
- Procedure 11-04 (Protests and Demonstrations)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-09 (Conducted Energy Weapons)
- Procedure 15-17 (In-Car Camera System)

The P.R.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 Section 14.3 (Use of Force Qualifications)

The P.R.S. investigation determined that the T.P.S.'s policies and procedures associated with the custody injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Acting Staff Superintendent Robert Johnson, Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

March 8, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Alleged Sexual Assault to Complainant 2020.42

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the Chief of Police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On September 7, 2020, at 0725 hours, several uniformed officers from 14 Division responded to a radio call for a break and enter in progress at 66 Elm Grove Avenue. Upon arrival, one officer commenced an initial investigation and obtained a description of the suspect who had fled just prior to the arrival of the officers.

While still in the area, awaiting back up, that officer received information that the suspect had returned to the address. He entered the address along with another officer and at 0857 hours, the suspect, Alleged Sexual Assault Complainant 2020.42 (2020.42), was placed under arrest for break and enter with intent by the two male

officers. A female officer was requested to attend the scene for a Frisk Search, prior to transporting 2020.42 to 14 Division.

A female officer attended the scene with her male escort. 2020.42 was removed from the vehicle that they had been detained in and the female officer commenced her Frisk Search. Most of the search was captured on the In-Car Camera System (I.C.C.S.) of one of the responding officer's vehicles. During the Frisk Search, 2020.42 became uncooperative by trying to pull away and became verbally abusive to the officers. The other officers assisted the female officer by maintaining physical control of 2020.42 in order for the officer to complete the search. They held 2020.42's arms and moved them toward a fence just off camera. After the search was completed, 2020.42 was transported to 14 Division.

2020.42 was paraded before the booking Sergeant at 14 Division. It was at this time that they alleged that they were sexually assaulted during the Frisk Search. The booking Sergeant advised the Officer-in-Charge of the allegation.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated one police officer as a subject officer; six other officers and one special constable were designated as witness officer.

In a letter to the T.P.S., dated February 23, 2021, Director Joseph Martino of the S.I.U. advised that the investigation was completed, the file has been closed and no further action is contemplated. Director Martino stated; *"In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer."*

The S.I.U. Director does not publish a public Report of Investigation for investigations alleging sexual assaults. This is explained by the Director stating;

"Please note that I will not be providing a copy of the report to any of the involved parties, nor will the report be posted publicly on the SIU's website, as the release of information related to investigations of sexual assault allegations is always associated with a risk of further deterring reports of what is an under-reported crime and undermining the heightened privacy interests of the involved parties, most emphatically, the complainants."

The S.I.U. did not issue any news releases in relation to this incident.

Summary of the Toronto Police Service's Investigation:

Professional Standards (P.R.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.R.S. examined the alleged sexual assault in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 05-03 (Break and Enter)
- Procedure 05-05 (Sexual Assault)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-17 (In-Car Camera System)

The P.R.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 Section 14.3 (Use of Force Qualifications)

The P.R.S. investigation determined that the T.P.S.'s policies and procedures associated with the alleged sexual assault were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Acting Staff Superintendent Robert Johnson, Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office