



NIAGARA REGIONAL POLICE SERVICE

Police Service Board Report

PUBLIC AGENDA

Subject: Annual Report – Use of Force – January 1 to December 31, 2024
Report To: Chair and Members, Niagara Police Service Board
Report Date: 2025-03-28

Recommendation(s)

The Niagara Regional Police Service Board (Board) receives this report for information.

Key Facts

- The purpose of this report is to provide the Board with the required information pursuant to Board By-Law 506-2024 relating to procedures on the use of force.
- Board By-Law 346-2014, enacted in response to Ontario Regulation 926 under the Police Services Act, 1990 and the corresponding Provincial Adequacy Standard AI-012 Use of Force, were in force during a portion of the review period of this report.
- Board By-Law 506-2024, enacted in response to Ontario Regulation 391/23 – Use of Force and Weapons and Ontario Regulation 87/24 – Training, contains provisions requiring the Chief of Police to report specific information to ensure compliance with legislated requirements under the Community Safety and Policing Act, 2019 (CSPA), which came into force on April 1, 2024.
- Ontario Regulation 926 under the Police Services Act, 1990 and Ontario Regulation 391/23 – Use of Force and Weapons under the CSPA; and Ontario Regulation 87/24 – Training sets out the terms and conditions under which use of force is reported and how training in relation to use of force is conducted.

Financial Considerations

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

Analysis

By-Law 506-2024 section 5.2 details specific annual requirements that are to be reported as follows:

The Chief shall make written reports to the Board, including but not limited to an annual report on the use of force/training issues, which shall disclose the following information and be made available to the community:

- a) use of force trends and the Service response to such trends, as disclosed by the procedures referred to in section 4.2.1 of the By-Law and in accordance with prescribed Regulations and Adequacy Standards;
- b) all matters in which Part B of the use of force report that were retained for more than the required timeframes outlined in section 17(1), (2) and (3) of Ontario Regulation 391/23: Use of Force and Weapons made under the CSPA;
- c) all matters in which Part B of the use of force report was retained for more than 30 days, the reasons therefore, and the action taken in respect of members in connection with the retained report;
- d) in respect of training whether use of force training meets or exceeds Ministry standards as amended from time to time;
- e) in respect of training the number of members who did not successfully complete the required training, the reasons for not so doing and the remedial action taken;
- f) a summary of all reports made pursuant to sections 4.4.1. and 4.4.2 of the By-Law regarding the discharge of firearms;
- g) the nature of critical incident trauma aftercare available pursuant to section 4.8 of the By-Law and the number of members using the aftercare arrangements;
- h) Service compliance with equipment standards of the Ministry as amended from time to time;
- i) a summary of Service policy regarding disposition of old equipment and comment on Service compliance with the policy;
- j) anticipated changes in the cost of any of the above matters to be considered in the budget for the ensuing year, which information shall also be included in the training program budget submitted to the Board.

The following is a detailed response to each of the above noted requirements:

- a) use of force trends and the Service response to such trends, as disclosed by the procedures referred to in section 4.2.1 of the By-Law and in accordance with prescribed Regulations and Adequacy Standards:

Please see Appendix A - 2024 Use of Force Statistical Analysis Report.

Training

- b) all matters in which Part B of the use of force report that were retained for more than the required timeframes outlined in section 17(1), (2) and (3) of Ontario Regulation 391/23: Use of Force and Weapons made under the CSPA:

There were no applicable matters in the reporting period.

- c) all matters in which Part B of the use of force report was retained for more than 30 days, the reasons therefore, and the action taken in respect of members in connection with the retained report:

There were no applicable matters in the reporting period.

- d) in respect of training whether use of force training meets or exceeds Ministry standards as amended from time to time:

Use of force training is scheduled and conducted in a manner that meets or exceeds Ministry Standards. Officers participate in use of force certification/recertification at least once every 12 months. Training Unit instructors are accredited through the Ontario Police College to deliver de-escalation, use of force and firearms training. Training follows O. Reg. 87/24: Training, O. Reg. 391/23: Use of Force and Weapons and Ministry of Solicitor General's Use of Force Guidelines regarding training on communication, physical control, impact weapons, aerosol weapons, conducted energy weapons, and firearms. Training includes legal requirements, the exercise of judgement, safety, theories relating to the use of force, and practical proficiency; delivered via classroom presentation and scenario-based training activities. This ongoing training is to ensure that an officer can assess a situation quickly to determine the appropriate response and to evaluate whether a physical method is required to subdue an individual, or to prevent injury to the individual, the officer, or a member of the public.

- e) in respect of training the number of members who did not successfully complete the required training, the reasons for not so doing and the remedial action taken:

Every year a small number of members are unable to participate in use of force training due to medical restrictions. In accordance with section 4.3 of the By-Law, and regulations under the CSPA, those members are not deployed to positions that require use of force capabilities until their medical conditions allow them to receive the required use of force training. Of all those members who participate annually in use of force training, there is generally a small percentage, typically in the firearms requalification, who are required to make a second attempt to achieve the provincial adequacy standard. They are afforded that opportunity to do so as soon as possible, usually the same day. During the reporting period all active-duty members were able to achieve the training standard at first attempt or following remedial opportunities.

- f) a summary of all reports made pursuant to 4.4.1. and 4.4.2 regarding the discharge of firearms:

Section 4.4.1 states that, "*The Chief shall ensure that all reports on investigations of death or injury resulting from the discharge of a firearm made pursuant to*

section 9 of O. Reg. 391/23: Use of Force and Weapons are submitted to the Board within thirty (30) days of such incident occurring".

Section 4.4.2 states that, *"The Chief shall immediately cause an investigation and file a report to the Board where a member, by the discharge of a firearm in the performance of his or her duty, kills or injures another person".*

In 2024, no use of force interaction led to the discharge of a firearm.

- g) The nature of critical incident trauma aftercare available pursuant to section 4.6 of the By-Law and the number of members using the aftercare arrangements:

Service General Order 09.12: Psychological Wellness Programs sets out policy and procedures with respect to the Critical Incident Response facilitated by the Member Support Unit and Peer Support Team, backed by the Service Psychologist and Mental Health Clinician. The teams provide immediate support to members who are involved in a critical incident by organizing a defusing/debriefing and check in with members at regular intervals to offer additional support or to connect members and their families with community resources from a list of pre-screened mental health practitioners. The Member Support Unit also operates an Early Intervention Program that monitors members' cumulative exposure to critical incident trauma and ensures that members receive the appropriate level of support.

Further, General Order 254.04: Reintegration Program sets out policy and procedure for supporting members in dealing with the natural stress of critical incidents and exposure to stressful events. Support is provided through delivery of a program integrating exposure, drills, and scenarios that have been individualized to the needs of each participating officer and their situation. Details and statistics on critical incident trauma aftercare programs are reported to the Board annually by the Member Support Unit.

- h) Service compliance with equipment standards of the Ministry as amended from time to time:

There were no amendments to equipment standards during this reporting period.

- i) a summary of Service policy regarding disposition of old equipment and comment on Service compliance with the policy:

The disposal of Service firearms is initiated by the Training Unit, or Quartermaster Stores. Disposal is conducted by the Firearms Officer and the procedure is consistent with that prescribed for seized or received firearms, as set out in General Order 035.13: Evidence and Property Management.

- j) anticipated changes in the cost of any of the above matters to be considered in the budget for the ensuing year, which information shall also be included in the training program budget submitted to the Board:

On April 1, 2024, the Police Services Act R.S.O 1990 was replaced by the CSPA (2019) and relevant regulations, including O. Reg. 391/23: Use of Force and Weapons and O. Reg. 87/24: Training. The new legislation set training requirements significantly impacted the capacity of the Training Unit to deliver initial and re-certification training, in accordance with a prescribed schedule and following prescribed training standards.

The new training regulation mandates Mental Health Crisis Response Training to all sworn members of the Service, delivered via an initial course and re-certification training within every 12 months. Immediate Rapid Deployment training delivered via a 3-day basic course and re-certification training within every 24 months. Incident Command training for frontline patrol and supervisory positions up to and including Critical Incident Commanders. Patrol Carbine initial 4-day training and re-certification within every 12 months for all member assigned to frontline patrol.

Additionally, there are new mandates for re-certification training of Training Unit instructors and the provision of appropriate resources to ensure their ongoing professional development, in order to meet the growing needs of the Service.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

To comply with the Board By-Law 506-2024.

Relevant Policy Considerations

- Police Service Board By-Law 506-2024
- O. Reg. 391/23: Use of Force and Weapons made under CSPA
- Provincial Adequacy Standard AI-012
- Niagara Regional Police Service, Use of Force General Order 053.26

This report was prepared by Chad Davidson, Constable, Use of Force Analyst, Training Unit, in consultation with Hector Perez, Corporate Analyst, reviewed by Mike Casella, Staff Sergeant, Training Unit, and reviewed by Lynda Hughes, Acting Superintendent, Executive Services. Recommended by Luigi Greco, Deputy Chief, Support Services.



Submitted by:

Bill Fordy, O.O.M #9615
Chief of Police

Appendices

Appendix A - 2024 Use of Force Statistical Analysis Report

Appendix A

2024 Use of Force Statistical Analysis Report

The following Statistical Analysis Report will review 2024 use of force data collected through mandatory use of force reporting, as outlined in this appendix forming the Chief's annual report to the Board, directed by Board By-law 506-2024 and specific to section 5.2:

- a) use of force trends and the Service response to such trends, as disclosed by the procedures referred to in section 4.2.1 of the By-law and in accordance with prescribed Regulations and Adequacy Standards:**

The Service's General Order 053.26 provides direction to members on the use of force and details the procedures to be followed in the reporting of use of force.

A member shall submit a report through the chain of command to the Chief of Police, in the manner prescribed, whenever the member:

- (a) draws a handgun in the presence of a member of the public, excluding a member of a police service while on duty;
- (b) points a firearm (including a long-gun, shotgun, or carbine) at another person or discharges a firearm;
- (c) uses Oleoresin Capsicum (OC) aerosol spray and/or OC Fogger on another person;
- (d) draws and displays a conducted energy weapon to a person with the intention of achieving compliance;
- (e) points a conducted energy weapon at a person;
- (f) discharges a conducted energy weapon;
- (g) uses a weapon other than a firearm on another person;
- (h) uses force on another person, including through the use of a horse or a dog, that results in an injury requiring the services of a physician, nurse, or paramedic;
- (i) uses a police service dog when such use results in a dog bite; or,
- (j) uses approved Emergency Task Unit weapons or ammunition.

Use of force reporting is prescribed by Ontario Regulation 391/23, which came into force on April 1, 2024.

During the review period of this report, Ontario Regulation 532/22 was in force and reporting was mandated in section 14.5 (1), which outlined the requirements when a member of a police service was required to submit a use of force report; and sections 14.6 (1) and 14.7 (1), which outlined when individual and team reporting in relation to use of force was directed.

An individual report refers to the submission of an electronic use of force report by an individual officer, or by an immediate supervisor if the officer is unable to submit a report.

A team report may be submitted by two or more officers acting in co-ordination in response to a single event; the supervisor of a containment team, tactical unit or hostage rescue team, or an officer designated by the supervisor, on behalf of all the officers if, one or more members do any of the following:

1. A member draws a handgun in the presence of a member of the public.
2. A member points a firearm at a person.
3. A member draws and displays a conducted energy weapon to a person with the intention of achieving compliance.
4. A member points a conducted energy weapon at a person.

If a member has taken an action in relation to which a use of force report must be completed, other than an action set out in paragraphs 1 to 4 above, the officer must personally complete a use of force report in relation to all actions taken by the officer; and a supervisor or officer designated by the supervisor may submit a use of force report on behalf of all the remaining officers.

An incident requiring the response of multiple officers, the deployment of the Emergency Task Unit or Public Order Unit can result in the submission of multiple use of force reports.

PUBLIC INTERACTIONS vs. USE OF FORCE INCIDENTS

In 2024, members of the Niagara Regional Police Service responded to 145,256 calls for service (both public and officer generated), documented as incidents in the Records Management System. The number of calls for service does not represent the total of interactions between members of the Service and members of the public.

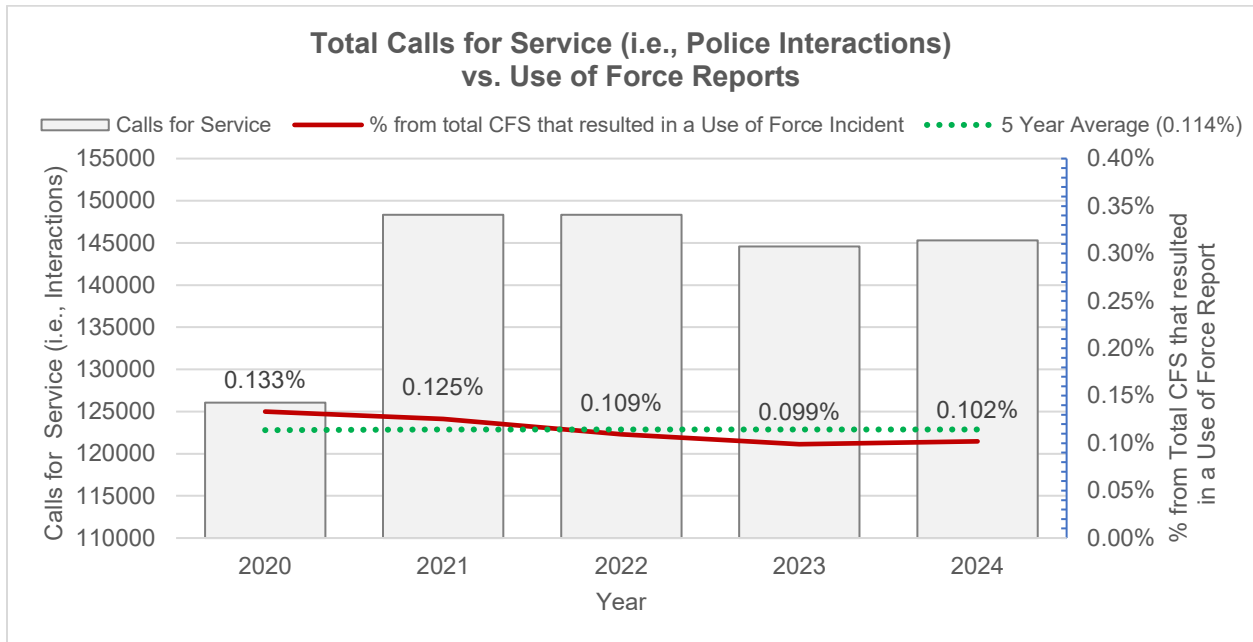
Total interactions are difficult to enumerate as there are varying factors during police encounters. These include multiple individuals at the same interaction, traffic stops and other public contact or community engagement that may not be captured as a call for service.

In 2024, of the total 145,256 recorded police interactions, there were 131 use of force incidents that produced a total of 148 use of force reports. This included 94 individual reports and 54 team reports.

As reported in figure 1, this means that in 2024 approximately 0.102% of all recorded public-police interactions resulted in a use of force report. That is less than 1% of public interactions, and less than the 5-year average of 0.114%. The changes in reporting requirements makes year over year comparisons analytically challenging for analyzing reports versus incidents.

As indicated above, team reports can be submitted when a handgun is drawn, firearm pointed at a subject, or a conducted energy weapon is drawn, displayed, or pointed at a subject. Individual reports are submitted in the same circumstances by a single responding officer or when the officer applies force that requires the submission of an individual report.

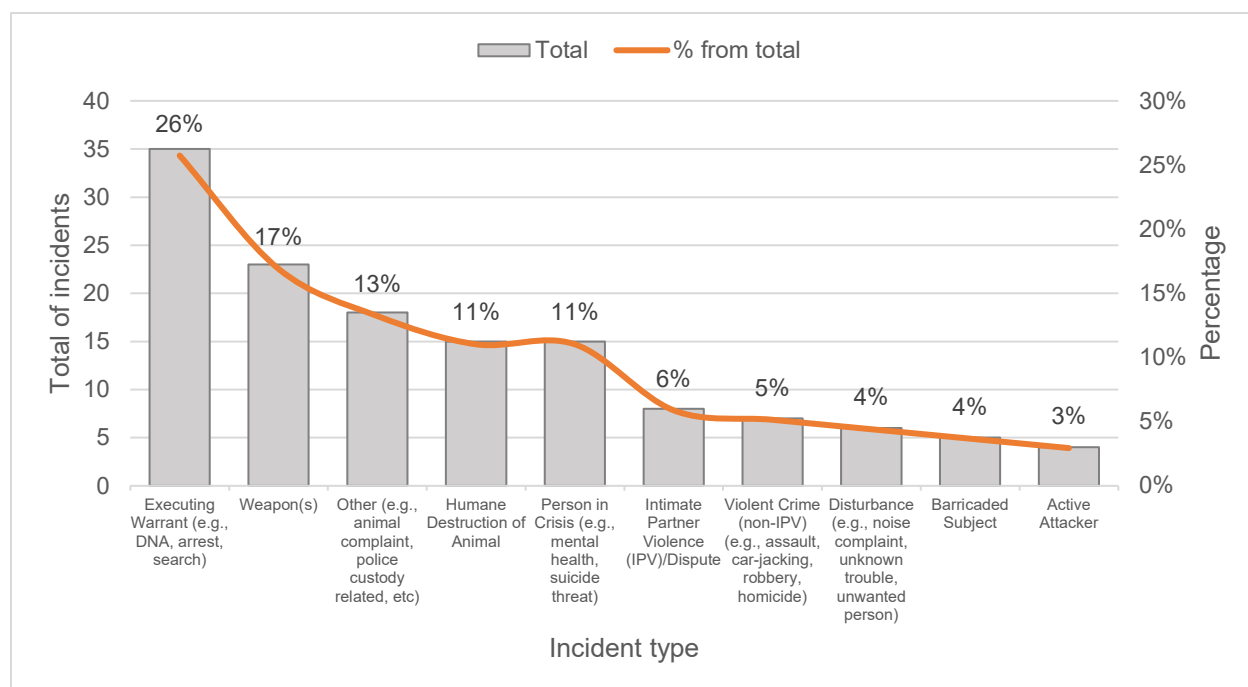
Figure 1. Comparison of calls for service and use of force reports from 2020 to 2024



INCIDENT TYPES

As illustrated in Figure 2, the top 3 incident types during which use of force reports were submitted were Execution of a Warrant (26%), Weapons (17%), and Humane Destruction of an Animal (11%), which made up for more than 54% of all incident types. The next 3 highest frequency incidents resulting in use of force report submissions were, Person in Crisis (11%), Disturbance (Intimate Partner Violence (IPV) (6%) and Violent Crime (non-IPV) (e.g., assault, carjacking, robbery, homicide) (5%). These 6 categories or incident types made up 80% of all use of force reports.

Figure 2. Use of Force - Incident Types



Incidents Involving Weapons

Members draw their firearms when they reasonably believe it is necessary to protect themselves or the public against the threat of serious bodily harm or death. Most use of force report submissions occur when officers respond to weapon-related incidents, or when they reasonably believe that they will encounter weapons during the execution of a warrant, or when a weapon was involved in the incident precipitating police response.

Incidents with Armed Subject

In 2024, members submitted use of force reports in response to incidents involving a total of 160 subjects. The circumstances of each use of force incident vary, and officers must consider many different factors when deciding on the most appropriate response. Reported weapons data reflects all the information available to officers at the time of

response and may include their belief that a subject was armed with more than one weapon. According to use of force report data, subjects were believed to have had access to 102 weapons, 59 of which were firearms: 42 were believed to have been a firearm within reach, 3 were firearms in the subject's hand, and 14 had firearms concealed on their person. Additionally, members encountered 1 aerosol weapon, 9 impact weapons, 28 edged weapons, and 14 weapons of opportunity described as "other", including impact weapons, and a vehicle used as a weapon.

USE OF FORCE OPTIONS

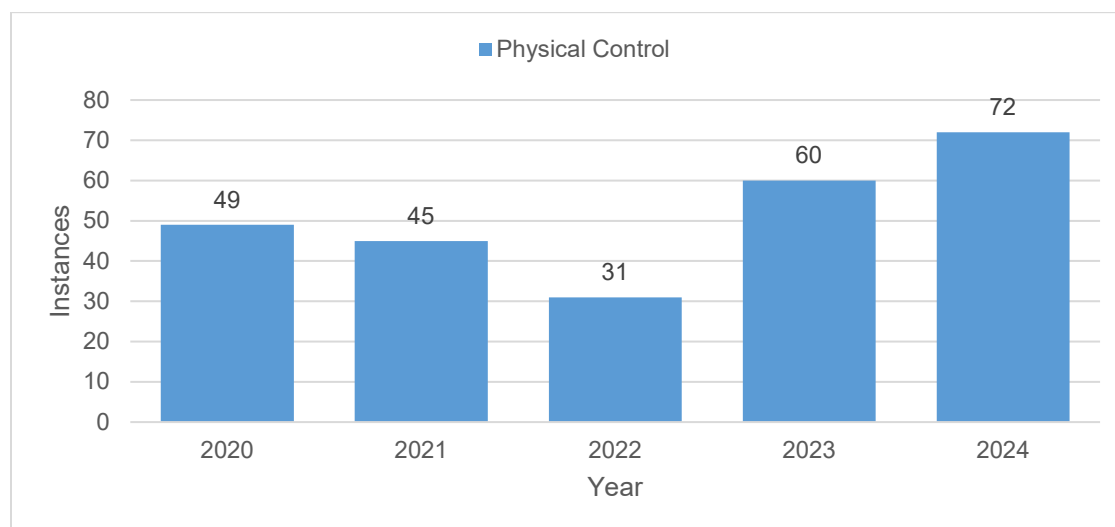
Physical Control

The use of physical control refers to the application of physical force upon a subject and includes soft techniques such as controlling an arm/wrist and hard techniques such as a strike or a grounding technique. The mere act of escorting a subject or placing them in handcuffs is an example of physical control, but does not require a use of force report to be submitted.

Use of force reports are mandated following the application of physical control techniques, only if the subject requires medical attention. For example, if an officer strikes and/or grounds an assaultive subject and the subject sustains an injury that requires medical attention, a use of force report must be submitted. A use of force report may also be required when physical control techniques are used in combination with other use of force options, and not necessarily because of injuries requiring medical attention.

In 2024, physical control techniques were reported on 72 occasions compared to, 60 occasions in 2023, 32 occasions in 2022, 45 occasions in 2021, and 49 times in 2020 (see Figure 3).

Figure 3. Physical Control

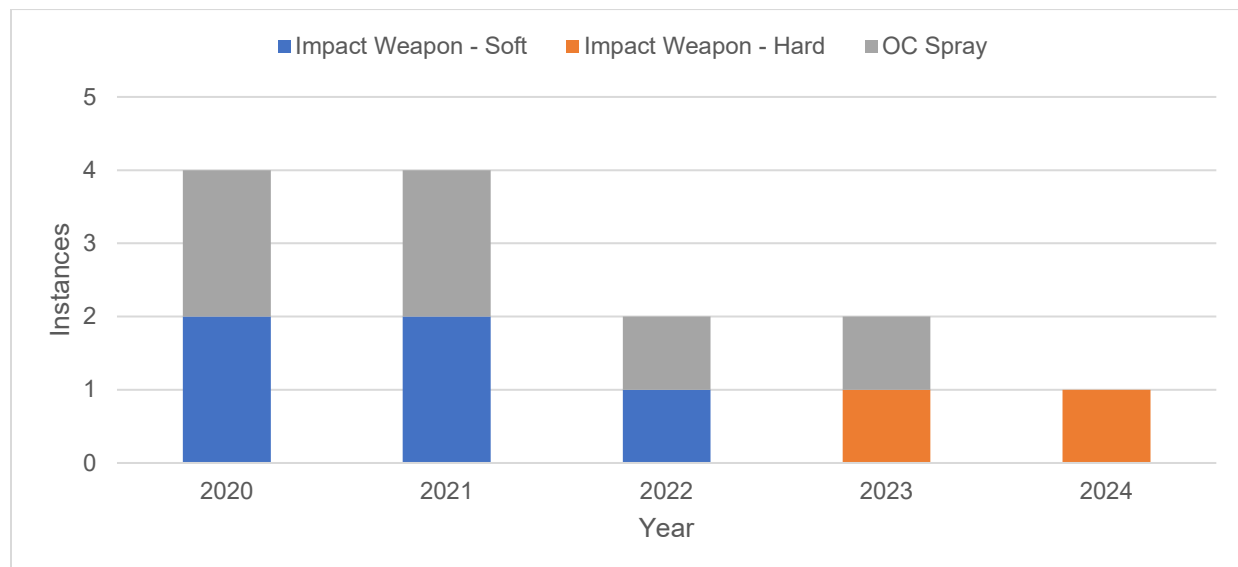


Impact and Aerosol Weapons

Oleoresin Capsicum (OC, or pepper spray) spray is 100% organically based and is classified as an inflammatory agent designed to impair a subject psychologically and physically with no long-lasting effects. In 2024, there were no reported uses of OC spray. In 2023, there was one application of OC spray, there was one application in 2022, two applications in 2021, and two in 2020.

Impact weapons (batons) are deployed in two ways: hard (strikes) and soft (used as a lever to aid in physical control). In 2024, an impact weapon was used on one occasion in a hard application. In 2023, an impact weapon was used on one occasion in a hard application, in 2022 it was used on one occasion in a soft application, in 2021 on two occasions in soft applications, and in 2020 it was used on two occasions in soft applications (see Figure 4).

Figure 4. 2024 Use of Impact and Aerosol Weapons

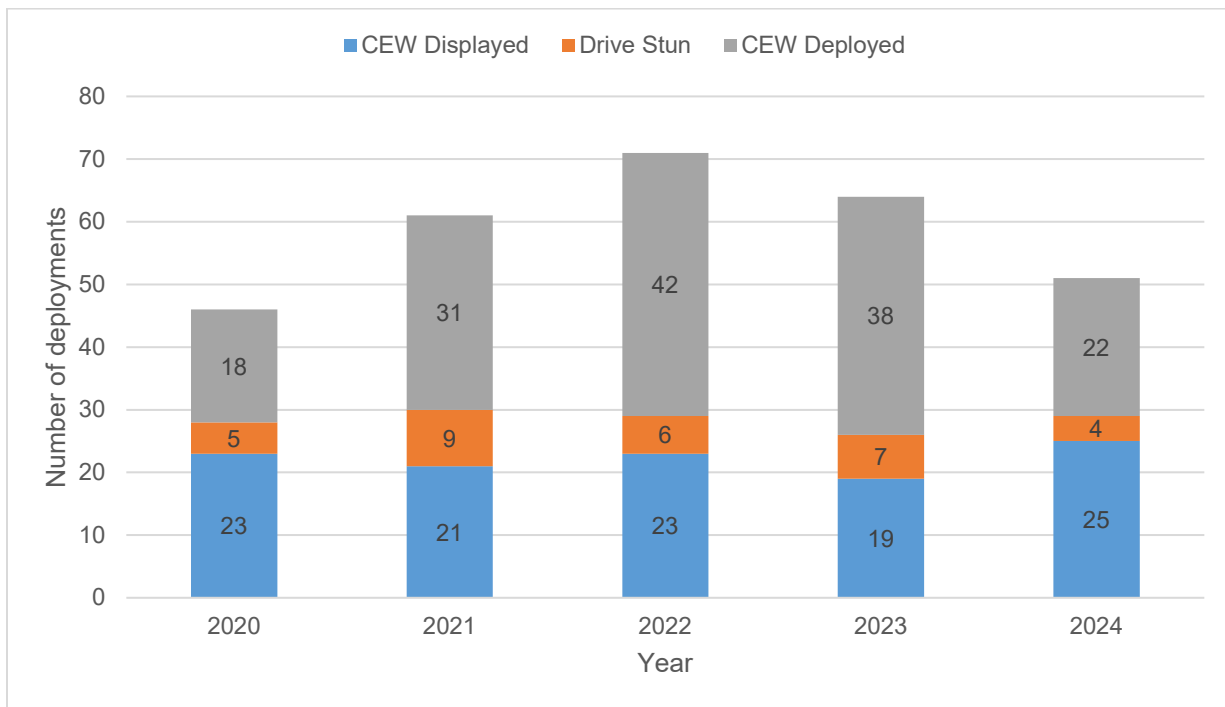


Conducted Energy Weapon (CEW)

The CEW has proven to be an effective less-lethal option for police officers during use of force encounters. Often, the mere presence of a CEW on display has been effective in de-escalating volatile situations. Officers can utilize the CEW in three methods: demonstrated force presence, during which the CEW is pointed at the subject; CEW deployment, during which dart probes are deployed toward the subject to achieve neuromuscular incapacitation; and drive stun mode, which involves direct contact of the CEW with the subject to achieve pain compliance.

In 2024, during use of force incidents, the CEW was displayed 25 times, CEW dart probes were deployed 22 times, and the CEW was used in drive stun mode 4 times. Please see Figure 5, for a breakdown of CEW uses from 2020 to 2024.

Figure 5. 2024 Conducted Energy Weapon (CEW) Deployment

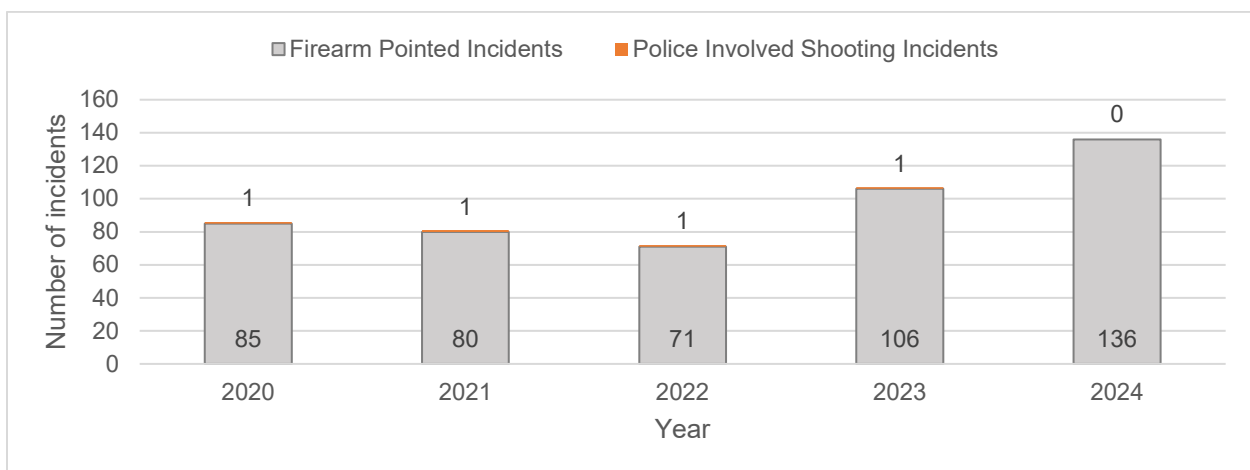


Firearm

In 2024, of the 148 use of force report submissions, 136 reports indicated that officers pointed their firearms during an interaction. No use of force interactions led to the discharge of a firearm against a subject during the 2024 reporting period.

Figure 6 shows a breakdown of incidents involving the use of firearms during use of force encounters from 2020 to 2024.

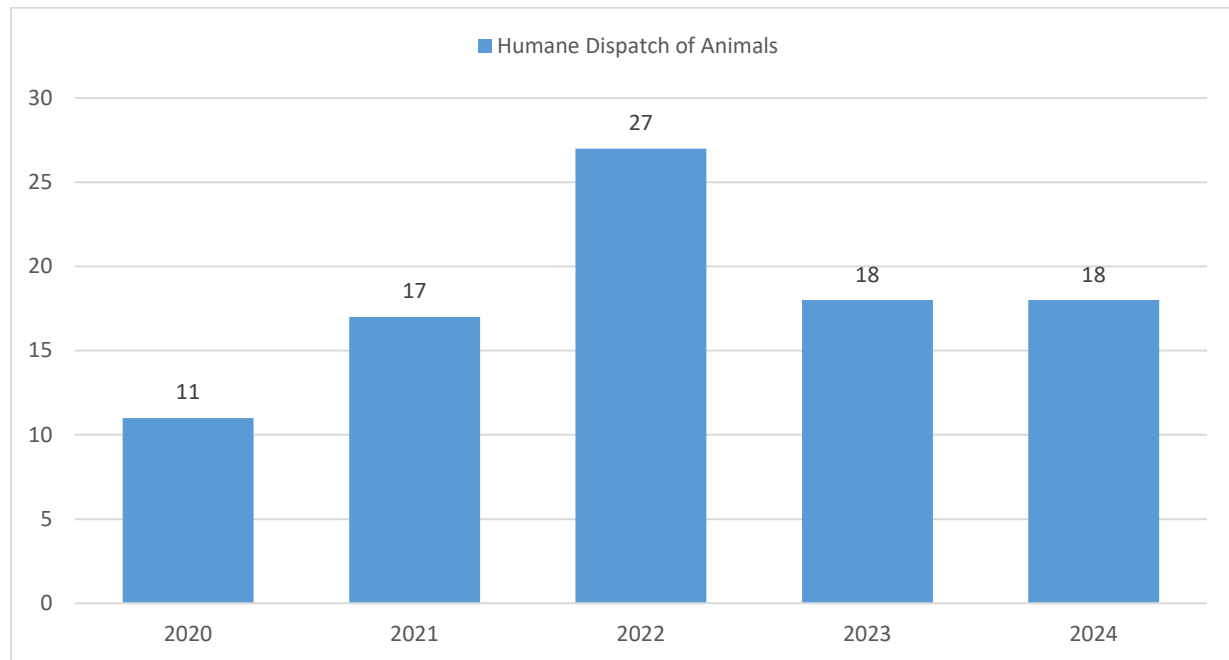
Figure 6. 2024 Point Firearm



Humane Dispatch of Animal

In 2024, there were 18 use of force report submission respecting the discharge of a firearm to humanely dispatch an injured animal. Most of these incidents involved wildlife that had been injured in traffic collisions.

Figure 7. 2024 Humane Dispatch of Animals



PERCEIVED SUBJECT RACE

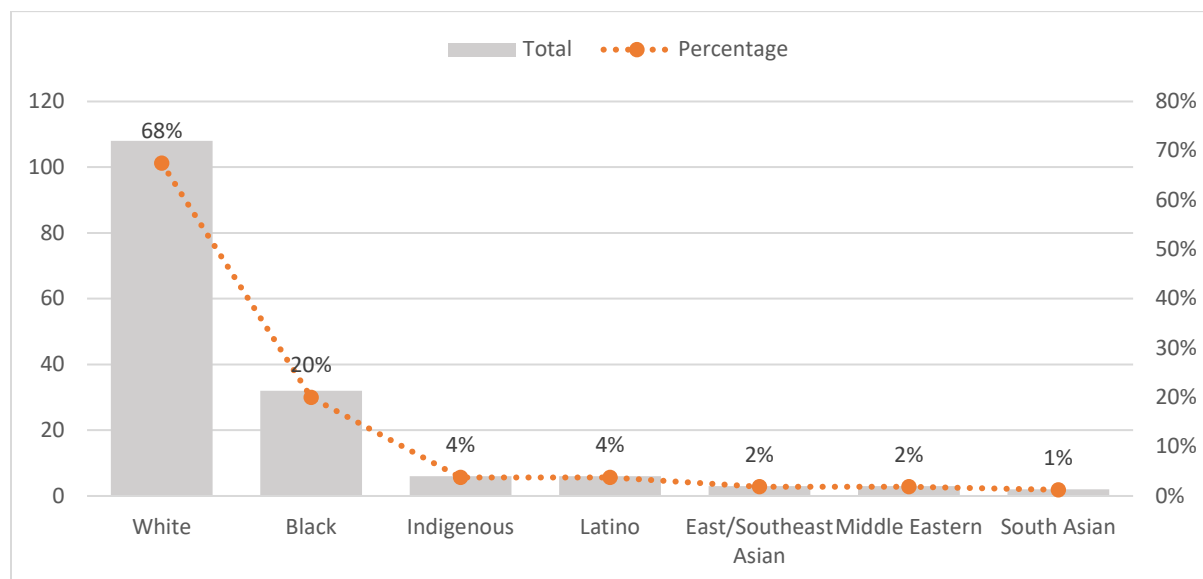
Beginning in 2020, the Anti-Racism Act, 2017 (ARA) required police services to report race-based data collected during interactions between the public and the police, which resulted in a use of force report submission. The purpose for collecting race-based data, as stated by the ARA, is to eliminate systemic racism and advance racial equity.

The Ministry of the Solicitor General (Ministry) implemented a use of force report form that identified seven race-based categories and required officers to select which of the seven racial categories best describes the individual. The following were identified by the Ministry as the race categories: Black, East/Southeast Asian, Indigenous, Latino, Middle Eastern, South Asian, and White.

This question is mandatory, and reporting officers can only select one of the race categories provided. If a person is perceived to be of mixed race the officer must choose the category that, in their view, the person most resembles. Inaccuracies in the collection of race-based data may exist as the subject may not self-identify and an

officer's perception is subjective. This may contribute to an over-representation or under-representation of racial groups in use of force reporting.

Figure 8. Perceived Subject's Race



The analysis of 2024 race-based data shows that subjects who were perceived as White were involved in the largest proportion of use of force incidents at 68%, followed by subjects perceived as Black (20%), Indigenous (4%), Latino (4%), East/ South Asian (2%), Middle Eastern (2%), and South Asian (1%). Subject perceived race data is aggregated by race category and does not take into account the individual circumstances of each interaction. On further review of use of force reports, there were many single interactions in which officers encountered multiple subjects perceived to belong to varied and distinct race categories.

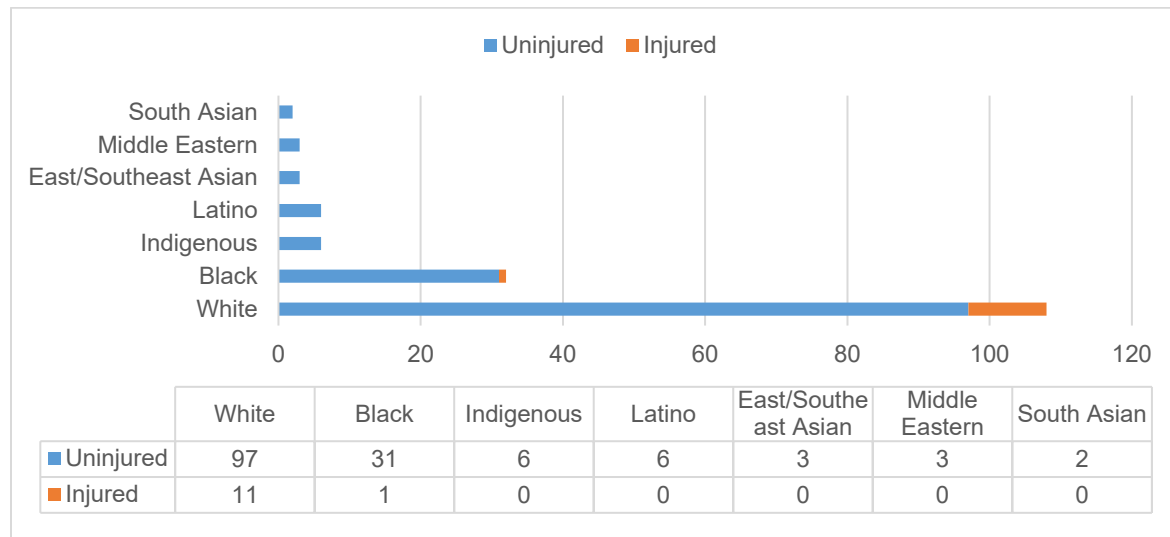
In 2024, officers interacted with 160 subjects requiring the submission of use of force reports. Figure 8 illustrates the perceived race of these subjects. Of those 160 subjects, 102 were perceived to have access to weapons. The reason for including this statistic in the analysis of perceived subject race is that while the Service has undertaken other work to better understand disparities present in the interactions with racialized individuals, use of force reporting is an important marker to help better inform this understanding.

In most of the use of force reports, officers indicate that protecting the public, other officers or self-protection was the main reason influencing officer response, which lead to a report submission. The main consideration at the start of every interaction involving weapons is public safety and officer safety, and the vast majority of use of force encounters are de-escalated by officers exercising tactics that limit the application of physical force.

Subject Injuries

In 2024, officers interacted with 160 subjects during use of force encounters, of those 160 subjects, 12 (7.5%) were physically injured during the interactions. Figure 9 illustrates subject injuries by perceived subject race. In 2024, a total of 8 officers resulted injured during these Use of Force incidents.

Figure 9. Injuries by Perceived Subject Race



Conclusion: Use of Force Trends and Service Response

The 2024 data indicates a total of 148 use of force reports, from 131 incidents. That is a 3.5% increase in use of force reports compared to the previous year. However, when considered in the context of the complexity of all police interactions, use of force incidents remains exceptionally low, at just 0.102%, or approximately 1.05 incidents per 1,000 public interactions. This suggests that officers apply force only when absolutely necessary, in compliance with general orders, professional standards, and applicable legislation to ensure adequate and effective policing and public safety.

Given the dynamic nature of policing and the imperative to protect both the public and officers, the use of force remains an unavoidable aspect of public safety in certain situations. As an example, in 2024, according to use of force report data, subjects were believed to have had access to 102 weapons. This underscores the growing complexity of the challenges officers face and highlights the need for enhanced training, tactical adaptations, and strategic responses to firearm-related threats.

The Service remains committed to closely monitoring use of force incidents and collaborating with subject matter experts to enhance officer training. Efforts continue to focus on de-escalation strategies, critical decision-making skills, and improved responses to individuals in crisis.

In summary, a thorough review of use of force reports confirms that officers applied force in a proportionate and reasonable manner, regardless of perceived race, and strictly in accordance with situational demands. Training initiatives continue to emphasize subject behaviour assessment and responsible force application, reinforcing the importance of ongoing investments in training, technology and equipment, modern facilities, and officer safety measures. These investments are essential to ensure compliance with the Community Safety and Policing Act, and to ensure frontline officers can provide effective and professional policing services while maintaining community trust and public safety.