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Unclassified

# **RCMP Quarterly Report On Conducted Energy Weapons 2009-10-01 to 2009-12-31**

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## Executive Summary

This report on the RCMP's use of the conducted energy weapon (CEW) covers the period October 1<sup>st</sup>, 2009 to December 31, 2009 and provides details on: deployment type, effectiveness, occurrence type, subject behavior, subject injuries, and perceived presence of alcohol and/or other substances. In the majority of cases, the CEW proved to be an effective intervention option in addressing subject behaviour. There were situations where the CEW was ineffective, due to factors such as: weapon malfunction, heavy or loose clothing worn by the subject, or ineffective probe deployments.

On January 19, 2009, the RCMP initiated a new Subject Behaviour/Officer Response (SB/OR) reporting database with 14 pilot sites across Canada. SB/OR reporting enhances police accountability and relevant training through a standardized method of recording subject behaviour and the use of intervention options. SB/OR was implemented throughout the RCMP on January 1, 2010.

On October 7<sup>th</sup>, 2009, the RCMP advised its members that they should avoid targeting the chest area or any areas higher than the bottom of the subject's ribcage for CEW deployment. This advisory was initiated after the RCMP examined a TASER International Training Bulletin and related research materials where a change in targeting of the CEW was recommended.

The statistical information for this report was derived from the data contained in the RCMP's CEW database and the SB/OR database. Only CEW deployments reported in SB/OR were merged with the CEW Database data for this reporting period.

### Key Findings:

- There were 128 CEW deployments on 127 subjects during the reporting period.
- 111 (86.7%) of these deployments were effective in controlling the subjects' behavior.
- In 72 (56.3%) deployments, the CEW was presented or challenged (i.e., the CEW was displayed and/or a verbal warning of its use was given, but it was not deployed in push stun or probe mode); 86.7% of those deployments were effective in controlling the subjects' behavior.
- Incidents of cause disturbance, domestic dispute and non-domestic assault complaints accounted for 58 (45.3%) of all occurrence types in which a CEW was deployed.
- Responses to mental health or suicidal subjects accounted for 20 (15.6%) of all deployments.
- In 24 incidents (18.8%), members deployed the CEW even though they reported facing a threat of death or grievous bodily harm\*.
- Out of the 127 subjects on which the CEW was deployed, 123 (96.9%) of the individuals sustained no injury other than the immediate effect of the CEW, such as a slight burn or probe mark. Four individuals (3.1%) received outpatient treatment.
- Alcohol and/or use of other substances were suspected/confirmed in 105 incidents (82.0%).

(Note: \*This statistical data was derived from the number of subjects displaying the behavior of death or grievous bodily harm. See page 14).

## Conducted Energy Weapon - Introduction

### Methodology:

- 142 CEW usage reports (Form 3996) and SB/OR pilot site reports were completed by RCMP members between October 1<sup>st</sup>, 2009 and December 31<sup>st</sup>, 2009.
- 14 reports were removed from the analysis for the following reasons:
  - ten duplicate reports;
  - one report where the CEW was used to clear a residence and the subject was unaware of the presence of the CEW (not reportable as per policy);
  - two training reports that were submitted to the database in error; and
  - one report with the wrong occurrence date (the actual occurrence date was in 2008).
- Qualitative and quantitative analysis was completed on the remaining 128 CEW usage reports and SB/OR reports which were on 127 subjects ( $N=127$  will be used for the analysis of injuries to avoid over reporting).
- Extracts from the CEW database and SB/OR database were entered into SPSS (statistical analysis software).
- Content analysis was completed on the narratives of the CEW usage reports to code for subject behavior [based on Incident Management/Intervention Model (IMIM)], effectiveness, impediments, deployment type and injury/treatment. This was completed by a working group composed of subject matter experts, regular members and civilian members. The coding was then entered into SPSS.
- SB/OR contains fields for the aforementioned variables, which are filled out by the reporting member; therefore, manual coding was not required for SB/OR reports.
- SPSS was used to analyze the data and produce descriptive statistics.
- Bi-variate analysis was completed to correlate variables.

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

- **Push stun mode:** pressing or pushing an activated CEW onto an individual's body, allowing electrical energy to be transferred to that individual; or
- **Probe mode:** deploying an activated CEW by discharging two electrical probes, equipped with small barbs that hook onto a person's clothing or skin, allowing electrical energy to be transferred to that person.

Usage of a CEW is articulated in Operational Manual (OM) Part 17, dated February 3, 2009. The “usage” of a CEW as an intervention option is explained in OM 17.7.2. and occurs when:

- The CEW is activated. Activation occurs when the safety is released on the CEW and/or the CEW is cycled in push stun or probe mode; or
- The CEW is presented. Presence is when the CEW is drawn from its holster (activated or not) or reference of its use is made in gaining control of a situation.

After each CEW usage, members are required by policy to notify their supervisor as soon as practicable and to complete the CEW usage report (Form 3996) or a SB/OR report prior to the end of their shift. Each report documents the details concerning the use of the CEW in a given incident.

To address the issue of proper completion of Form 3996, the National Use of Force Unit provided all RCMP divisions with a template describing the information required to complete the form properly and reinforced the circumstances under which the report is required. Outstanding reports are tracked nationally and updated as they are successfully uploaded to the data base.

The detachments participating in the SB/OR pilot project were required by policy to complete an SB/OR report if any of the following responses were used:

- Use of Physical Control Hard (e.g. fighting, carotid control, etc.);
- Intermediate Weapons (i.e., OC spray, baton, CEW);
- Lethal Force;
- Deployment of a Police Service Dog; or
- Use of Physical Control Soft resulting in an injury.

The National Use of Force Unit continually reviews submitted reports to enhance and emphasize full and accurate CEW reporting.

(Note: As of February 3, 2009 the CEW Challenge was removed from policy. Members are taught to use verbal intervention and conflict resolution when feasible, as well as use simple commands such as “police stop” to potentially de-escalate a subject’s behaviour).



## Conducted Energy Weapon - Deployments

Table 1 reports CEW deployments by division on a monthly basis for the reporting period. Table 2 outlines the types of deployments by division and Chart 1 shows the total breakdown of deployment types nationally.

**Table 1 Deployments by Division**

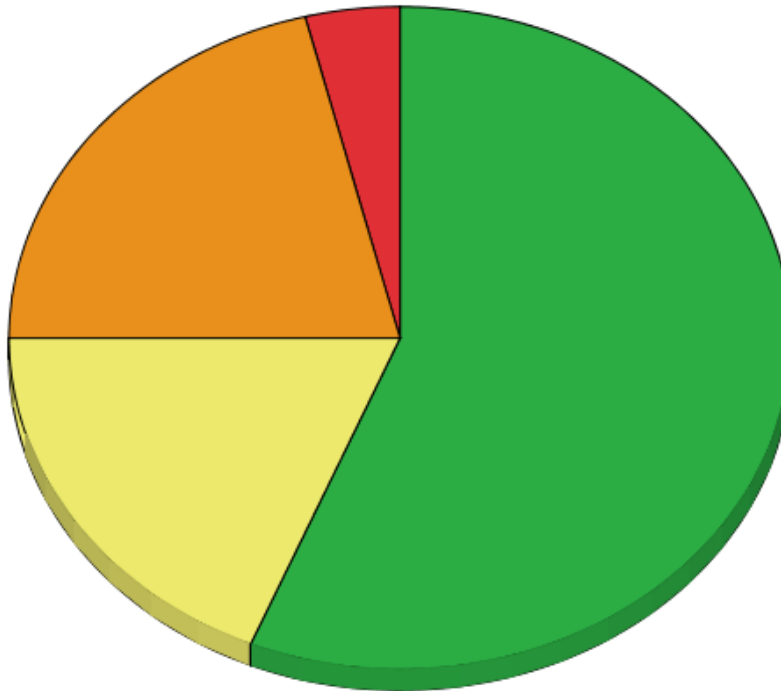
Province & Division		Month			
		October	November	December	Total:
NL	B	1	3	1	5
MB	D	3	6	7	16
BC	E	13	11	13	37
SK	F	10	7	4	21
NWT	G	0	0	1	1
NS	H	1	3	2	6
NB	J	1	2	3	6
AB	K	9	9	12	30
PEI	L	0	1	1	2
YK	M	1	0	1	2
NU	V	0	0	2	2
NHQ	NHQ	0	0	0	0
Total:		39	42	47	128

**Table 2 Types of Deployments by Division**

Province & Division		Deployment Type			
		Presence/ Challenge Only	Push Stun	Probe	Both Push Stun & Probe
NL	B	4	1	0	0
MB	D	11	3	2	0
BC	E	17	12	6	2
SK	F	19	1	1	0
NWT	G	1	0	0	0
NS	H	3	1	2	0
NB	J	2	0	4	0
AB	K	13	4	10	3
PEI	L	1	1	0	0
YK	M	1	0	1	0
NU	V	0	1	1	0
NHQ	NHQ	0	0	0	0
Total:		72	24	27	5



Chart 1 - Deployment Type

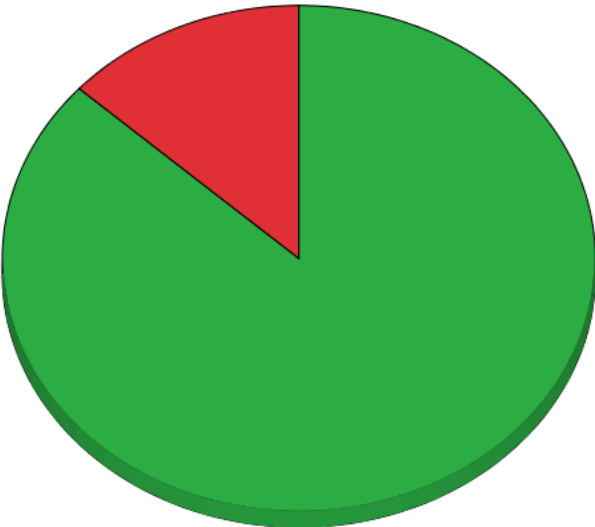


Deployment Type	Frequency	Percent
Presence/Challenge Only	72	56.3
Push Stun	24	18.8
Probe	27	21.1
Both Push Stun & Probe	5	3.9
Total	128	100.0

## Conducted Energy Weapons - Effectiveness

Chart 2 reports on the overall effectiveness of the CEW. For the purposes of this analysis “effectiveness” means that deployment of the CEW resulted in control or de-escalation of the subject’s behaviour. Chart 3 provides a further breakdown of the CEW effectiveness in relation to the type of deployment. Chart 4 represents the analysis of 17 instances when the CEW was ineffective.

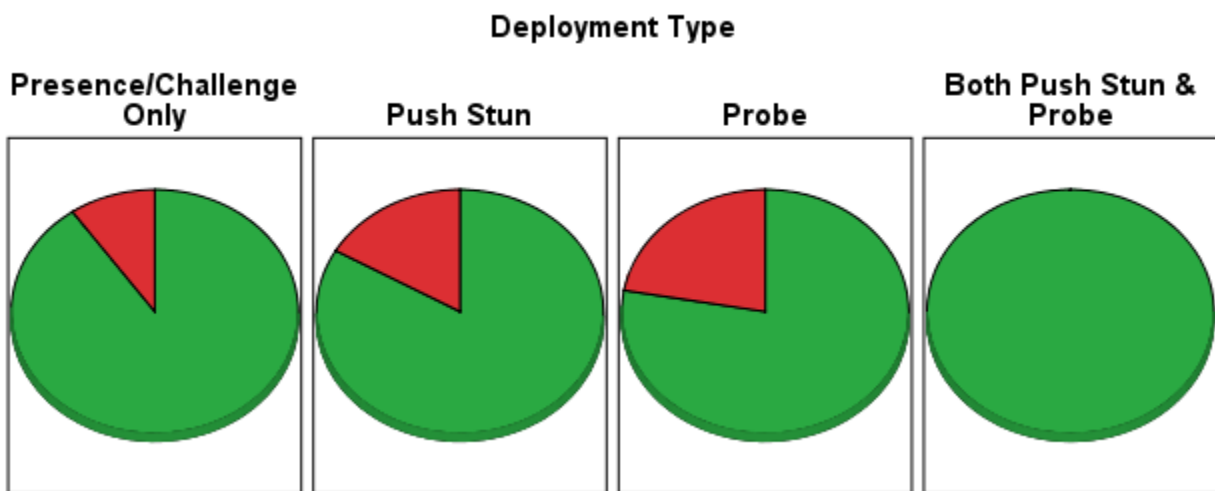
Chart 2 - Overall Effectiveness of the CEW



CEW Effectiveness	Frequency	Percent
Effective	111	86.7
Not Effective	17	13.3
Total	128	100.0

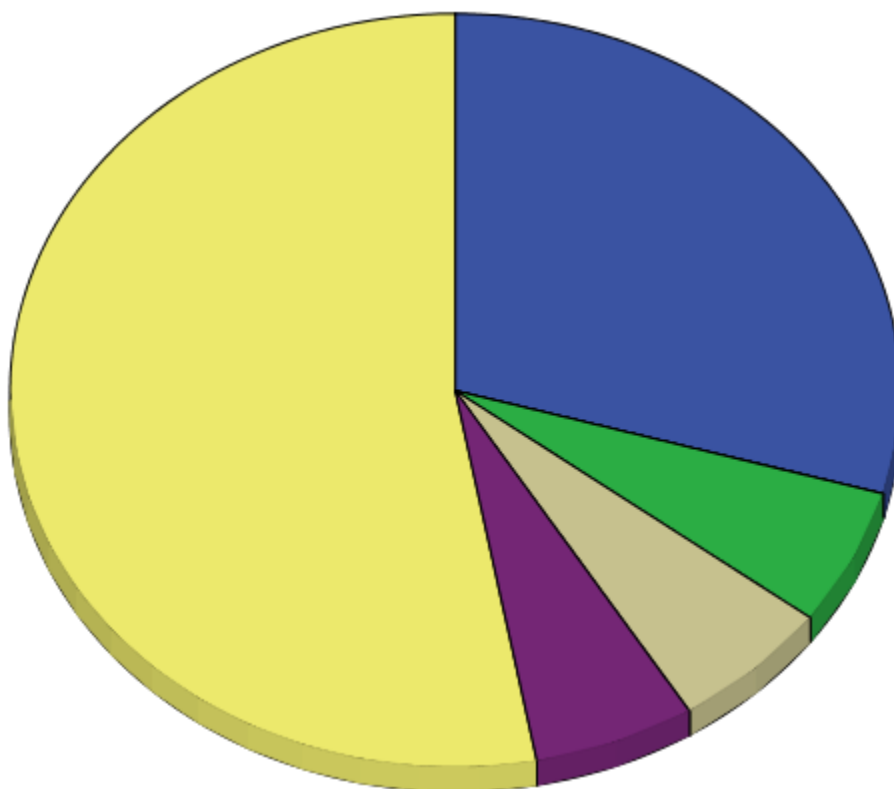


Chart 3 - Deployment Type Effectiveness



CEW Effectiveness	Deployment Type									
	Presence/ Challenge Only		Push Stun		Probe		Both Push Stun & Probe		Total	
	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %
<div><div></div> Effective</div>	65	90.3%	20	83.3%	21	77.8%	5	100.0%	111	86.7%
<div><div></div> Not Effective</div>	7	9.7%	4	16.7%	6	22.2%	0	.0%	17	13.3%
Total	72	100.0%	24	100.0%	27	100.0%	5	100.0%	128	100.0%

**Chart 4 - Impediments to Effective Outcomes**



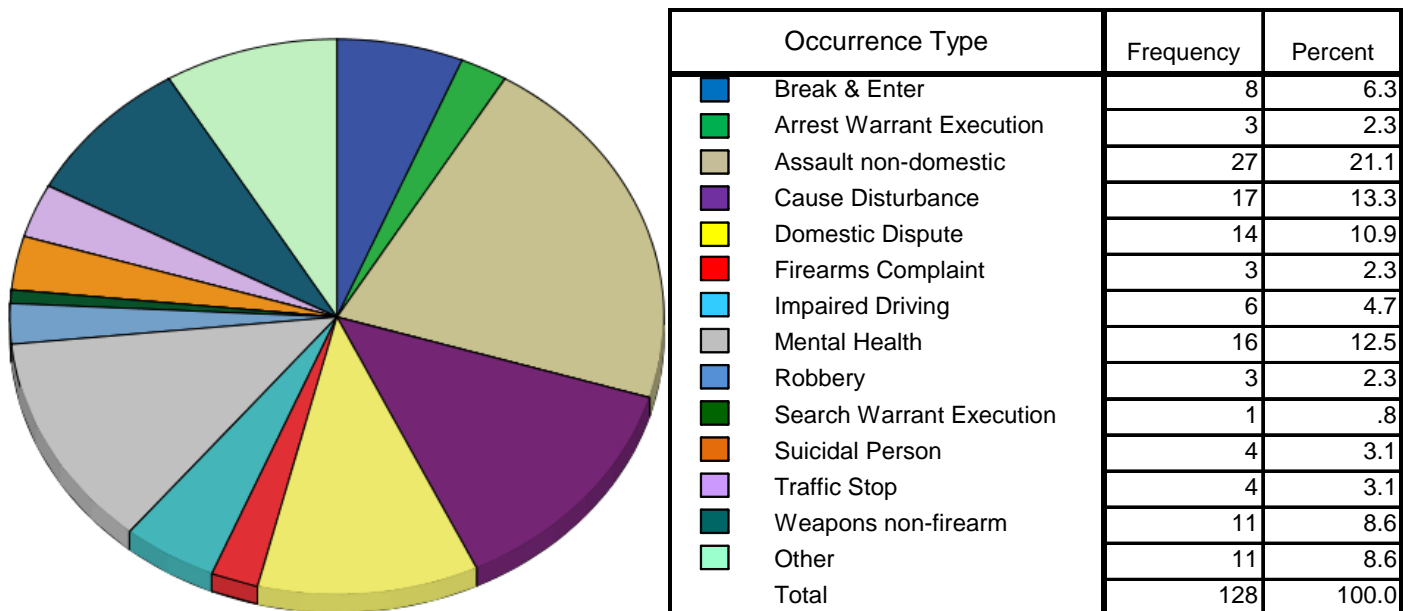
Impediments		Frequency	Percent
<span style="color: blue;">■</span>	Moving Target	5	29.4
<span style="color: green;">■</span>	Operator Error	1	5.9
<span style="color: tan;">■</span>	Malfunction	1	5.9
<span style="color: purple;">■</span>	Clothing	1	5.9
<span style="color: yellow;">■</span>	Subject Not Affected (compliance was not obtained as a result of CEW deployment)	9	52.9
Total		17	100.0

(Note: “Effective Outcomes” means that deployment of the CEW resulted in control or de-escalation of the subjects’ behavior).

## Conducted Energy Weapon - Occurrence Type

Chart 5 outlines the occurrence type of the initial call for service in which a CEW was deployed. There are fourteen different occurrence types used to describe a call for service that a member either observes or is dispatched to attend. Although the circumstances and situational factors may change during an occurrence, the initial occurrence type is the category that members are instructed to select for their report.

**Chart 5 - Occurrence Type**



(Note: The “Other” category includes incidents for which there is no occurrence type such as Mischief and Threats. A “Break & Enter” category was added due to the number of such incidents being reported as “Other”).

## Conducted Energy Weapon - Subject Behaviour

Chart 6 outlines the reported behaviour of individuals who were subject to CEW usage. Chart 7 associates subject behavior with CEW deployment type.

The CEW database does not currently have a specific data field for recording subject behaviour. Information from the summary narratives on completed Forms 3996 is used to determine subject behaviour. SB/OR reporting, however, does require the member to identify the subject's behavior. Information from the 14 pilot sites was used in the creation of this report. The SB/OR reporting database was implemented throughout the RCMP on January 1, 2010, after which the CEW database was no longer populated.

Subject behaviors are categorized, as per the IMIM, as follows:

- **Co-operative:** 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 an officer's lawful direction. Examples would include pulling away to prevent or escape control, or overt movements such as walking away from an officer. Running away is another example of active resistance.
- **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.

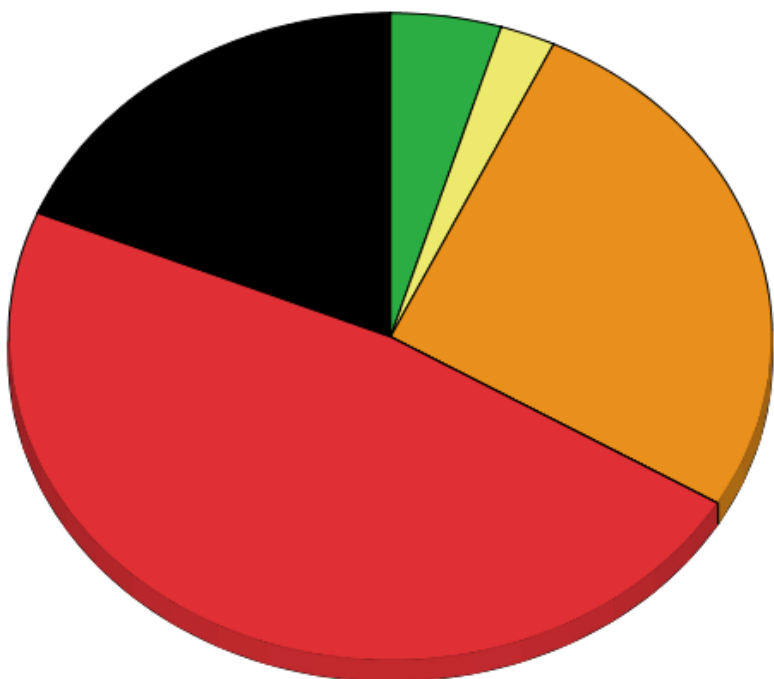
In this reporting period, the CEW was used on three subjects displaying passive resistant behavior and on six subjects displaying cooperative behavior. All incidents were reviewed and it was confirmed that the members' decision to utilize the CEW was based on perceived threats and situational factors. All nine incidents involved the presentation or reference to the CEW by the member. There were no push stun or probe mode deployments of the CEW on these subjects.






The situational factors and threat cues that assisted the member(s) in formulating their risk assessment in these cases, included, but were not limited to, the following:

- a known violent subject with gang affiliations, who was hiding and refusing to comply with police commands;
- suicidal subject(s) who had barricaded themselves and were armed with knives;
- a dispute where a rifle was discharged prior to police arrival at scene;
- subject(s) investigated for assault with weapon and possibly still armed;
- a high-risk takedown after leading police on a pursuit.

Though this is not a comprehensive list of all the situational factors and threat cues perceived during a member's risk assessment of a particular situation, it does provide insight as to the totality of the circumstances observed or perceived during CEW deployments.

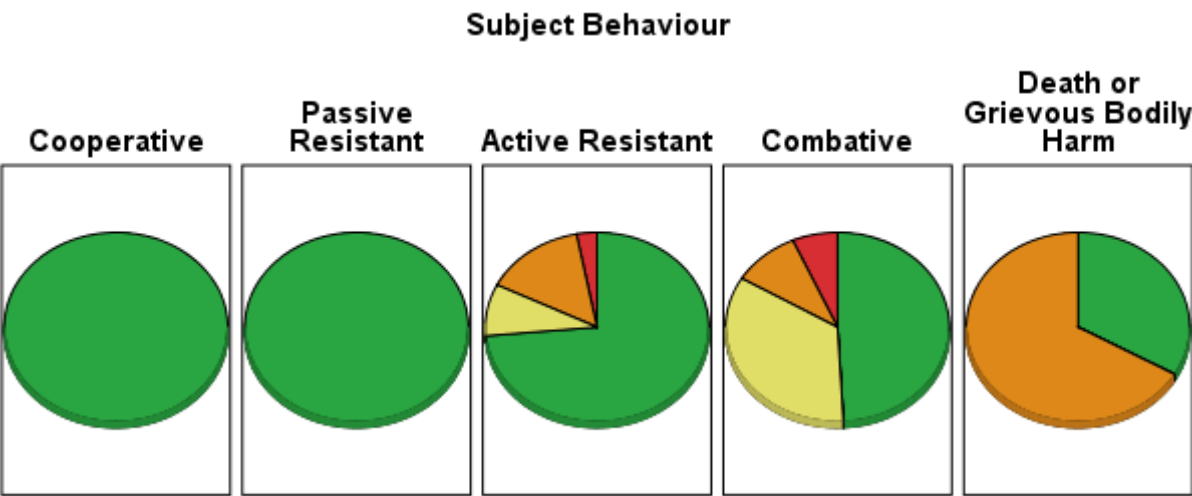
Chart 6 - Subject Behaviour



Subject Behaviour		Frequency	Percent
	Cooperative	6	4.7
	Passive Resistant	3	2.3
	Active Resistant	34	26.6
	Combative	61	47.7
	Death or Grievous Bodily Harm	24	18.8
Total		128	100.0

(Note: Rationale explaining CEW deployment on cooperative and passive resistant subjects can be viewed on page 13)

Chart 7 - Subject Behaviour Associated with Deployment Type



Deployment Type		Subject Behaviour									
		Cooperative		Passive Resistant		Active Resistant		Combative		Death or Grievous Bodily Harm	
		Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %
<span style="color: green;">■</span> Presence/Challenge Only		6	100.0%	3	100.0%	25	73.5%	30	49.2%	8	33.3%
<span style="color: yellow;">■</span> Push Stun		0	.0%	0	.0%	3	8.8%	21	34.4%	0	.0%
<span style="color: orange;">■</span> Probe		0	.0%	0	.0%	5	14.7%	6	9.8%	16	66.7%
<span style="color: red;">■</span> Both Push Stun & Probe		0	.0%	0	.0%	1	2.9%	4	6.6%	0	.0%
Total		6	100.0%	3	100.0%	34	100.0%	61	100.0%	24	100.0%

(Note: Rationale explaining CEW deployment on cooperative and passive resistant subjects can be viewed on page 13)

## Conducted Energy Weapon - Subject Injuries

Chart 8 reports the types of injuries sustained by individuals who were exposed to CEW deployment(s).

Injuries associated with CEW usage are categorized as follows:

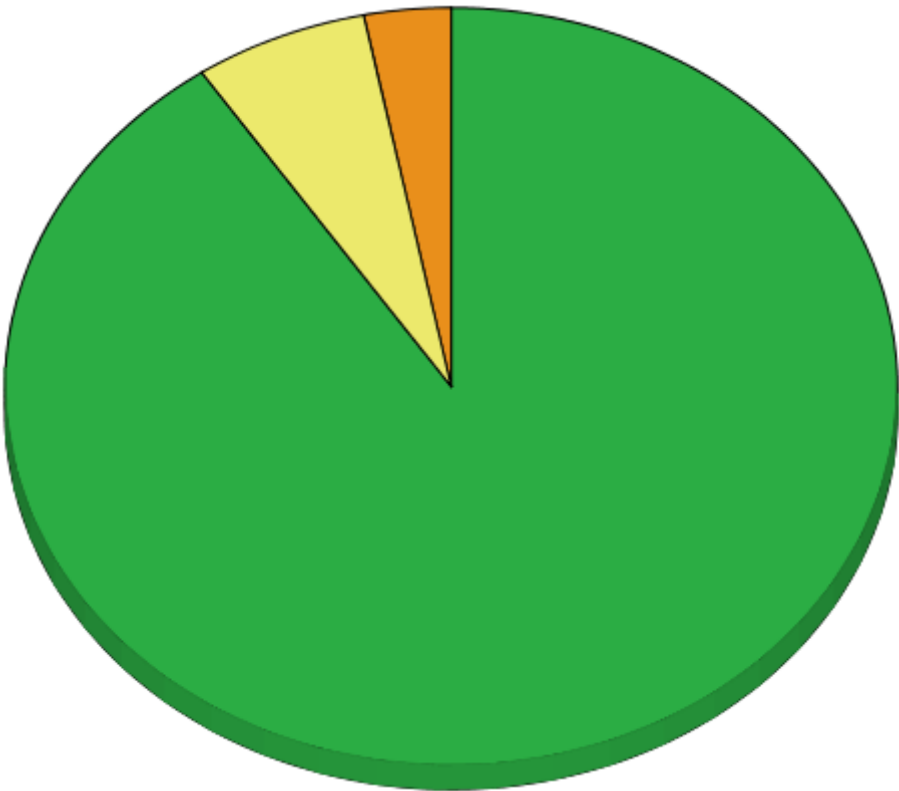
- No injury
- Minor primary injury - includes the immediate effects of CEW usage, such as slight burns, probe marks or slight bruising and cuts due to falls or physical struggles with police.
- Outpatient injury - any instance where a subject received medical attention related to the use of a CEW deployment.
- In-patient injury - any instance where an injury related to the use of a CEW resulted in the subject being admitted to a health care facility.
- Death proximal to CEW usage - death occurring after a recent deployment of the CEW.






Chart 8 indicates that of the 127 subjects on which the CEW was deployed, no injuries were sustained by 115 (90.6%) subjects, minor primary injuries were sustained by 8 (6.3 %) subjects, and 4 (3.1%) subjects received outpatient treatment. Of the 4 incidents reporting outpatient treatment, one subject received treatment for probe removal, and the remaining three subjects received treatment for precautionary reasons. All four of the subjects were treated and medically cleared to be incarcerated.

Chart 9 shows the correlation between subject injuries and their reported behaviour.



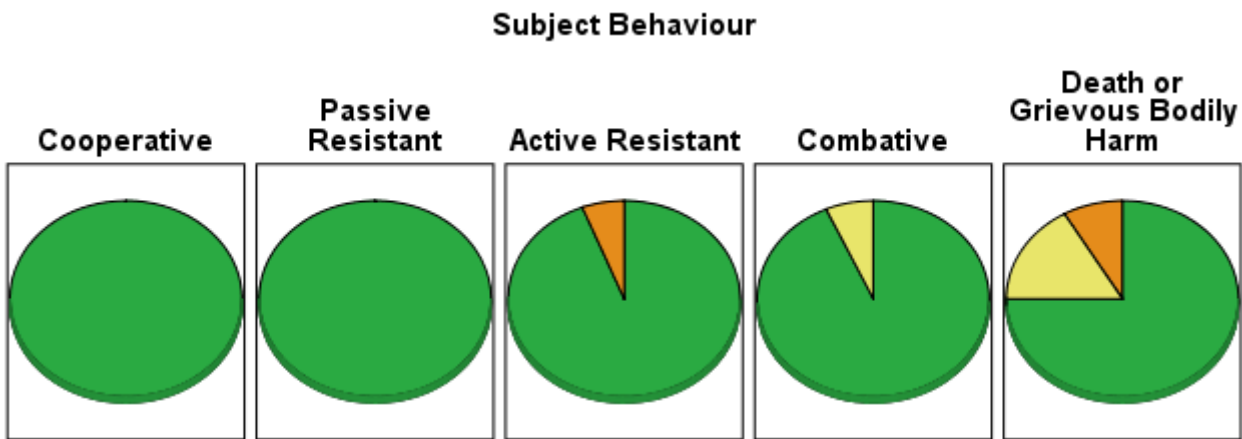
Chart 8 - Reported Injuries Associated with CEW Usage



Subject Injury/Treatment		Frequency	Percent
	No injury	115	90.6
	Minor Primary Injury	8	6.3
	Outpatient	4	3.1
	In-patient	0	.0
	Death Proximal	0	.0
Total		127	100.0

N = 127 (number of subjects) is used for analysis of injuries to avoid over reporting.

Chart 9 - Reported Injuries Associated with Subject Behaviour



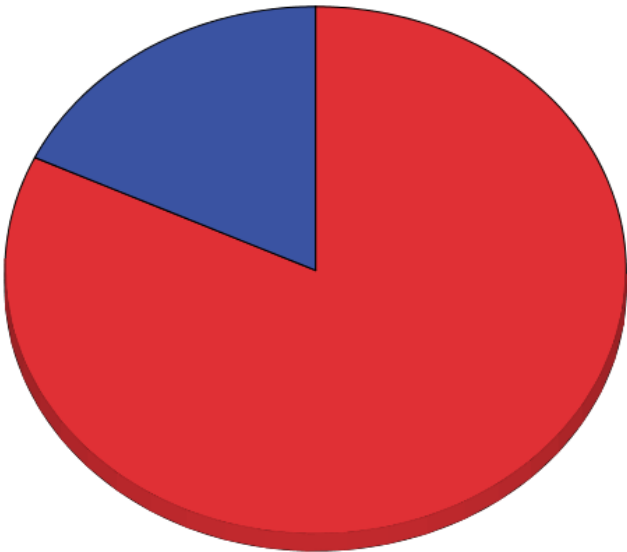
Subject Injury/Treatment	Subject Behaviour											
	Cooperative		Passive Resistant		Active Resistant		Combative		Death or Grievous Bodily Harm		Total	
	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %
<div><div></div>No injury</div>	6	100.0%	3	100.0%	32	94.1%	56	93.3%	18	75.0%	115	90.6%
<div><div></div>Minor Primary Injury</div>	0	.0%	0	.0%	0	.0%	4	6.7%	4	16.7%	8	6.3%
<div><div></div>Outpatient</div>	0	.0%	0	.0%	2	5.9%	0	.0%	2	8.3%	4	3.1%
<div><div></div>In-patient</div>	0	.0%	0	.0%	0	.0%	0	.0%	0	.0%	0	.0%
<div><div></div>Death Proximal</div>	0	.0%	0	.0%	0	.0%	0	.0%	0	.0%	0	.0%
<div><div></div>Total</div>	6	100.0%	3	100.0%	34	100.0%	60	100.0%	24	100.0%	127	100.0%

N = 127 (number of subjects) is used for analysis of injuries to avoid over reporting.

## Conducted Energy Weapon – Perceived Presence of Alcohol and/or other Substances

Chart 10 reports the perceived presence of alcohol or other substances in the subject. Nationally, the presence of alcohol or other substances was reported in 128 incidents or 82% of this period’s CEW deployments. The 18% reported as “No” does not mean alcohol or other substances were not present, but rather that they were not detected by the reporting member in his/her interaction with the subject.

**Chart 10 - Perceived Presence of Alcohol and/or other Substances**



Alcohol or Substance Noted	Frequency	Percent
Yes	105	82.0
No	23	18.0
Total	128	100.0

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## APPENDIX A

Province & Division		CEW Procured per Division October 1st to December 31st, 2009		
		M26	X26	Total:
OTTAWA	A	0	0	0
NL	B	0	0	0
QC	C	0	0	0
MB	D	0	1	1
BC	E	0	0	0
SK	F	0	19	19
NWT	G	0	0	0
NS	H	0	1	1
NB	J	0	1	1
AB	K	0	10	10
PEI	L	0	0	0
YK	M	0	0	0
HQ	N	0	3	3
ON	O	0	0	0
REGINA	DEPOT	0	0	0
NU	V	0	0	0
Procured:		0	35	35

Province & Division		CEW Disposed per Division October 1st to December 31st, 2009		
		M26	X26	Total:
Disposed:		0	0	0



## APPENDIX B

Region	Number of Members Trained on the CEW User Course (000028) between January 1, 2009 to December 31, 2009			
	January 1 to March 31, 2009	April 1 to June 30, 2009	July 1 to September 30, 2009	October 1 to December 31, 2009
Pacific	51	46	39	26
North West	102	56	24	76
NHQ	14	0	2	11
Central	4	0	0	4
Atlantic	6	31	0	88
Total:	177	133	65	205

Region	Number of Members Recertified on the CEW * (000279) between January 1, 2009 to December 31, 2009			
	January 1 to March 31, 2009	April 1 to June 30, 2009	July 1 to September 30, 2009	October 1 to December 31, 2009
Pacific	57	178	115	84
North West	477	304	151	492
NHQ	51	2	9	19
Central	1	69	11	36
Atlantic	86	159	84	216
Total:	672	712	370	847

\*Includes Both Users and Instructors, as there is no Instructor's recertification Course at present

Region	Number of Instructors Trained on the CEW Instructors Course (000029) between January 1, 2009 to December 31, 2009			
	January 1 to March 31, 2009	April 1 to June 30, 2009	July 1 to September 30, 2009	October 1 to December 31, 2009
Pacific	23	0	0	0
North West	0	0	0	0
NHQ	0	0	0	0
Central	0	0	0	0
Atlantic	0	0	0	0
Total:	23	0	0	0

APPENDIX C



Divisions

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