

Report to / Rapport au:

**OTTAWA POLICE SERVICES BOARD
LA COMMISSION DE SERVICES POLICIERS D'OTTAWA**

25 September 2023 / 25 septembre 2023

Submitted by / Soumis par:

Chief of Police, Ottawa Police Service / Chef de police, Service de police d'Ottawa

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**SUBJECT: RESPONSE TO MOTION M-20-04 OTTAWA POLICE SERVICE USE OF
FORCE AND DE-ESCALATION TRAINING**

**OBJET: RÉPONSE À LA MOTION M-20-04 SUR LA FORMATION DU SERVICE
DE POLICE D'OTTAWA CONCERNANT L'USAGE DE LA FORCE ET
LA DÉSESCALADE**

REPORT RECOMMENDATIONS:

**That the Ottawa Police Services Board receive this item for information,
previously presented at a meeting of the Policy and Governance Committee.**

RECOMMANDATIONS DU RAPPORT

**Que la Commission de services policiers prenne connaissance de ce point
d'information présenté précédemment à une réunion du Comité des politiques et
de la gouvernance.**

MOTION M-20-04:

WHEREAS previous members of the Ottawa Police Services Board had intended to conduct a review of Board policies applicable to de-escalation, use of force and non-force options, and/or other tactical deployment strategies, including but not limited to dynamic entries by way of a motion (M-20-04);

AND WHEREAS this review did not take place;

AND WHEREAS the topic of use of force by police continues to be a relevant and contentious issue facing police services, particularly as it relates to the disproportionate

use of force on racialized individuals, as well as individuals with real or perceived mental health disabilities;

AND WHEREAS there have been some developments since the original motion in 2020 tabled by the previous Board, including but not limited to, a completed review of dynamic entries by the Service; the development of a draft Race Data Strategy and action plan; and amendments to the Use of Force reporting requirements in the Equipment and Use of Force Regulation (O. Reg 532/22) under the Police Services Act;

THEREFORE BE IT RESOLVED that the Chief of Police be directed to arrange a briefing to the Board's Policy and Governance Committee on use of force, including information on member training, de-escalation, use of force and non-force options, and/or other tactical deployment strategies (such as dynamic entries) and any developments occurring at the provincial and/or federal level to modernize use of force applications by police services.

BACKGROUND

Use of Force training for Ottawa Police Service (OPS) members, inclusive of de-escalation training, is established through several legislative and regulatory requirements governed through the Ministry of Solicitor General (the Ministry). This includes the Ontario Use of Force Model (the Model).

The OPS provides use of force training prescribed under the Ministry for all police officers and special constables through the Professional Development Centre (PDC). The OPS seeks to continually review its training curricula, updating it as required by Ministry directive, established best practices, and through various internal and external reviews.

DISCUSSION

Legislative and Regulatory Requirements

The Criminal Code of Canada and the Ontario Provincial Offences Act address the use of force by police and other authorized persons.

The Equipment and Use of Force Regulation 926, under the Police Services Act, sets out requirements in relation to the use of force, including approved weapons, training, reporting, and use/technical specifications for equipment.

In Ontario, the Ministry is responsible for the use of force policy and police training mandate. The Ontario Policing Standards Manual is the provincial adequacy standard that outlines the content of the Ontario Police College (OPC) Basic Constable Training (BCT) Program and the content of in-service training and re-qualifications for all police

services in Ontario in relation to Use of Force, as well as training and certification prescribed by the Ministry.

OPS Training in Use of Force

All Training for the OPS in use of force is in compliance with legislative and provincial adequacy standards. Training occurs at the Professional Development Centre (PDC) located at Algonquin College which has a team, including use of force instructors, dedicated to the professional development of our police service members. PDC instructors are qualified by the OPC to provide this training. Further, the PDC manages the use of force procedures and training requirements set out in the policy and provincial legislation.

Currently, OPS recruits receive nearly 1700 training hours in their first year of service. Of that, approximately 600 hours are dedicated to communication, de-escalation, bias awareness, ethics, and use of force.

In addition to this initial recruit training, officers receive annual use of force training. Annual use of force training includes a full day of training comprised of lectures, physical exercises, a review of ethics and human rights, and scenario-based training.

Ontario Use of Force Model

The Model, which was developed initially in 1991 and revised in 2004, is based on the National Use of Force Framework established by the Canadian Association of Chiefs of Police. In July 2023, the Ministry announced that a revised Ontario Public-Police Interactions Training Aid (the Training Aid) was approved and would replace the 2004 Ontario Use of Force Model. A copy of the 2023 Training Aid has been attached to this report as Document One. 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. It is designed to assist police officers (and the public) in understanding why and in what manner an officer may respond during an interaction. This document is subject to change based on evolving academic research, best practices, and recommendations.

The ideal goal of any police interaction with the public is that it be cooperative, respectful, and peaceful. This Training Aid stresses that, in any interaction with the public, an officer should continually monitor themselves, the subject, situation, assess the circumstances as they develop, and engage in a relational approach with the subject and other members of the public if appropriate. A relational approach to public-police interactions emphasizes fairness, respect, empathy, and voluntary subject cooperation, without the use of force, whenever feasible. However, on occasion police

officers may find themselves in a situation where the use of force may be necessary. Any use of force by police is governed by the legal principles of necessity, proportionality, and reasonableness.

As outlined in this Training Aid, a decision by an officer to use force should be based on an assessment of all the circumstances of the situation in light of the governing legal principles. Although officers strive to ensure that police interactions with the public result in cooperative, respectful, and peaceful outcomes, these goals may be impacted by a variety of factors such as the availability of time, resources, an immediate need for police action, and the behaviour of the people involved.

Four basic principles underlie Public-Police Interactions.

1. The primary responsibility of a peace officer is to preserve and protect life.
2. The primary objective of public-police interactions is public safety. Police officer safety is essential to public safety.
3. Conflict prevention and de-escalation are the goals of every interaction.
4. A relational approach is essential to cooperative and respectful public-police interactions.

De-escalation

The Ministry of the Solicitor General defines de-escalation as being:

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 (Document Five).

Since 2014, the OPS has been at the forefront of de-escalation training with its members. It was in 2014 when the PDC implemented the formalized de-escalation training program. After extensive internal and external research, the Crisis Intervention and De-escalation (CID) program designed by the Justice Institute of British Columbia (JIBC) was selected as the program upon which the OPS would build its de-escalation training program. This program was designed and developed because of the Braidwood Inquiry following the death of Robert Dziekanski at the Vancouver airport. This program was deemed mandatory for all police officers in British Columbia.

OPS sworn members began receiving this mandatory, in person training program as part of their annual use of force training in 2014. In 2016, Ontario Ombudsman Paul Dube released his report entitled "A Matter of Life and Death". This report was the result of a three-year investigation into the Sammy Yatim shooting on a streetcar in Toronto.

There were 22 recommendations that came out of the report. Several recommendations centered around de-escalation training and having an actual Regulation that sets out communication and de-escalation techniques that should be used in all situations of conflict before considering force options wherever tactical and safety considerations permit. At the time of the release of this report, the OPS had already proactively introduced and formalized de-escalation training.

De-escalation training is not a standalone program offering and is interwoven into all training components completed by OPS officers. Within these trainings, officers are provided with opportunities to strengthen their mental health awareness and enhance their competencies to support individuals experiencing mental health crises.

Officers engage in crisis intervention by utilizing a Communication and De-escalation Model (CDM). The CDM includes four phases:

1. Make first contact, build rapport to begin de-escalating the crisis.
2. Assess crisis while maintaining rapport.
3. Collaborate to build solutions.
4. Resolve and follow up, follow through with solutions identified in phase three.

The PDC has continually been proactive in identifying and remediating training gaps in Ministry regulated requirements. In 2016, it was identified that more emphasis on enhancing cultural competency was needed within annual training requirements to support our officers ability to apply an Equity, Diversity and Inclusion (EDI) lens across all interactions with the public. As such, the OPS began teaching the Fair and Impartial Policing (FIP) program. This consisted of a four-hour session as part of the annual use of force block training. This training was facilitated by OPS Instructors who had completed a three-day "Train the Trainer" course at Durham Police College. This program is owned by Fair and Impartial Policing LLC based out of the United States.

FIP states "In our implicit-bias-awareness curricula, we convey the science of bias and discuss the negative consequences of letting "hidden biases" impact perceptions and behavior and, most importantly, we teach police professionals the skills that they need to reduce and manage their biases. Those skills will not keep them from doing their important job of crime control; instead, the skills will enhance their ability to engage in that important work more safely, justly and effectively."

The FIP program has remained active in the OPS training curriculum with every new recruit and Experienced Officer hire receiving it during their introductory training at the PDC. Components of FIP, such as police legitimacy and procedural justice, have also

been woven into the annual use of force training in the form of presentations and discussions. This training was co-created by the PDC and representatives from subject matter experts within the OPS and from the community.

The OPS has actively sought oversight of our de-escalation training and, in 2021, engaged Dr. Craig Bennell and his team from Carleton University to attend the PDC and review our recruit training in de-escalation and use of force. "General Impressions of OPS De-escalation and Use of Force Training" has been attached to this report as Document Two. Dr. Bennell's overall impressions are excerpted below:

"As discussed in more detail below, our impressions of the de-escalation and use of force training provided to new recruits by the OPS were overwhelmingly positive. In general, given the constraints that OPS instructors must work within, in terms of infrastructure and time limits, we believe that the training currently being offered in these areas is very good and, in most cases, better than the training we have observed in other police services. The content of the training, and the way that it is structured and delivered, is generally consistent with adult learning principles, and is how training should be designed if the goal is to maximize learning, retention, and transfer of knowledge, skills, and abilities on the part of trainees. Furthermore, while there was obvious variation in the experience and skill-level of trainers, we were extremely impressed with the quality of instruction delivered by OPS staff, their knowledge of what makes training effective, and their commitment to providing a useful and positive training experience to the recruits.

We were also very pleased with the willingness of the instructors, and their superiors, to provide us with access to their training sessions, material, and staff, listen to our critical feedback and engage in conversations with us about that feedback, and incorporate our feedback into their training in a timely manner to ensure that important improvements were made for the current cohort of recruits. We experienced no resistance from training staff during the evaluation; on the contrary, everyone we spoke to was genuinely interested in hearing our views about how they might improve their training."

CONSULTATION

Not Applicable

FINANCIAL IMPLICATIONS

Costs associated with delivering annual use of force training and purchasing equipment in compliance with provincial policing adequacy standards are captured annually in our budget reporting processes. Additional expenditures, such as the procurement of

CEW's, are brought to the Board for approval in compliance with procedures outlined in the Financial Accountability Procedures Manual.

SUPPORTING DOCUMENTATION

Document One: 2023 Ontario Public-Police Interactions Training Aid

Document Two: General Impression of OPS De-Escalation and Use of Force Training

Document Three: Use of Force Review -Toronto Police Service

Document Four: External Review: Race Data Use of Force Reporting

Document Five: Ontario Public-Police Interactions Training Aid Framework Document

CONCLUSION

The OPS has been a front runner in de-escalation and use of force training across the province and remains committed to continuing to work collaboratively with our community partners to strengthen our training programs.