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Unclassified

**RCMP Quarterly Report
On
Conducted Energy Weapons
April 1, 2010 to June 30, 2010**

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Executive Summary

On January 1, 2010 the RCMP implemented Subject Behaviour/Officer Response (SB/OR) reporting across Canada. SB/OR is a self-reporting application that enhances police accountability, policy development and relevant training through a standardized method of recording use of force incidents. SB/OR includes details on the subject's behaviour, the intervention option used and resulting injuries/treatment for the subject or police officer. Prior to 2010, all conducted energy weapon (CEW) usages required a Conducted Energy Weapon Usage Report (Form 3996) to be completed, with the exception of the SB/OR pilot sites that began reporting on SB/OR in January, 2009. SB/OR reports that contain the use of a CEW are reviewed at the supervisor, Divisional/Provincial and National level for adherence to applicable directives.

On April 29, 2010 the RCMP implemented its revised CEW policy with the "intent to provide for the appropriate and consistent use of CEWs, and to enhance transparency and accountability" (RCMP, 2010). The revised policy addresses recommendations from the Braidwood Inquiry and by the Commission of Public Complaints Against the RCMP as well as the Province of Alberta's Guidelines on CEW use. Included in the revisions is "limiting the use of CEW to situations where a subject is causing bodily harm*, or the police officer believes, on reasonable grounds, that the subject will imminently cause bodily harm" replacing "in response to a threat to officer or public safety" in the previous policy.

This report covers the period of April 1, 2010 to June 30, 2010 and provides details on: usage, effectiveness, occurrence type, subject behaviour and risk assessment, subject injuries/treatment, and perceived subject influences (drugs, alcohol and/or inhalants). In a majority of cases (77.7%), the CEW proved to be an effective intervention option in addressing and/or deterring subject behaviour without resulting in injuries to the subject and/or member.

Key Findings:

- During the reporting period, there were 165 SB/OR reports** that contained 184 CEW usages and involved 176 subjects.
- 154 (83.7%) of these usages were effective in controlling the subjects' behaviour.
- In 131 (71.2%) of the usages, the CEW was drawn and displayed (ie: no contact stun or probe deployment); 88.5% of these usages were effective in deterring the subjects' behaviour.
- Assault, assault on peace officer, attempted suicide, mental health act – other activities and assault with weapon or causing bodily harm were the most common occurrence types in which a CEW was used.
- Members perceived or believed that the subject was in possession of a weapon in 107 (58.2%) CEW usages.
- Members used the CEW 56 (30.4%) times even though they reported facing subject behaviour of grievous bodily harm or death.

* Note: Bodily harm is defined as any hurt or injury to a person that interferes with the health or comfort of the person and that is more than merely transient or trifling in nature (*Criminal Code*, 2011).

** Note: Since CEW Quarterly Reports prior to 2010 analyzed Form 3996 by report and not usage, the number of SB/OR reports is most comparable to statistics in those reports. See page 9 for more details.



Executive Summary (cont'd)

- The CEW was not deployed in contact stun or probe mode on any individuals displaying less than active resistant behaviour unless the member perceived a threat/risk to the officer or public safety based on the totality of the situation.
- Of the 176 subjects on which the CEW was used, 176 (100%) were not injured and/or did not require treatment related to the CEW usage.
- Injuries were not sustained by any individuals displaying less than active resistant subject behavior with a greater perceived level of threat/risk.
- Of the 165 members that used the CEW, 14 (8.5%) were injured of which two required medical treatment.
- 130 (73.9%) subjects were perceived to be under the influence of drugs, alcohol and/or inhalants.



Conducted Energy Weapon - Introduction

“Use” of a CEW is defined in Operational Manual (OM) Part 17, dated April 29, 2010 and means when:

2. 8. 1. a CEW is activated;
2. 8. 2. a CEW is drawn from its holster (activated or not); or
2. 8. 3. reference to the use of a CEW is made in gaining control of a situation.

The activation or deployment of the CEW is possible in two different modes, namely:

- **Probe mode** means the deployment of an activated CEW by discharging and propelling two electrical probes, equipped with small barbs that hook onto a subject's clothing or skin, allowing electrical energy to be transferred to that subject.
- **Push (contact) stun mode** means pressing or pushing an activated CEW onto designated push/stun locations on a subject, allowing electrical energy to be transferred to that subject.

The CEW policy (2009) related to reporting of CEW usages states that a member “complete form 3996 before the end of shift every time the CEW is used*”. On January 1, 2010, SB/OR reporting replaced 3996 reporting at which point members were directed to “complete an SB/OR report if you are involved in an incident where your intervention option involved:...[CEW] intermediate weapons”. On April 29, 2010 revised CEW policy was changed to state: “complete a Subject Behaviour/Officer Response (SB/OR) report every time a CEW is used”.

* Note: Referencing of a CEW to gain control of a situation is only reported in SB/OR as part of the member’s communication. As a result, referencing is not being analyzed in this report.



Conducted Energy Weapon - Methodology

- SB/OR is a dynamic self-reporting application which allows members to report their use of force.
- An SB/OR report can contain multiple subjects and/or use of force events.

- On February 14, 2011 an extract was taken of the SB/OR database to obtain data for this report.
- The database extract was compiled into SPSS, a statistical analysis software, to provide a dataset for analysis.
- The dataset was then filtered for all CEW usages during the reporting period of April 1, 2010 to June 30, 2010. This filter produced 166 SB/OR reports. All of these reports were complete (ie: no “in progress”/incomplete reports).

- Several queries were run on the dataset to identify duplicate or error reports.
 - One report was removed from the analysis for the following reason:
 - one duplicate report:
 - A member reported on another member’s use of force. The applying member’s report was kept for analysis.

- A qualitative and quantitative analysis was completed on the unaltered data from the remaining 165 SB/OR reports which contained:
 - 184 CEW usages
 - 176 subjects
 - To identify the same subject in reports completed by different members on the same incident, a query was run to identify duplicates on occurrence numbers and dates of birth.

- The following number of cases (N) will be used throughout the report to avoid over/under reporting:
 - N=165 (number of reports)
 - N=162 (number of occurrences)
 - N=176 (number of subjects)
 - N=184 (number of CEW usages - events)

- For the purpose of maintaining consistency with reporting on Form 3996, “Laser Sight Activated”, “Pointed at Subject” and “Spark Display Activated” have been merged (re-coded) into the “Draw and Display” category.

- SPSS was used to analyze the data, produce descriptive statistics and complete bi-variate analysis to correlate variables.



Conducted Energy Weapon – SB/OR Reports

Table 1 illustrates the monthly number of reports by division for this reporting period. An SB/OR report can contain multiple subjects and/or use of force events. The number of reports is most comparable to statistics from CEW Quarterly Reports prior to 2010.

Table 1 - Number of Reports by Division (Province)

		Month			
		April	May	June	Total
		Count	Count	Count	Count
Division (Province)	A Division (NCR)	0	0	0	0
	B Division (NL)	0	0	1	1
	C Division (QC)	0	0	0	0
	D Division (MB)	5	4	4	13
	E Division (BC)	16	13	22	51
	F Division (SK)	9	18	11	38
	G Division (NWT)	2	1	1	4
	H Division (NS)	4	2	3	9
	NHQ	0	0	0	0
	J Division (NB)	7	2	4	13
	K Division (AB)	7	16	9	32
	L Division (PEI)	0	0	0	0
	M Division (YK)	2	0	1	3
	O Division (ON)	0	0	0	0
	V Division (NU)	0	0	1	1
	Total	52	56	57	165



Conducted Energy Weapon – Usage

The category “Draw and Display” includes “Laser Sight Activated”, “Pointed at Subject” and “Spark Display Activated”. Table 2 outlines the types of usages by Division (Province). Since previous CEW Quarterly Reports analyzed Form 3996 by report and not usage, the number of SB/OR reports found on page 7 is most comparable to statistics from CEW Quarterly Reports prior to 2010.

Table 2 - Number of Usages by Division (Province)

		Usage			
		Draw And Display	Contact Stun Deployed	Probe Deployed	Total
		Count	Count	Count	Count
Division (Province)	A Division (NCR)	0	0	0	0
	B Division (NL)	1	0	0	1
	C Division (QC)	0	0	0	0
	D Division (MB)	12	1	1	14
	E Division (BC)	32	6	13	51
	F Division (SK)	41	5	6	52
	G Division (NWT)	4	0	0	4
	H Division (NS)	7	0	2	9
	NHQ	0	0	0	0
	J Division (NB)	7	5	2	14
	K Division (AB)	25	4	6	35
	L Division (PEI)	0	0	0	0
	M Division (YK)	2	1	0	3
	O Division (ON)	0	0	0	0
	V Division (NU)	0	0	1	1
	Total	131	22	31	184

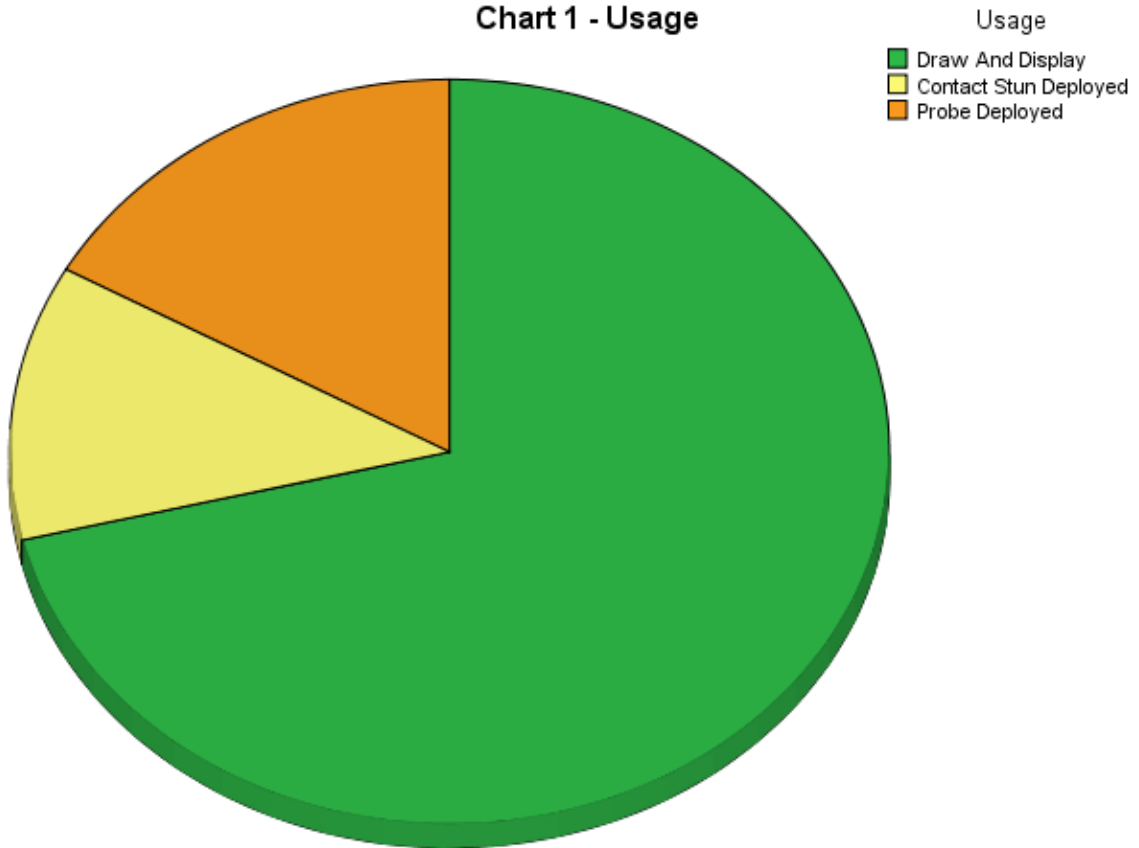


Conducted Energy Weapon – Usage (cont'd)

The previous CEW Quarterly Reports, reported on data from Form 3996, where a report could only record an incident as one event (“Presence/Challenge Only”, “Push Stun”, “Probe” or “Both Push Stun & Probe”). SB/OR reporting records a separate event for each CEW usage (“Draw and Display”, “Laser Sight Activated”, “Pointed at Subject”, “Spark Display Activated”, “Contact Stun Deployed” and “Probe Deployed”) to demonstrate a (de)escalation of events. As a result of these reporting changes and SB/OR’s enhanced ability to capture use of force events, the number of CEW usages for 2010 CEW quarterly reports will seem inflated. Therefore, the number of reports shown on page 6 is most comparable to statistics from CEW Quarterly Reports prior to 2010.

Chart 1 shows the total breakdown of CEW usages nationally. The SB/OR data indicates that the CEW is predominantly used as a deterrent. The 2nd Quarter of 2010 showed a 7% drop in contact stun and probe deployments when compared with the 1st Quarter of 2010. This continues to demonstrate a downward trend in CEW deployments.

Chart 1 - Usage



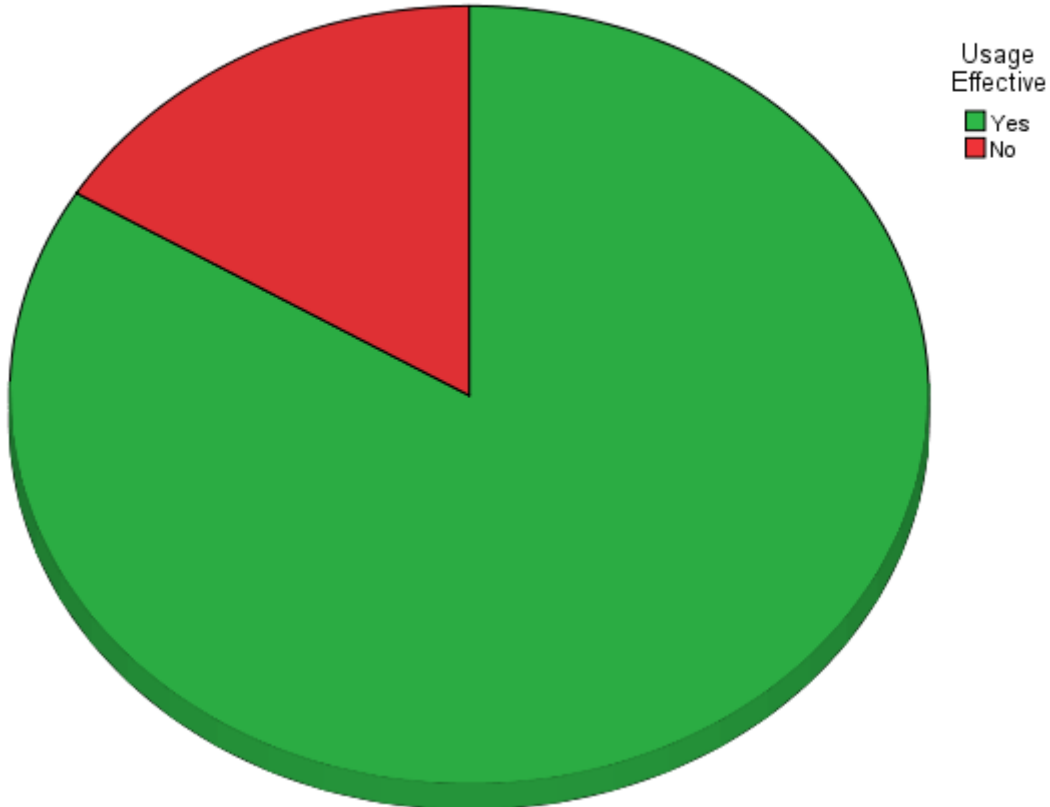
		Count	Column N %
Usage	Draw And Display	131	71.2%
	Contact Stun Deployed	22	12.0%
	Probe Deployed	31	16.8%
	Total	184	100.0%



Conducted Energy Weapons - Effectiveness

Chart 2 reports on the overall effectiveness of the CEW. For the purposes of this analysis “effectiveness” means that the reporting member found that the CEW usage was effective in de-escalating the situation or gaining control of the subject. Members noted the CEW to be effective in 83.7% of usages. Furthermore, CEW usages enabled members to handcuff the subject 68.4% of the time.

Chart 2 - Overall Effectiveness of the CEW



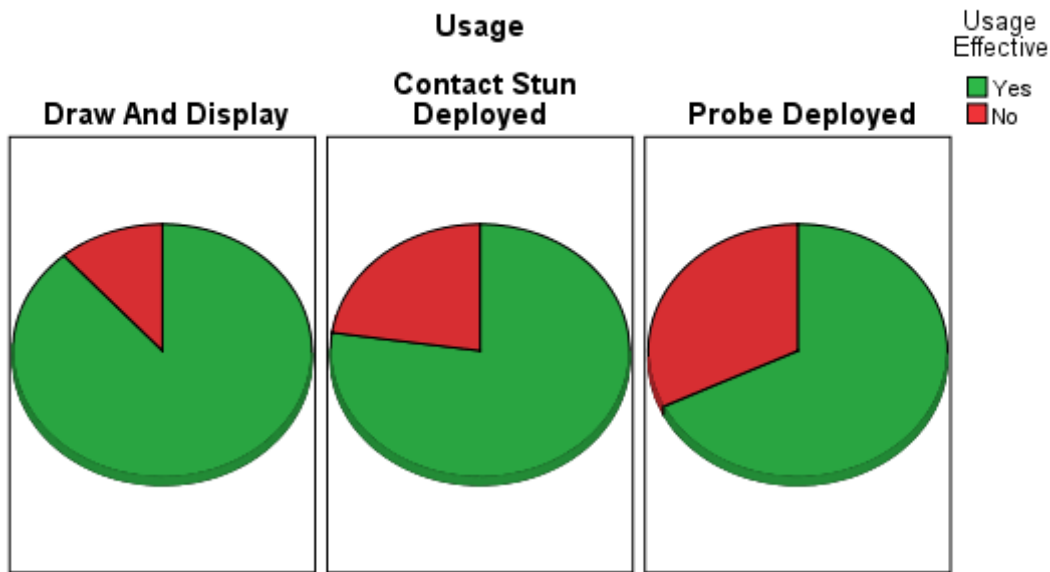
		Count	Column N %
Usage Effective	Yes	154	83.7%
	No	30	16.3%
	Total	184	100.0%



Conducted Energy Weapons – Effectiveness (cont'd)

Chart 3 provides further breakdown of the CEW effectiveness in relation to the type of usage. This chart illustrates that the CEW is a very effective deterrent; showing a 88.5% effectiveness rate for Draw and Display. Chart 4 on the following page, provides rationale for the CEWs ineffectiveness.

Chart 3 - Usage Effectiveness



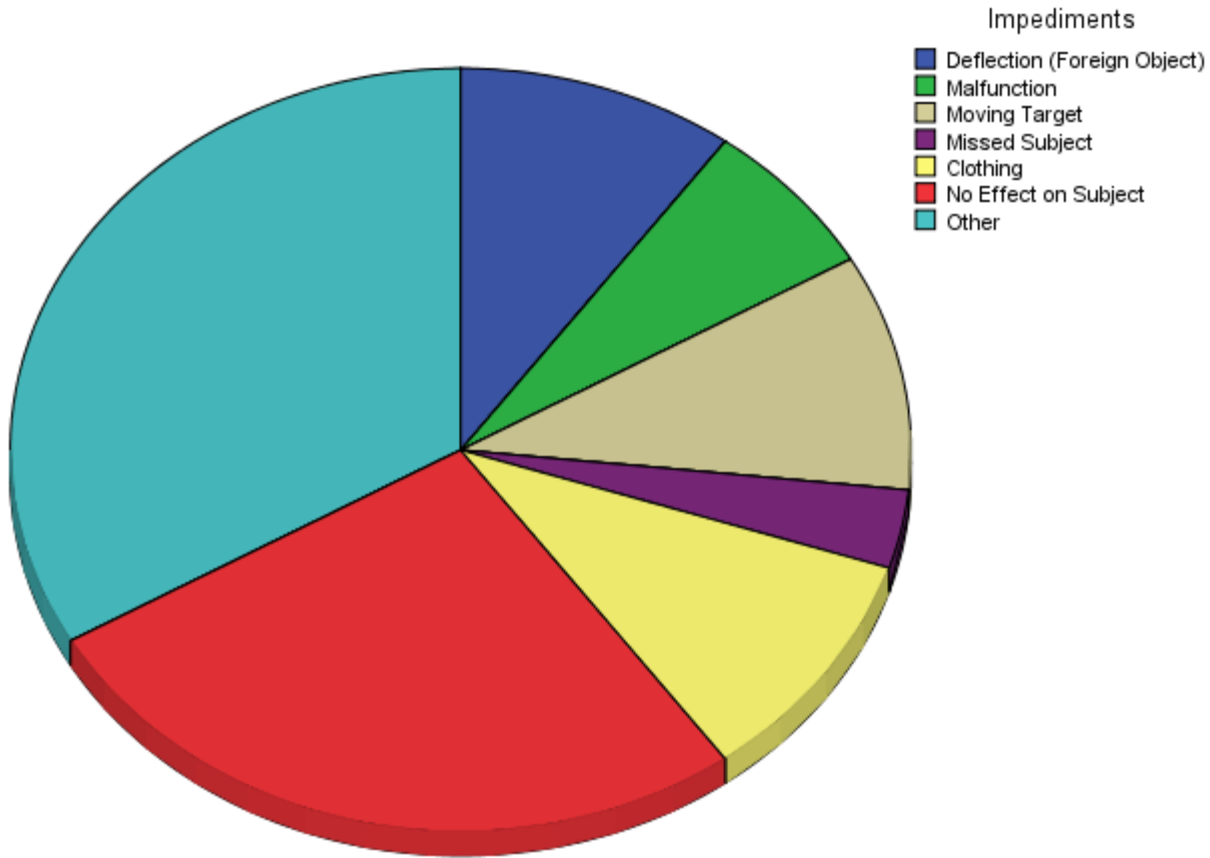
Usage Effectiveness		Usage							
		Draw And Display		Contact Stun Deployed		Probe Deployed		Total	
		Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %
Usage Effective	Yes	116	88.5%	17	77.3%	21	67.7%	154	83.7%
	No	15	11.5%	5	22.7%	10	32.3%	30	16.3%
	Total	131	100.0%	22	100.0%	31	100.0%	184	100.0%



Conducted Energy Weapons – Effectiveness (cont'd)

Chart 4 represents an analysis of 30 usages where the CEW was found to be ineffective. The most common impediments were deflection (foreign object), moving target, loose or heavy clothing and the CEW had no effect on the subject.

Chart 4 - Impediments to Effective Outcomes



Impediments	Count	Column N %
Deflection (Foreign Object)	3	10.0%
Malfunction	2	6.7%
Moving Target	3	10.0%
Missed Subject	1	3.3%
Clothing	3	10.0%
No Effect on Subject	8	26.7%
Other	10	33.3%
Total	30	100.0%



Conducted Energy Weapon - Occurrence Type

Table 3 outlines the occurrence types when the CEW was used. In SB/OR, members are asked to use the most serious criminal code offence from the records management systems (PROS/PRIME); while in Form 3996 used the initial occurrence type which was entered as one of 14 occurrence type categories. Since there are over 50 occurrence types for this reporting period, only the most common occurrence types (4+) were shown. The following table reveals that the most common occurrence types are assault or mental health related.

Table 3 - Most Common Occurrence Types (4+)

		Count	Column N %
Occurrence Type	Assault 266 CC	17	10.5%
	Assault On Peace Officer 270(2) CC	14	8.6%
	Mental Health Act/Att Suicide	13	8.0%
	Mental Health Act - Other Activities	12	7.4%
	Assault With Weapon Or Causing Bodily Harm 267 CC	8	4.9%
	Resists/Obstructs Peace Officer 129 CC	6	3.7%
	Possession Of Weapon For Dangerous Purpose 88(2) CC	6	3.7%
	Assault-W/Weapon Or Cbh	6	3.7%
	Assault Against Police Officer	5	3.1%
	Mischief Equal To Or Under \$5,000 - Damage To, Or Obstruct Enjoyment Of Property 430(4) CC	4	2.5%

N=162 (number of occurrences)



Conducted Energy Weapon - Subject Behaviour and Risk Assessment

In a letter from RCMP Commissioner to the Chair of the Commission of Public Complaints Against the RCMP (CPC), responding to recommendations made in the CPC's "RCMP Use of the Conducted Energy Weapon (CEW) Interim Report", the Commissioner wrote:

"...behaviour in itself is not a threshold or justification for usage of intermediate weapons, including the CEW. A member's risk assessment, which is based on the totality of the situation (i.e. the perceived subject behaviour, situational factors, threat cues, officer perceptions and tactical considerations) will determine the threshold of use and inevitably the reasonableness of the response.

To reiterate, the RCMP will ensure its membership is able to measure their use of force response based upon the totality of the circumstances rather than a specifically stated behaviour. It is understood that use of force incidents are dynamic and not linear in nature. As such, it is difficult to delineate the use of any intervention option to any one specific behaviour. The RCMP recognizes that any use of force option can incur risk. Therefore, the member's use of force must be responsive, based on their perception, to indications of threatening behavior, either to themselves or others. Again, policy and training will provide clear guidance and understanding to RCMP members." (William Elliot, personal communication, May 29, 2008.)*

To assist in explaining how a member formulates their risk assessment, the following excerpt is taken directly from the *Incident Management Intervention Model Supporting Document* (2009). The Incident Management Intervention Model (IMIM) is a visual aid that helps the officer envision an event and explain why certain intervention methods were employed. This is very helpful when an officer must articulate his or her actions, such as before a judicial body. The model is also a teaching aid used for training officers. The IMIM is not in itself policy or law, and should not be considered as a justification model on its own.

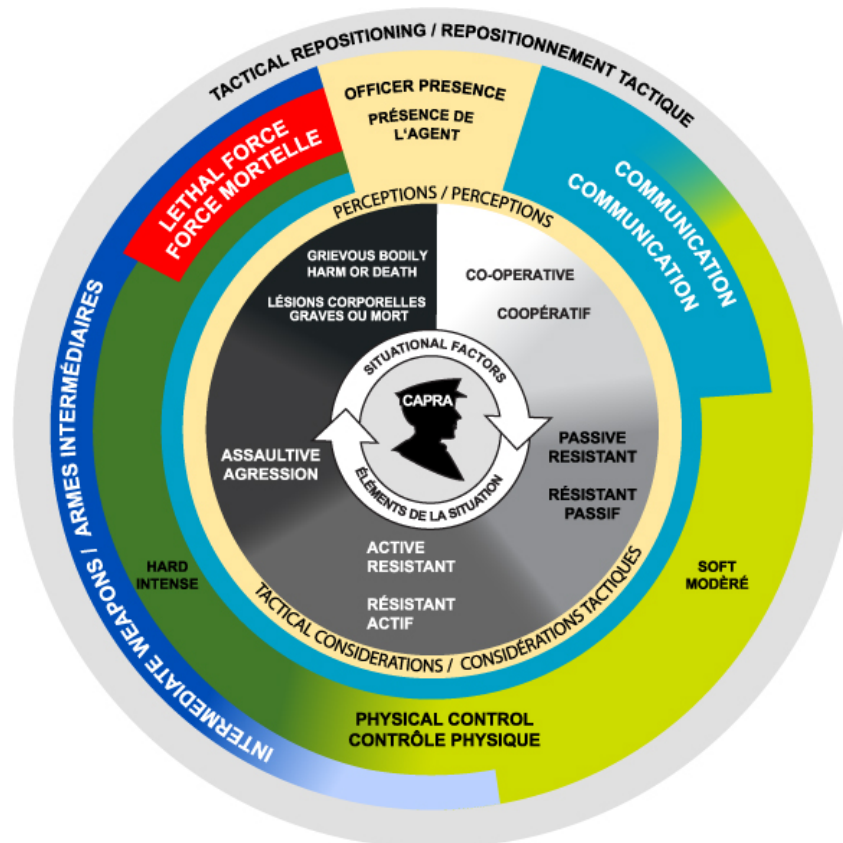
"A police officer is expected to explain the intervention strategies he or she chooses to manage an incident. The explanation must take into account the totality of the situation, including the officer's perceptions, assessment of situational factors present, tactical considerations, and subject behaviour, all of which form the risk assessment. This explanation, referred to as legal articulation is the process by which an officer can explain clearly, concisely, and effectively the events that occurred before, during, and after an intervention. It is important to remember that this explanation is based on each officer's individual perceptions at the time of the event, and what those perceptions meant to the officer. Officers will not necessarily be judged by what they believe. Their intervention will be measured against what a reasonable, trained, prudent police officer would do faced with a similar set of circumstances.

*Note: On April 29, 2010 the CEW policy was revised to limit the use of the CEW to "situations where a subject is causing bodily harm, or the police officer believes, on reasonable grounds, that the subject will imminently cause bodily harm" replacing "in response to a threat to officer or public safety" in the previous policy. Bodily harm is defined as any hurt or injury to a person that interferes with the health or comfort of the person and that is more than merely transient or trifling in nature (*Criminal Code*, 2011).



Conducted Energy Weapon - Subject Behaviour and Risk Assessment (cont'd)

The IMIM is the framework by which RCMP members assess and manage risk through justifiable and reasonable intervention. It is not a "use of force continuum". It does not suggest a linear path of use of force. Rather, it helps members choose the appropriate intervention option, based on the subject's behaviour and the totality of the situation. It promotes continuous risk assessment and centers on the RCMP problem solving model known as CAPRA (CAPRA stands for Clients / Acquire & Analyze / Partnerships / Response / Assess).





Conducted Energy Weapon - Subject Behaviour and Risk Assessment (cont'd)

The Assessment Process:

The process of assessing an incident involves:

- 1. the situational factors*
- 2. the subject behaviours*
- 3. the officer's perception, and*
- 4. tactical considerations.*

Careful consideration of possible factors within each of the above categories assists the officer in forming a risk assessment, and responding to situations, and in explaining to others how a particular situation was perceived, assessed, and responded to.

Situational Factors:

As stated previously, the situational factors may change throughout an incident. This fact is represented by circular arrows that illustrate the requirement for a continual risk assessment and evaluation by the officer(s) involved.

As soon as an officer becomes aware of an incident, the risk assessment process begins. Situational factors are a key component of this risk assessment. There are a number of things that may be considered as situational factors. Each of these may influence the officer's risk assessment.

It should be noted that some of these factors may fall under more than one category (i.e. situation, subject behaviour, or perception/tactical considerations). Additionally, the following lists are not exhaustive. They are simply common factors that an officer can expect to consider when making their decisions. Such factors may assist or may hinder effecting control. These will influence the choice of intervention options.

Environment:

There will be times when environmental conditions may affect the officer's assessment of the situation.

- weather conditions: rain, snow, wind, heat, etc.*
- moment of the day: daylight or darkness*
- location: residential, rural, urban, indoors, outdoors, hostile vs. friendly territory*
- physical position: roof top, roadside, stairwell, cell area*
- other factors: cover, concealment*
- biohazards/body fluids*



Conducted Energy Weapon - Subject Behaviour and Risk Assessment (cont'd)

Number of Subjects:

The number of officers versus the number of subjects will affect the officer's assessment of the situation:

- *one subject facing one officer*
- *one subject facing two or more officers*
- *multiple subjects facing one officer*
- *multiple subjects facing multiple officers*

Perceived Subjects' Abilities:

The officer's perception of a subject's various characteristics will affect his or her assessment of the situation:

- *under the influence of drugs or alcohol*
- *intoxicated vs. under the influence*
- *subject's physical size, strength, skills*
- *goal oriented*
- *willingness to resist*
- *emotional state*
- *proximity to weapons*

Knowledge of Subject:

Prior knowledge may affect the officer's assessment of the situation. He or she may be aware of the subject's criminal history, reputation, or the officer may have had prior contacts with the subject.

- *Canadian Police Information Centre (CPIC) information*
- *previous history, reputation*
- *demonstrated ability and/or behaviour*

Time and Distance:

The concept of time and distance refers to those conditions that determine whether an officer must respond immediately or whether a delayed response may be employed. For example, in situations where there is a pressing threat to public safety, an immediate response may be unavoidable. In other situations, conditions may allow the officer to delay his or her response. For example, the availability of cover, the imminent arrival of backup, or simply being able to increase the distance between the officer and the subject may allow the officer to reduce the threat and delay responding until conditions are more favourable. The officer must address the following time and distance factors as part of the risk assessment process.

- *seriousness of situation*
- *must you act immediately*
- *can you create more time and distance*
- *escape routes*



Conducted Energy Weapon - Subject Behaviour and Risk Assessment (cont'd)

Threat Cues:

A subject may provide cues to his or her intentions. The following list includes physical behaviours displayed by a subject that have been known to precede an attack on a police officer.

- *ignoring the officer*
- *repetitious questioning*
- *aggressive verbalization*
- *emotional venting*
- *refusing to comply with lawful request*
- *ceasing all movement*
- *invasion of personal space*
- *adopting an aggressive stance*
- *furtive glances*
- *hiding*

Subject Behaviours:

Central to the assessment process is the behaviour of the subject. The IMIM identifies five different categories of subject behaviour in the circle adjacent to the situational factors. The gradual blending of colours in this circle reflects the fact that the boundaries between categories may be difficult to distinguish. It is often difficult to differentiate between categories of behaviour. Where a subject falls in these categories is in part dependent upon the officer's perception. The following describes each of the five categories of subject behaviour.

Cooperative:

The subject responds appropriately to the officer's presence, communication and control.

Passive Resistant:

The subject refuses, with little or no physical action, to cooperate with the officer's lawful direction. This can assume the form of a verbal refusal or consciously contrived physical inactivity. For example, some subjects will go limp and become dead weight.

Active Resistant:

The subject uses non-assaultive physical action to resist, or while resisting an officer's lawful direction. Examples would include pulling away to prevent or escape control, or overt movements such as walking toward, or away from an officer. Running away is another example of active resistance.



Conducted Energy Weapon - Subject Behaviour and Risk Assessment (cont'd)

Assaultive:

The subject attempts to apply, or applies force to any person; attempts or threatens by an act or gesture, to apply force to another person, if he/she has, or causes that other person to believe upon reasonable grounds that he/she has the present ability to effect his/her purpose. Examples include kicking and punching, but may also include aggressive body language that signals the intent to assault.

Grievous Bodily Harm or Death:

The subject exhibits actions that the officer reasonably believes are intended to, or likely to cause grievous bodily harm or death to any person. Examples include assaults with a knife, stick or firearm, or actions that would result in serious injury to an officer or member of the public.

Perception and Tactical Considerations:

Perception and Tactical Considerations are two separate factors that may affect the officer's overall assessment. Because they are viewed as interrelated, they are graphically represented in the same area on the model. They should be thought of as a group of conditions that mediate between the inner two circles and the responses available to the officer.

The mediating effect of the Perception and Tactical Considerations circle explains why two officers may respond differently to the same situation and subject. This is because tactical considerations and perceptions may vary significantly from officer to officer and/or agency to agency. Two officers, both faced with the same tactical considerations may, because they possess different personal traits, or have dissimilar agency policies or guidelines, assess the situation differently and therefore respond differently. Each officer's perception will directly impact on their own assessment and subsequent selection of tactical considerations and/or their own intervention options.

Perception:

How an officer sees or perceives a situation is, in part, a function of the personal characteristics he or she brings to the situation. These personal characteristics affect the officer's beliefs concerning his or her ability to deal with the situation. For various reasons, one officer may be confident in his or her ability to deal with the situation and the resulting assessment will reflect this fact. In contrast to this, another officer, for equally legitimate reasons, may feel the situation to be more threatening and demanding of a different response. The following list includes factors unique to the individual officer which interact with situational factors and behaviour categories to affect how the officer perceives and, ultimately assesses and responds to a situation.



Conducted Energy Weapon - Subject Behaviour and Risk Assessment (cont'd)

Factors that may be unique to the individual officer include but are not limited to:

- *size/strength/overall fitness*
- *personal experience*
- *skill/ability/training*
- *fears/confidence*
- *gender*
- *fatigue*
- *injuries*
- *critical incident stress symptoms*
- *cultural background*
- *sight/vision*

Tactical Considerations:

An officer's assessment of a situation may lead to one of the following tactical considerations. Conversely, these same factors may impact on an officer's assessment of a situation.

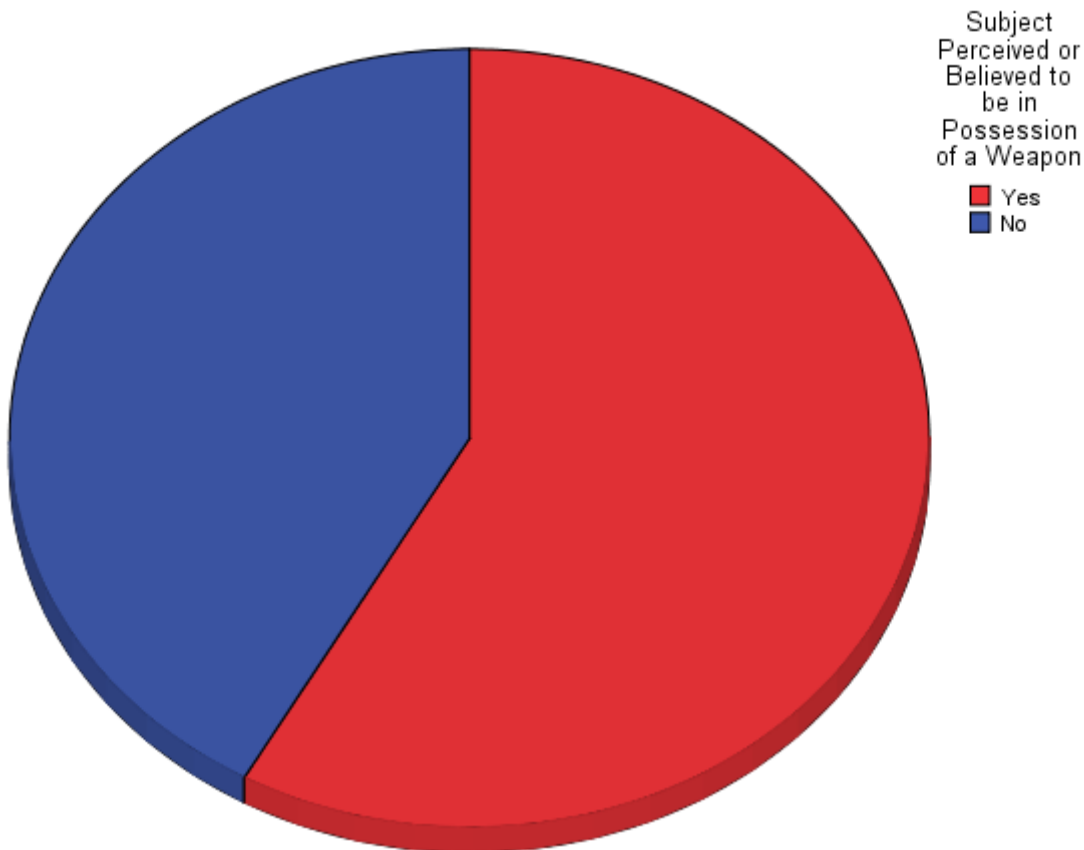
- *Tactical Repositioning and its consequences*
- *Officer appearance*
- *Uniform and equipment*
- *Number of officers*
- *Availability of backup*
- *Availability of cover*
- *Geographic considerations*
- *Practicality of containment, distance, communications*
- *Agency policies and guidelines*
- *Availability of special units and equipment: canine, tactical, helicopter, crowd management unit*
- *Command post, etc.*



Conducted Energy Weapon - Subject Behaviour and Risk Assessment (cont'd)

Chart 5 outlines the member’s perception or belief that the subject was in possession of a weapon (“edged weapon”, “firearm”, “impact weapon”, “pepper/bear spray” and/or “other/unknown”). This data shows that when a CEW is used, it is predominantly on a subject who is perceived or believed to be in possession of a weapon. The most commonly identified weapon was an “edge weapon”, which accounted for a third of CEW usages. Firearms were perceived or believed in almost 3.8% of CEW usages.

Chart 5 - Subject Perceived or Believed to be in Possession of a Weapon



		Count	Column N %
Subject Perceived or Believed to be in Possession of a Weapon	Yes	107	58.2%
	No	77	41.8%
	Total	184	100.0%



Conducted Energy Weapon - Subject Behaviour and Risk Assessment (cont'd)

For each use of the CEW, the reporting member is asked to identify the behaviour being displayed by the subject. In addition, the member is asked the following question “Based on your risk assessment, did you perceive a threat from the subject that was greater than the behaviour being displayed during this event? Yes/No”. The following scenario is provided to assist members in answering this question: “Subject is compliant, however, he is known to carry a weapon and has a history of violence towards police. The subject's behaviour is cooperative but based on your risk assessment, you perceive the threat level of the subject as high.”

CEW policy was revised on April 29, 2010 to limit the use of the CEW to “when a subject is causing bodily harm, or the member believes on reasonable grounds, that the subject will imminently cause bodily harm as determined by the member's assessment of the totality of the circumstances” replacing “in response to a threat to officer or public safety as determined by a member's assessment of the totality of the circumstances being encountered” in the previous policy. Bodily harm is defined as any hurt or injury to a person that interferes with the health or comfort of the person and that is more than merely transient or trifling in nature (*Criminal Code*, 2011). Before CEW policy was revised and during this reporting period there were three deployments on active resistant subjects where a greater perceived level of threat/risk was not identified. After the policy was revised and during this reporting period the CEW was not deployed in contact stun or probe mode on any individuals displaying less than active resistant subject behaviour with a greater perceived level of threat/risk. SB/OR reports that contain the use of a CEW are reviewed at the supervisor, Divisional/Provincial and National level for adherence to applicable directives which includes the above noted policy.

Chart 6 associates subject behaviour and risk assessment with CEW usage. This demonstrates that although the CEW was used on cooperative and passive resistant subjects, it was only drawn and displayed (ie: not deployed in contact stun mode or probe mode). Moreover, it demonstrates that additional situational factors and threat cues were present with the vast majority of these cooperative and passive resistant subjects. A review of the cooperative and passive resistant subjects that were not identified as having a greater perceived level of threat/risk showed the following situational factors and threat cues that assisted the member(s) in formulating their risk assessment in these cases:

- Cooperative - Six
 - Member called to aggravated assault. Subject hiding in closet. CEW drawn as a precaution. Since the subject was hiding from the police, the subject behavior would have been more appropriately categorized as active resistant.
 - Member called to domestic dispute. The door to the residence was barricaded. CEW drawn to clear residence (two subjects). Since the door was barricaded to the police, the subject behaviour would have been more appropriately categorized as active resistant.
 - CEW drawn to clear a residence with multiple intoxicated subjects.
 - A bystander fainted as the result of the CEW being pointed at an assaultive subject. A usage should not have been reported on the cooperative bystander as the CEW was not used on them.
 - Subject known to carry knives and firearms. Subject hiding in closet. CEW drawn as a precaution. Since the subject was hiding from the police, the subject behavior would have been more appropriately categorized as active resistant.



Conducted Energy Weapon - Subject Behaviour and Risk Assessment (cont'd)

- Passive resistant subject - One
 - Member called to domestic dispute. The door to the residence was barricaded. CEW drawn to clear residence. Since the door was barricaded to the police, the subject behavior would have been more appropriately categorized as active resistant.

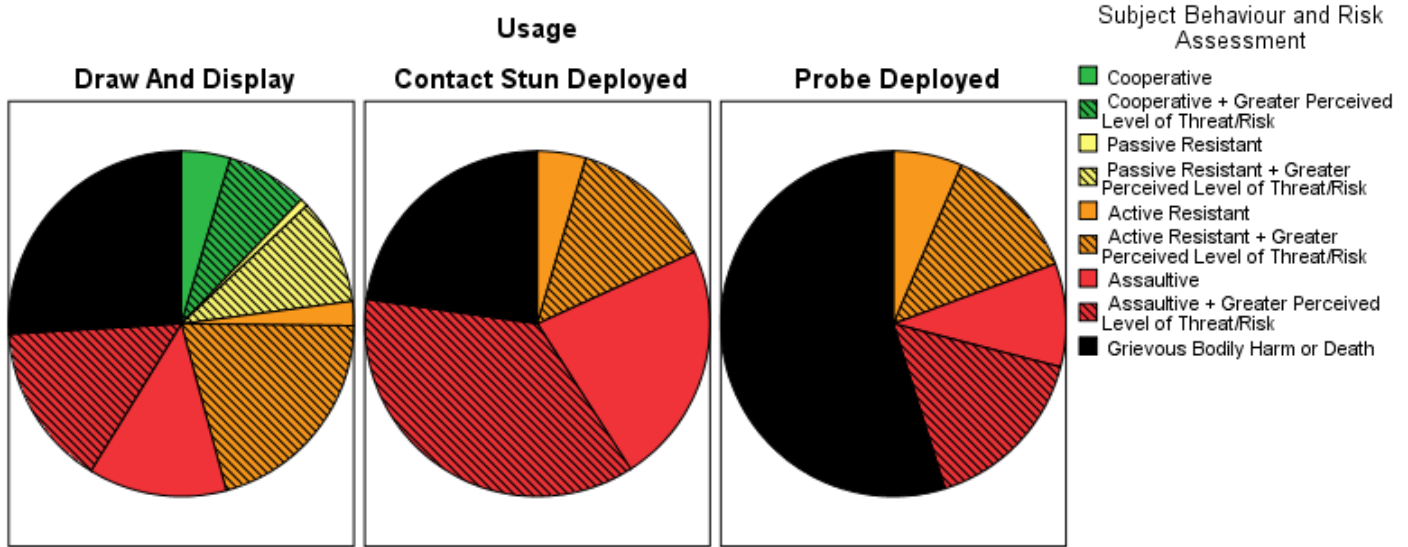
Though this is not a comprehensive list of all the situational factors and threat cues perceived during the member's risk assessment of a situation, it does provide insight as to the totality of the circumstances observed or perceived during CEW usage. Based on this review, it appears that the members have failed to identify the greater perceived level of threat/risk on their report as required.

The data shows a relationship between subject behaviour/risk assessment and CEW usages. This relationship infers that probe deployments are more effective for subjects demonstrating a threat of grievous bodily harm or death (91.1% perceived/believed to be in possession of a weapon), as it provides more distance from the subject; while contact stun deployments are more effective for close contact with assaultive subjects (34.5% perceived/believed to be in possession of a weapon).



Conducted Energy Weapon - Subject Behaviour and Risk Assessment (cont'd)

Chart 6 - Subject Behaviour and Risk Assessment Associated with Usage



Subject Behaviour and Risk Assessment Associated with Usage		Usage							
		Draw And Display		Contact Stun Deployed		Probe Deployed		Total	
		Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %
Subject Behaviour and Risk Assessment	Cooperative	6	4.6%	0	.0%	0	.0%	6	3.3%
	Cooperative + Greater Perceived Level of Threat/Risk	10	7.6%	0	.0%	0	.0%	10	5.4%
	Passive Resistant	1	.8%	0	.0%	0	.0%	1	.5%
	Passive Resistant + Greater Perceived Level of Threat/Risk	13	9.9%	0	.0%	0	.0%	13	7.1%
	Active Resistant	3	2.3%	1	4.5%	2	6.5%	6	3.3%
	Active Resistant + Greater Perceived Level of Threat/Risk	27	20.6%	3	13.6%	4	12.9%	34	18.5%
	Assaultive	17	13.0%	5	22.7%	3	9.7%	25	13.6%
	Assaultive + Greater Perceived Level of Threat/Risk	20	15.3%	8	36.4%	5	16.1%	33	17.9%
	Grievous Bodily Harm or Death	34	26.0%	5	22.7%	17	54.8%	56	30.4%
	Total	131	100.0%	22	100.0%	31	100.0%	184	100.0%

(Note: Please see page 22-23 for details on the draw and display of the CEW on cooperative and passive resistant subjects.)

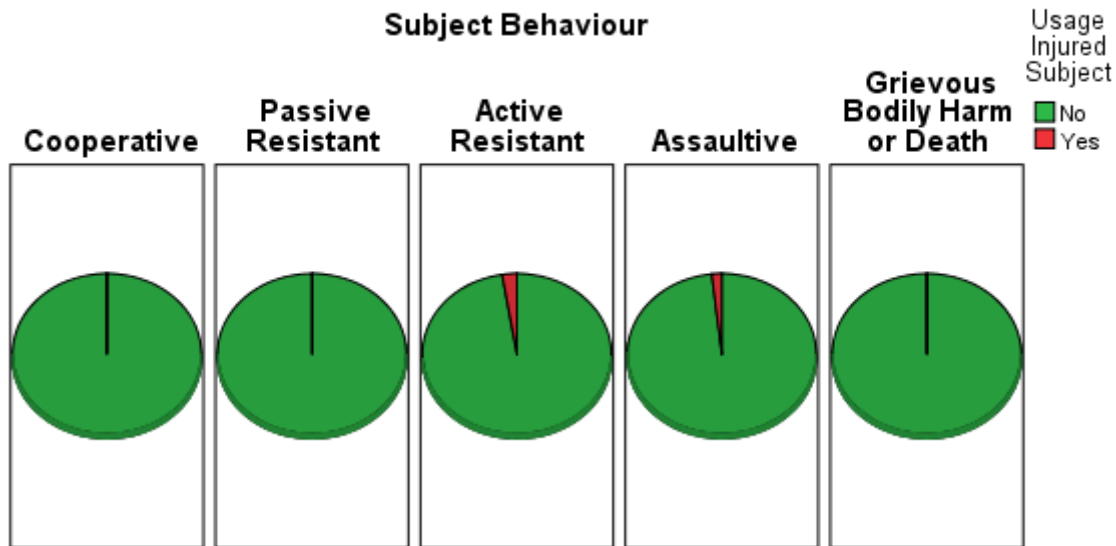


Conducted Energy Weapon - Subject Injuries

With each usage of the CEW, the member is asked to identify “Was subject injured as a result?”. Injury has been defined as bodily harm that is not merely transient or trifling in nature, and which interferes with a person's health or comfort.

Chart 7 associates subject behaviour with injury.

Chart 7 - Reported Injuries Associated with Subject Behaviour



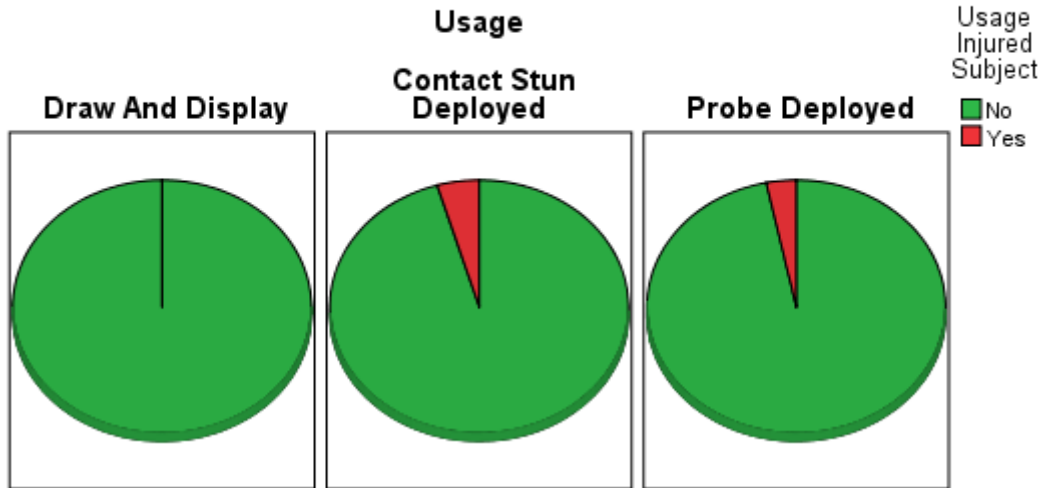
Reported Injuries Associated with Subject Behaviour	Subject Behaviour												
	Cooperative		Passive Resistant		Active Resistant		Assaultive		Grievous Bodily Harm or Death		Total		
	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %	
Usage Injured Subject	No	16	100.0%	14	100.0%	39	97.5%	57	98.3%	56	100.0%	182	98.9%
	Yes	0	.0%	0	.0%	1	2.5%	1	1.7%	0	.0%	2	1.1%
	Total	16	100.0%	14	100.0%	40	100.0%	58	100.0%	56	100.0%	184	100.0%



Conducted Energy Weapon - Subject Injuries (cont'd)

Chart 8 associates injuries with deployment type. This chart demonstrates that the overall injury rate of CEW usage is 1.1%.

Chart 8 - Reported Injuries Associated with Usage



Reported Injuries Associated with Usage		Usage							
		Draw And Display		Contact Stun Deployed		Probe Deployed		Total	
		Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %
Usage Injured Subject	No	131	100.0%	21	95.5%	30	96.8%	182	98.9%
	Yes	0	.0%	1	4.5%	1	3.2%	2	1.1%
	Total	131	100.0%	22	100.0%	31	100.0%	184	100.0%



Conducted Energy Weapon - Subject Treatment

Instead of classifying injuries into categories (e.g. minor, major, etc.), SB/OR records the treatment required for the subject’s injuries. Treatment is categorized as follows:

- No Treatment Required
- Treated & Release at Scene/Cells
- Transported to Hospital/Clinic for Injury Related to Police Intervention
- Transported to Hospital/Clinic for Injury Related to Police Intervention and Condition (see note)
- Transported to Hospital/Clinic for Condition (see note) only
- Death Proximal to Police Intervention

Note: Condition refers to Emotionally Disturbed, Drugs/Alcohol and/or Pre-existing injury that was unrelated to police intervention

Table 4 identifies the two subjects that were injured, both of which did not require treatment.

Table 4 - Level of Treatment Associated with Subjects Injured by a CEW Usage

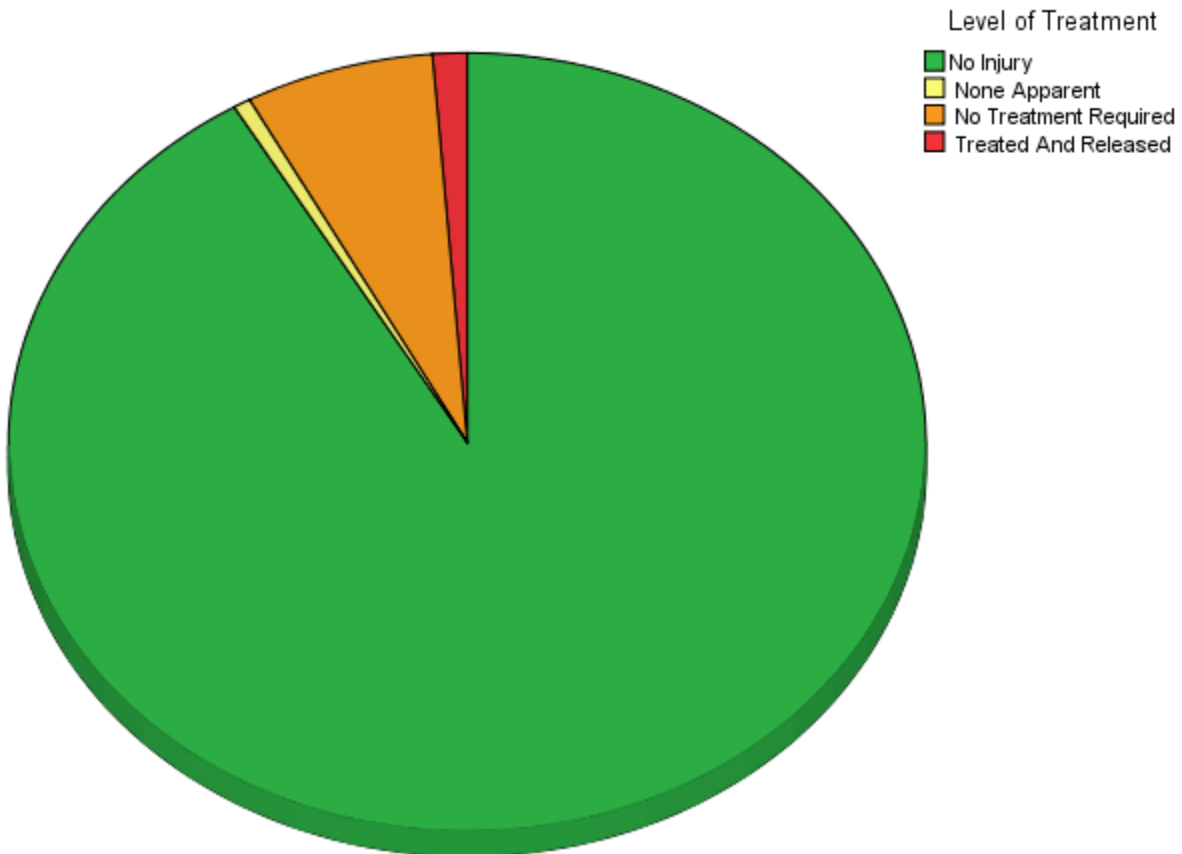
		Count	Column N %
Level of Treatment	No Treatment Required	2	100.0%
	Treated & Released at Scene/Cells	0	.0%
	Transported to Hospital/Clinic - for Injury Related to Police Intervention	0	.0%
	Transported to Hospital/Clinic - for Condition (see note) & Injury Related to Police Intervention	0	.0%
	Transported to Hospital/Clinic - for Condition (see note) only	0	.0%
	Death Proximal to Police Intervention	0	.0%
	Total	2	100.0%



Conducted Energy Weapon - Member Treatment

Chart 9 identifies treatment required for the applying member in incidents where the CEW was used. For the most part, members are not being injured in these incidents, however, when they are, they do not need to be admitted to the hospital.

Chart 9 - Member Level of Treatment Associated with CEW Usage



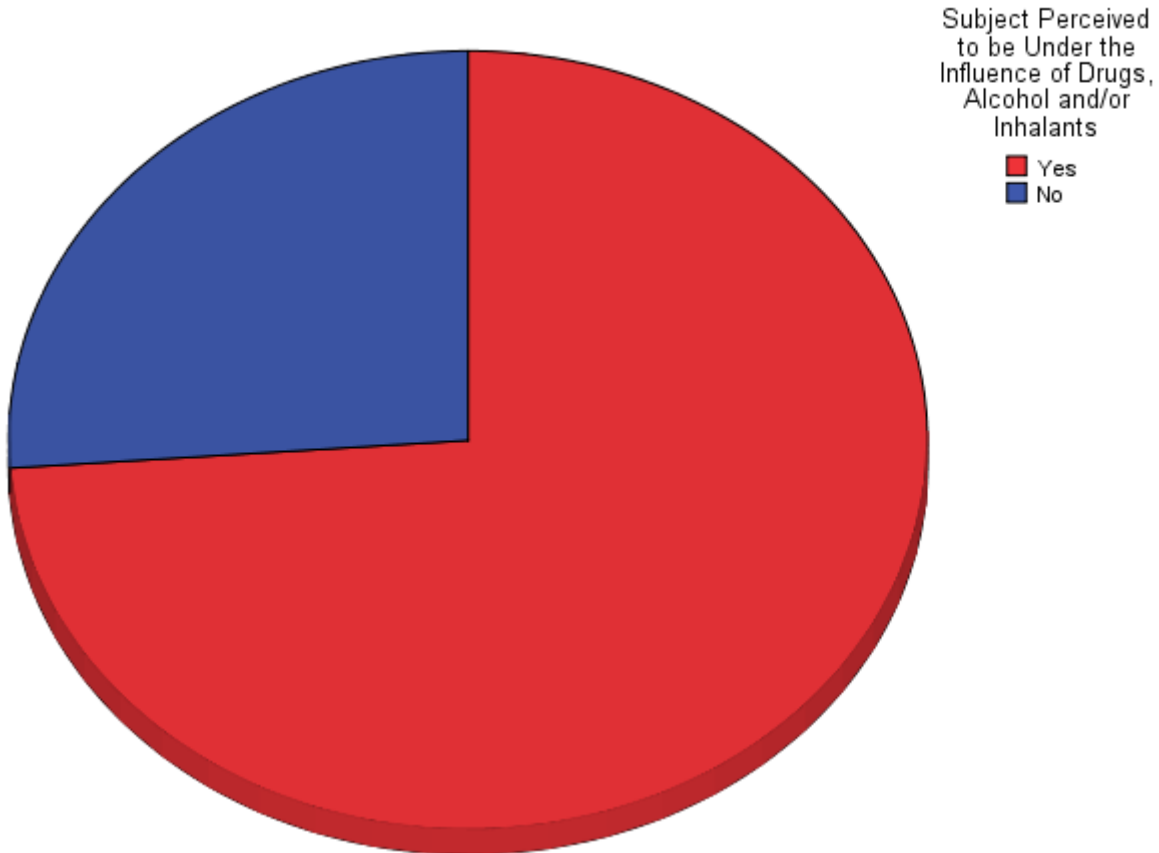
		Count	Column N %
Level of Treatment	No Injury	151	91.5%
	None Apparent	1	.6%
	No Treatment Required	11	6.7%
	Treated And Released	2	1.2%
	Admitted To Hospital	0	.0%
	Death	0	.0%
	Total	165	100.0%



Conducted Energy Weapon – Perceived Influences

Chart 10 reports on member’s perception that the subject was under the influence of drugs, alcohol and/or inhalants at the time of the incident. A large percentage (73.9%) of CEW usages involved subjects that were perceived to be under the influence. The most common influence (65.2%) was alcohol, followed by drugs, which were perceived in over a quarter of all subjects.

Chart 10 - Subject Perceived to be Under the Influence of Drugs, Alcohol and/or Inhalants



		Count	Column N %
Subject Perceived to be Under the Influence of Drugs, Alcohol and	Yes	130	73.9%
	No	46	26.1%
	Total	176	100.0%



APPENDIX A

Province & Division		CEWs Procured per Division April 1st to June 30th, 2010		
		M26	X26	Total:
OTTAWA	A	0	0	0
NL	B	0	0	0
QC	C	0	0	0
MB	D	0	5	5
BC	E	0	5	5
SK	F	0	2	2
NWT	G	0	1	1
NS	H	0	12	12
NB	J	0	1	1
AB	K	0	12	12
PEI	L	0	0	0
YK	M	0	0	0
HQ	N	0	0	0
ON	O	0	0	0
REGINA	DEPOT	0	1	1
NU	V	0	0	0
Procured:		0	39	39

	CEWs Disposed April 1st to June 30th, 2010		
	M26	X26	Total:
Disposed:	44	36	80



APPENDIX B

CEW Training completed between 2010/04/01 and 2010/06/30*

COURSE NAME				
REGION	DIV	C-Conducted Energy Weapon Rcrt (000279)	C-Conducted Energy WeaponUser (000028)	Grand Total
ATLANTIC	B	3		3
	H	6		6
	J	132	16	148
	L	2		2
ATLANTIC Total		143	16	159
CENTRAL	C	31		31
	W	4		4
CENTRAL Total		35		35
NHQ	N	58		58
NHQ Total		58		58
NORTH WEST	D	167	11	178
	F	238	45	283
	G	5		5
	K	265	13	278
	R	11		11
	T	3		3
	V	2		2
NORTH WEST Total		691	69	760
PACIFIC	E	207	8	215
PACIFIC Total		207	8	215
Grand Total		1134	93	1227

*This information is based on information entered in HRMIS. The information is queried using PROMEL report ADH847.

* Division based on employee's current job data in HRMIS.

* This data includes RMs and S/Csts



APPENDIX C

Number of RMs and S/Csts considered CEW Certified on 2010/06/30*

Number of individuals, divided by region and division, who completed either the Conducted Energy Weapon User Course (000028), or the Conducted Energy Weapon Recertification Course (000279) or the Conducted Energy Weapon Instructor course (000029) between 2009-06-30 and 2010-06-30. These individuals are therefore deemed certified on the Conducted Energy Weapon on 2010-06-30.

REGION	DIV	Total
ATLANTIC	B	159
	H	194
	J	332
	L	73
	X	9
ATLANTIC Total		767
CENTRAL	A	1
	C	67
	O	26
	W	8
CENTRAL Total		102
NHQ	N	91
	S	3
NHQ Total		94
NORTH WEST	D	401
	F	493
	G	28
	K	599
	R	20
	T	5
	V	41
NORTH WEST Total		1587
PACIFIC	E	510
	M	23
PACIFIC Total		533
Grand Total		3083

*Information is collected from data that has been entered in HRMIS and captured using PROMEL report ADH847. If an individual completed CEW training more than once within the specified range, only one instant of training is counted.

* Division based on employee's current job data in HRMIS.

* This data includes RMs and S/Csts



APPENDIX D



Divisions

HQ - Headquarters, Ottawa, Ontario	H - Nova Scotia
A - Ottawa, Ontario	J - New Brunswick
B - Newfoundland	K - Alberta
C - Quebec	L - Prince Edward Island
D - Manitoba	M - Yukon Territory
E - British Columbia	O - Ontario
F - Saskatchewan	T - Depot
G - Northwest Territories	V - Nunavut



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