

## Document 3

### External Review Use of Force Report 2024 Ottawa Police Service

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The application of a human rights lens on the use of force and body searches by police has been an important recent development in the review of police services in democratic societies around the world, including Canada. With racial disparities in the use of force by law enforcement across Canada becoming the subject of increasing public scrutiny, the application of a human rights lens supports new directions in equitable policing services. A significant response to these community concerns has been an increased collection and analysis of disaggregated race data for these types of police-civilian interactions, as it has also become widely accepted that high quality disaggregated data is crucial to better understand and reduce racial disparities in the use of force. Canadian police services are for the most part new to comprehensive disaggregated race data collection and analysis in use of force reports. Indeed, in Ontario, the provincial government has mandated race data collection by police services.

The Ottawa Police Service (OPS) has a longer history than other policing agencies in Ontario, and Canada as a whole, with the development of race data collection for human rights purposes. Well before the 2017 *Anti-Racism Act* (ARA)<sup>1</sup> and its associated regulation and guidance requiring the Ministry of the Solicitor General to collect and analyze race-based data in police use of force, OPS pioneered the Traffic Stop Race Data Collection Project (TSRDCP)<sup>2</sup>, the largest race data study in Canadian policing history. Subsequently, guided by lessons learned from the TSRDCP, the OPS has significantly increased its capacity to drive the principles of human rights, equity, diversity and inclusion in every aspect of service delivery.

The primary human rights principles at stake in police use of force are:

1. The principle of ***necessity*** – minimum necessary force that is reasonable in the prevailing circumstances.

2. The principle of **proportionality** – force proportionate to the threat posed by a suspect and/or the harm that a law enforcement official is seeking to avoid
3. The principle of **precaution** – law enforcement operational planning that minimizes risk to potential lethal force.<sup>3</sup>

Driving these important human rights principles is the belief that practicing de-escalation by the police is one of the most effective ways to ensure that a particular incidence of use of force is necessary, proportional, and precautionary. In policing, de-escalation refers to strategies used to reduce the intensity and danger of a volatile or conflictual situation. The emphasis here is on de-escalation or conflict avoidance tactics that ensure balanced and objectively reasonable police interactions in the context of Canada's multicultural and multi-racial public for the purpose of community safety.

An important theme in our 2022 report, External Review Race Data in Use of Force Reporting by the Ottawa Police Service, 2020, prepared for the Ottawa Police Services Board, is the recommendation that the OPS "Leverage UoF race data analysis findings to promote equitable and value-based decision-making, policies and practices," especially around the practice of de-escalation.<sup>4</sup>

New to this year's OPS annual 2024 Use of Force Report is a ground-breaking analysis of de-escalation techniques, which provides new insights into when and how de-escalation techniques by officers can be effective.

The OPS report highlights the increased use of de-escalation techniques to resolve situations. As the report states:

"Of the 251 incidents in which officers used or displayed force, 80 percent involved de-escalation techniques; 47 percent were successfully de-escalated. Considered another way, officers applied de-escalation techniques with 83 percent of the 316 individuals involved in use of force incidents. Communication and teamwork were the most frequently employed." (p.2)

Some of the key insights of the report are:

- 29% reduction in use of force incidents since 2020
- 17% reduction in application of force since 2022
- 70% reduction in subject injuries since 2022

But it is also very important to recognize that both Black and Middle Eastern subjects were over-represented in use of force incidents, relative to their share of Ottawa's population (3.3 times). The continuous and consistent high disproportionalities among Black and Middle Eastern groups is a serious concern to be monitored and addressed. However, it is crucial to ensure that the focus is not solely on the magnitude of the disproportionalities themselves, but most importantly on identifying and rooting out any police bias associated with the high disproportionality. In this respect, we recommend

the OPS continue to refine its disproportionality indexes to achieve a more fine-grained and race-based analysis in three specific areas:

1. Highest types of Use of Force by Race
2. Differences in Use of Force by Race
3. Differences by Race after Taking into Account Perceived Weapons

As a corollary to our call for a more fine-grained and richer analysis, we commend the OPS for incorporating our past recommendation regarding planning to pilot and use 'body-worn cameras'.

The OPS DRIVE2 Strategy, which has been gradually implemented over the past two years, is a dynamic and comprehensive commitment to progressive organizational change that is framed by the Service's long-standing human rights lens. This Strategy is operationalized in significant part through a commitment to data-driven service delivery. But it also incorporates other valuable tools to positively reinforce a human rights organizational change mission, including Equity, Diversity & Inclusion (EDI) action planning, collaborative partnerships with the Community Equity Council (CEC), as well as multiple stakeholder engagements and third-party reviews and audits that identified needed changes to improve culture and service delivery.

This continuation of human rights data collection, analysis and reporting is pivotal to assessing organizational progress, improving professional standards, enhancing customer service, and driving innovation for the public good in the Ottawa Police Service.

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<sup>1</sup> Anti-Racism Act, 2017, S.O. 2017, c. 15.

[https://www.ontario.ca/laws/statute/17a15?\\_ga=2.195057768.559027487.1626630579-1229155316.1572535711](https://www.ontario.ca/laws/statute/17a15?_ga=2.195057768.559027487.1626630579-1229155316.1572535711).

<sup>2</sup> Foster, L., Jacobs, L., & Siu, B. (2016). Race Data and Traffic Stops in Ottawa, 2013–2015. *A Report on Ottawa and the Police Districts*.

<sup>3</sup> United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials United Nations Human Rights Office of the High Commissioner. (1979). *Code of Conduct for Law Enforcement Officials*. Adopted by General Assembly resolution 34/169 of 17 December 1979. <https://www.ohchr.org/en/professionalinterest/pages/lawenforcementofficials.aspx>. (retrieved 27 May 2025).

<sup>4</sup> Foster, L., & Jacobs, L. (2022). External Review Race Data in Use of Force Reporting by the Ottawa Police Service, 2020.

*Submitted June 1, 2025*