



## **SARNIA POLICE SERVICE**

### **Open Agenda Information Report**

**To:** Chair and Police Services Board Members

**From:** Deputy Chief Julie Craddock

**Subject:** 2023 Use of Force Annual Report

**Date:** March 28, 2024

**Report#** 24-03-009-0

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#### **RECOMMENDATION:**

That the Sarnia Police Service Board receive this report pursuant to Use of Force Board Policy No. AI-012.

#### **SUMMARY:**

As per the Board's Use of Force Policy No. AI-012, the 2023 annual use of force statistics are contained within this report. The statistical data is gathered from Use of Force reports submitted by members of the Sarnia Police Service between January 01, 2023, and December 31, 2023.

These statistics are used to develop policy and training programs in the area of use-of-force and de-escalation training.

Officers interact daily with members of the public during which their issues and concerns are resolved without having to use force at a level that would require the submission of a report as indicated above. There are also times when the interactions are dynamic, and more than one use of force option may be required to control and resolve the situation.

A handwritten signature in cursive script that reads "Julie M. Craddock".

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Julie M. Craddock  
Deputy Chief of Police

: JC

## **BACKGROUND**

### **Report Highlights:**

- Overview of the reporting and training requirements for Use of Force
- Statistical data and analysis for 2023 Use of Force incidents by the SPS
- Race-Based Data analysis for 2023 Use of Force Reporting

The *Criminal Code of Canada* authorizes police officers in the province of Ontario to use force, while engaged in the lawful execution of their duty. Under Section 25, officers are permitted to use as much force as necessary if they act on reasonable grounds. Regulation 926 of the *Police Services Act* specifically outlines the types of firearms and weapons that police officers are permitted to carry and includes mandatory training qualifications in the use of force and firearms.

The regulations further address reporting requirements when officers apply force or draw their firearms. As of January 1, 2020, under the *Anti-Racism Act*, police services are now required to collect data on the perceived race of those subjects involved in use of force incidents. The Ministry of the Solicitor General mandates Police Services in Ontario to complete province-wide standardized Use of Force Reports electronically, for the collection.

In 2023, The Ontario Public-Police Interaction Training Aid was introduced as a replacement for the Use of Force Model. This is a guide for police officers and is provided by the Province of Ontario. The model is referred to in training and is designed to assist officers in assessing situations, individual behaviours and acting based on their observations and training.

*\*See Appendix A for the full model and description of the Ontario Public-Police Interactions Aid (2023).*

## **MANDATORY REPORTING REQUIREMENTS**

When an officer has displayed or applied reportable force or utilized a force option as defined by regulation, the officer must complete and submit an electronic Use of Force Report. Individual officers who are involved in the same incident must complete separate reports if they have applied reportable force.

Emergency Response Units (ERT) and Public Order Units (if applicable) are permitted to complete and submit a single electronic Use of Force Report, detailing the teams' combined use of force.

A member shall submit a Use of Force Report when:

(a) a handgun is drawn in the presence of a member of the public, excluding a member of the police force who is on duty, points a firearm at a person or discharges a firearm. A member of the public includes a suspect or arrested person;

(b) a member uses a weapon other than a firearm on another person;

(c) a member uses physical force on another person, not in relation to training conducted by the Training and Education Bureau, that results in an injury requiring medical attention; and

(d) a member deploys a Conducted Energy Weapon (CEW) on a person or an animal or displays the CEW in the Demonstrated Force Presence Mode.

After completing the electronic Use of Force Report, the officer submits the report to their supervisor who is required to review and approve the report. The supervisor then forwards the electronic report to their respective Commander. The report is then directed to the Training Bureau for review and submission to the Ministry.

This report focuses on mandatory use of force reporting and its associated data. In accordance with the Anti-Racism Act, this report also looks at the intersectionality of the application of force and race.

## **TRAINING**

### **De-escalation & Critical Decision-Making:**

Sarnia Police Service members begin use of force training as soon as they are hired as Cadets (Recruit in Training). During this time, members are introduced to the following:

- The Ontario Public-Police Interaction Training Aid
- Use of force options and deployment
- De-escalation Training

Cadets (Recruit in Training) continue to receive further training at the Ontario Police College with an emphasis on conflict prevention, communication, and de-escalation.

Sarnia Police Service members receive ongoing use of force training through Annual In-Service Training (IST). This training is mandatory for all uniform members, with themes of de-escalation and communication as the foundation for the curriculum. This training also includes judgement scenarios, police vehicle operations and in-class academic learning.

All sworn members have received mandatory training on the Collection of Identifying Information in Certain Circumstances (CIICC), which applies to a police officer attempting to collect identifying information about an individual through a police interaction.

Refresher training is mandatory and must be completed within the previous 36 months.

### **Anti-Racism Training:**

The Sarnia Police Service has developed a multi-session, anti-racism strategy, which was introduced in 2022. This program (Respect in the Workplace) is mandatory for all SPS employees. The course focuses on the Ontario Human Rights Code and includes topics such as:

- 1) Negative Power vs Positive Power (Respectful Leadership)
- 2) Discrimination OHRC
- 3) Racism: Unconscious Bias, Micro Aggressions, Systemic Racism, Anti-Racism
- 4) Diversity Equity and Inclusion

This training framework is aligned with the Truth and Reconciliation Commission's (TRC) 94 Calls to Action (Professional Development and Training for Public Servants).

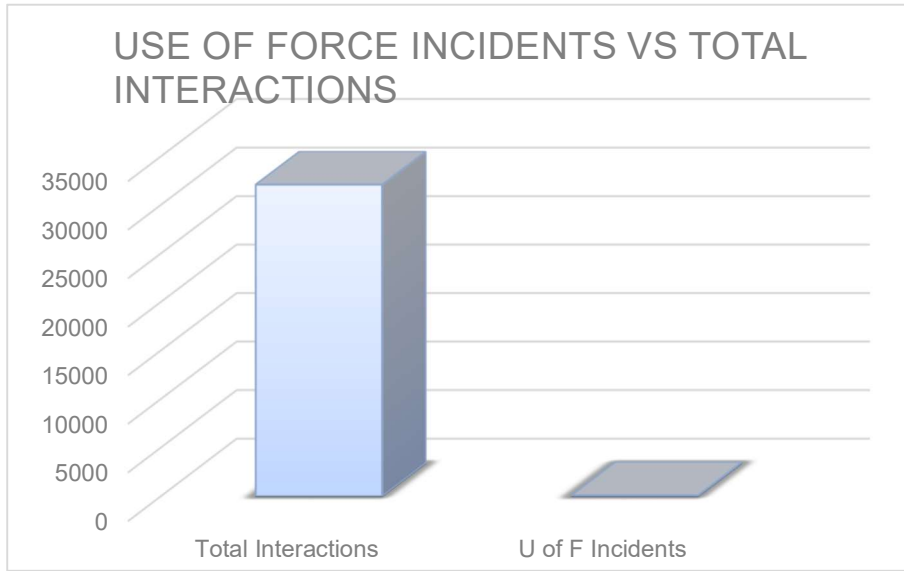
In addition, the SPS is represented on local, provincial, and international Equity, Diversity and Inclusion Committees which have been established to assess organizational inclusiveness and to ensure systemic bias and barriers are identified and removed.

### **ANALYSIS**

#### **Use of Force Incidents VS. Total Interactions:**

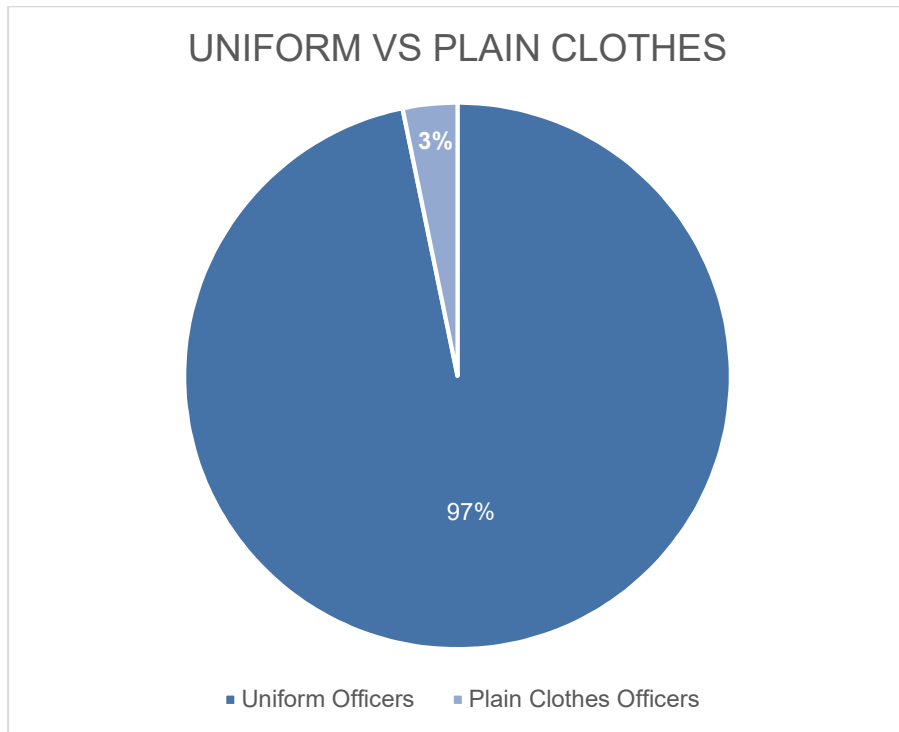
A use of force incident is an occurrence, event, or interaction with a member of the public that meets the criteria of mandatory use of force reporting. A single incident with one subject could generate two or more reports if multiple officers applied force at the same incident. Additionally, an incident that involves multiple subjects could also generate multiple Use of Force Reports.

In 2023, members of the Sarnia Police Service had 32,079 interactions with members of the public (calls for service). Included in this are traffic stops, citizen-generated calls for service and officer-initiated contacts. Of these, 75 incidents resulted in a police use of force encounter. The result is that in total 0.23% of all police interactions met the threshold for mandatory use of force reporting.



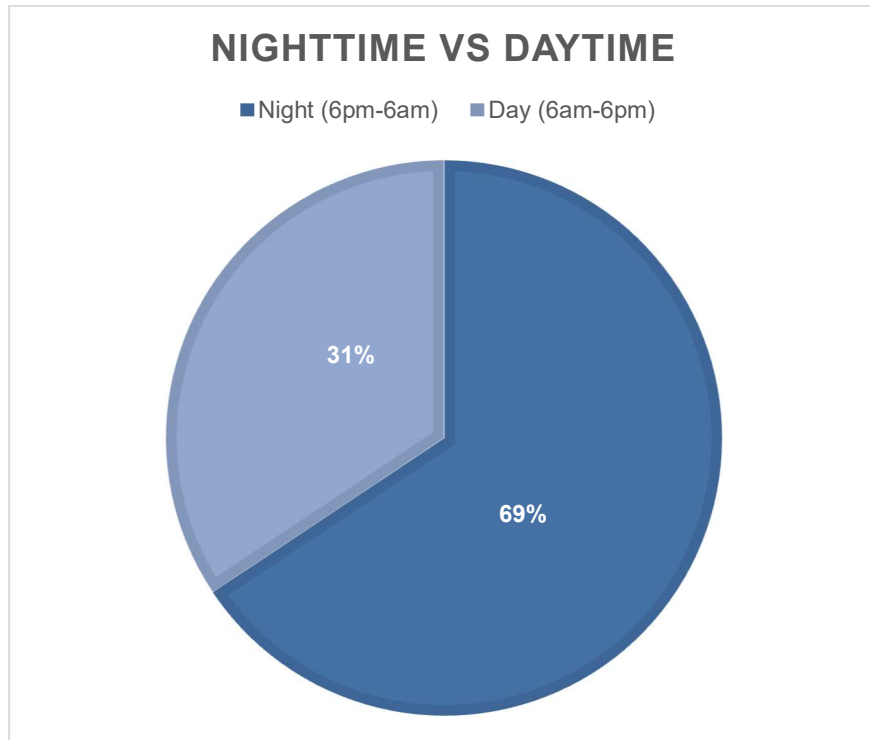
**Uniform Officer vs. Plain-Clothes Officer:**

In 2023, frontline uniformed patrol officers (including Emergency Response Team (ERT) officers assigned to patrol functions) submitted 96% of all Use of Force Reports. The remaining 4% of reports came from plain-clothes officers assigned to specialized units.



### **Nighttime vs. Daytime Incidents:**

In 2023, 52 use of force incidents occurred between the hours of 6 pm and 6 am. This represents approximately 69% of use of force incidents occurring during dark or low-light situations.



### **INTERACTIONS (CALL TYPES)**

The application of force is designed to gain control of a subject using no more force than is reasonably necessary, having regard firstly to public safety and officer safety and secondly to minimize harm or injury to the subject.

Use of force does not correlate to the type of call, but rather the behaviour demonstrated by the subject. Call types that officers responded to that resulted in a use of force report being submitted were varied. Within these calls are both officer-initiated contacts and citizen-generated calls for service and assistance.

Call Type	Number of Reports	Percentage
Domestic	2	2.69%
Other Disturbance	22	29.33%
Person Stop	1	1.33%
Weapons	27	36%
Mental Health Act	7	9.33%
Search Warrant	2	2.69%
Drugs	3	4%
Animal	1	1.33%
Warrant	3	4%
Police Custody Related	1	1.33%
Family Dispute	6	8%

### **Weapons Call Types:**

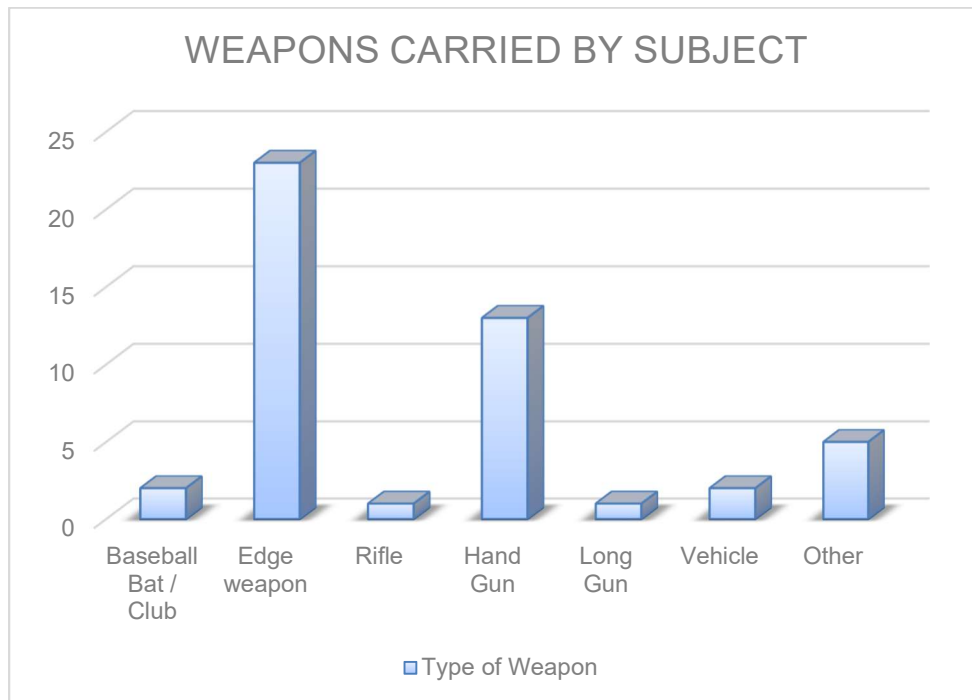
A member will draw their firearms when they reasonably believe it is necessary to protect themselves or a member of the public against a threat of serious bodily harm or death. The majority of use of force incidents occur when officers respond to weapon-related incidents.

### **Incidents with Armed Subjects:**

Of the 75 Use of Force Reports submitted in 2023, there were 89 individual subjects. Of these, forty-seven (47) subjects were armed with a weapon.

Of the subjects armed with a weapon, in twenty (20) instances a weapon was within reach of the subject, in fourteen (14) instances a weapon was in the hand of the subject

and in thirteen (13) instances a weapon was concealed on the subject. The most common weapons encountered in 2023 were edged weapons and firearms.



\*Other included: rocks, screwdriver, imitation pistols

## **USE OF FORCE OPTIONS**

### **Point or Discharge of Firearm and Dispatch of Injured animals:**

Of the 75 Use of Force Reports in 2023, 27 were the result of officers who drew their firearm and pointed it at a subject. There were 2 reports where the handgun was drawn but not pointed.

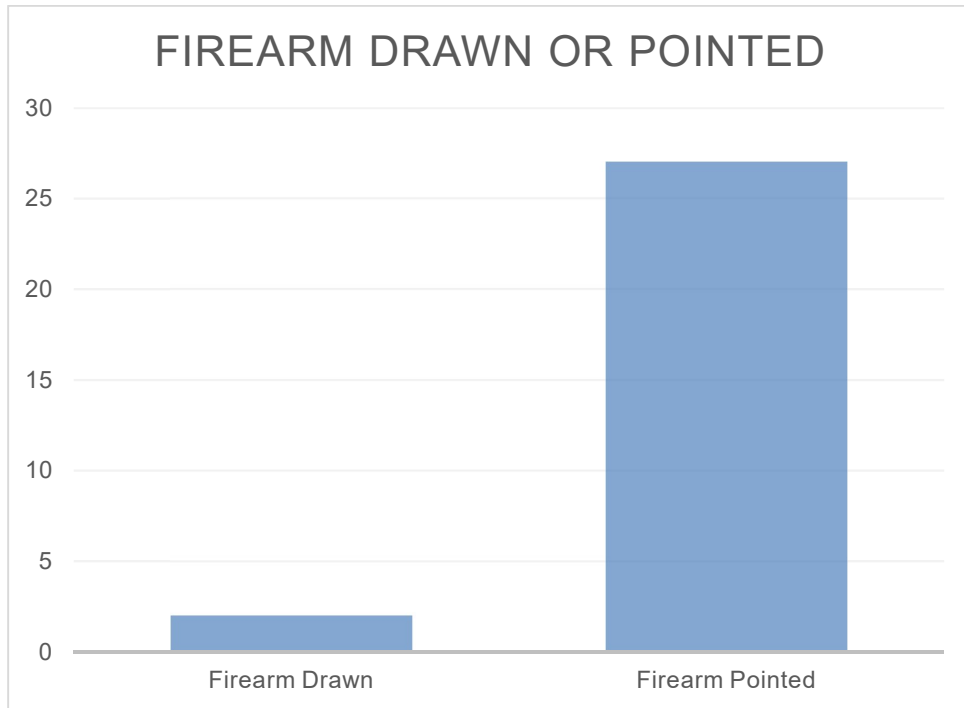
In one incident, the officer discharged a Conducted Energy Weapon at an animal, there were no instances where an officer had to dispatch an animal.

The figure presented below depicts instances where officers, confronted with circumstances they deemed to pose a credible threat of serious bodily harm or death, effectively deployed a blend of force, tactical communication, and de-escalation techniques.

Verbal interaction, conflict prevention and de-escalation techniques are the most utilized strategies in all use of force occurrences/encounters. De-escalation was used as an alternative strategy prior to an application of force in 85% of all occurrences/encounters where force was used. The need to resolve an immediate



threat to public or officer safety may limit the ability to use alternative strategies such as conflict prevention and de-escalation.



### **Intermediate Weapon- Conducted Energy Weapon (CEW):**

Sarnia Police Service members are issued the Taser X2. Conducted Energy Weapons (CEW) can be used in three modes based on a multitude of factors including, but not limited to, situational or environmental conditions and subject behaviours.

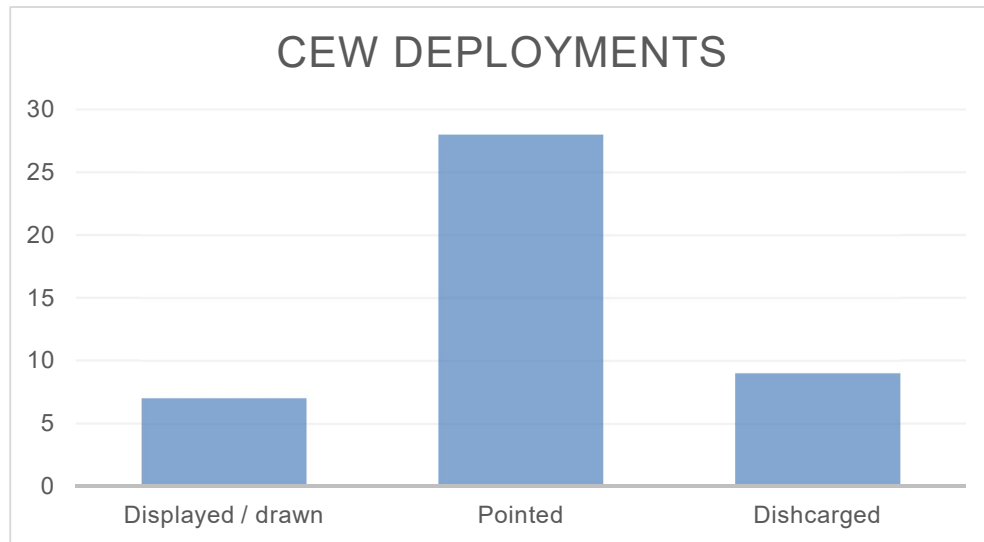
In 2023, CEWs were used a total of 44 times and represented 58% of all Use of Force Reports.

Of the 44 instances that a CEW was used, in 16% (7), of those instances the CEW was accessed by the members and displayed but not pointed at a subject. Each incidence of demonstrated force was effective in gaining the compliance of the individual.

In 64 % (28) instances where the CEW was pointed at an individual, the CEW was reported to be effective in gaining compliance by the subject.

In 20% (9) of the 44 reported use of force incidents, the CEW was discharged at a subject in an attempt to achieve Neuromuscular Incapacitation (NMI). In each instance, NMI was achieved and this resulted in subject compliance.

In one instance the CEW was discharged on an animal to protect public safety.



### **Physical Control of a Subject:**

Physical control refers to the application of physical force upon a subject. A Use of Force Report is required if the subject requires medical attention because of the physical application of force.

Of the 75 Use of Force Reports submitted in 2023, one report was for the application of physical control techniques being used on a subject. The submitted report indicated that the force used was appropriate and gained compliance of the subject.

### **INJURIES DATA**

#### **Officer Injuries vs. Subject Injuries:**

In 2023 reports indicated a total of 2 officers and 1 subject received injuries during use of force incidents. All injuries reported were minor in nature.

Medical attention is required to remove the CEW probes. No injuries were reported due to the removal of CEW probes.

### **SUBJECT RACE DATA**

#### **Perceived Subject Race:**

As of January 1, 2020, police services are required to collect data on the perceived race of subjects involved in use of force incidents (*Anti-Racism Act*). The Ministry's Use of Force Reporting form contains a series of datasets that attempt to monitor and identify disparity in police use of force in relation to the seven race-based categories.

In 2023, Sarnia Police Service had 32,079 interactions with the public of which 75 (0.23%) included an application of force to 89 subjects. The use of force applied ranged from physical control to less lethal to pointing a firearm.

During Use of Force Reporting, officers must select the subject's perceived race from one of seven categories. Inaccuracies in capturing race-based information may exist as an involved subject may not self-identify for data collection purposes or an officer's perception may be incorrect for a variety of reasons (e.g. mixed ancestry).

The above considerations could lead to an over or under-representation of certain racialized groups in police use of force reporting.

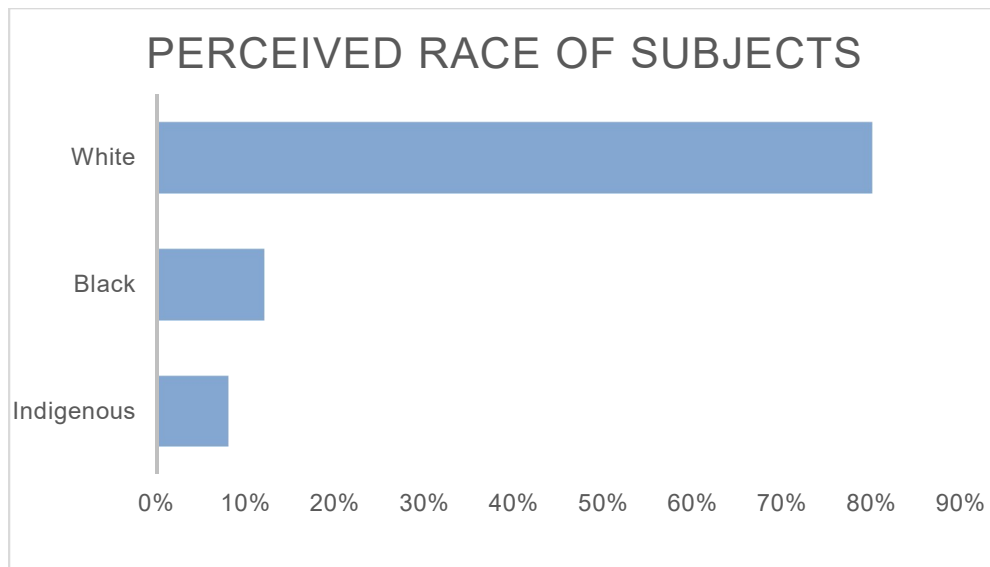
Identified groups are categorized by the Ministry as follows:

- Black
- East/Southeast Asian
- Indigenous (First Nation, Metis, Inuit)
- Latino
- Middle Eastern
- South Asian
- White

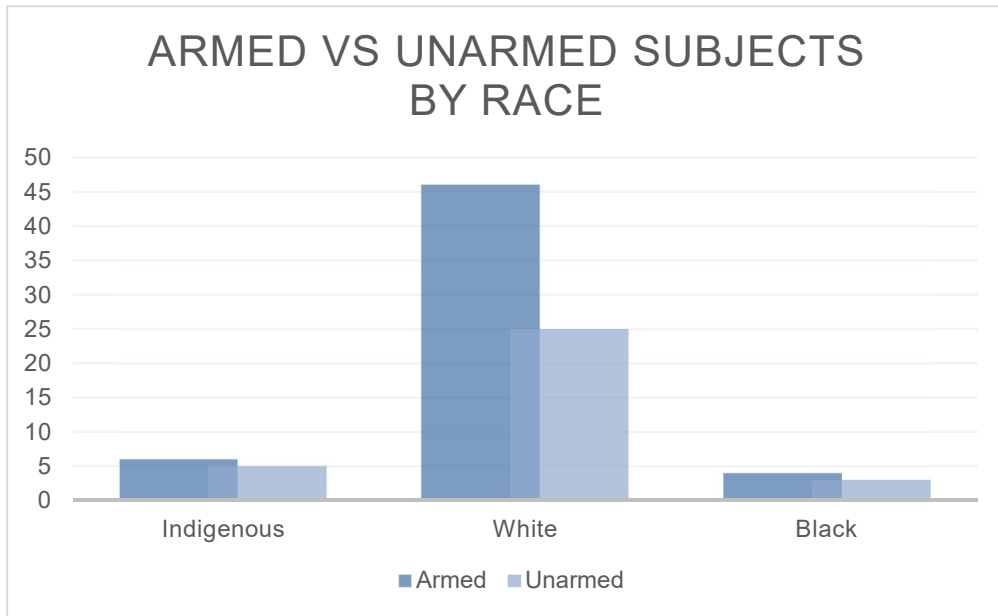
The first chart illustrates the perceived race of these subjects. The second chart illustrates the number of armed versus unarmed subjects by race category.

The type of weapons carried by subjects were knives, handguns, rifles, motor vehicles and shovels.

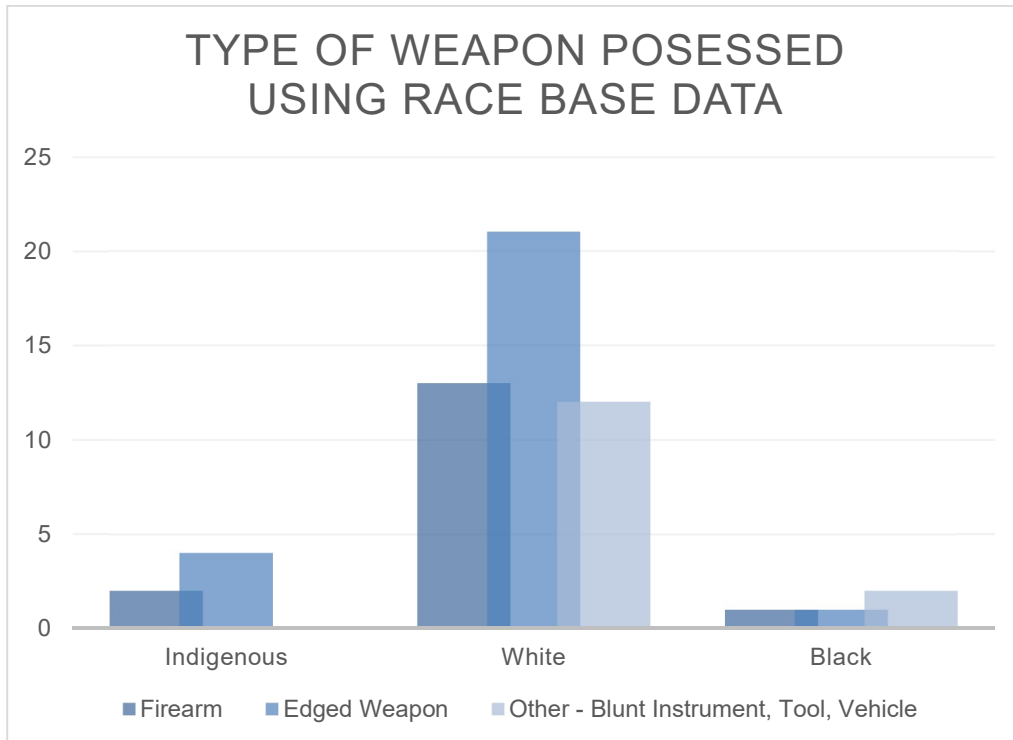
The third chart illustrates race-based data and the type of weapon used.



**Armed vs. Unarmed Subject by Race:**



**Race-Based Data Collection and the Type of Weapon Used:**



## **Unarmed Subject Analysis:**

Sarnia Police members applied force on 33 unarmed subjects in 2023. A review of each incident involving the application of force on an unarmed subject revealed officers correctly assessed and used sound judgement in their application of force based on the specific situation. Situational factors such as the nature of the call, the physical size of the subject, history with the subject and perceived weapons by a subject all lead to the officers displaying force to gain compliance of an unarmed subject.

Within the unarmed category, the application of force becomes subjective due to the multitude of situational factors. Each incident was reviewed to identify whether there was a race disparity in the application of force when the officer encountered similar circumstances. The review showed that no race disparity was observed with respect to the application of force on unarmed subjects when considering the specific subject behaviour and/or information known about the call or subject.

## **CONCLUSION**

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

The data collection from the mandatory use of force reporting in 2023 sheds light on a noteworthy aspect of policing, indicating that use of force incidents constituted less than 1% of the overall police interactions.

Police encounters are often dynamic, and despite their best efforts, police cannot entirely eliminate the need for the use of force in certain circumstances. This emphasizes the importance of equipping law enforcement with the tools and training necessary to navigate diverse situations, ensuring that force, when deployed, is done in an effective manner and in adherence to proven protocols.

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

## APPENDIX A

Police officers in Ontario, follow a use-of-force model to guide their actions and decisions when faced with situations that may require the application of force.

In 2023 the Ministry of the Solicitor General approved the replacement of the 2004 Ontario Use of Force Model with a newly designed model, “The Ontario Public-Police Interaction Training Aid”.

The Ontario Public-Police Interaction Training Aid is a structured framework that helps officers assess the level of force necessary in a given situation and ensures that force is used only to the extent required to achieve a lawful and legitimate purpose.

The new Training Aid was incorporated into the Ontario Police College’s (OPC’s) Use of Force Trainers Course and Basic Constable Training program in April 2023. The training aid outlines the general principles that govern police interactions with the public, including the use of force on those occasions when an application of force is required.

<b>Conflict Prevention</b>
The pre-emptive use of verbal and non-verbal strategies with people in situations with a potential to escalate (speeding ticket, neighbour dispute)
<b>De-escalation</b>
The use of verbal and non-verbal strategies intended to prevent conflict or reduce the intensity of a situation without the application of force and, if force is necessary, reducing the amount of force if viable
<b>Assess-Plan-Act</b>
A cognitive process applied by the officer to circumstances related to the subject/situation and impacted by perceived/actual risk, available time, and resources. This process is continuous, allowing for reassessment based on changing information.
<b>Situation &amp; Subject Considerations</b>
Some factors impacting an officer's perception and decision-making of the subject and situation are: weather conditions, indoors/outdoors, number of officers/subjects, perceived subject ability (cognitive ability, skill, size, weapon), cultural awareness, gender identity.
<b>Subject Behaviors</b>
<b>Cooperative:</b> Subject complies with a lawful request
<b>Passive Resistant:</b> Subject refuses a lawful request, verbally and/or physically by standing still, sitting, laying down
<b>Active Resistant:</b> Subject pulling/pushing away, walking away, running away
<b>Assaultive:</b> Threatens/attempts/strikes the officer, kick, punch, spit, headbutt (no weapon)
<b>Serious Bodily Harm or Death:</b> The use of any weapon or technique reasonably likely to cause serious bodily harm or death

### Ontario Public-Police Interactions Training Aid (2023)

<b>Officer &amp; Strategic Considerations</b>
Factors impacting perception and decision-making, including ICEN, ICLEAR, NRA, POL personal experience, skills/ability, stress, injuries, specialty units, available time
<b>Verbal &amp; Non-Verbal Communication</b>
<b>First Contact Approach:</b> Hello, my name is <b>Relational Approach:</b> I can see you are struggling, I'm here to help you. <b>Directive Approach:</b> Police, don't move! <b>Consistent Verbal/Non-Verbal Approach:</b> facial and body expressions consistent with message, applies to both subject and officer
<b>Non-Force Options</b>
Increasing available time to delay/eliminate the need for force may be done using: Distance, Physical Presence, Isolation, Containment, Evacuation, Cover, Concealment, Reposition, Teamwork, Disengagement
<b>Physical Control Options</b>
<b>Soft:</b> controlling an arm/wrist, pressure points, barrier assist <b>Hard:</b> strikes/grounding techniques
<b>Intermediate Weapons Options</b>
Pepper Spray, Expandable Baton, Conducted Energy Weapon, Less Lethal Shotgun, ARWEN, Shields, Canine, Horses, any other approved weapon
<b>Lethal Force</b>
Use of any weapon/technique reasonably likely to cause serious bodily harm or death

This Training Aid is not prescriptive and does not replace the law. An officer's actions must be lawful, necessary, reasonable and proportional

## APPENDIX B

### **Subject Behaviours:**

#### **Co-operative:**

The subject responds appropriately to the officers' presence, direction and control.

#### **Resistant (Passive):**

The subject refuses, with little or no physical action, to cooperate with the officer's lawful direction.

#### **Resistant (Active):**

The subject uses non-assaultive physical action to resist. The subject refuses to comply with the officer's lawful direction.

#### **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.

#### **Serious Bodily Harm or Death:**

The subject exhibits actions that the officer reasonably believes are intended to or likely to cause serious bodily harm or death to any person.

### **Use of Force Options:**

#### **Officer and Strategic Considerations:**

While not strictly a use of force option the simple presence of an officer can affect both the subject and the situation. Consider the officers skills and abilities, availability of specialty units and time.

#### **Communication (verbal and non-verbal):**

An officer can use verbal and non-verbal communication to control and/or resolve the situation.

#### **Physical Control (Soft):**

Control oriented techniques including restraining techniques, joint locks and non-resistant handcuffing.

**Physical Control (Hard):**

Techniques intended to stop a subject's behaviour or allow application of a control technique. Hard control has a higher probability of causing injury and includes empty hand strikes such as punches and kicks.

**Intermediate Weapons:**

Force option that involves the use of a less lethal weapon. Less lethal weapons are those whose use is not intended to cause serious injury or death.

**Lethal Force:**

The use of a force option involving any weapon or technique intended to or reasonably likely to cause serious bodily harm or death.