

HAMILTON POLICE SERVICES BOARD

- INFORMATION -

DATE: July 23, 2020
REPORT TO: Chair and Members
Hamilton Police Services Board
FROM: Eric Girt
Chief of Police
SUBJECT: *Year End Report: Use of Force 2019*
PSB 20-043

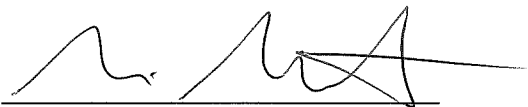
BACKGROUND:

Attached you will find the annual Use of Force Report for 2019. This report is completed to capture information forwarded to the Service Armourer/Use of Force Training Sergeant by members who have completed a Use of Force Report.

As per the *Police Services Act* Regulation 926 Sec. 14.5(1) Reports on Use of Force: A member shall submit a report to the Chief of Police or Commissioner whenever the member,

- (a) draws a handgun in the presence of a member of the public, excluding a member of the police force while on duty, or points a firearm, or discharges a firearm;
- (b) uses a weapon other than a firearm on another person; or
- (c) uses physical force on another person that results in an injury requiring medical attention.

P&P 1.02 *Use of Force* addresses the member requirements for submitting Use of Force Reports at the Hamilton Police Service.



Eric Girt
Chief of Police

EG/N. Goodes-Ritchie
Attachment: *2019 Use of Force Statistical Report*

cc: Ryan Diodati, Deputy Chief, Support



2019 UOF Statistical Report

Prepared by Sergeants Andrew
Poustie and Gino Ciarmoli

A statistical summary of reported Use of Force Incidents by the
Hamilton Police Service

Hamilton Police Service

Training Branch

Use of Force Section

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2019 Use of Force Statistical Report

Introduction

This report will provide a statistical summary of reports of Use of Force incidents that occurred in 2019; where a particular Use of Force option was utilized by a member of the Hamilton Police Service. The report will also compare the number of 2019 Use of Force incidents with the number of incidents from the years 2010 to 2019. The report will also compare the total number of force options used in 2019 to the total force options used in the years 2010-2019. In addition, this report will focus on Use of Force incidents by Service Branch (i.e. Patrol, Support or other) and by officer's years of service as well breaking down 2019 incidents into the following categories: incidents per month, incidents per day of the week and incidents per time of day. The source material for the data is Use of Force reports and/or Hamilton Police Service Conducted Energy Weapon (CEW) reports submitted by the involved officer(s). All data prior to 2005 was provided by the Professional Standards Branch.

As per the Ontario Police Services Act Regulation 926 Sec. 14.5(1) Reports on Use of Force and Hamilton Police Service Policy and Procedure 1.02, Use of Force Reporting, Hamilton Police Service members shall complete and submit Hamilton Police Service Use of Force Reports to the Chief of Police, through their Command Officer, prior to the completion of their shift, as follows:

Parts A and B of the Use of Force Report are required whenever the Member:

- a. Draws a handgun in the presence of a member of the public, excluding a Member of the Police Service while on duty, points a firearm at a person, or discharges a firearm other than on a Police Range; in the course of a training exercise, target practice or ordinary firearm maintenance, in accordance with Service Policies and Procedures;
- b. Uses a weapon other than a firearm on another person, with the exception of a weapon other than a firearm used on another Member of a Police Service in the course of a training exercise in accordance with Service Policies and Procedures;
- c. Uses physical force on another person that results in an injury requiring medical attention, with the exception of physical force used on another Member of a Police Service in the course of a training exercise in accordance with Service Policies and Procedures; or
- d. Handles a Police Service Dog where the dog bites a suspect or any member of the public as the result of the involvement of the Canine Branch.
- e. While operational as a Mounted Unit Officer, uses the equine to apply force to a member of the public that results in an injury requiring medical attention.



Parts A, B of the Use of Force Report and parts C, D of the CEW report are required whenever the Member deploys a Conducted Energy Weapon (CEW) in the cartridge deployment mode.

Parts C and D were required whenever the Member draws, points or displays a Conducted Energy Weapon in the presence of a member of the public, excluding a Member of the Police Service while on duty, other than on a Police Range; in the course of a training exercise or ordinary CEW maintenance in accordance with Service Policies and Procedures. On January 1st, 2020, the Solicitor General's Office introduced a new UOF Ministry report, which will now collect race related data.

This report only summarizes those incidents in which a Use of Force Report was submitted and does not totally reflect all instances in which a Use of Force option was used upon a member of the public. For example, handcuffing a person is considered a Use of Force application; however, if no injury is incurred a Use of Force report is not required.

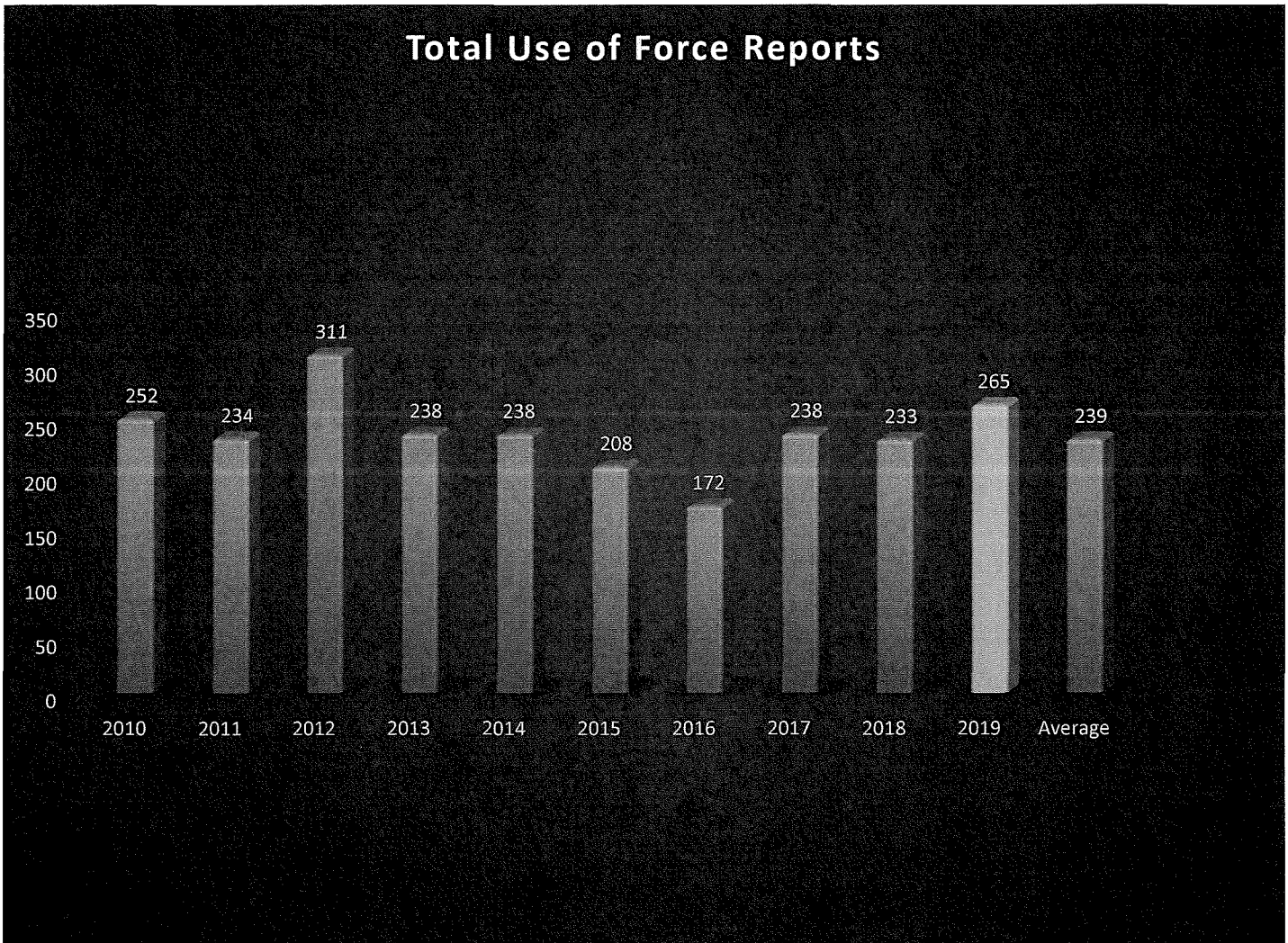
The Use of Force options that are tracked by Use of Force reports are:

- Firearm Discharged
- Firearm Pointed
- Handgun Drawn
- Aerosol Weapon (Oleo capsicum (OC) spray or foam)
- Impact Weapon Hard (ASP Baton)
- Impact Weapon Soft (ASP Baton)
- Empty Hands Hard
- Empty Hands Soft
- Other (K9 bites, Mounted Patrol Unit, weapons of opportunity)
- Conducted Energy Weapon (CEW) in the cartridge deployed mode.



Statistical Summary of Use of Force Incidents

During the ten year period from 2010– 2019 the average number of incidents reported was 239 incidents per year, with a low of 172 incidents in 2016 and a high of 311 incidents in 2012. The total number of Use of Force incidents in 2019 (265), is higher than the 10 year average of 239 incidents per year.



In 2019 our officers reported 265 Use of Force incidents. There were 59 incidents where more than one Use of Force option was used. This number decreased from 83 incidents in 2018. For example, an officer(s) may use more than one option to resolve an encounter, such as initially attempting empty hands soft and then deploying an aerosol weapon. Of note, there were an additional 105 CEW display mode reports. These reports do not factor into the statistics captured on the standardized Use of Force report submitted to the Ministry of the Solicitor General for statistical purposes.



Total Use of Force Options

	Firearm Discharge	Firearm Pointed	Handgun Drawn	Aerosol Weapon	Impact Hard	Impact Soft	Empty Hands Hard	Empty Hands Soft	K9 Bite / Misc	CEW	Total Incidents
2010	42	112	17	28	5	2	22	26	3	45	252
2011	43	110	13	21	6	1	19	31	4	22	234
2012	46	145	52	22	7	2	35	39	5	49	311
2013	62	99	22	13	7	4	32	21	0	41	238
2014	47	100	23	14	3	1	15	18	2	64	238
2015	30	145	59	9	4	0	13	12	0	47	208
2016	18	98	40	7	1	1	26	25	4	38	172
2017	24	125	19	3	3	0	22	44	1	58	238
2018	28	125	39	2	3	1	23	36	2	57	233
2019	28	128	29	2	4	1	16	23	1	61	265
Avg	37	119	31	12	4	1	22	27	2.2	48	239

****NOTE**** Adding the cells from any given year will not result in the sum calculated in the “Total Incidents” cell. This is due to the fact that some incidents involve multiple options therefore producing a number of a lower value when totalled.

2018 vs 2019 Options Used / Total Incidents

	2018	2019	Percentage increase or decrease
Firearm Discharge	28	28	0
Firearm Pointed	125	128	2
Handgun Drawn	39	29	-26
Aerosol Weapon	2	2	0
Impact Hard	3	4	33
Impact Soft	1	1	0
Empty Hand Hard	23	16	-30
Empty Hand Soft	36	23	-36
K9 Bite/Other	2	1	-50
Conducted Energy Weapon (both modes)	164	166	1
Total Options	423	398	-6



Firearm Discharged

The discharging of a service pistol, shotgun, or one of the tactical firearms is a very serious but not uncommon occurrence. Officers are taught as per the Ontario Use of Force Model and Police Services Act Regulation 926, Sections 9 and 10: “that they shall not draw a handgun, point a firearm or discharge a firearm unless he or she believes, on reasonable grounds, that to do so is necessary to protect against loss of life or serious bodily harm,” or “to call for assistance in a critical situation, if there is no reasonable alternative; or to destroy an animal that is potentially dangerous or is so badly injured that humanity dictates that its suffering be ended.”

There were 28 incidents in 2019 where Hamilton officers discharged a firearm. This is a 0% increase compared to the 28 incidents in 2018. The ten year average for discharge firearms is 37 incidents per year. The most common use of service firearms is to euthanize injured animals. In 2019, 27 firearm discharge incidents were for this purpose and there was one accidental discharge of a carbine. For tracking purposes each firearm was counted as a statistic. Pistols were used 2 times, shotguns were used 15 times and carbines were used 10 times for euthanizing injured animals in 2019.

Firearm Pointed

Again, officers are taught as per the Ontario Use of Force Model and Police Services Act Regulation 926, Section 9; “that they shall not draw a handgun, point a firearm or discharge a firearm unless he or she believes, on reasonable grounds, that to do so is necessary to protect against loss of life or serious bodily harm.” The types of incidents where a service pistol is removed from its holster (or rifle, shotgun, etc.) and pointed at a member of the public, range from officers making high risk arrests where weapons are believed to be involved, to the Emergency Response Unit (ERU) making dynamic entries; i.e.: barricaded individuals, warrant execution involving weapons, etc.

The ten year average for Firearm Pointed is 119 incidents per year. In 2019 there were 128 firearm pointed incidents. In 2018 there were 125 incidents showing a 2% increase.

Handgun Drawn

The drawing of a member’s handgun from its holster is different than the pointing of a firearm, in that as per Regulation 926 s. 14.5(1)(a) a Use of Force Report is only submitted when a handgun is drawn in the presence of a member of the public. Again, officers are taught they can only draw their handgun if “he or she believes, on reasonable grounds, that to do so is necessary to protect against loss of life or serious bodily harm.” The numbers reflected in this category are much lower than the pointing of a firearm. This can be attributed to the fact that an Officer will respond to a serious call that warrants the pistol being drawn, but at the time of deployment is not directly pointed at a member of the public; i.e.: pistols are drawn prior to a dynamic entry or building search and this is witnessed by members of the public; therefore, a Use of Force report is required to be submitted. There were 29 incidents in 2019 where an officer drew their handgun in front of a member of the public. This is below the ten year average of 31 incidents per year and a 26% decrease from 2018’s 39 incidents.



Aerosol Weapon (Oleo Capsicum – (O/C)

O/C is classified as an “intermediate weapon” and a subject/threat must exhibit at minimum, “actively resistant”¹ behaviour before its use can be considered. There were 2 O/C incidents in 2019 which is below the ten year average of 12 incidents per year and a 0% change from 2018’s 2 incidents.

The use of O/C significantly decreased with the introduction of the CEW in 2005. In 2004, O/C was deployed 68 times but its’ use plummeted to 39 incidents in 2005 when CEWs were introduced. It was anticipated that O/C use would continue to decline or plateau as CEW use became more widespread; and overall, O/C use has generally declined since 2005.

Empty Hands Hard

The use of empty hands “hard” refers to the striking of a generally assaultive person. This would include punches, kicks, elbow strikes, knee strikes and grounding techniques. As per Reg. 926 s.14(c) an officer is only required to submit a report for Empty Hands Hard if they “use physical force on another person that results in an injury requiring medical attention.” However, an officer is also required to submit a report if they use another force option that requires a report in conjunction with Empty Hands Hard even though medical attention was not required; i.e.: Empty Hands Hard in conjunction with O/C.

There were 16 reported incidents in 2019 of Empty Hands Hard. This is below the ten year average of 22 incidents per year and a decrease of 30% when compared to 2018’s 23 incidents.

Empty Hands Soft

The use of empty hands “soft” refers to the application of joint locks, some grounding techniques and/or pressure points to a person. Again, as per Reg. 926 s.14(c) an officer is only required to submit a report for Empty Hands Soft if they “use physical force on another person that results in an injury requiring medical attention.”; or if they use this option in conjunction with another option that requires mandatory reporting i.e.: Empty Hands Soft in conjunction with OC or CEW. In 2019 there were 23 reported incidents of Empty Hands Soft. This is below the ten year average of 27 incidents per year and a decrease of 36% compared to 2018’s 36 incidents.

Impact Weapon Soft

Impact weapons “soft” refers to using the ASP Baton as a point of leverage while depressing a pressure point on a subject. This option would generally be applied to suspects displaying passive resistant to active resistant behaviour and historically this option is very rarely utilized. There was 1 reported incident of Impact Weapon Soft in 2019, a 0% increase from 2018’s 1 incident and on par with the ten year average of 1 incident per year.

¹ The subject uses non-assaultive physical action to resist, or while resisting an officer’s lawful direction.



Impact Weapon Hard

Impact weapons “hard” refers to using the ASP Baton to strike an “assaultive” subject. The ASP Baton was used 4 times in 2019 to strike a subject displaying assaultive behaviour, which is equal with the ten year average of 4 incidents per year and a 33% increase from the 3 incidents in 2018.

Conducted Energy Weapon (CEW)

Conducted Energy Weapons, also known as TASERs, were authorized for limited police use in Ontario in late 2004. Their use was originally limited to Tactical Teams, Containment Teams and Front Line Patrol Supervisors and designates when acting in a supervisory capacity. The definition of Front Line Supervisor was expanded in 2007 to 2009 to include Crime Managers, Vice and Drug Officers, Gangs and Weapons Enforcement Officers, Break, Enter, Auto Theft and Robbery Unit (B.E.A.R.) Officers, Fugitive Apprehension Unit Officers, Mounted Patrol Unit and Addressing Crime Trends in Our Neighbourhoods (A.C.T.I.O.N) Supervisors.

In August 2013 the then Ministry of Community Safety and Correctional Services (now Solicitor General) announced that they would be moving forward to eliminate restrictions on which police officers would be authorized to carry a CEW. The Hamilton Police Service implemented a training plan in September 2013 in which all active officers would be trained in the use of a CEW. In November 2013 the Ministry announced that each Police Chief in partnership with their Police Service’s Board could designate which classes of officers within their organization would be authorized to carry a CEW effective August 11, 2014, and any Hamilton officer trained to carry a CEW would be authorized to do so. The Hamilton Police Service currently has over 700 qualified CEW officers.

In 2005 a Hamilton Police Service TASER Report was implemented to track CEW use and deployment mode(s) that were not being captured by the Ministry’s Use of Force report. Officers are only required to submit a Ministry Use of Force report with respect to CEW use when a cartridge is fired at a subject or when directly applied in the contact mode. However, the TASER report captures the following deployment modes: a) CEW used in the “cartridge deployed” mode where a cartridge is fired at a subject; b) CEW used in the “contact” mode where the CEW is applied directly to a subject otherwise referred to as “touch tase, drive stun or push stun” and c) Force Presence/Display mode; in any instance in which the CEW is removed/drawn from its holster in front of a member of the public; or where the CEW’s laser sight is applied to a subject; or when the CEW is “spark tested” in front of a subject in the effort to gain subject cooperation without having to actually apply the CEW. The use of the HPS TASER Report was discontinued in early 2006; but was re-designed and re-implemented in November, 2007. The report was further re-designed and is now Parts C and D of the H.P.S. Use of Force Report. The new Ministry Use of Force form implemented in January 2020 now captures all CEW information whether it was a probe deployment or display mode usage. This now makes parts C & D obsolete.

As per the Ontario Use of Force Model, the CEW is an “intermediate weapon” which police can consider to use when a subject exhibits “actively resistant” behaviour. However, in June 2009 the Hamilton Police Service changed its CEW policy to; a subject must exhibit at minimum “assaultive and/or serious bodily harm or death

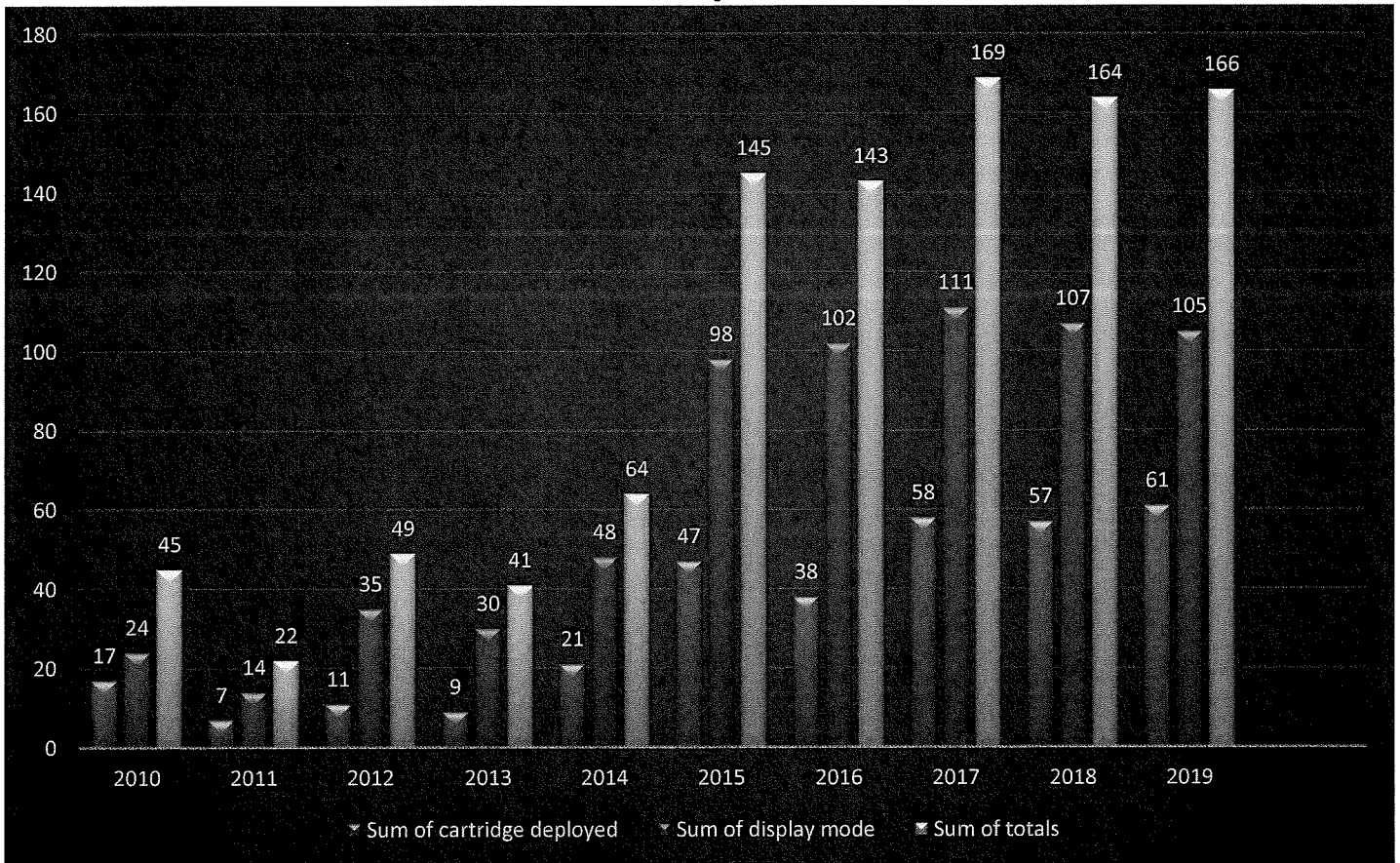


behaviours to themselves or another person” and/or imminent need to take control of a person before CEW use can be considered. This is a reflection of current national and provincial best practices.

CEW Use

The CEW was used 166 times in 2019; an increase of 1% from the 164 incidents in 2018. There were a total of 265 Use of Force incidents reported in 2019. In 61 incidents the CEW was used in deployment mode meaning probes were fired from the cartridge. In 105 incidents the CEW was used in display mode meaning it was a show of force / de-escalation tool and no probes were fired from the cartridge. As per the below chart, since 2010, the majority of CEW use is in the display mode.

CEW by Use



NOTE * 2015 represents the first year that Drive Stun has been discouraged in training as it cannot achieve neuromuscular incapacitation. As a result, the Drive Stun statistics from the previous years were not included as to give a proper comparison. When adding the totals (Deployment + Display) a lower number is explained by those missing Drive Stun incidents. A higher number is explained by multiple modes used in a single incident.



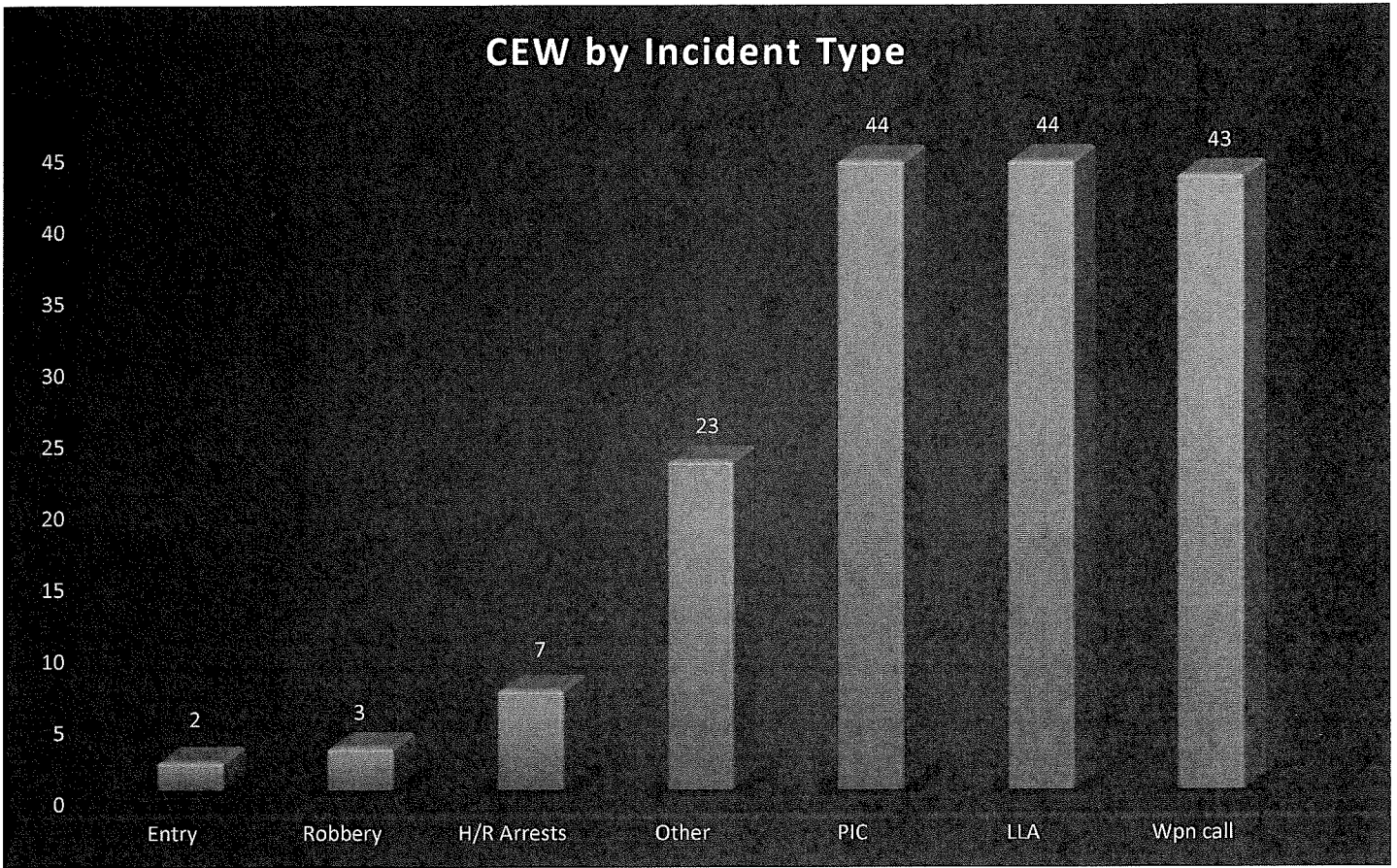
CEW by Incident Type

The CEW was deployed to apprehend/control persons in crisis (44 incidents) down 12% from 50 incidents in 2018. High Risk Arrests where an individual was armed or thought to be armed with a weapon (7 incidents) a 45% decrease from the 13 incidents in 2018. Disturbances usually involving Liquor License Act violations, Other Incidents which are general arrests involving assaultive suspects and Dynamic Entry.

In 58 of the 2019 CEW incidents the subjects were displaying or had immediate access to a weapon. 41 involved a knife of some type, 3 involved a firearm or replica and 14 involved an 'other' implement; namely,

- Hatchet
- Sword
- Hammer
- 2 x 4
- Boulder
- Baseball bat
- CEW
- Pool cue
- Vehicles



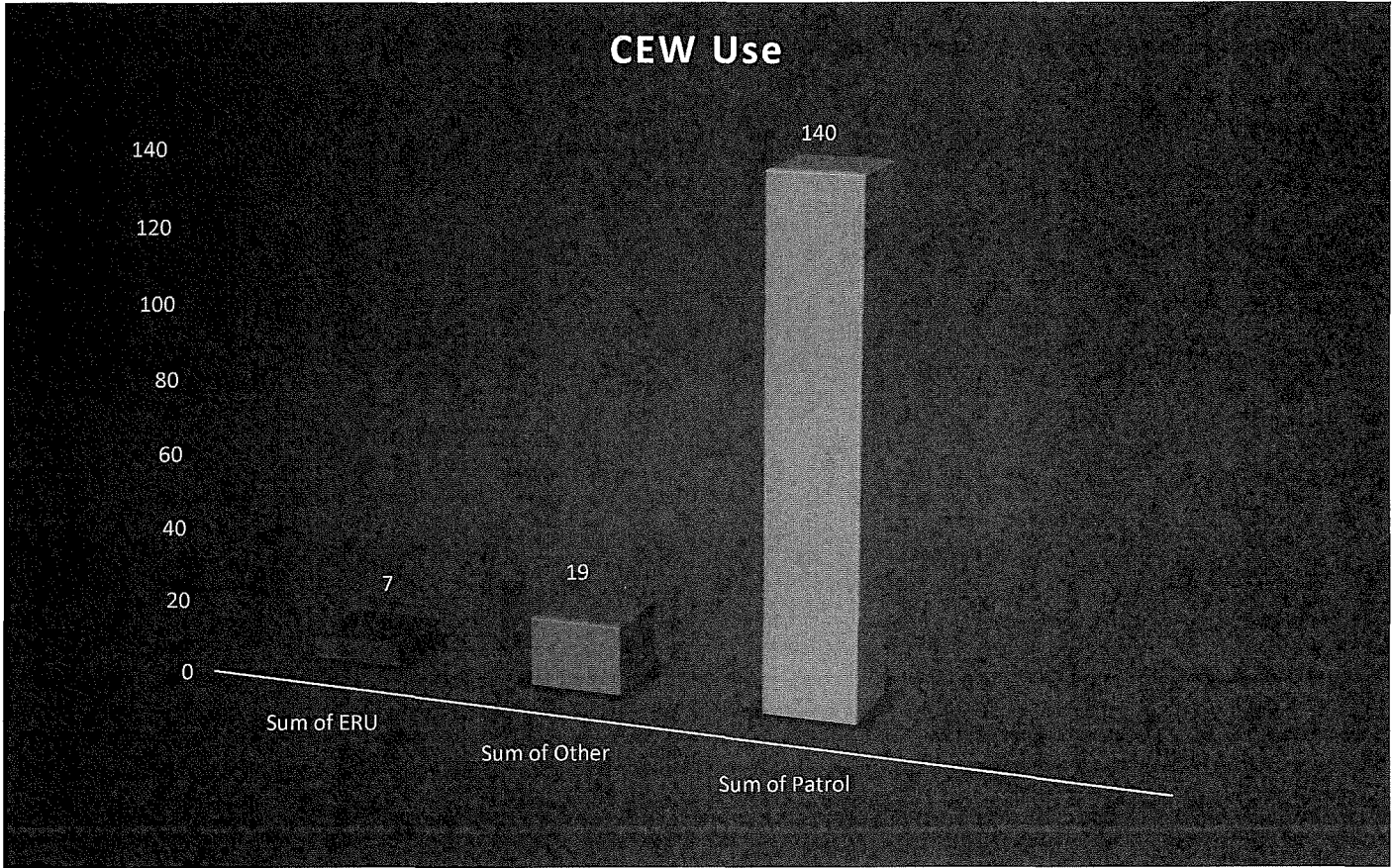


CEW Use by Service Branch

With respect to Use of Force by Branch, the Service is divided for statistical purposes into five groups or Branches; **1.** Uniform Patrol **2.** Emergency Response Unit (ERU) **3.** Other (Vice and Drugs, Intelligence, BEAR, HEAT, A.C.T.I.O.N., etc.) **4.** Courts/Custody **5.** Paid Duties. CEW use in 2019 by Branch is as follows; Emergency Response Unit - 7 incidents, Other - 19 incidents and all other incidents were identified as General Patrol - 140 incidents. In 3 incidents the CEW was used in both display and deployment modes.

CEW use remained consistent in 2019 when compared to 2018 and was predominantly deployed in the Force Presence/Display Mode. The increase of the CEW in the Force Presence/Display in recent years would suggest that the presence of a CEW at an incident appears to act as a general deterrent and de-escalation tool.

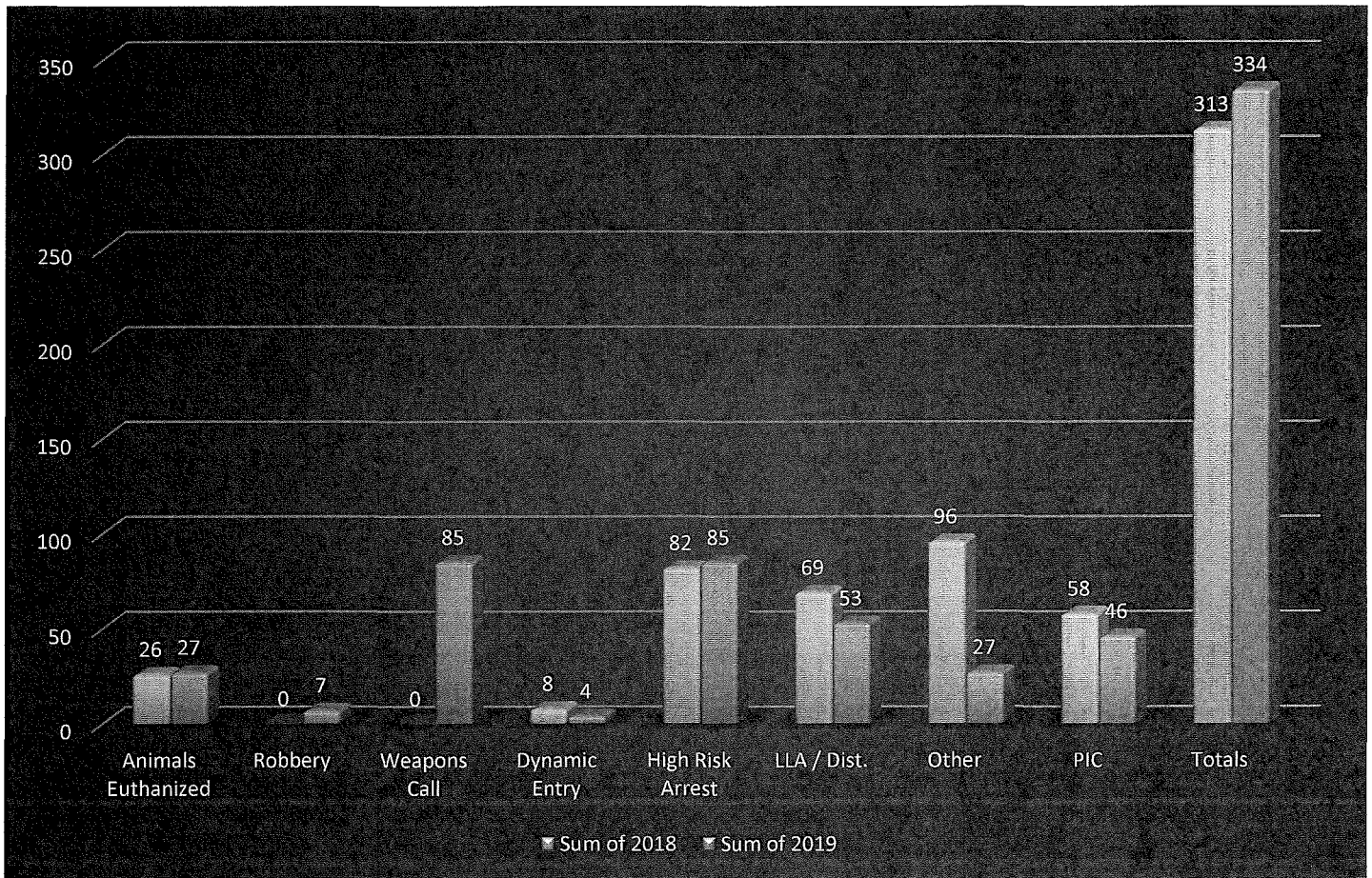




Use of Force by Incident Type

Use of Force incidents were grouped into the following categories: 1. High Risk Arrests where a subject was/believed to be armed with a weapon, 2. Persons In Crisis (PIC), 3. Liquor Licence Act/Disturbances, 4. Dynamic Entry Warrant Execution generally upon a premise, 5. Other; which includes subjects who were assaultive, as well as Court and Custody incidents and 6. Animals euthanized. Prior to CEW frontline deployment, the 5 year period from 2010-2014 showed police use of force rates at specific incident types remained fairly consistent.



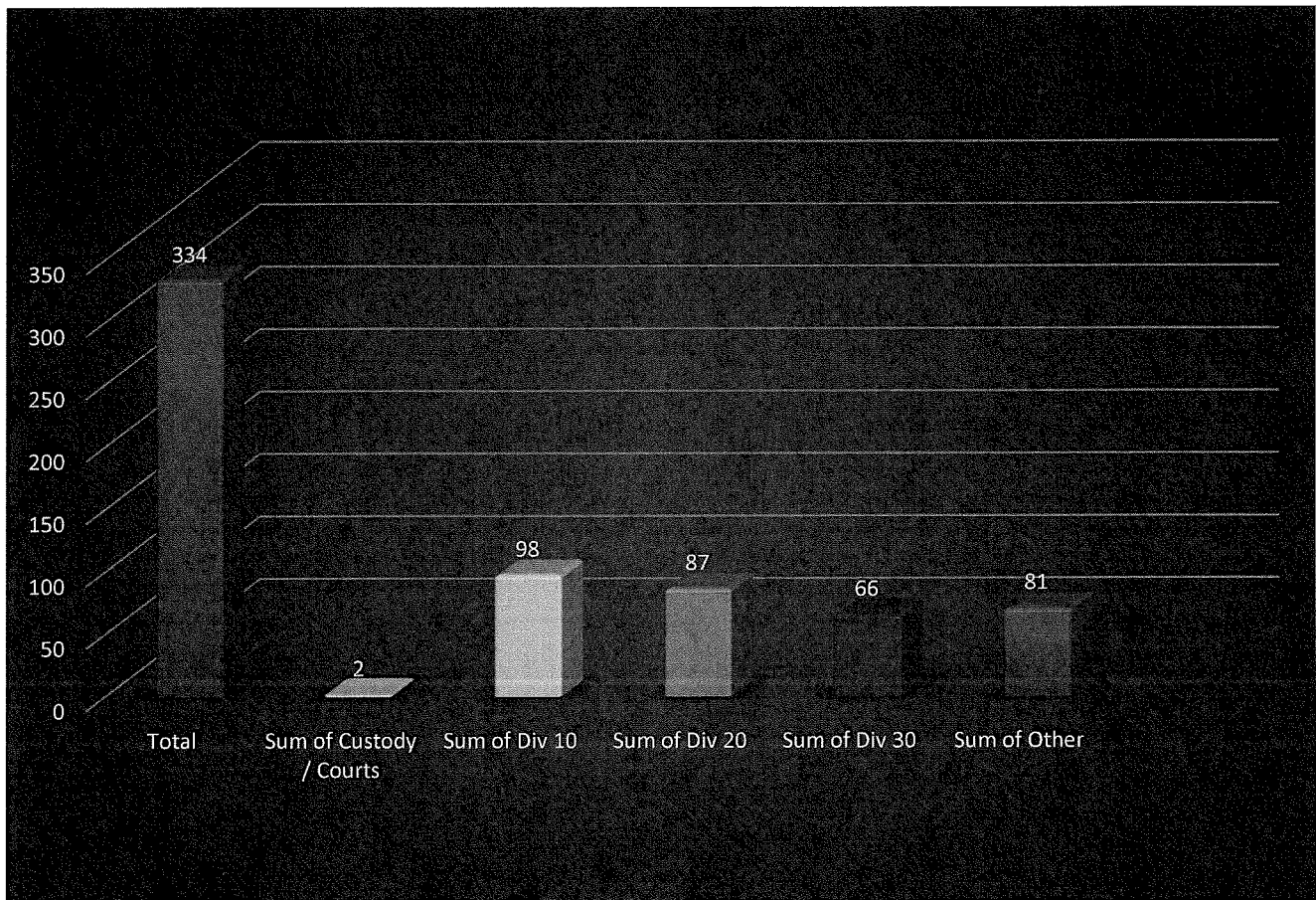


NOTE * this chart distinguishes between **incidents** and **Use of Force incidents**. 334 represents the total number of incidents reported by Hamilton Police. 265 represents the total from that 334 that are Ministry identified Use of Force incidents. Therefore, 105 incidents were CEW display mode, of which 35 of those transitioned to a Use of Force incident which would require a Use of Force report. This means of the 105 CEW incidents, 70 were strictly Display mode only and are not required to be reported to the Ministry and therefore are not included in the 265 reported Use of Force reports.

Use of Force by Branch

As previously mentioned the Service is divided for statistical purposes into five groups or Branches; **1.** Uniform Patrol, **2.** Emergency Response Unit (ERU), **3.** Other (Vice and Drugs, Intelligence, BEAR, HEAT, etc.), **4.** Courts/Custody, **5.** Paid Duties. Although there were 265 reported Use of Force incidents in 2019, in some incidents more than one Branch responded and used force; i.e.: Patrol plus B.E.A.R., Patrol plus E.R.U., etc. Note, CEW reported data as well as Use of Force reported data has been included in the following chart. Uniform Patrol Officers accounted for 251 (75%) of reported incidents. ERU / specialized "Other" Units accounted for 83 (25%). ERU incidents are primarily dynamic entries, including 2 incidents reported by Custody/Courts and no incidents reported by Paid Duty.





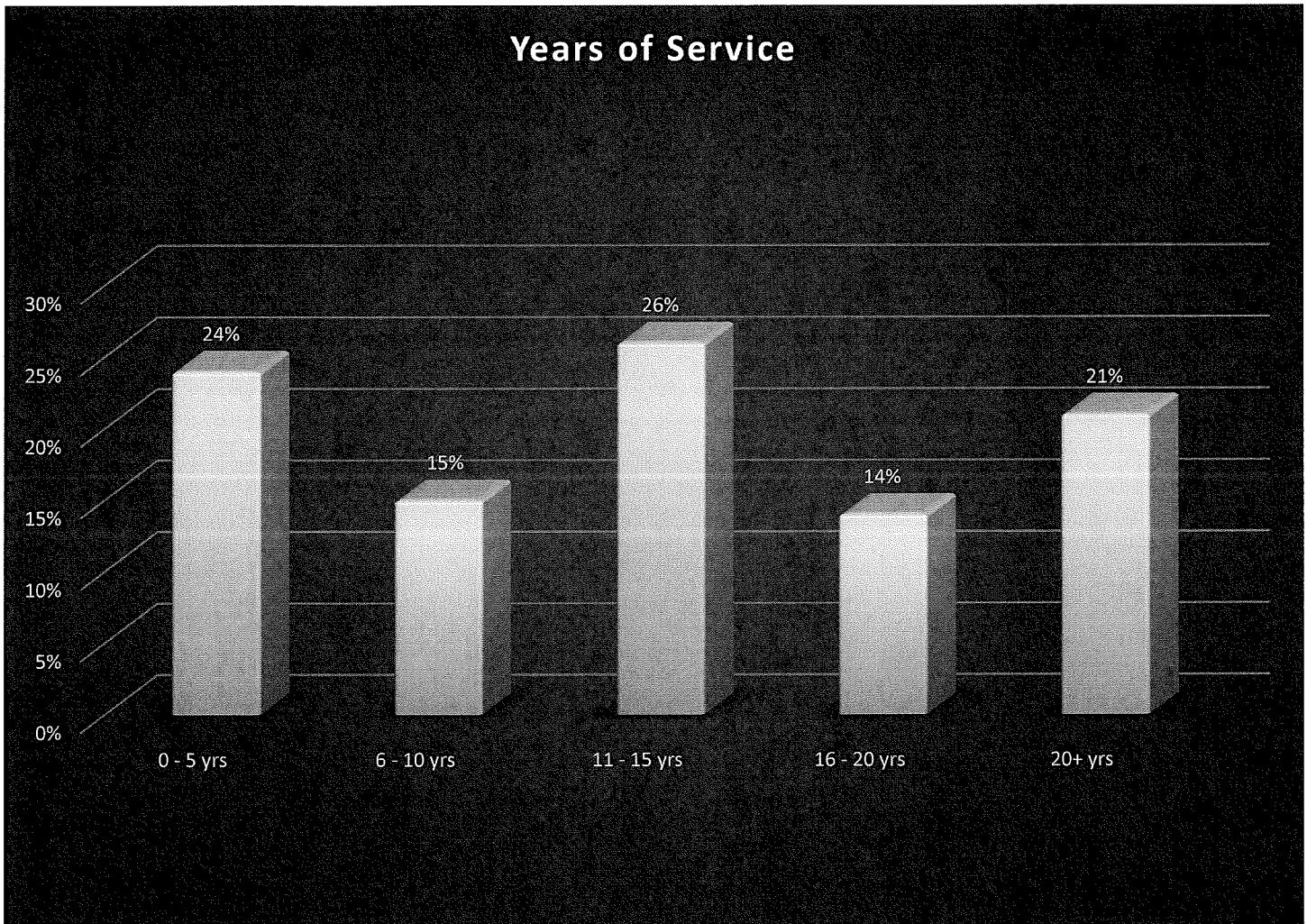
Use of Force by Years of Service

The Use of Force report has a Length of Service section to be completed by the submitting officer. In certain circumstances this section is not completed. The most common reason for this area not being completed is when the Emergency Response Unit files a "team" report and the Years of Service area is not completed and/or a CEW is used in the display mode only. Currently as per HPS Policy and Procedure 1.02, only parts C and D of the Use of Force Report must be completed if the CEW is used in the display mode only and these sections don't have a Years of Service area.



A risk reduction strategy has been developed in relation to the Use of Force Reporting Policy (1.02) revised in 2012. If a Use of Force report is required as a result of the actions of several officers in a common incident, each officer shall submit their own Use of Force report. The ERU shall be the only unit permitted to submit a 'team' report.

For statistical purposes officers were grouped into the following Years of Service categories: 0-5 years, 6-10 years, 11-15 years, 16-20 years, >20 years.



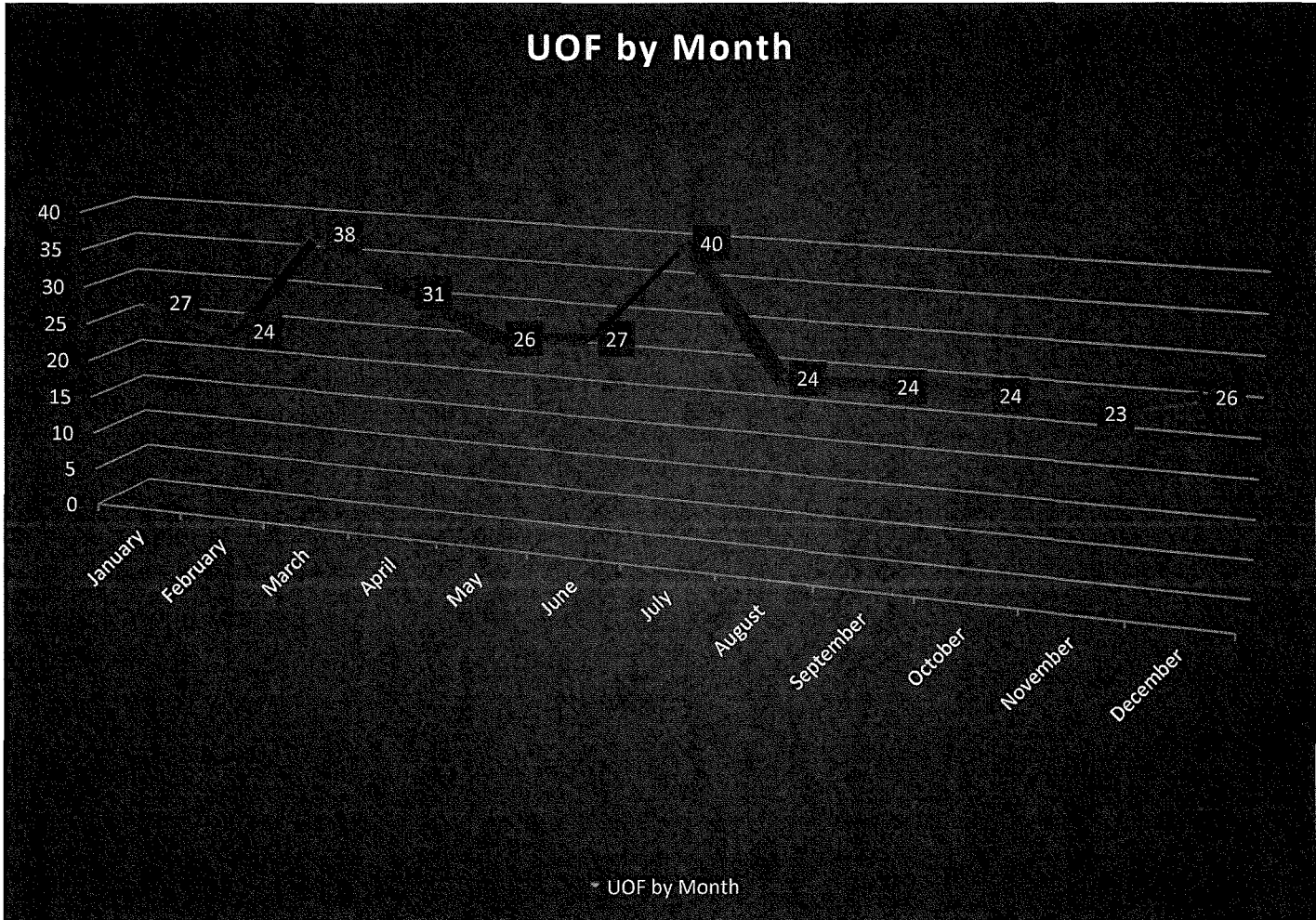
As per the Incidents by Branch and Incidents by Years of Service charts, Uniform Patrol is involved in the majority of 2018's Use of Force Incidents as would be expected. The 0-10 Years of Service group accounts for approximately 39% of the officers who completed the years of service section. This is easily explained as approximately 37%* of officers assigned to Uniform Patrol have less than 10 years of service so their involvement in Use of Force incidents is proportional to their numbers.

*Uniform Patrol and Years of Service data supplied by Human Resources.

Use of Force by Incidents per Month



There were 334 reported incidents in 2019 for an average 27.8 incidents per month; with a high of 40 incidents in July and a low of 23 in November. The number of Use of Force incidents appears to rise slightly during the first part of the year, with a steady decline before reaching its highest point in July followed by a plateauing for the remainder of the year including the lowest point in November.

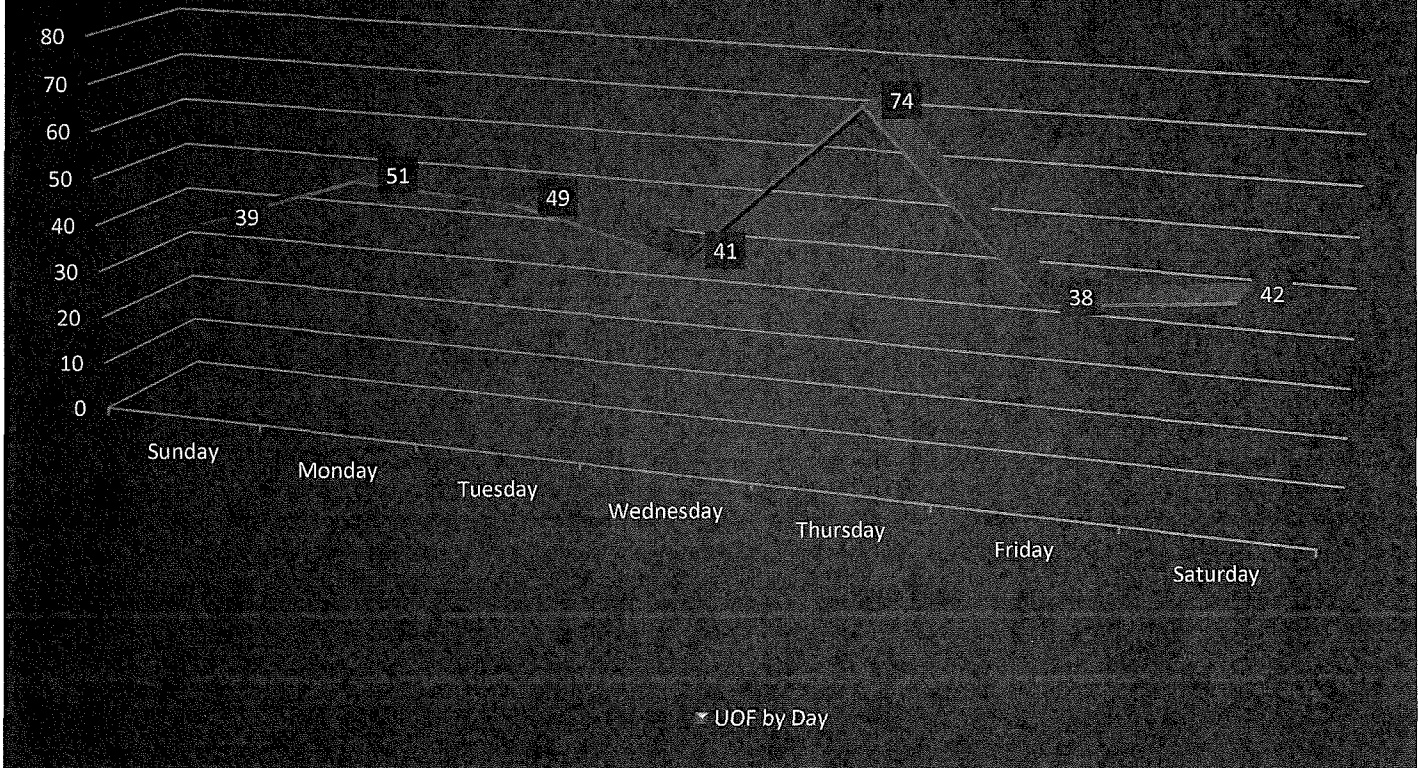


Use of Force Incidents per Day of the Week

This is the eleventh year that Use of Force incidents have been tracked by number of incidents per day of the week. In 2019, the day with the highest number of Use of Force incidents was Thursday with 74 incidents and the lowest was Friday with 38 incidents. When 2019 data is compared to the recent average (2008-2018) it is clear that the incident rate goes slightly down on Mondays, begins to rise and peaks during the mid-week, and then lowers once again over the weekend. There is no obvious explanation for this pattern.



Incidents by Day of the Week



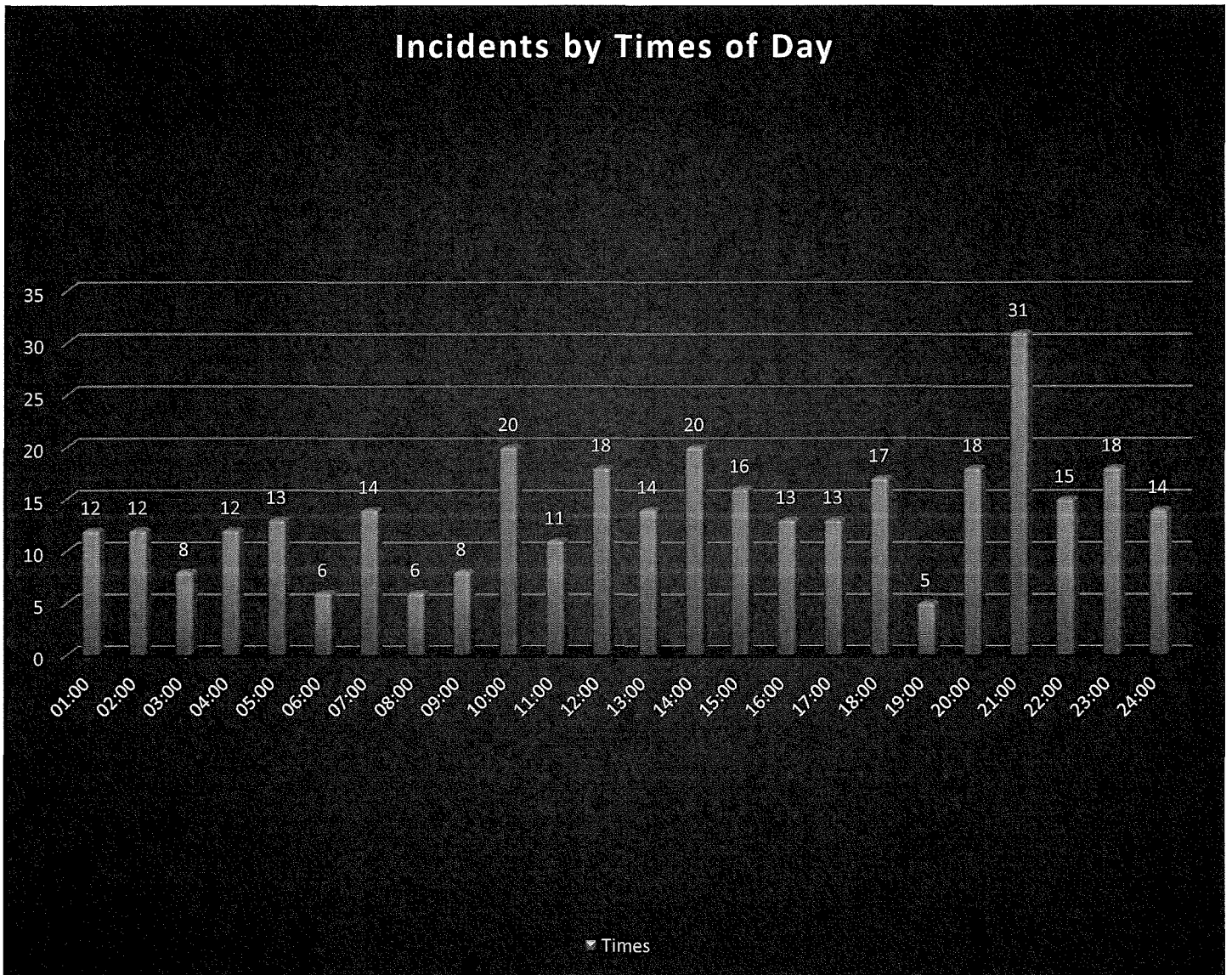
Use of Force Incidents by Time of Day

This is the eleventh year that Use of Force incidents have been tracked by the time in which they occur. Historically the time was separated into 6 time periods: 0801–1200, 1201-1600, 1601-2000, 2001-2400, 0001-0400 and 0401-0800. In 2015 each hour was tracked.

A review of the 10 year average data (2010 -2019) indicates that the bulk of Use of Force incidents occur in the twelve hour period between 1600 to 0400 hours. The least number of incidents occur in the eight hour period between 0401 to 1200 hrs. The number of incidents begins to rise steadily beginning at noon hour and peaks



between 2001 and 0400 hrs. The below data from 2019 indicates the majority of incidents occurred between the hours of 1500 to 0100hrs. There was a steady decline between 0300 and 0800 hours. The hours between 0800 hours and 1500 hours remain relatively consistent.



Suspects/Police Officers Injured/Require Medical Attention

In 2019, there were 72 incidents in which a subject, a Police Officer, or both, were reportedly injured. 72 subjects injured required medical treatment of a varying nature. In the majority of incidents, the injuries to subjects were reportedly minor in nature.

The reasons/causes for either a subject or officers receiving an injury or requiring medical attention are as follows: Grounding (22), Mental Health Assessment (51), Self-Inflicted/Occurred prior to Police Arrival (8), CEW Probe Removal (35) and Other (1). The suspect can receive medical attention for several reasons; i.e.: MHA assessment, plus probe removal (20 incidents in 2019).

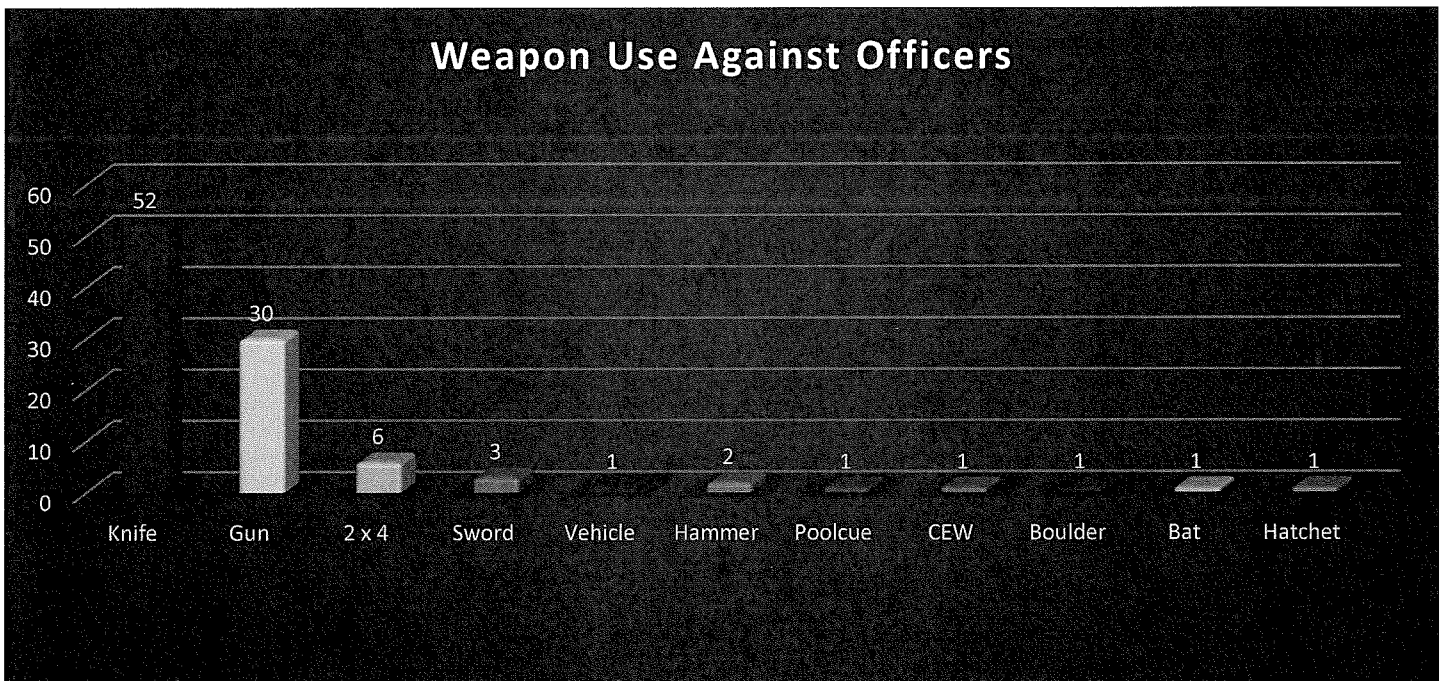


With respect to injuries by incident type, the majority of subjects were injured/required medical attention as the result of a Person in Crisis incident/call for service. In 51 of the PIC incidents the subject was taken to the hospital for a mandatory mental health assessment. These apprehensions account for 15% of all Use of Force encounters.

Use of Force Incidents and Suspect's Weapons

In 2019, there were 99 incidents reported where the suspect was actually carrying or had access to a weapon close-by. An edged weapon of some type was the most frequently reported involving 52 knife incidents. There were 30 incidents where a firearm/replica/toy gun was used (an 88% increase from 2018) and in 3 incidents a sword was identified as the weapon, along with other edged weapons. A hatchet, hammer and 2x4 timber were also identified weapons.

In 2018, there were a total of 106 incidents involving weapons. Knives were the dominant weapon (60) carried by subjects followed by firearm/replica/toy gun (16).



Use of Force in Relation to Public Contacts

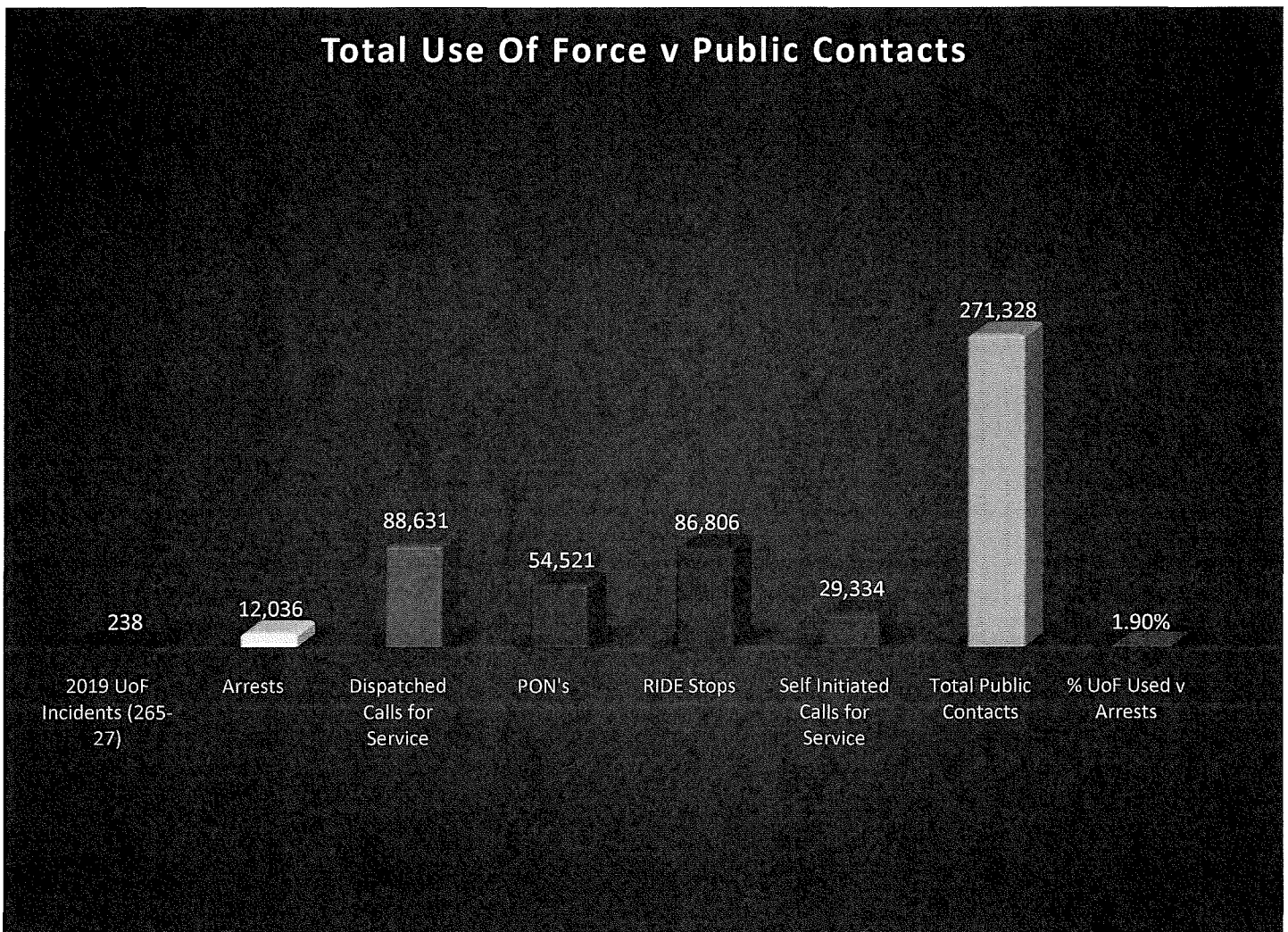
In 2019, members of the Hamilton Police Service were involved in 265 incidents where a Use of Force report was submitted. Included in that number are 27 animal euthanizations. This ultimately means that there were 238 incidents where a Use of Force report was submitted. Compared to the total number of contacts* the police had with the public, only 0.08% of contacts resulted in a Use of Force incident.

In comparison, Use of Force incidents vs. public contacts rose slightly in 2019 (**0.087%**) compared to 2018 (**0.07%**) and 2017 (**0.059%**).

*Public Contact data supplied by the Crime Information Analysis Unit and the Traffic Unit.



Total Use Of Force v Public Contacts



Conclusions / Trends

During the 10 year period from 2010-2019, the average number of reported Use of Force incidents is 239 per year. A low of 172 incidents were reported in 2016 and a high of 311 incidents in 2012. 2019 showed an increase in Use of Force Reports over the previous year above the 10 year average.

The number of times an Officer discharged a firearm in 2019 was 28 incidents, equal with 28 incidents in 2018. The average since 2010 is 37 discharges per year. The 2019 statistics are greatly attributed to the number of times in which Officers are being called upon to euthanize injured animals. Hamilton officers euthanized 27 animals in 2019.



There was a significant decrease in the use of Empty Hands-Hard 16 (-30%) and a decrease in Empty Hands-Soft 23 (-36%) in 2019 compared to 2018. The use of these options in 2019 is lower than the 10 year average of 22 for Empty Hands-Hard and for Empty Hands-Soft which has a 10 year average of 27.

The use of Aerosol Weapons reached a plateau in the last several years with an average of 12 incidents per year since 2010. 2019 had only 2 incidents, well below the average of 12 per year.

The introduction of the CEW in late 2004, early 2005 had an immediate impact on how Police Officers use force. In 2014/2015 the Hamilton Police Service began a gradual roll out of CEWs to frontline personnel. In 2014 there were 64 CEW incidents which rose to 145 incidents in 2015 and remained consistent at 143 incidents in 2016 and increased to 169 incidents in 2017 with a slight drop to 164 in 2018. Those incidents that are statistically captured in the Ministry Use of Force report (CEW Deployed) totaled 21 in 2014, 47 in 2015, 38 in 2016, 58 in 2017, 57 in 2018 with a slight increase to 61 in 2019. The ten year average is 48 incidents per year. It was anticipated that CEW use would increase with full frontline deployment; however, the CEW is utilized most often in the display mode.

Uniform Patrol is the Branch of the Service most likely to encounter incidents requiring an application of Force and therefore submits the most Use of Force reports.

This is the 11th year that Use of Force incidents have been tracked by number of incidents per month. There does not appear to be a significant relationship between number of Use of Force incidents and the month of the year other than they appear to rise in March, June and July for an unknown reason and fall in August for an unknown reason and remain relatively consistent for the remaining months. Data from future years could solidify/confirm any trends.

This is the 11th year that Use of Force incidents have been tracked by number of incidents per day of the week. Comparative data shows it is clear that the incident rate goes down on Fridays for an unknown reason. 2019 statistics illustrate a spike on Thursdays with other weekdays remaining consistent. There is no obvious explanation for this pattern. Again, data from future years could solidify/confirm any trends.

This is the 11th year that Use of Force incidents have been tracked by the time in which they occurred. A review of historical data indicates that the bulk of Use of Force incidents occur in the twelve hour period between 1600 to 0400 hours. The least number of incidents occur in the eight hour period between 0400 to 12 noon. The number of incidents begins to rise steadily beginning at noon hour and peaks between 2001 and 0500 hours.

This is the 9th year where a Suspects' Weapon(s) has been tracked. It is clear that an edged weapon of some type is the weapon of choice. In 2019, 52 incidents involved a knife or some type of edged weapon, 30 incidents involved a gun or replica (which is an 88% increase from 2018) and 17 incidents involved an 'other' item. Weapon Use Against Officers in Hamilton has risen since 2014 and increased from 93 incidents in 2016, 94 in 2017 and 102 in 2018. There was a slight decrease in 2019 to 99 incidents, although the increase in the use of firearms is of note.

This is the 9th year in which Officer and Subject injuries have been tracked. The injury rate for both Officers and Subjects is relatively low (72 Subjects). The majority of the injuries that were reported in 2019 were minor in nature. The most common causes for injuries to officers and subjects are the use of grounding techniques



and/or a general struggle between the officer and subject while trying to affect an arrest, followed by CEW probe removal. Use of Force should continue to train officers in proper grounding and self-defence techniques.

The Use of Force incident rate for 2019 is extremely low when put into the context of total public contacts (271,328) compared to Use of Force incidents (238 incidents; 265 incidents minus 27 animal euthanizations). 2019 Use of Force reporting incident rate of .087% slightly increasing from 0.07% in 2018.

Persons in Crisis or "PIC" incidents account for approximately one sixth of all Use of Force encounters by Hamilton Police in 2019.



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2019 Statistical Report Use Of Force



Training Branch
Sgt. Andrew Poustie
Sgt. Gino Ciarmoli



Hamilton Use Of Force (UOF) report

Two Parts:

FORM 1- Part A and B

- Ministry Form, tracked by Ministry
 - All UOF material related to this report

HAMILTON CEW REPORT- Part C and D

- Hamilton specific form, tracked by HPS
 - Info not tracked by Ministry

On January 1st, 2020, the Solicitor General's Office introduced a new UoF Ministry report which will now collect race related data.



Terms Defined

- CEW – Conducted Energy Weapon
- PIC – Person in Crisis
- LLA – Liquor Licence Act

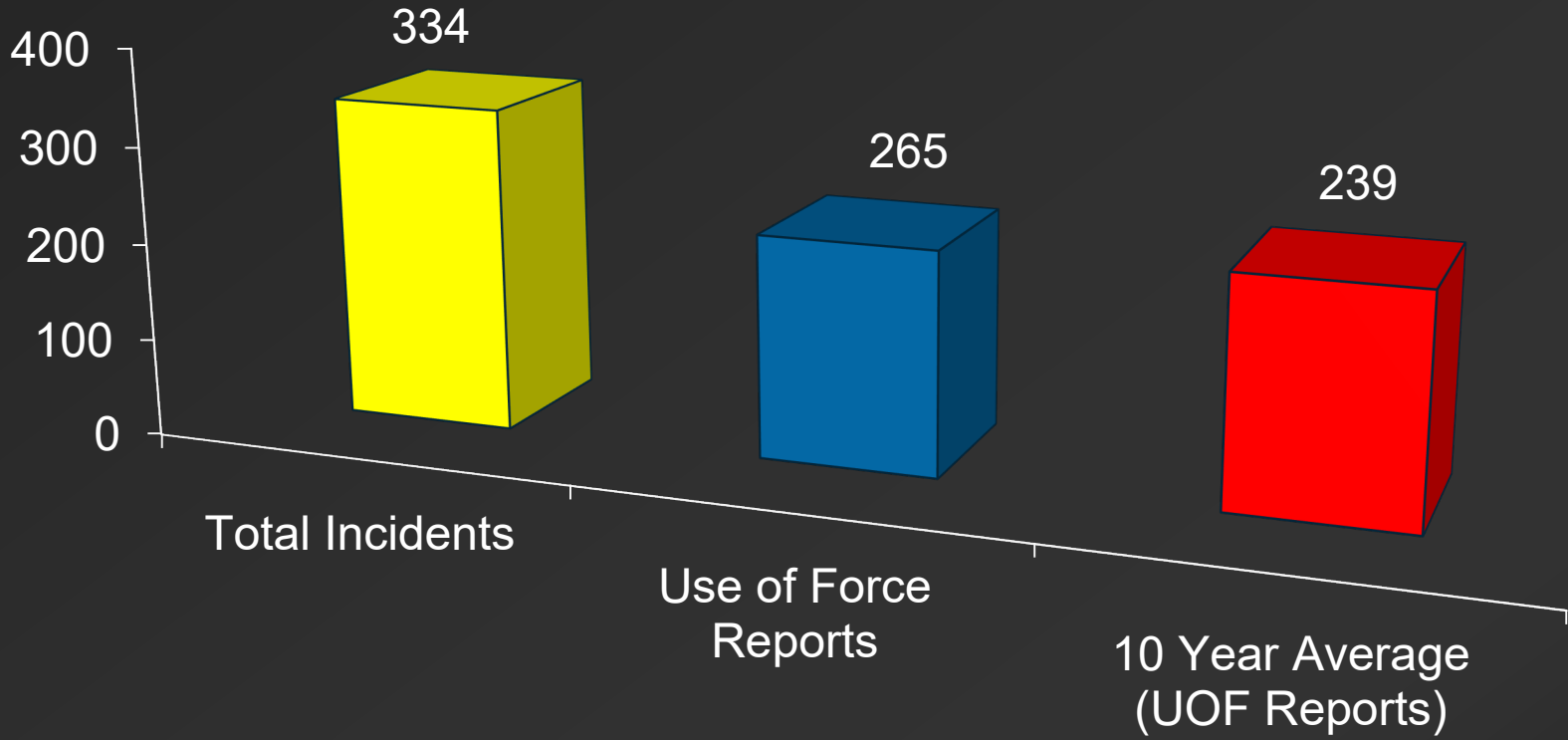
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Total Use of Force Reports



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- 334 Total reports includes UOF & CEW displays.
- 69 of the 334 were CEW display only (not reportable to Ministry).
- $334 - 69 = 265$ or Total number of UOF reports.

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- 27 of the 265 UOF incidents were euthanizing animals.
- 238 is a more accurate number of UOF incidents involving the public as 27 of the reported 265 UOF reports involved animals being euthanized.

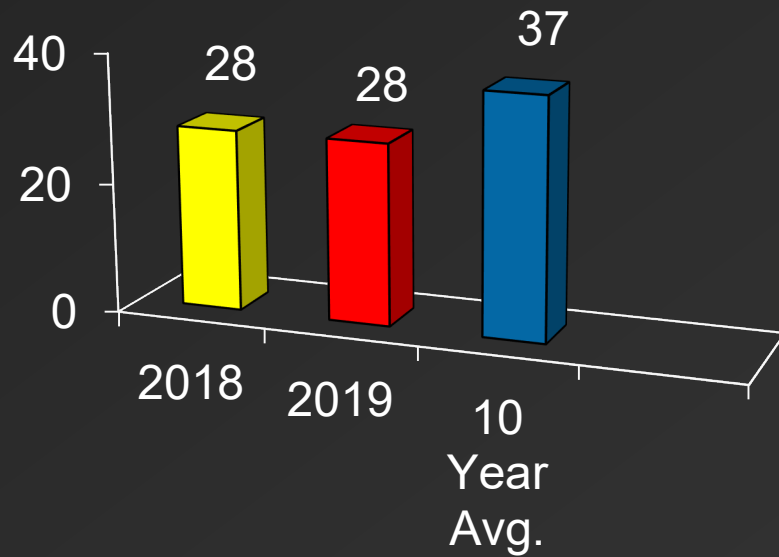


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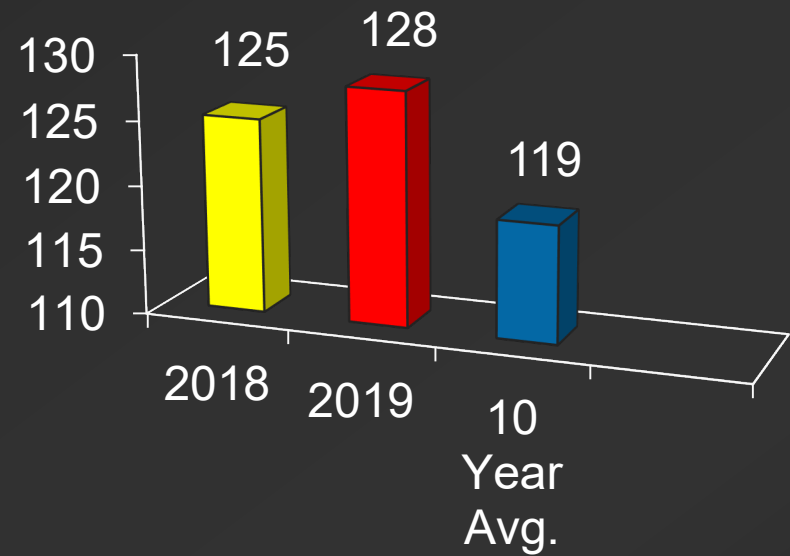
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Firearm Discharge



Firearm Pointed

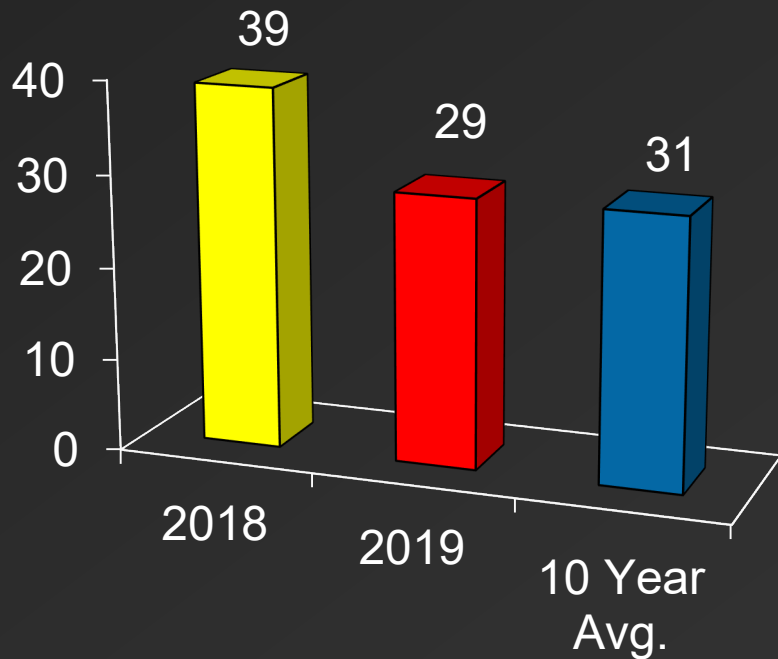




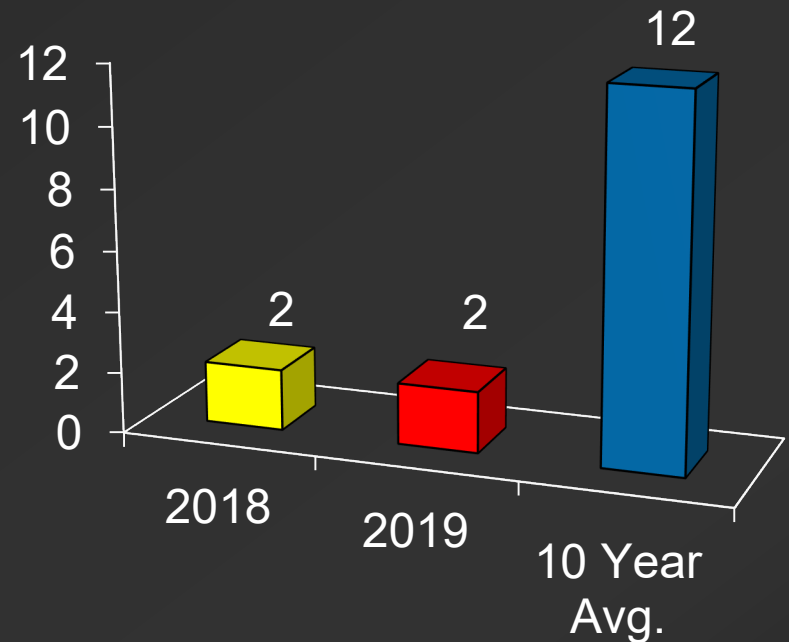
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Handgun Drawn



Aerosol Weapon

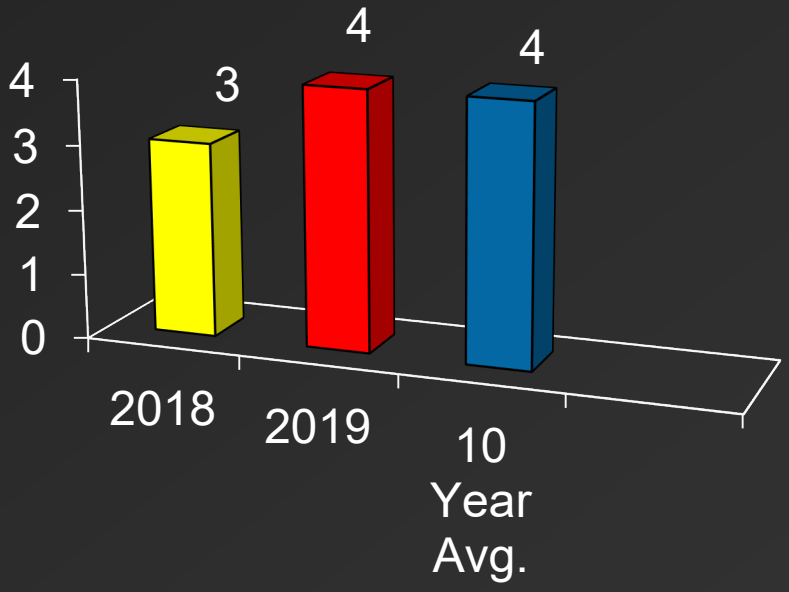




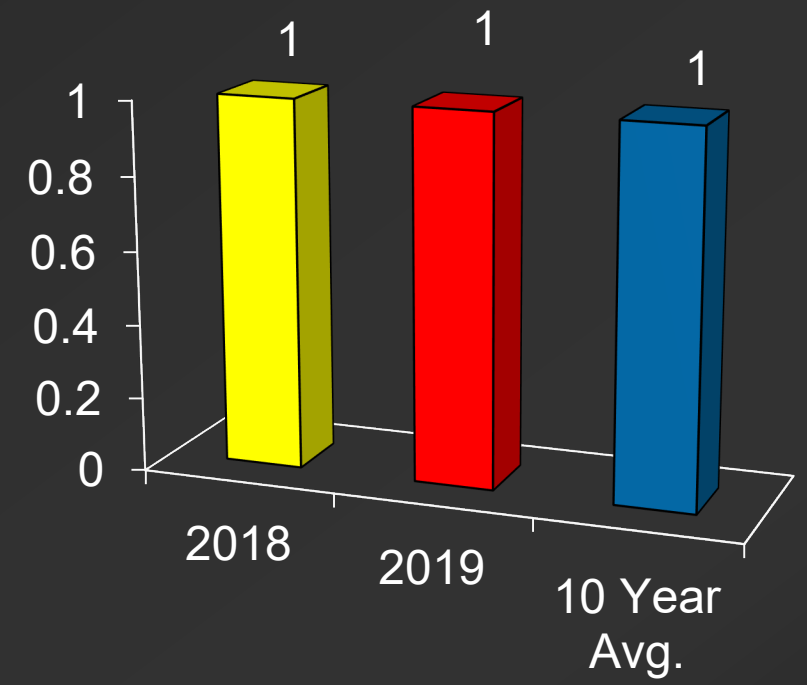
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Impact Hard



Impact Soft



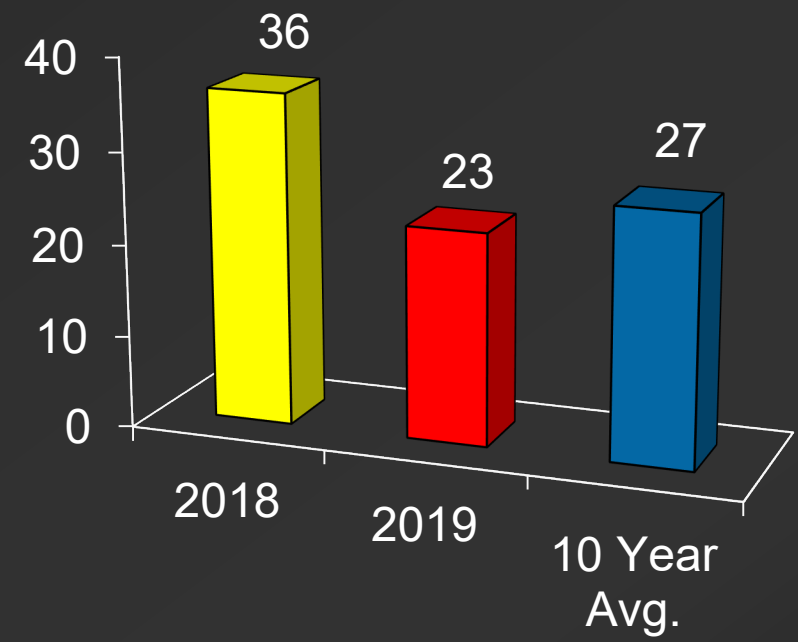
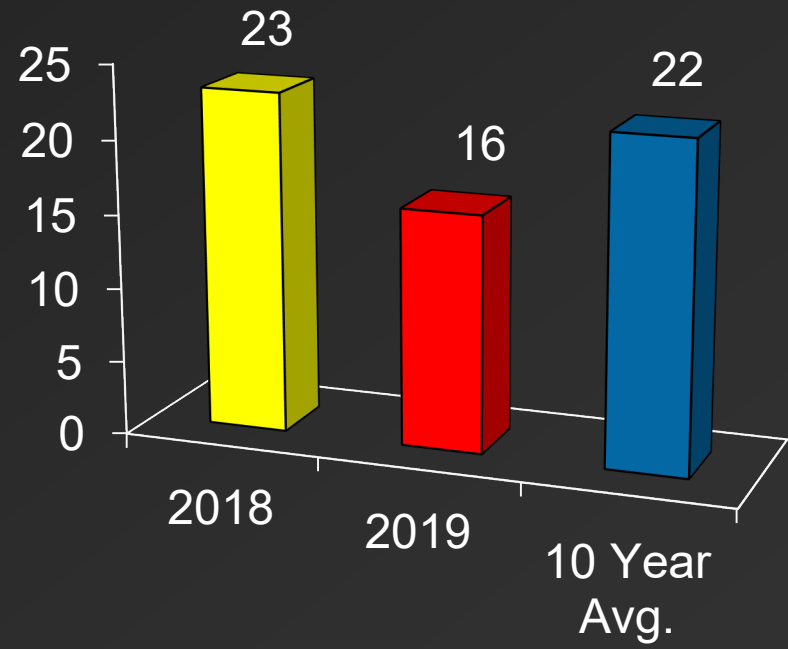


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Empty Hand Hard

Empty Hand Soft





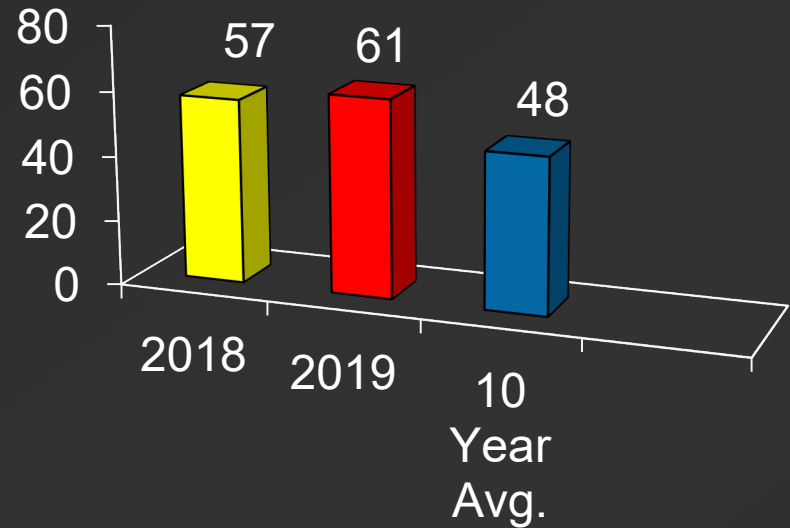
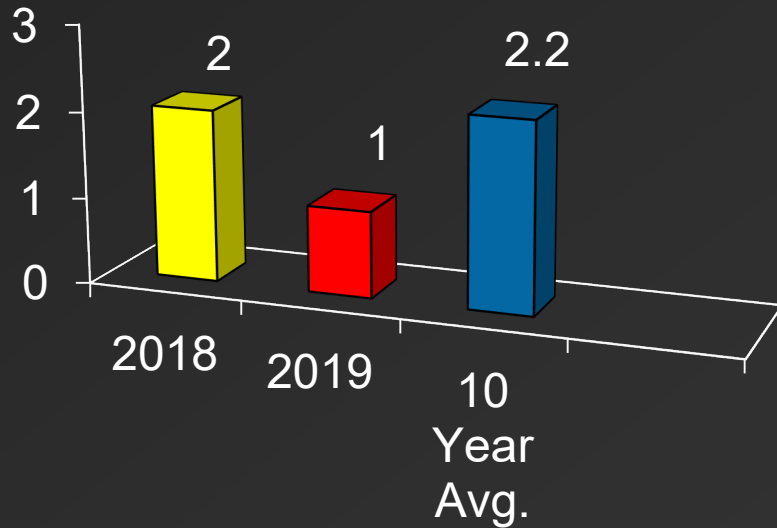
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K9 Bite/Misc

CEW (Deployments)





CEW use by mode

Deployment Mode

- Probes are discharged from CEW.
- CEW is used in contact with subject.

Display Mode

- CEW is shown to subject and can include pointing laser or using the ARC display.

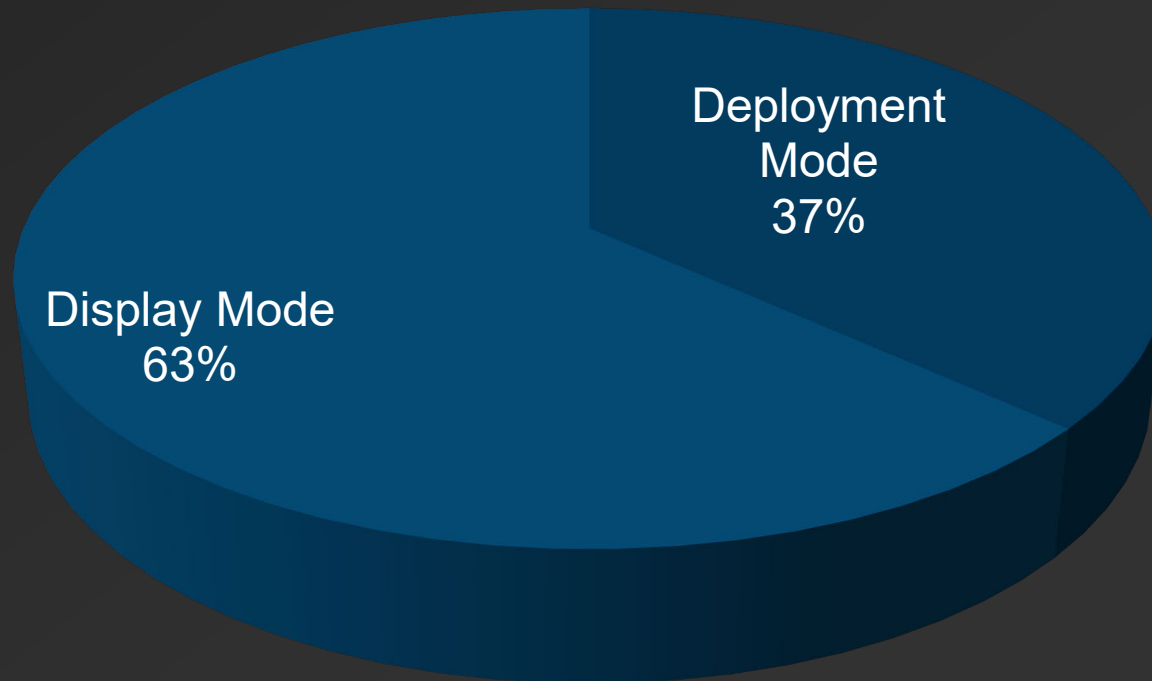


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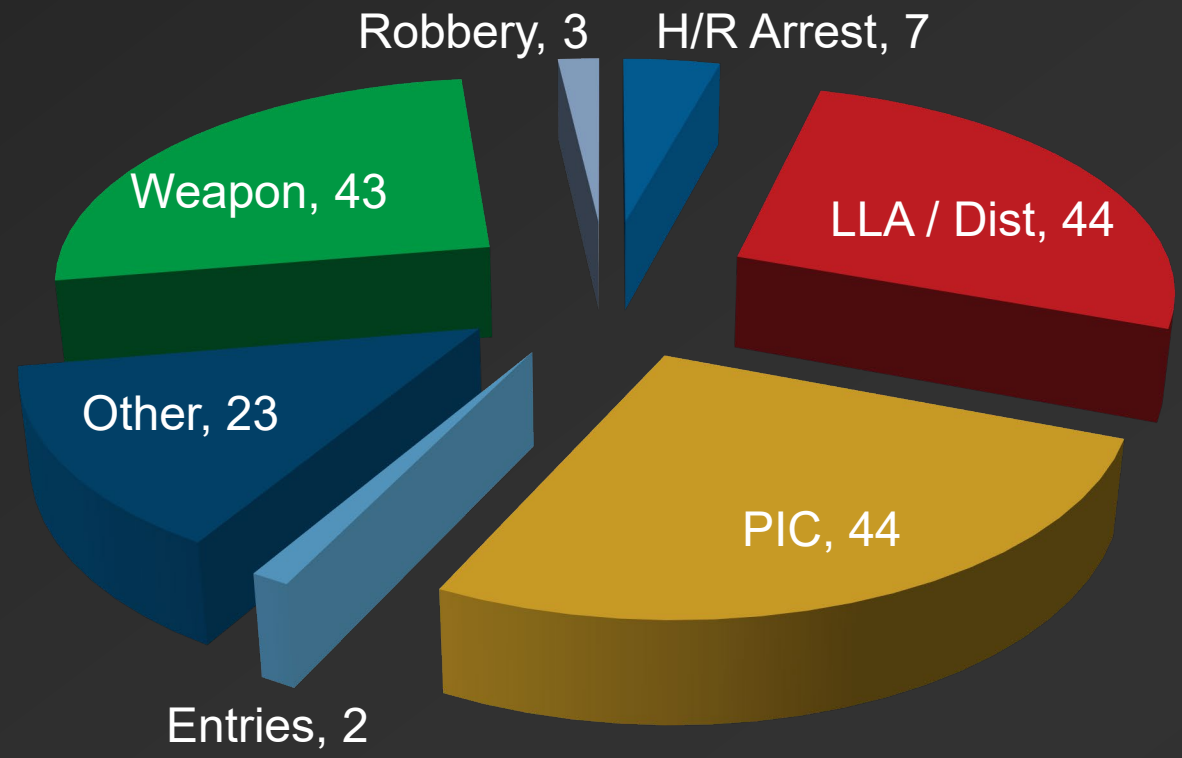
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CEW Use





CEW Used by Incident Type



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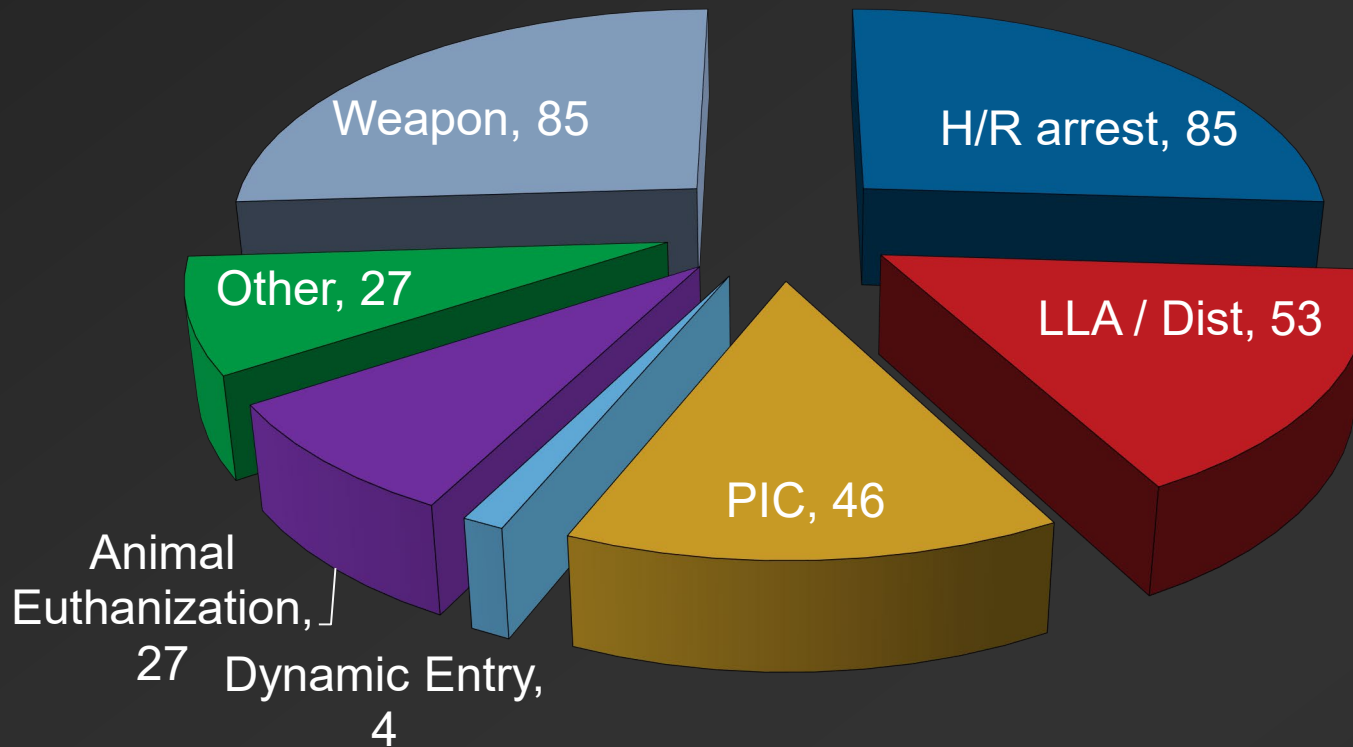


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- Nearly all of the CEW use is with frontline Officers.
- This stands to reason as the majority of CEWs are carried by frontline Officers and they are the immediate response to PICs.



UOF Incident Type



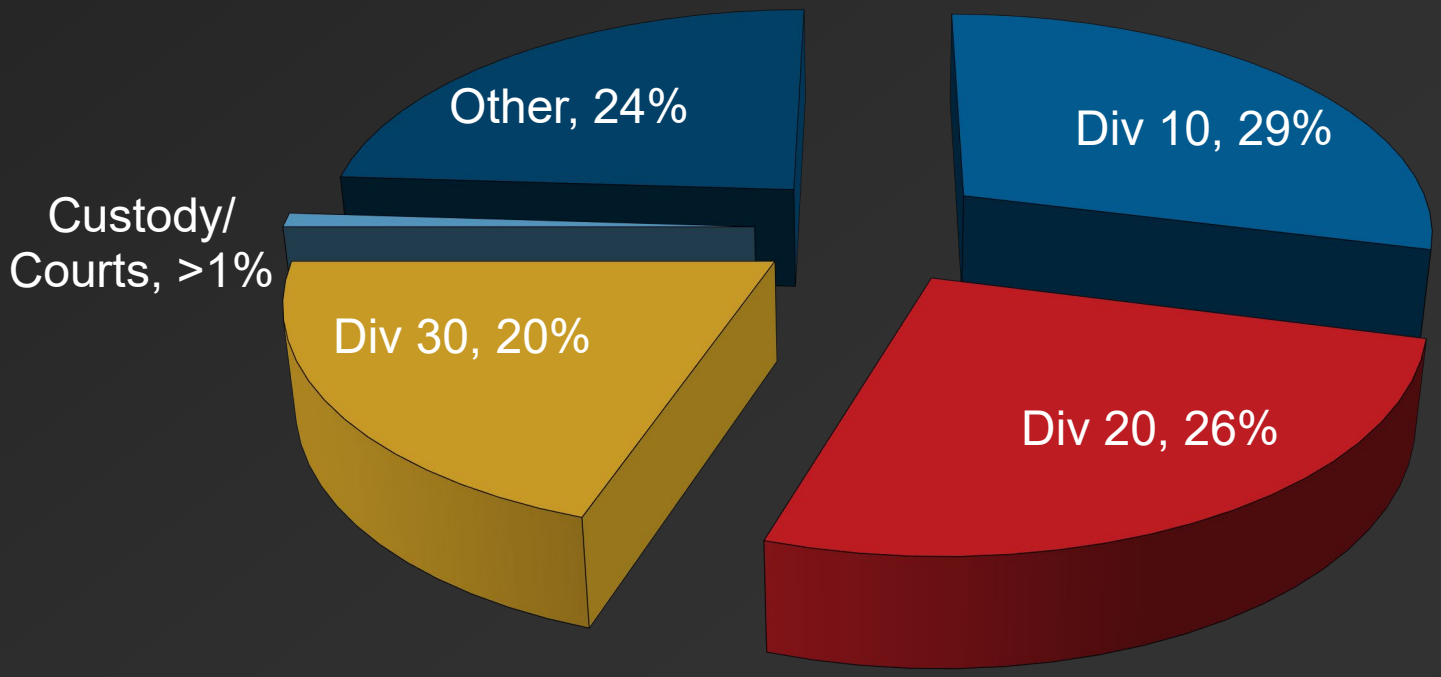


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UOF By Branch



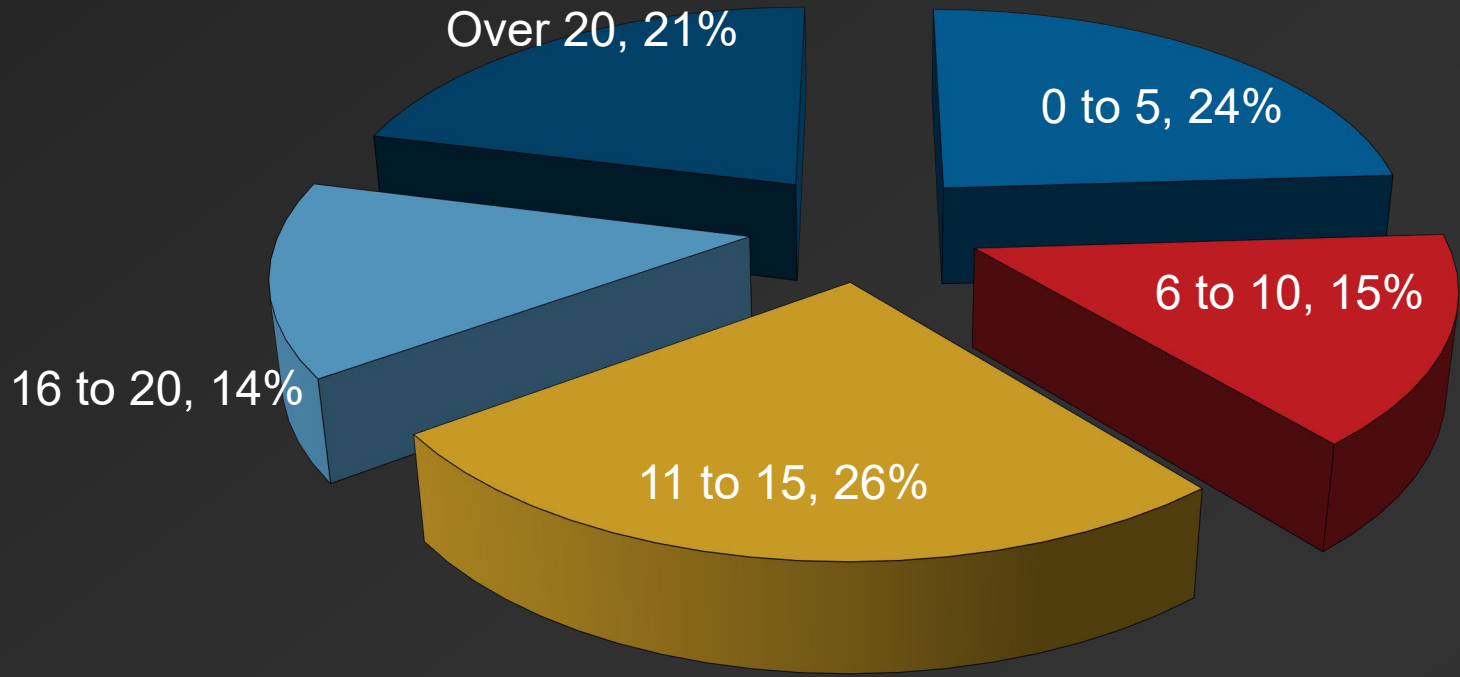


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Officer Years of Service



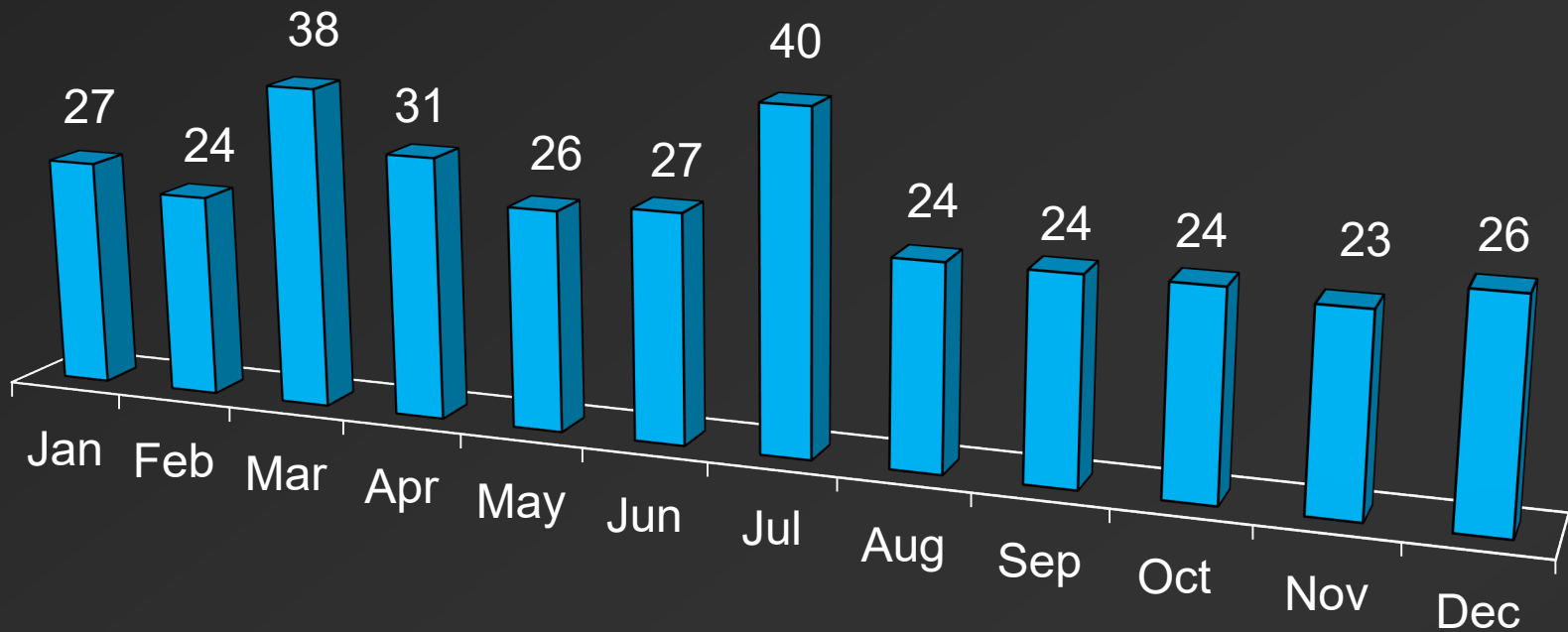


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UOF Incidents per Month



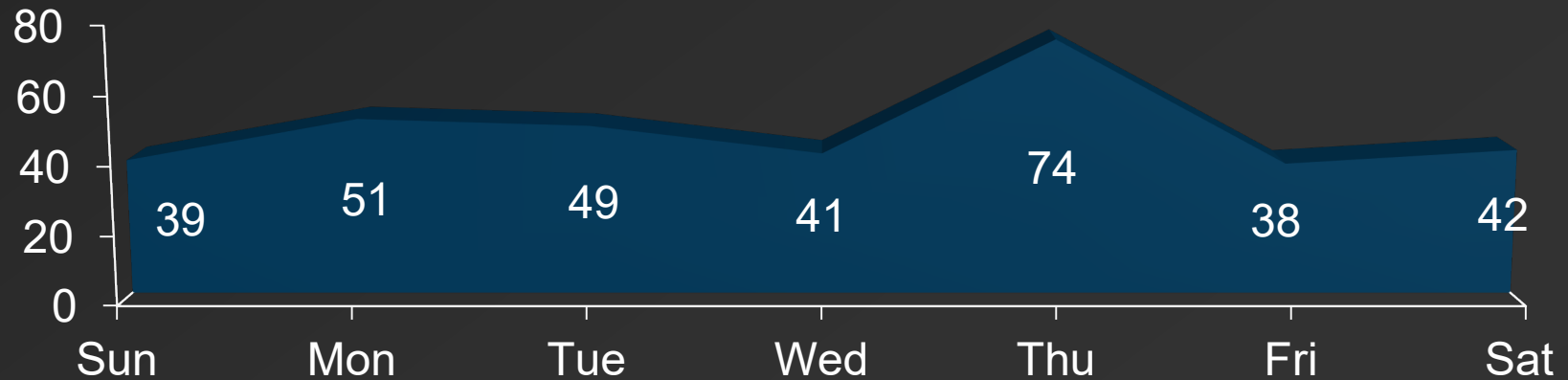


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Incidents by Day of the Week



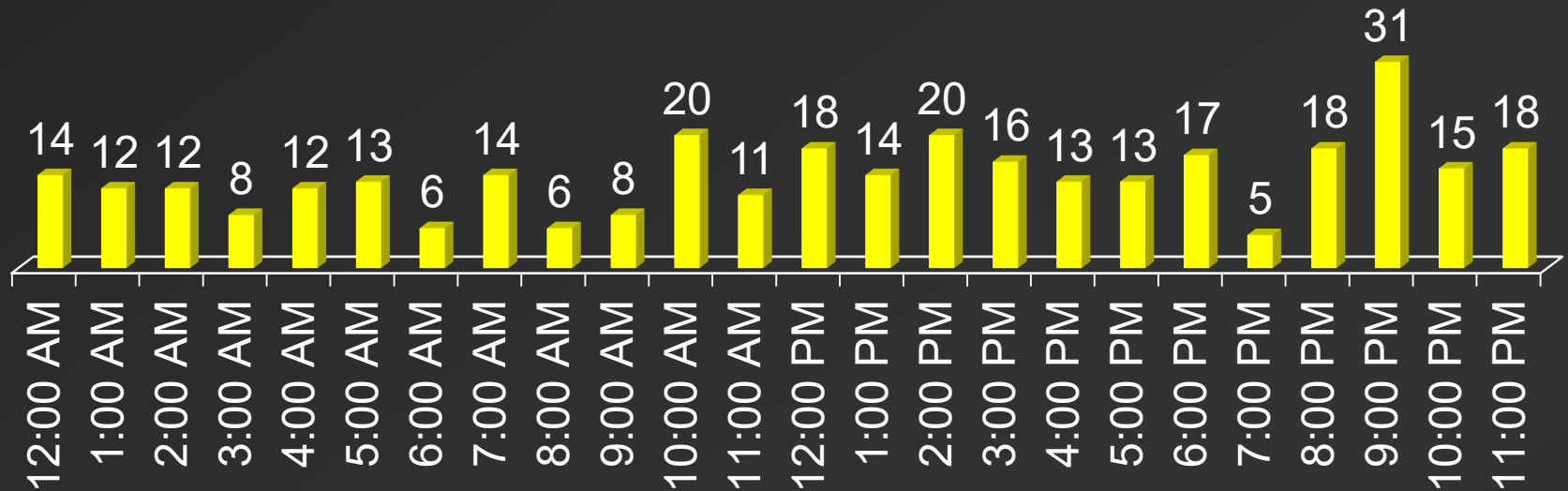


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Incidents by Time of Day





INJURIES

- 2019 – 72 incidents in which a subject or Police Officer were injured.
- 72 subjects required medical attention, which includes CEW probe removal and MHA apprehensions (both require seeking mandatory medical assistance under HPS guidelines).



Weapon Use Against Officers

- 2019 – 99 incidents where subject was carrying or had access to a weapon.
- Edged weapons are most prevalent followed by guns. The number of guns located went from 16 in 2018 to 30 in 2019, an increase of 88%.
- This means 43% of UOF incidents involve weapons.

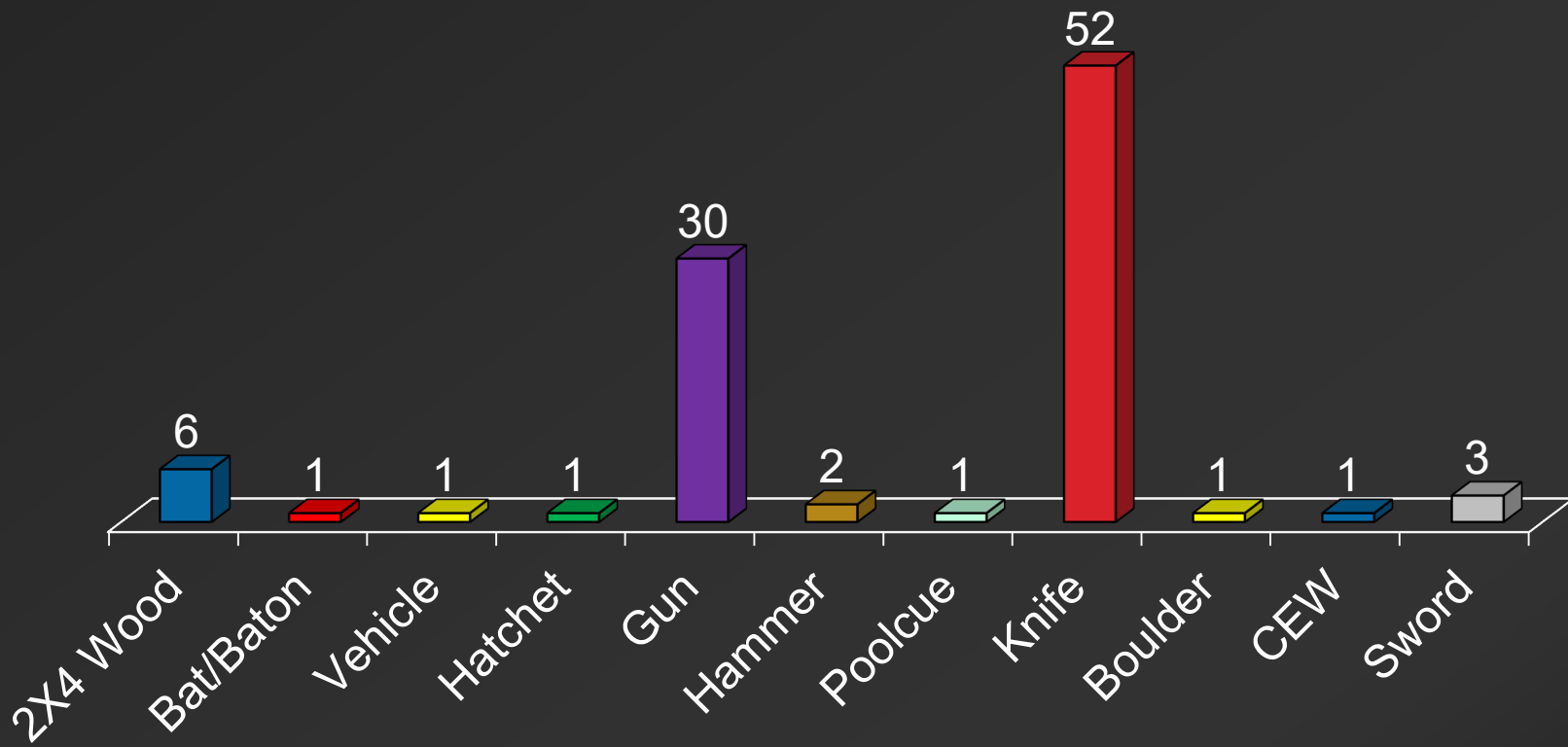
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Weapons Used Against Officers





Public Contact vs UOF Incidents

- In 2019 Hamilton Police interacted with the public 271,328 times.
- These interactions include PON's (tickets), calls for service, RIDE, arrests.



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Public Contacts vs UOF

UOF Incidents,
238



Total Public
Contacts,
271,328



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This results in UOF being used

0.080%

of the time



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Arrests vs UOF

- In 2019 Hamilton Police made 12,036 arrests

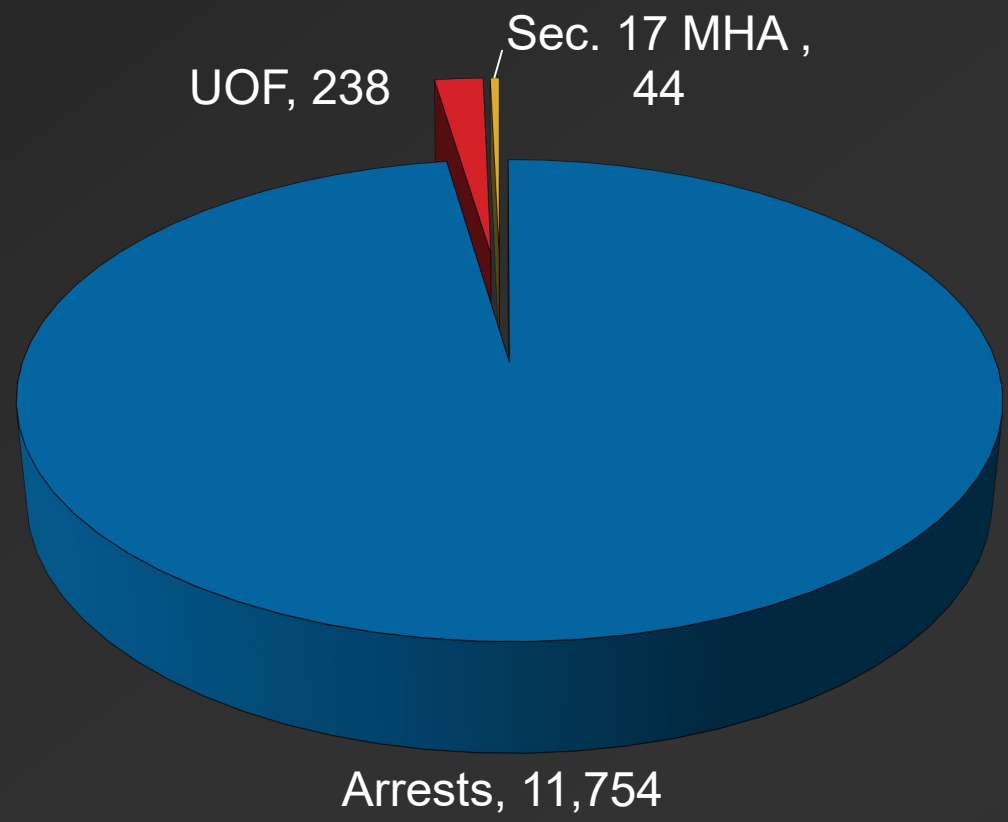


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Arrests vs UOF





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In 2019, Hamilton Police used force in approximately

1.9%

of criminal arrests.



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Thank you for your time

Questions?