



# WINNIPEG POLICE SERVICE

## REPORT TO THE WINNIPEG POLICE BOARD

TO: Chair, Risk Management and Audit Committee, Winnipeg Police Board

FROM: Chief Devon Clunis

SUBJECT: 2015 Use of Force Report

DATE: June 24, 2016

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### **RECOMMENDATION:**

It is recommended that this report be received as information by the Winnipeg Police Board.

### **FINANCIAL IMPLICATIONS:**

There are no financial implications relating to the recommendation within this report.

### **BACKGROUND:**

The Commission on Accreditation for Law Enforcement Agencies (CALEA) requires that the Service establish and maintain written procedures on use of force to direct the decisions of police members. The CALEA standards require that all members issued with lethal or intermediate level weapons receive appropriate training and pass mandatory recertification on an annual basis regarding the safe handling and proper usage of weapons and control tactics. Less than lethal weapons and weaponless control techniques require recertification on a biennial basis.

Written reports and administrative reviews are required whenever force is used and firearms or conducted electrical weapons (CEW) are discharged. An annual administrative review of procedure and outcomes is also required.

### **DISCUSSION:**

The Winnipeg Police Service's policy and procedure on Use of Force, CALEA standards and the Criminal Code of Canada prescribe the foundation for the Winnipeg Police Service's procedure, training and assessment practices. The Service recognizes the responsibility the citizens of Winnipeg entrust to police members regarding use of force. While police members strive to resolve incidents without applying physical force, occasionally it is required. Formal training and the Service's Use of Force procedures direct officers when they encounter situations where they must apply force to gain compliance or deescalate situations in accordance with the law.

All officers are required to have completed training prior to being issued lethal and intermediate weapons; they must also complete recertification annually for firearms and biennially for intermediate weapons. All hands on training is accompanied by classroom lectures on the Service’s procedures for use of force to ensure officers are aware of their obligations to act within the legal authorization provided by the Criminal Code.

**De-escalation and Tactical Communication**

While tactical communication has been a staple of Use of Force training for many years in the Winnipeg Police Service, high profile events in other jurisdictions have shifted the focus to a broader concept of de-escalation. Tactical communication will continue to be the main facet of de-escalation training and will continue to be taught to cadets and recruits.

De-escalation is of particular importance when facing individuals experiencing a mental health crisis, such as an episode of psychosis. The Officer Safety Section, who provides training for cadets, recruits and police members, has placed more emphasis on scenario training involving identifying signs and symptoms associated with mental health issues and de-escalation within these situations.

Training will continue with cadets and recruits on persons in crisis but it will also now be included as part of the recertification training senior members are required to complete. This will allow the Officer Safety Section to reinforce the need to utilize the lower levels of the Force Continuum including verbal direction prior to resorting to higher levels of force when encountering an individual in a mental health crisis.

**Reporting Use of Force**

In all cases where force is used or a weapon is discharged (other than for training purposes), the incident is documented through an electronic reporting system known as Blue Team. This allows use of force experts to independently review and assess whether the force application was reasonable and necessary given the totality of circumstances. It also allows the Service to identify opportunities for improvement via training, equipment or procedural updates.

The Winnipeg Police Service attended 200,499 calls for service in 2015. 936 incidents resulted in either the use of force or the presentation of a weapon by officers to gain compliance. Officers resolved 99.53% of all calls for service without having to resort to force. This means that only 0.47% of calls required the use of or a presentation of force.

The actual percentage for force used, without including coercive action is 0.37%. This translates to 748 instances where force was applied to a suspect. Coercive actions may include (but are not limited to) officers pointing their service pistol or simply presenting their Asp baton, oleoresin capicum (O.C) spray, a canine or a Conducted Electrical Weapon (CEW) in an effort to secure compliance.

Year	Dispatched Calls for Service	Use of Force Reports	Percentage of UOF Encounters
2011	167,121	925	0.55 %
2012	180,369	947	0.53%
2013	185,837	716	0.39%
2014	203,103	759	0.37%
2015	200,499	936	0.47%

A number of factors potentially contributed to the increase in Use of Force (UOF) reports being filed in 2015 including changes in reporting methods by a number of specialty units and a general increase in the crime rate. It is important to understand that changes year over year in the amount of force used by officers is dictated by interactions in the field and as such, numbers rely on the behaviour of suspects. The 2015 results, while an increase over the past two years, are indicative that physical force occurs for less than half of one percent of all calls for service.

## Types of Force Used

Training dictates that officers regulate their actions based on the threat level presented to them by a suspect and that the minimum level of force required to gain compliance be used. In the vast majority of calls, tactical communication and officer presence are sufficient to restore order or gain compliance. Each UOF report can include multiple forms of control and resistance in each encounter; as such totals amount to more than one hundred percent for each year in the charts below

5 Year Comparison of Officer Control Used					
	2011	2012	2013	2014	2015
<b>Soft Empty Hand Control</b>	76.50 %	76.98 %	78.49%	78.26%	77.56%
<b>Hard Empty Hand Control</b>	37.32 %	37.15 %	39.39%	39.13%	33.44%
<b>Intermediate Weapons</b>	20.78 %	16.92 %	18.16%	20.82%	25.85%
<b>Deadly Force presented or deployed</b>	21.22 %	22.59 %	19.55%	24.77%	25.21%
5 Year Comparison of Assaultive and Violent Resistance					
	2011	2012	2013	2014	2015
<b>Defensive Resistance</b>	63.66%	63.49%	70.53%	69.43%	65.38%
<b>Active Aggression</b>	45.70%	44.11%	52.23%	45.32%	41.88%
<b>Aggravated Active Aggression</b>	12.62%	11.13%	13.13%	14.62%	14.32%

5 Year Comparison of Intermediate Weapon Use					
	2011	2012	2013	2014	2015
<b>OC Spray</b>	9	11	4	7	2
<b>Asp Baton</b>	22	25	25	25	16
<b>Conducted Electrical Weapon</b>	132	113	88		
<b>Presented/Coerce</b>	-	-	-	63	108
<b>Probes Deployed</b>	-	-	-	31	54
<b>Push Stun</b>	-	-	-	17	21
<b>Canine Presented/Coerce</b>	32	22	20	26	49
<b>Canine Bite</b>	25	14	16	21	13

The use of O.C. spray and Asp batons reduced significantly in 2015, while the presentation of CEWs (without being deployed) to gain compliance increased from 2014. There was an increase in the use of the presence of canines to induce compliance; however, there was a decrease in canine bites from

previous years. The number of instances where officers presented or deployed deadly force (a Service firearm) has remained relatively consistent over the past five years, with a slight increase since 2014. The vast majority of these instances involve Service firearms being presented as a coercive tool; the Service had two officer-involved shootings in 2015.

## Injuries

Two officer-involved shootings occurred in 2015. These incidents are under investigation by the Independent Investigation Unit of Manitoba (IIU). The IIU investigates all serious incidents involving police officers in Manitoba, occurring on or off duty.

The numbers of injuries sustained by both officers and suspects has remained consistent from previous years.

**Self-reported injuries over 5 years**

Year	Use of Force Reports	Officers injured	Percentage Injured	Subjects injured	Percentage Injured
2011	925	85	9.19%	273	29.51%
2012	947	89	9.40%	246	25.98%
2013	716	75	10.47%	209	29.19%
2014	759	68	8.96%	212	27.93%
2015	936	89	9.51%	237	25.32%

## Citizen Complaints Related to Use of Force

When complaints are made directly to the Service by members of the public, the Professional Standards Unit conducts investigations into all claims. 11 complaints of excessive force were received for 2015. While three matters remain open, none of the closed investigations were found to be justified after an examination of evidence.

<b>Professional Standards Unit- Excessive Force Investigation Dispositions</b>					
Type	2011	2012	2013	2014	2015
Abandoned	3	7	7	9	3
Crown Opinion- No charge	2	-	-	-	-
Informal Resolution	-	-	-	-	-
Information Only	-	-	-	1	1
Not Sustained	10	6	4	1	1
Open	-	-	2	-	3
Stayed	-	1	-	-	-
Sustained	-	-	-	-	-
Unfounded	1	2	1	3	3
<b>Total</b>	<b>16</b>	<b>16</b>	<b>14</b>	<b>14</b>	<b>11</b>

Additional complaints may have been made to the Law Enforcement Review Agency of Manitoba; however, the results of these potential grievances are unknown at this time.

Winnipeg Police Service members filed 936 use of force reports in 2015, representing 0.47% of all calls for service in the year. The Service closely monitors all reports to insure that officers are using force in ways that are reasonable and necessary to achieve lawful objectives and that the minimum level of force is being used to gain compliance and enforce the law.

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Devon Clunis  
Chief of Police