



WINNIPEG POLICE SERVICE

REPORT TO THE WINNIPEG POLICE BOARD

TO: Chair, Winnipeg Police Board

FROM: Chief Danny G. Smyth

SUBJECT: 2021 Use of Force Report

DATE: May 13, 2022

RECOMMENDATION

That this report be received as information by the Winnipeg Police Board.

FINANCIAL IMPLICATIONS

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

BACKGROUND

The Commission on Accreditation for Law Enforcement Agencies (CALEA) requires that the Service establish and maintain written procedures on use of force to direct the decisions of police members. The CALEA standards require that all members issued with lethal or intermediate level weapons receive appropriate training and pass mandatory recertification regarding the safe handling and proper usage of weapons and control tactics. Less than lethal weapons and weaponless control techniques require recertification on a biennial basis, while firearms proficiency must be recertified annually.

Written reports and administrative reviews are required whenever force is used and firearms or Conducted Energy Weapon (CEW) are discharged or presented to coerce compliance. An annual administrative review of procedure and outcomes is also required.

DISCUSSION

While the Winnipeg Police Service directives on Use of Force prescribe the foundation for procedure, training and assessment practices are established by CALEA standards and the Criminal Code of Canada. Formal training within the Service along with Use of Force procedures direct officers when they encounter situations where application of force is required to gain compliance or de-escalate situations in accordance with the law. While the Service prefers that incidents are resolved without application of physical force by members, occasionally it is required.

All officers are required to complete training prior to being issued lethal and intermediate weapons, with recertification annually for firearms and biennially for intermediate weapons. All hands-on training is accompanied by classroom lectures on the decision-making framework in the Service's procedures for

use of force to ensure officers are aware of their obligations to act within the legal authorization provided by the Criminal Code. While the WPS Professional Standards Unit carefully investigates complaints of excessive force received by the Service, cases where use of force results in a serious injury or the loss of life are investigated by the Independent Investigation Unit of Manitoba.

Reporting Use of Force

In all cases where force is used or a weapon is discharged, with the exception of training purposes, the incident is documented through an electronic Use of Force Blue Team, the reporting system for the Service. The Blue Team reports allows for independent review and assessment by experts as to whether the force application was reasonable and necessary given the totality of circumstances. It also allows the Service to identify opportunities for improvement through training, equipment or procedural updates. The statistical data contained in the tables of this report may be the subject of ongoing review and classification. As such, minor variations may occur over time.

The Winnipeg Police Service dispatched calls for service totaled 234,058 in 2021. Within these calls, 699 incidents resulted in either the use of force or the presentation of a weapon by officers to gain compliance. Officers resolved 99.7% of all calls for service without having to resort to force and 0.3% of calls required the use of or a presentation of force.

The actual application of physical force, without including coercive action, occurred in 587 of these incidents or 0.25%. Coercive actions may include, but are not limited to, officers pointing their service pistol or presenting their ASP baton, oleoresin capsicum (OC) spray, Canine or a CEW in an effort to secure compliance from a suspect.

2016 – 2021 Comparison of Use of Force Reports

Year	Dispatched Calls for Service	Use of Force Reports	Percentage of Use of Force Encounters
2016	205,641	858	0.42%
2017	225,129	871	0.38%
2018	225,204	756	0.34%
2019	231,668	861	0.37%
2020	241,795	748	0.31%
5 year average	225,887	825	0.36%
2021	234,058	699	0.30%

*Review of reports and classifications is an on-going process which may result in minor variations over time.

The five-year average of use of force (2016-2020) is 825 encounters. The results for 2021 are a decrease from 2020 and also lower than the average of the previous 5 years. For further perspective, during 2021 there was approximately one use of force encounter for every 335 calls for service.

The year over year changes in the amount of force used by officers is dictated by interactions in the field. As such, these numbers are determined by the behaviour of suspects and their willingness to comply with officers.

Types of Force Used

Training dictates that officers regulate their actions based on the threat level presented to them by a suspect and that the minimum level of force required to gain compliance be used. In the vast majority of calls, tactical communication and officer presence are sufficient to restore order or gain compliance. Each Use of Force (UOF) report can include multiple forms of control and resistance in each encounter; therefore, totals are greater than one hundred percent for each year in the charts below.

2016 – 2021 Comparison of Officer Control Used

Year	Soft Empty Hand Control	Hard Empty Hand Control	Intermediate Weapons	Deadly Force presented or deployed
2016	80.47%	39.42%	29.24%	21.87%
2017	78.75%	42.03%	29.45%	23.09%
2018	76.88%	44.52%	33.29%	20.34%
2019	74.45%	40.96%	35.12%	19.25%
2020	76.82%	40.84%	35.71%	18.33%
5 year average	77.47%	41.55%	32.56%	20.58%
2021	77.97%	38.77%	33.76%	21.32%
Incidents (out of 699)	545	271	236	149

The table above shows a comparison of resistance offered by the subjects, detailing the frequency by way of a percentage and count for each category of resistance as mentioned within a use of force report. Incidents may include more than one force option, in either escalating and de-escalating order. Over the past five years the use of Intermediate Weapons averaged 32.56%. In 2021, use of this force option remained near the average.

The Deadly Force (presented or deployed) category refers to incidents when officers used their firearms to coerce compliance; however, this does not mean that officers discharged their firearms at subjects. During 2021, firearms were used to coerce compliance in 21.32% of use of force instances with the vast majority of these instances involved presenting the service pistol to gain compliance from an individual.

2016 – 2021 Comparison of Officer Involved Shootings

Year	Officer Involved Shooting	Fatalities
2016	0	0
2017	5	2
2018	1	0
2019	5	2
2020	5	4
2021	0	0

While no officer involved shootings occurred in Winnipeg during 2021, as required by law, all such shootings are investigated by the Independent Investigation Unit of Manitoba (IIU).

2016 – 2021 Comparison of Assaultive and Violent Resistance

Year	Defensive Resistance	Active Aggression	Aggravated Active Aggression
2016	70.41%	41.88%	14.32%
2017	73.33%	46.19%	17.55%
2018	72.66%	47.69%	19.55%
2019	72.27%	47.36%	18.21%
2020	69.95%	51.75%	21.02%
5 year average	71.72%	46.97%	18.13%
2021	71.53%	47.93%	20.74%

By comparison of resistance offered by the subjects, the numbers in each column of the table above represent the frequency for each resistance mentioned within a use of force report. There may be several levels of resistance, as well as police controls, used in a single use of force report.

Of the 699 Use of Force Reports, the officers faced situations where Aggravated Active Aggression accounted for 20.74% of the overall aggression. These types of encounters are volatile and carry the risk of death or grievous bodily harm to the officers, the subjects and potential by-standers. The increase over the past two years has largely been attributed to encounters with individuals using methamphetamine. Individuals under the influence of methamphetamine often have a high tolerance to pain and are far less responsive to de-escalation techniques including verbal and physical.

2016 – 2021 Comparison of Intermediate Weapons

Year	Intermediate Weapons Deployment					
	OC Spray	ASP Baton	Conducted Energy Weapon			Canine Bite
Presented/ Coerce			Probes Deployed	Push Stun		
2016	2	16	103	69	30	19
2017	4	19	97	83	31	19
2018	17	19	96	89	20	7
2019	10	10	94	154	26	9
2020	8	12	94	124	25	11
5 year average	8	15	97	104	26	13
2021	3	6	85	117	21	5

The Conducted Energy Weapon (CEW) remains the most used Intermediate Weapon. The CEW was used 223 times in 2021, slightly less than the five-year average of 227.

The CEW probe deployment is the most effective level of control, and the level with the least likelihood of causing injury, compared to physical control techniques. In addition, police members have been deploying the CEW as a means to de-escalate or control persons armed with a weapon.

Injuries

The number of officers injured during physical conflict during 2021 was lower than the average of the last five years. The rates at which violent and resistant subjects were injured during the 2021 also decreased.

2016 – 2021 Self-reported Injuries

Year	Use of Force Reports	Officers injured	Percentage Injured	Subjects injured	Percentage Injured
2016	858	97	11.3%	239	27.82%
2017	873	101	11.57%	244	27.95%
2018	757	102	13.47%	224	29.59%
2019	851	88	10.34%	253	29.73%
2020	742	88	11.86%	192	25.88%
5 year Average	817	95	11.71%	230	28.15%
2021	699	73	10.44%	170	24.32%

Complaints Related to Use of Force

In 2021, the Service received and investigated two complaints of use of force that did not meet the legislative criteria to refer to the IIU. As detailed in the table below, one complaint resulted in no charge, one had insufficient evidence. The public may also make a formal complaint to LERA for an independent investigation. The LERA report is released independently.

2017 – 2021 Professional Standards Unit – Excessive Force Allegation Dispositions

Type	2017	2018	2019	2020	2021
Abandoned	1	1	1	-	-
Crown Opinion- No charge	-	-	-	-	1
Informal Resolution	-	-	-	-	-
Information Only	3	-	-	-	-
Not Sustained	2	1	1	-	-
Open	1	-	-	2	-
Stayed	-	-	-	-	-
Sustained	-	-	-	-	-
Unfounded	1	1	1	1	-
Proper Conduct	-	-	-	2	-
Insufficient Evidence	-	-	-	1	1
Total	8	3	3	6	2

Due to COVID-19, in 2021 the Officer Safety Unit was required to make slight modifications to recertification training. However, these modifications had no impact on the quality of training and a 100% police membership attendance was achieved. The Officer Safety Unit continues to review use of force reports, seek member feedback, interact with outside agencies, and evaluate new equipment to be progressive in the type and amount of training that is provided to the members of the Service.

Danny G. Smyth
Chief of Police