



WINNIPEG POLICE SERVICE

REPORT TO THE WINNIPEG POLICE BOARD

TO: Chair, Winnipeg Police Board

FROM: Chief Danny G. Smyth

SUBJECT: 2023 Use of Force Report

DATE: May 24, 2024

RECOMMENDATION

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

FINANCIAL IMPLICATIONS

There are no financial implications within this report.

BACKGROUND

The Commission on Accreditation for Law Enforcement Agencies (CALEA) requires that the Service establish and maintain written procedures on the use of force to direct the decisions of members. In addition, the CALEA standards require that all police members authorized to carry weapons receive appropriate training and pass mandatory recertification on 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 and Conducted Energy Weapons (CEW) proficiency must be recertified annually. Written reports and administrative reviews are required whenever force is used and firearms or Conducted Energy Weapons are discharged or presented to coerce compliance.

The Service provides this Report to the Winnipeg Police Board and the public for information, context and transparency.

DISCUSSION

The authority of Winnipeg Police Service (WPS) members to use force is established by the *Criminal Code of Canada*. Police Officers are issued lethal (i.e. firearms) and intermediate weapons, whereas Auxiliary Cadets and Central Processing Officers are issued intermediate weapons only. The WPS requires each member to complete qualification training before being issued weapons, with annual recertification training for CEW and firearms and biennial recertification training for intermediate weapons. Classroom lectures accompany all hands-on training on the decision-making framework in the Service's procedures for the use of force to ensure members 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, the Independent Investigation Unit of Manitoba investigates cases where use of force results in a serious injury or the loss of life.

Reporting Use of Force

In all cases where force is used, except during training purposes, a Use of Force Report is required. The report 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 trends and opportunities for improvement through training, equipment or procedural updates. The statistical data in this report's tables may be the subject of ongoing review and classification. As such, minor variations may occur over time.

The WPS dispatched events totaled 247,373 in 2023. Within these events, 863 reported incidents resulted in either the application of force or the presentation of a weapon by police members to gain compliance. Members resolved 99.65% of all dispatched events without having to resort to force, and 0.35% of events dispatched required the use of or a presentation of force. For further perspective, in 2023, there was approximately one use of force report for every 287 dispatched events.

2018 – 2023 Comparison of Use of Force Reports

Year	Dispatched Calls for Service	Use of Force Reports	Percentage of Use of Force Encounters
2018	225,204	755	0.34%
2019	231,668	858	0.37%
2020	241,795	741	0.31%
2021	234,058	696	0.30%
2022	234,212	784	0.33%
5-year average	233,387	767	0.33%
2023	247,373	863	0.35%

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

The number of Use of Force Reports is dictated by interactions in the field. As such, these numbers are determined by the behaviour of suspects and their willingness to comply with members. In 2023, both the number of reports and the percentage of dispatched events for service are higher than the 5-year average.

2018 – 2023 Comparison of Assaultive and Violent Resistance

Year	Defensive Resistance	Active Aggression	Aggravated Active Aggression
2018	72.66%	47.69%	19.55%
2019	72.27%	47.36%	18.21%
2020	69.95%	51.75%	21.02%
2021	71.53%	47.93%	20.74%
2022	72.05%	48.59%	20.64%
5-year average	71.69%	48.66%	20.03%
2023	69.76%	47.74%	21.67%

By comparison of resistance by the subjects, the numbers in each column of the table above represent the frequency for each resistance recorded in a Use of Force Report. There may be several levels of resistance, as well as controls, used in a single Use of Force Report.

In 2023, Defensive Resistance and Active Aggression decreased, while Aggravated Active Aggression increased compared to the 5-year average. Members faced situations where Aggravated Active Aggression accounted for 21.67% of the overall aggression. These types of encounters are volatile and carry the risk of death or grievous bodily harm to members, the subjects and potential bystanders. The increase has largely been attributed to encounters with individuals using fentanyl and 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.

Types of Control Used

The Criminal Code, policy and procedure as well as training dictate that members regulate their actions based on the threat level presented 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 member presence are sufficient to restore order or gain compliance. Each Use of Force 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.

2018 – 2023 Comparison of Control Used

Year	Soft Empty Hand Control	Hard Empty Hand Control	Intermediate Weapons	Deadly Force presented or deployed
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%
2021	77.97%	38.77%	33.76%	21.32%
2022	79.36%	40.26%	37.82%	23.33%
5-year average	77.10%	41.07%	35.14%	20.51%
2023	77.87%	39.17%	39.98%	23.75%
Incidents (out of 863)	672	338	345	205

The table above shows a comparison of controls used, detailing the frequency by way of a percentage and count for each category of control as recorded within a Use of Force Report. Incidents may include more than one control option in either escalating and de-escalating order. In 2023, when compared to the 5-year average, all categories increased, except for hard empty hand control which decreased.

The Deadly Force (presented or deployed) category refers to incidents when members used their firearms to coerce compliance; however, this does not mean that members discharged their firearms. During 2023, firearms were used to coerce compliance in 23.75% of use of force instances, with the vast majority of these instances involved presenting the service pistol to gain compliance from an individual.

2018 – 2023 Comparison of Intermediate Weapons

Year	Intermediate Weapons Deployment					
	OC Spray	ASP Baton	Conducted Energy Weapon			Canine Bite
Presented/ Coerce			Probes Deployed	Push Stun		
2018	17	19	96	89	20	7
2019	10	10	94	154	26	9
2020	8	12	94	124	25	11
2021	3	6	85	117	21	5
2022	10	10	106	129	30	9
5-year average	10	11	95	123	24	8
2023	22	19	95	176	31	6

In 2023, the Conducted Energy Weapon (CEW) was used 302 times, this is an increase from the 5-year average (242). The CEW remains the most used intermediate weapon and most effective level of control, with the least likelihood of causing injury, compared to physical control techniques.

2018 – 2023 Comparison of Police Member Involved Shootings

Year	Member Involved Shooting	Fatalities
2018	1	0
2019	5	2
2020	5	4
2021	0	0
2022	6	3
5-year average	3	2
2023	3	3

The three police member involved shooting in 2023 is the same as the five-year average. As required by law, all such shootings are investigated by the Independent Investigation Unit of Manitoba.

2018 – 2023 Reported Injuries

Year	Use of Force Reports	Members injured	Percentage Injured	Subjects injured	Percentage Injured
2018	755	102	13.51%	224	29.67%
2019	858	88	10.26%	253	29.49%
2020	741	88	11.88%	192	25.91%
2021	696	73	10.49%	170	24.43%
2022	784	82	10.46%	165	21.05%
5-year Average	767	87	11.34%	201	26.21%
2023	863	88	10.20%	203	23.52%

In 2023, the count of members and subjects injured during physical conflict increased slightly compared to the 5-year average, while percentages injured per use of force event decreased.

Complaints Related to Use of Force

In 2023, the Service received zero use of force complaints that did not meet the legislative criteria to refer to the Independent Investigation Unit. This is below the 5-year average. The public may also make a formal complaint to the Law Enforcement Review Agency (LERA) for an independent investigation. The LERA report is released independently.

2018 – 2023 Professional Standards Unit – Excessive Force Allegation Dispositions

Type	2018	2019	2020	2021	2022	5-Year Average	2023
Abandoned	1	1	1	0	3	1.2	0
Crown Opinion- No charge	0	0	0	1	0	0.2	0
Informal Resolution	0	0	0	0	2	0.4	0
Not Sustained	1	1	0	0	0	0.4	0
Unfounded	1	1	1	0	0	0.6	0
Proper Conduct	0	0	2	0	0	0.4	0
Insufficient Evidence	0	0	2	1	0	0.6	0
Total	3	3	6	2	5	3.8	0

Officer Safety Unit Initiatives

The Officer Safety Unit (OSU) is responsible for providing use of force training within the Service. In 2023, the OSU participated in several training sessions hosted by outside agencies with the main focus being on de-escalation. Many of these concepts, including tactical communication and de-escalation are already part of the Service's use of force curriculum, thus reaffirming the validity of the training program.

An area in which de-escalation has become especially relevant involves people experiencing signs and symptoms of mental health issues. As a result, the OSU has placed more emphasis on training scenarios involving de-escalation of a person in crisis. This emphasis on persons in crisis has always been and will continue to be included in basic training for Recruits, Cadets and Central Processing Officers alike. In keeping with the commitment to emphasize this element of training, it has also become part of senior member recertification training. This will reinforce the techniques of utilizing lower levels of force before resorting to higher levels of force when a person in crisis is encountered.

The OSU 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 provided to Service members.

Danny G. Smyth
Chief of Police