

Use of Force in the Calgary Police Service

**An Independent Review conducted by
The Honorable Neil Wittmann, QC
for Chief Constable Roger Chaffin
Calgary Police Service**

April 2018

LETTER TO CHIEF CONSTABLE ROGER CHAFFIN

**The Honourable Neil Wittmann, QC
Independent Reviewer**

April 30, 2018

Roger Chaffin
Chief Constable
Calgary Police Service
5111 47 Street NE
Calgary, AB. T3J 3R2

Dear Chief Chaffin:

Independent Review of Use of Force in the Calgary Police Service

I am pleased to provide you with my report following the review of use of force in the Calgary Police Service.

The report includes my recommendations, informed by broad consultation, in response to the Terms of Reference dated May 16, 2017.

I would like to thank you for the opportunity to lead this Review. I hope that the Calgary Police Service will find the recommendations useful in its efforts to improve its practices in respect of use of force.

Sincerely,

A handwritten signature in black ink, appearing to read 'Neil Wittmann', with a stylized flourish at the end.

Neil Wittmann, QC

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ACRONYMS AND ABBREVIATIONS

AACP	Alberta Association of Chiefs of Police
ACT	Alberta Communication Test
AHS	Alberta Health Services
APCAT	Alberta Police Cognitive Ability Test
A-PREP	Alberta Physical Readiness Evaluation for Police
ASIRT	Alberta Serious Incident Response Team
ATRT	Auto Theft Response Team
BWC	Body Worn Camera
CACP	Canadian Association of Chiefs of Police
CCLC	Chief Crowfoot Learning Centre
CEW	Conducted Energy Weapon
CIT	Crisis Intervention Team
CMA	Census Metropolitan Area
CPA	Calgary Police Association
CPC	Calgary Police Commission
CPS	Calgary Police Service
DLE	Director of Law Enforcement
DTO	District Training Officer
EDP	Emotionally Disturbed Person
EIP	Early Intervention Program
EMS	Emergency Medical Services
ESD	Employee Services Division
HAWCS	Helicopter Air Watch for Community Safety
IACP	International Association of Chiefs of Police
LVNR®	Lateral Vascular Neck Restraint
MCRRT	Mobile Crisis Rapid Response Team
MMPI-2	Minnesota Multiphasic Personality Inventory-2
OC	Oleoresin Capsicum (pepper spray)
PACT	Police and Crisis Team
PAMRU	Public Affairs and Media Relations Unit
PDF	Personal Disclosure Form

PERF	Police Executive Research Forum
PIT	Precision Immobilization Technique
POET	Prolific Offender Engagement Team
PSS	Professional Standards Section
PSU	Public Safety Unit
PTO	Police Training Officer
R2MR	Road to Mental Readiness
RCMP	Royal Canadian Mounted Police
RSA	Revised Statutes of Alberta
RSA	Revised Statutes of Alberta
RSC	Revised Statutes of Canada
RTOC	Real Time Operations Centre
RTP	Recruit Training Program
SBOR	Subject Behaviour/Officer Response
SMEAC	Situation Mission Execution Administration & Logistics and Command and Communication system
SORCe	Safe Communities Opportunity & Resource Centre

ACKNOWLEDGEMENTS

This Review examined the wide range of circumstances around use of force by police officers in the Calgary Police Service (CPS). The preparation of this report engaged many individuals and representatives of organisations to whom I am indebted.

During this Review, I personally interviewed over 190 individuals, many of whom were members of the CPS. I also spoke to family members, representatives from the field of mental health, academia, law enforcement, the judicial system as well as government and law enforcement oversight. The conversations as well as written submissions provided invaluable input that has informed my understanding of the issue of police use of force.

I need to extend my gratitude to family members of individuals who were killed or severely injured in an interaction with a police officer. They were willing to share their personal experience with me and their suggestions for moving forward. I also had the opportunity to speak with police officers who were involved and whose lives were affected by these encounters. In addition, police officers who had witnessed such a use of force encounter spoke to me and gave me their views. Their contribution provided additional insight into each incident and has informed my recommendations.

Groups or institutions that warrant special mention are members of the Alberta Serious Incident Response Team; the Minister of Justice and Solicitor General, including the Director of Law Enforcement and staff as well as the Policing Standards and Audit Section; the Calgary Police Commission; the Calgary Police Association and its Board; the Patrol Advisory Committee of the Calgary Police Service; legal counsel, both internal as well as outside counsel representing police officers; and personnel at the Calgary 911 Call Centre, including call evaluators and CPS dispatchers.

The cooperation of members of the CPS was at all times professional, candid and informative. All aspects of my observations of training are detailed in the report and each time I was an observer, an officer was assigned to accompany me. To each of them, I express my gratitude not only for their own insight as to what I was observing, but also for their courtesy.

I also need to recognise and extend my gratitude to the Panel of Experts convened in Calgary, which involved members or former members of police agencies, leading academics on policing and ethics in Canada, leaders in independent use of force investigations and oversight and a mental health expert. The daylong round table discussion resulted in a multi-faceted insight which has been integral to the preparation of the report.

Throughout my time in observing, researching, investigating and interviewing, I was assisted by Staff Sergeant Shane Joyce; an 18 year member of the Calgary Police Service who has vast experience in many facets of policing. I must also acknowledge and thank the two CPS business strategists, Sara Skinner, PhD(c) and Amory Hamilton-Henry, PhD, who were assigned to me full-time for this project. Their contribution and advice was invaluable. All three played an important part in helping to draft the report in terms of the facts and the status quo and worked tirelessly to ensure all timelines were met.

I need to thank Margie Heerschop for her devoted transcription as well as the members of the Strategic Services Division and the Chief Crowfoot Learning Centre for their efforts in researching and supplying requested information.

The recommendations emanating from this Review and the responsibility for them are mine and mine alone. It has been a privilege to interact with the many professionals of the Calgary Police Service and outside stakeholders and I thank everyone for their candour, cooperation and contribution.

Neil Wittmann, Q.C. April 2018

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EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

On May 16, 2017, I was asked by Roger Chaffin, Chief Constable, to undertake an independent review of use of force by the Calgary Police Service (CPS). Chief Chaffin noted at that time that,

The purpose of directing a systemic review is not to assign individual fault, or to concentrate on the examination of any one particular shooting, but rather to determine whether systemic drivers, gaps or opportunities can be identified that may increase public and officer safety, and enhance public confidence in the Calgary Police Service (CPS). We also hope that although the review will focus on shootings in particular, some of the results may provide ideas and guidance that assists us in ensuring we have the best possible practices in respect of the use of force generally.

My specific mandate included an examination of:

- CPS policies, procedures, practices, equipment and culture, relating to the use of lethal force;
- Training (both initial and continuing) provided to CPS members both internally and by external partners/agencies; and

-
- Current command, control and supervision models of personnel as it relates to the use of lethal force.

In line with the requirements of this appointment, this Review has not examined the specific conduct of any individual police officer, in any of the referenced officer-involved shootings, as each incident has been, or is currently the subject of a statutory external investigation by the Alberta Serious Incident Response Team (ASIRT), as well as an administrative review by the CPS Professional Standards Section (PSS). This Review has not made any findings of civil, criminal or disciplinary liability against any person, agency or organisation. Similarly, in keeping with my mandate, this Review has not made findings of fact or otherwise in respect of any one or more specific shootings or incidents.

OVERVIEW OF REVIEW FINDINGS

In the review of police use of force in Calgary, I wanted to ensure I began with an understanding of the context of calls for service and police use of force. This examination in no way absolves the members of the CPS of the responsibility to use only the required force. It instead provides an opportunity to establish the extent to which force, lethal or otherwise, has been used by any member of the CPS. Over the six year period (2012-2017), the CPS received 3,170,918 calls for

service and provided an officer to respond to 1,852,537 (58.4%) of these calls. During the same period there were 21 officer-involved shootings involving members of the CPS. These incidents involved a total of 24 subject officers and 22 affected persons. Of the 22 affected persons, eight (36%) were lethally wounded, 10 (46%) sustained non-lethal injuries and four (18%) sustained no injuries.

A police encounter which results in injury to, or the loss of life of an affected person, or an officer, is tragic. These incidents have implications for families, the officers involved, the organisation and the wider community. The factors contributing to use of force in police encounters are many and vary depending on the nature of each call. The myriad factors inhibit the application of one solution to prevent or minimise the likelihood of use of force. As discussed in this report, the review of police use of force requires an examination of factors within the organisation, beginning with recruitment, training and culture. It also demands an examination of the community context, with particular focus on mental health systems as well as the legislative environment with regard to the efficacy of existing policies, regulations and processes.

The fact that police officers may on occasion use force in the execution of their duties is self-evident. The police have been described as “an institution with the monopoly to employ non-negotiably coercive force in situations where its use is

unavoidably necessary”¹. That means, under law, police have the authority to use force in situations in which the use of force is required. However, in Canada, as in most societies, the exercise of that “monopoly is constrained by public expectations and legal requirements”².

My Review found that the members of the CPS have a deep understanding of their power and authority and have balanced this with the related responsibility and duty to serve. This is embodied in the organisation’s values and is carried through in policy and procedures in recruitment, training and operations. During the period of my Review, the CPS has taken steps to address some of these areas which I will mention in this report. This is commendable and these efforts to learn from and address emerging issues should continue. The identification of gaps or the provision of recommendations should in no way be seen as an indication of failure on the part of the organisation but should be construed as an opportunity for improvement.

As with previous reports on police use of force, I have found that there remains an urgent need to explore and address the issue of police encounters with persons in crisis. Police in Calgary, as with their counterparts across Canada, are increasingly responding to incidents involving individuals experiencing a mental

¹ Bittner, E. (1970). *The Functions of the Police in Modern Society*. Chevy Chase, MD: Brandeis University and the National Institute of Mental Health, p. 122.

² Cyr, K. (2016). Police Use of Force: Assessing Necessity and Proportionality. *Alberta Law Review*, 53(3), 663-679.

health crisis. In addition, police officers are more likely than not to be the first responders in these situations. I believe it is incumbent on the police to acknowledge that this is now a critical component of their job. This understanding will influence the required cultural change and changes in recruitment, training, policies and procedures to ensure officers have the requisite capacity and ability to respond. While this is important, the situation reiterates the need for a broader conversation about the glaring gaps within the mental health system and the implications for the lives of all Calgarians. It is unlikely that there will be improved outcomes of police encounters with people in crisis absent a focus on minimising and/or preventing people from finding themselves in a mental health crisis.

There continues to be significant delays with the investigation of officer-involved shootings and serious incidents. This has been attributed to the processes required and the lack of resources for the different agencies involved in these investigations. For the sake of justice and the needs of officers and affected persons, the complexity and seriousness of these investigations can no longer be used as a justification for inordinate delays.

Police response to visible minorities and Indigenous populations continues to garner the attention of the public, advocates and researchers alike. In the course of my Review, I remained conscious of this issue. This issue was never a concern

within the CPS as it relates to the specific incidents of use of force that I reviewed, nor in my interviews with CPS members, nor in my observations of training or review of training materials.

At the end of this Review, I am convinced that the goal related to police use of force should be to at best eliminate or at least reduce the situations that cause officers to use lethal force. This in itself requires focus on training, critical thinking skills, strategic planning and appropriate tools and equipment. It requires a more earnest attempt at collaboration between agencies within law enforcement and the health system, to address gaps related to police encounters with persons in crisis. It also requires the development and application of consistent, current and comprehensive guidelines and procedures for policing. The recommendations are therefore presented for consideration by the Chief Constable, the Government of Alberta and agencies with an involvement in the issues presented in this report.

OVERVIEW OF REVIEW SECTIONS

I have attempted to respond to the specific areas of my mandate in the sections of this document. I have included recommendations at the end of each relevant section of this document.

Part A provides a background to the Review, including the mandate, scope and methodology of the Review. Information about use of force incidents involving CPS officers between 2012 and 2017 is also presented.

Part B describes the context of policing in Calgary and outlines the legal framework for policing. The section of the document also provides an overview of the structure of the CPS.

Part C focuses on the processes involved in officer recruitment and selection.

Part D outlines the approach to recruit and in-service training for CPS officers, with specific focus on how use of force is addressed in training and education programming within the organisation.

Part E discusses the legislative and policy frameworks for use of force by CPS officers. It also examines use of force tools and options available to CPS officers and the organisational framework to respond to use of force incidents.

Part F outlines the internal and external processes that are engaged once there is a use of force incident involving a member of the CPS.

Part G describes the critical issue of police interactions with persons in crisis; the policy and legal environments; the increasing frequency and dynamic nature of these incidents; impact on resources and mechanisms used by the CPS to minimise lethal encounters.

Part H examines the issue of police culture within the CPS, with attention to existing mechanisms designed to support positive developments in the culture as well as those which may undermine that culture. The significance of culture to police use of force is central to this discussion.

Part I facilitates a broader examination of existing approaches to CPS planning and business operations within the context of streamlining and strategically managing resources and engendering a shared commitment to the organisation's philosophies and policies.

SUMMARY OF RECOMMENDATIONS

PROVINCIAL OVERSIGHT

RECOMMENDATION 1:

- The CPS, through the Alberta Association of Chiefs of Police (AACP), or otherwise, urge the province of Alberta to review the Police Act and the way oversight and policing standards are developed and if it is desirable to continue to issue standards other than through Orders in Council or Regulations, that the Police Act be amended to indicate the clear powers and mandate of a Director of Policing or Law Enforcement, including their functions and ability to develop, publish and enforce compliance with the standards, directions or guidelines.

RECOMMENDATION 2:

- The CPS work with the AACP and renew efforts urging the province to adopt the recommendations contained in the AACP's proposal to amend the Police Act and Regulations.

RECOMMENDATION 3:

- The CPS review the Ontario Police Service Act, 2018 with a view to working with the AACP to further refine recommendations for an amended Police Act in Alberta.

OFFICER RECRUITMENT

RECOMMENDATION 4:

- The CPS ensure that file managers do not maintain sole responsibility for any one recruit file, to enhance the objectivity of their input during the officer recruitment process.

RECOMMENDATION 5:

- The CPS review and implement additional avenues for the engagement of psychological services in the design, implementation and review of the officer recruitment process.

RECOMMENDATION 6:

- The CPS, in conjunction with the AACCP, conduct an independent evaluation of the suitability of the Minnesota Multiphasic Personality Inventory-2 (MMPI-2) as a psychometric test for recruit selection.

RECOMMENDATION 7:

- The CPS evaluate the efficacy of the Implicit Association Test, in terms of whether it would be useful in identifying implicit and explicit bias among applicants, particularly with regard to use of force or for that matter, whether it could be administered to new recruit classes for teaching purposes focused on bias.

RECOMMENDATION 8:

- **The CPS inform all candidates to be deferred for between one and five years, of the reasons for the deferment, at least verbally. In that way, a candidate can decide whether they believe they can be successful on reapplication or whether they should abandon their aspiration to become a CPS officer.**

OFFICER EDUCATION AND TRAINING

RECOMMENDATION 9:

- **The CPS elevate the Chief Crowfoot Learning Centre (CCLC) to a Division with specific responsibility for all aspects of recruit and in-service education and training for members. The CCLC Division should have responsibility for:**
 - a) **Ensuring education and training aligns with the needs of the organisation and consistently reflect the philosophy and tone of policies and legislation.**
 - b) **Facilitating the periodic review and amendment of existing courses, as well as the development of new courses, as required, to augment the training and education programming.**
 - c) **The development and implementation of requirements for the certification, assessment and continued development of instructors.**
 - d) **Ongoing review of emerging practices and relevant research by other law enforcement agencies, academia and institutions such as, the Police Executive Research Forum (PERF), Force Science Institute, International Association of Chiefs of Police (IACP) and facilitate the application of relevant findings to training and education programming.**
 - e) **Advocate for and manage resources to support quality training and education for recruit and in-service training. This should include financial support, maintaining an efficient training schedule and the maintenance or replacement of training facilities as required (e.g. shooting ranges, driving track).**

RECOMMENDATION 10:

- The CPS allocate an annual budget to the CCLC to include amounts designated for quality training and education for new and existing officers and members, with provisions for the shooting ranges, driving track, training materials and personnel.

RECOMMENDATION 11:

- The CPS strengthen the existing Police Training Officer (PTO) program to ensure continued capacity development for PTOs and alignment with the Recruit Training Program (RTP) by:
 - a) Introducing mandatory certification for all current PTOs, to ensure they have the capacity to effectively perform the required mentorship and evaluation of new officers.
 - b) Subsequently introducing mandatory, annual re-certification of all PTOs. This one-day course should ensure PTOs are aware of new and emerging areas covered in the RTP.
 - c) Instituting an evaluation of PTOs, with specific consideration of the implementation of an anonymous mechanism for new officers to provide feedback on the quality of mentorship and training received from their individual PTO. Implement remedial training for PTOs as required following evaluation.
 - d) Rescinding the designation and replacing those PTOs who fail to achieve the program's objectives.

RECOMMENDATION 12:

- The CPS provide additional support to the existing District Training Officers (DTO) program to improve in-service training by:
 - a) Identifying areas of training that should be mandatory (in addition to scheduled re-qualifications), such as training related to use of force and DTO facilitated training in de-escalation.
 - b) Establishing the level of proficiency that must be attained by each officer upon completion of the training.
 - c) Outlining the expectations for remedial work for officers not attaining desired proficiency in training.

RECOMMENDATION 13:

- The CPS ensure that the deployment and scheduling models utilised within the Districts provide the capacity for mandatory training and re-qualifications while minimising impact on service delivery to the citizens of Calgary.

RECOMMENDATION 14:

- The CPS develop a comprehensive annual DTO training agenda outlining the key areas of focus for training, targets, resources, schedule and assessment processes.
- a) While DTOs must be required to conform to an established training agenda, the CPS should provide scope for DTOs to develop and implement training in line with identified needs within their respective Districts, albeit in consultation with and the approval of the CCLC. Where applicable, this training must be shared across all DTOs.
- b) The CCLC work with the DTOs to develop an annual training schedule for each District, with focus on the most efficient use of training facilities and officers' time.

RECOMMENDATION 15:

- The CPS develop and implement different approaches to training that emphasise use of shorter periods, to highlight and reinforce key learning.

RECOMMENDATION 16:

- The CPS consider the implementation of cohort-based Reclassification Training for new officers to align with their progression from 5th to 1st class constable.
- a) The CPS evaluate and report on the impact of Reclassification Training on officers' skill perishability.

USE OF FORCE

RECOMMENDATION 17:

- The CPS emphasise and balance critical decision-making skills in use of force education and training.

RECOMMENDATION 18:

- The CPS review its Use of Force and Code 600 (pursuit) policies to inject provisions relating to critical decision-making in appropriate sections.

RECOMMENDATION 19:

- The CCLC review all education and training curricula and procedures to ensure core values are integrated and reinforced.

RECOMMENDATION 20:

- The CPS require all frontline patrol officers to carry a Conducted Energy Weapon (CEW) as well as a handgun, baton and Oleoresin Capsicum (OC) spray.

RECOMMENDATION 21:

- The CPS establish a robust evaluation framework to monitor and report on the use, misuse, impact on levels of use of force and use of lethal force, once the ARWEN® is deployed.

RECOMMENDATION 22:

- The CPS monitor and report on the number of body worn camera recordings; impact of body worn cameras on complaints against officers; availability of body worn camera recordings in use of force related incidents and use of force by and against officers with/without body worn cameras.

RECOMMENDATION 23:

- In addition to the existing policy for body worn cameras, the CPS consider having the Public Affairs and Media Relations Unit (PAMRU) publish or disseminate acts of police heroism and positive engagement with the community, where the same have been captured on body worn cameras.

RECOMMENDATION 24:

- The CPS re-institute vehicle flight intervention tactics and training.
 - a) The CPS train all frontline members to use vehicle intervention techniques in line with the Code 600 policy.
 - b) The CPS amend existing policy to address vehicle flight intervention tactics related to larger vehicles.

RECOMMENDATION 25:

- The CPS immediately introduce remote-controlled (deployable and retractable) spike systems (tire deflators) to be available for use by members who are authorised and trained to conduct vehicle flight interventions.

RECOMMENDATION 26:

- The CPS allocate additional resources to the Auto Theft Response Team (ATRT) to support a more robust response to the issue of auto thefts.

RECOMMENDATION 27:

- The CPS work in conjunction with the AACP or directly with the province to suggest legislation preventing insurance companies from providing theft insurance on vehicles that are stolen while running with keys inside.

RECOMMENDATION 28:

- The CPS amend its existing Use of Force policy, adding the words “and proportionate” to existing words “reasonably necessary to safely control the situation”. This aligns with case law ³ on what is an appropriate use of force by police officers.

RECOMMENDATION 29:

- The CPS develop and implement scenario-based training for recruits as well as in-service training, that is consistent with the CPS De-escalation Policy and statement of principles, that train officers to conduct threat assessments, including the primary decision to engage or not to engage.

³ R. v. Nasogaluak, [2010] 1 S.C.C. 206.

RECOMMENDATION 30:

- The CPS develop and institute ongoing in-service training on Strategic Communication and De-escalation to be completed by all frontline officers annually.

RECOMMENDATION 31:

- The CPS review the Peer Support Program's resources and consider re-establishing the psychiatric nurse position.

RECOMMENDATION 32:

- The CPS improve communication to members about the achievements and value of the Peer Support Program.

RESPONDING TO USE OF FORCE INCIDENTS

RECOMMENDATION 33:

- The CPS, on its own or through the AACP, should urge the province to amend the Fatality Inquiries Act, when a peace officer allegedly causes a death:
 - a) As it pertains to the requirement that there is a Fatality Inquiry so as to stream-line the process, possibly eliminating a review by the Board.
 - b) To introduce time deadlines for a medical examiner to complete a report.
 - c) To introduce time deadlines for a Fatality Inquiry to be heard, once ordered.
 - d) With a view to changing the requirement for the Minister to make a written report available to the public in a form and manner the Minister considers appropriate, and instead compel the release of the report by the Provincial Court of Alberta to the public upon completion.

RECOMMENDATION 34:

- The CPS, either alone, or through the AACP, work with the provincial government to secure additional resources for Alberta Serious Incident Response Team (ASIRT) and the Office of the Chief Medical Examiner for the investigation of officer-involved shootings and serious incidents.

RECOMMENDATION 35:

- The CPS create a searchable, user-friendly platform for Subject Behaviour Officer Response (SBOR) forms to support analysis and training.

RECOMMENDATION 36:

- The CPS adjust the SBOR debrief process to include a mandatory discussion about the officer's decision-making process to use or not use less lethal and/or lethal options.

MENTAL HEALTH, SUBSTANCE ABUSE & POLICE INTERACTIONS

RECOMMENDATION 37:

- The CPS develop and implement crisis intervention training for a cross-section of frontline officers to ensure capacity to provide first-response support when required.
- a) Develop and implement stringent criteria for the selection of officers to receive crisis intervention training.
- b) Implement requirement for annual re-certification and training for officers to maintain Crisis Intervention Team (CIT) designation.
- c) Monitor and report on the engagement of officers with CIT in calls for service responses related to persons in crisis and the outcomes of these calls.

RECOMMENDATION 38:

- The CPS provide additional resources to the Police and Crisis Team (PACT) to increase its capacity to fulfill the program's mandate.

RECOMMENDATION 39:

- The CPS strengthen collaboration with Alberta Health Services (AHS) to ensure continued cooperation in the implementation of the PACT program.

RECOMMENDATION 40:

- The CPS implement targeted initiatives to ensure frontline officers are aware of mental health supports, such as PACT, Safe Communities Opportunity Resource Centre (SORCe), Mental Health Diversion and the Vulnerable Persons Registry and track and report on the levels of awareness and use of these initiatives.

RECOMMENDATION 41:

- The CPS, in conjunction with the province, work to address inconsistencies in policy and legislation related to expectations for police officers to wait with persons in crisis apprehended pursuant to the Mental Health Act, once they have been conveyed to a hospital.

RECOMMENDATION 42:

- The CPS support ongoing work with partners on the development of solutions to reduce officer wait-times with persons in crisis at health facilities.
- a) This process should consider the merits of protocols between Hamilton Police and St. Joseph's Healthcare as well as the example provided through Mt. Sinai Hospital, Toronto.

RECOMMENDATION 43:

- The CPS work with AHS in providing appropriate holding areas and adequate security, in hospitals, as a fundamental step in eliminating the need for officers to remain with persons in crisis after they have been conveyed to hospitals.

RECOMMENDATION 44:

- The CPS, pursuant to the authority of Section 37.3(1) of the Health Information Act, work with AHS in the creation of a protocol to support the sharing of relevant information with officers about the mental health of persons in crisis, when that information could facilitate a more effective response.
- a) The CPS work with AHS to support the development and implementation of joint training opportunities for frontline health staff and police officers, to facilitate the sharing of health information about the mental health of persons in crisis.

RECOMMENDATION 45:

- The CPS continue its work with Calgary 911 on policies and training for call evaluation and dispatch processes, in order to ensure responding officers are provided with thorough information.

POLICE CULTURE

RECOMMENDATION 46:

- **The CPS recruit and in-service training and education on use of force begin with critical decision-making and threat assessment, not whether use of force is “justified” under the Criminal Code.**

RECOMMENDATION 47:

- **The CPS develop a comprehensive code of ethics for the organisation.**

RECOMMENDATION 48:

- **The CPS prominently display the organisation’s mission and vision statements across the organisation.**

RECOMMENDATION 49:

- **The CPS require greater accountability from supervisors to identify issues/officers at-risk, so the organisation can design and implement targeted efforts rather than generalised, cross-service interventions that are less effective and can demotivate officers who are already operating within approved guidelines.**

RECOMMENDATION 50:

- The CPS create and introduce measures to recognise the achievement of officers who implement approaches designed to reduce use of force.

RECOMMENDATION 51:

- The CPS amend policies, education and training to ensure a focus on legal liability does not dominate or predominantly govern police conduct.

RECOMMENDATION 52:

- The CPS consider instituting a requirement for all senior officers (inspectors through to chief constable) to join frontline officers on patrol, with such frequency as may be reasonably practical.

RECOMMENDATION 53:

- The CPS evaluate the tenure program, including its impact on officer morale, to ascertain whether its objectives can be attained without adverse costs and effects on employee satisfaction and amend the program as required.

RECOMMENDATION 54:

- The CPS mandate all officers returning to patrol to complete the Officer Reintegration course.

RECOMMENDATION 55:

- The CPS devise and institute additional measures that recognise, value and reward the contribution of frontline patrol members on an ongoing basis.

RECOMMENDATION 56:

- The CPS examine existing models that provide additional incentives, including compensation, for frontline members and institute an appropriate option.

RECOMMENDATION 57:

- The CPS provide additional resources to the office of the Early Intervention Program, including direct sworn oversight.

RECOMMENDATION 58:

- The CPS implement a system for ongoing reports to the Executive on the range of issues being identified by the Early Intervention Program and the extent to which individuals and Districts are impacted.

RECOMMENDATION 59:

- The CPS implement additional resources to monitor and report on the outcome of reports produced by the Early Intervention Program.

RECOMMENDATION 60:

- The CPS ensure systems of accountability by frontline supervisors in responding to issues identified in Early Intervention reports, for e.g. mandating supervisors to have a conversation with the subject officer once a report is received.

RECOMMENDATION 61:

- The CPS explore additional avenues through which members may engage with the Early Intervention Program, for e.g. an officer may directly seek the assistance of the office in responding to an issue that is impacting or has the ability to impinge on his/her effective functioning.

STRATEGIC MANAGEMENT

RECOMMENDATION 62:

- The CPS create a comprehensive strategic plan to support the prioritisation and scheduling of initiatives and the allocation of resources to ensure implementation.

RECOMMENDATION 63:

- The CPS create a Strategic Planning Committee that manages the development and administration of the CPS strategic plan, which should set short, medium and long term goals, that is one, three and five years.
 - a) The CPS should consider placing the Strategic Planning Committee in the hierarchy of the decision-making, above or in place of the Operations Council.
 - b) The CPS should consider having the Chief Constable chair the Strategic Planning Committee.
 - c) The CPS utilise internal employee surveys and consultation to identify issues of concern, which will assist the Strategic Planning Committee in identifying priorities.

RECOMMENDATION 64:

- The CPS enhance its internal communications strategy to ensure members are informed of decisions or the progress of projects and initiatives and anticipated timelines to ensure expectations are realistic and informed.

RECOMMENDATION 65:

- The CPS engage external support from reputable business schools to support the development and alignment of its business management processes.

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INTRODUCTION

PART A: INTRODUCTION

Review Mandate

On May 16, 2017, I was asked by Roger Chaffin, Chief Constable, to undertake an independent review of use of force by the Calgary Police Service (CPS). The Chief stated at the time:

Regrettably the incidence of police involved shootings has increased in Calgary over the last two years, with six of fourteen total incidents resulting in fatalities. As the chief of police I am compelled to ensure our members have the correct leadership, policy, procedures and equipment – as well as training – to ensure that we are policing the community in the safest, most contemporary way possible. Therefore, I have concluded that it is appropriate to have an independent review undertaken.

My specific mandate included an examination of:

- CPS policies, procedures, practices, equipment, and culture relating to the use of lethal force;
- Training (both initial and continuing) provided to CPS members both internally and by external partners/ agencies; and

-
- Current command, control and supervision models of personnel as it relates to the use of lethal force.

The Terms of Reference (Appendix A) for the Independent Review authorised:

- Review of current CPS policies, procedures, practices, equipment, training and culture relating to the use of lethal force;
- Assembly and retention of an advisory panel of experts;
- Consultation with other experts in the use of force, training of police, crisis intervention and all other matters that are the subject of the Review;
- Examination of CPS use of force equipment;
- Attendance to observe CPS training;
- Interviews of CPS personnel;
- Receipt of submissions and/or meetings with interested groups or individuals;
- Consideration of best practices and precedents from major police forces;
- Consideration of the Police Encounters with People in Crisis Report by Hon. Frank Iacobucci for the Chief of Police of the Toronto Police Service dated July 2014 and any other such reviews or reports deemed relevant and appropriate;
- Consideration of reports from past fatality inquiries involving CPS;
- Consideration of research, reviews and assessments that have been completed/ implemented with CPS;

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- Making recommendations based on the work performed and the information obtained;
 - Performing such other work and review of materials as may be reasonably incidental to the independent review; and
 - Ensuring that all considerations and recommendations acknowledge the current climate of policing within Calgary, including economic and socio-cultural realities of the population of Calgary and the CPS.

Review Scope

In line with the requirements of this appointment, the Review does not examine the specific conduct of any individual police officer in any of the referenced officer-involved shootings, as each incident has been, or is currently the subject of a statutory external investigation by the Alberta Serious Incident Response Team (ASIRT), as well as an administrative review by the CPS Professional Standards Section (PSS). Nor does the Review make any findings of civil, criminal or disciplinary liability against any person, agency or organisation. Similarly, in keeping with my mandate, this Review does not make findings of fact or otherwise in respect of any one or more specific shootings or incidents. The fatal incidents will be subject to inquiries under the Fatality Inquiries Act. It is intended that none of these processes be inappropriately influenced by this Review.

Review Methodology

The Review was undertaken over the period May 16, 2017 to April 30, 2018 and relied on a number of approaches to support data collection and analysis. The processes were designed to obtain relevant information pertaining to police use of force and to facilitate the incorporation of diverse perspectives into my findings and recommendations. Except where specifically noted, confidentiality and non-attribution of information provided has been respected.

- Interviews (individual, focus groups, external subject matter experts)

I issued an open call within the CPS and through the media for persons interested in speaking with me.

I had the opportunity to participate in focus group discussions with different CPS personnel.

I also personally interviewed or otherwise met with over 190 persons during the course of this Review⁴. Participants in these sessions (individual/group) included:

- family members of affected persons;

⁴ A list of participants in this Review is included as Appendix B.

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- academics and experts in law enforcement, education, training and psychology;
 - members of the Calgary Police Association (CPA);
 - members of the Calgary Police Commission (CPC);
 - representatives of the Alberta Serious Incident Response Team (ASIRT);
 - representatives from Calgary 911;
 - representatives from the Government of Alberta;
 - representative from the Insurance Bureau of Canada;
 - representatives from other law enforcement agencies; and
 - sworn and civilian members at all levels of the CPS.
-
- Review of internal and external documents

I received a number of documents from the CPS pertaining to its policies, operations and procedures; training standards and materials; programs pertaining to mental health supports; business plans; reports and media reports.

I requested and received copies of reports, policies and training materials from over 50 policing agencies and law enforcement research organisations in Canada, the United Kingdom as well as the United States of America.

I reviewed applicable legislation including the Criminal Code of Canada, the Police Act, the Police Service Regulation, Mental Health Act, Health Information Act, Fatality Inquiries Act and the Provincial Policing Standards Manual including provincial Guidelines for recruit selection, use of force, conducted energy weapons and motor vehicle pursuits in Alberta.

I also reviewed related legislation governing policing and mental health in other jurisdictions including British Columbia, Saskatchewan, Nova Scotia and Ontario.

I requested and received written reports from ASIRT about concluded investigations into officer-involved shootings and serious incidents involving members of the CPS. Verbal updates were received from ASIRT for investigations that were still ongoing.

I requested and received copies of Fatality Inquiry reports, including recommendations, involving members of the CPS over the past five years.

- Use of Force Panel of Experts

On September 7, 2017, I convened a panel of experts on police use of force in Calgary. The forum provided feedback on the issue of police use of force within the CPS with specific focus on selected use of force policy within the

CPS; code of ethics and culture; mental health issues; de-escalation; leadership and decision-making; and recruit and in-service training.

Use of Force Panel - List of Participants	
Alberta Serious Incident Response Team	Sue Hughson, QC Gary Creaser
Calgary Police Service	Dr. Patrick Baillie Inspector Chris Butler Inspector Darren Leggatt
Carleton University	Dr. Stephen Maguire Greg Brown
Edmonton Police Service	Constable Joe Tassone
Mount Royal University	Dr. Kelly Sundberg
Royal Canadian Mounted Police	Inspector Tom Walker
Use of Force Expert	Brian Willis ⁵
Use of Force Expert	Chris Lawrence ⁶
Use of Force Expert	Joel Johnston

Table 1: List of invited participants to Use of Force Panel of Experts, September 2017

⁵ Brian Willis was unable to attend the Expert Panel on Police Use of Force. He participated in a separate interview.

⁶ Chris Lawrence was unable to attend the Expert Panel on Police Use of Force. He participated in a separate interview.

- Previous Reviews of Police Use of Force

I considered the findings and recommendations of previous reviews relating to police use of force including the 2014 report on “Police Encounters with People in Crisis” by the Honourable Frank Iacobucci; “A Matter of Life and Death” by Paul Dubé and the Honourable Thomas Braidwood’s report on the death of Robert Dziekanski, both in 2016; the 2017 interim report titled “Police Interactions with People in Crisis and Use of Force” by the Honourable Gerry McNeilly and the 2017 report of the “Independent Police Oversight Review” by the Honourable Michael Tulloch.

- Literature Reviews

I engaged the CPS team assigned to this project in conducting a review of the literature related to various aspects of this Review, including recruit selection; use of force; police training and education; less lethal options; de-escalation; incident command; police culture; vehicular flight interventions; mental health and suicide.

- Training and Education Observation

Along with a review of course training standards and materials, I had the opportunity to observe different aspects of recruit and in-service training and education. These sessions consisted of an overview of the training, viewing training videos and observing simulated situations related to police use of force and de-escalation, as well as observing debriefing sessions following the incidents.

- Site Visits

I participated in site visits to facilitate a first-hand understanding of the different aspects examined within the Review.

I visited the following facilities:

- Calgary 911
- CPS Chief Crowfoot Learning Centre (CPS Headquarters)
- CPS Indoor Range
- CPS North Service Centre (Tactical and Canine Units)
- CPS Real Time Operations Centre (RTOC).
- Driving track
- Mobile Command Vehicle, and

-
- Rapid Intervention Training (Calgary Separate School District facility).
 - Meeting the Legal Challenges of Policing Conference, Osgoode Hall Law School

In September 2017, I attended a conference at Osgoode Hall Law School. The conference focused on challenges being encountered by members of the judicial system in meeting public expectations and legal standards required by the criminal, civil and regulatory justice systems, including a dedicated session on Use of Force and De-escalation.

- Ride Along

I had the opportunity to participate in a ride along with members of the CPS, during which a barricaded subject, armed with a knife was successfully arrested, without injury to anyone.

During the course of the Review, I was provided with a secure office within the CPS headquarters building. By working in this building, I was able to interact with employees from all aspects of the organisation and gain a better understanding of the culture within the CPS. I was provided with a CPS portable radio allowing me to listen to patrol radio channels. I was also provided full and transparent access to briefing notes, reports and other documentation relating to calls for service

that did, or could have, involved the use of force. I observed many incidents where officers used strategic and tactical decision-making including de-escalation, to successfully resolve very dangerous encounters without using force. During this time, there were five officer involved shootings with CPS members. I was provided detailed information regarding these events as well.

USE OF FORCE INCIDENTS 2012-2017

The mandate of this Review required a focus on incidents involving police use of lethal force over the two year period, 2015-2016. However, in order to better understand and respond to this issue within the CPS, I have begun with a historical review; involving the calls for service numbers for the CPS as well as officer-involved shootings beginning in 2012.

Calls for Service

The CPS responds to a number of calls for service each year, including emergency and non-emergency calls. Between 2012 and 2017, the CPS had 3,170,918⁷ calls for service (on average 528,486 calls for service each year). An officer attended 1,852,537 (58.4%) of these calls (on average 308,756 each year). These calls for service do not represent the total number of police contacts with members of the public and not all calls for service include any form of use of force. Additional interactions not necessarily captured in these numbers include traffic enforcement stops, arrests, attendance at community events, community patrols and other non-recorded interactions with members of the public.

⁷ A single event may elicit more than one call for service.

Officer-Involved Shootings

Over the same six year period (2012-2017), there were 21 officer-involved shootings⁸ involving members of the CPS. These incidents involved a total of 24 subject officers⁹ and 22 affected persons¹⁰ (Figure 1). Of the 22 affected persons, eight (36%) were lethally wounded, 10 (46%) sustained non-lethal injuries and four (18%) sustained no injuries (Figure 1). Responding units for these incidents included Patrol, Tactical, Canine, the District Operations Team and the Air Support Unit.

Injury sustained by affected persons in CPS officer-involved shootings 2012-2017

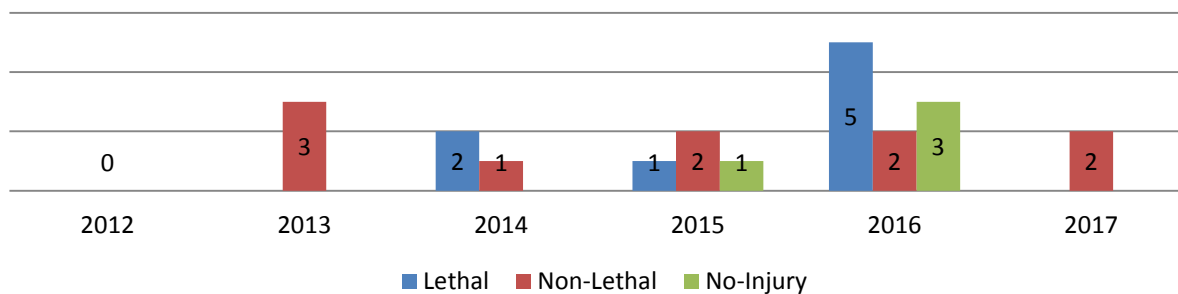


Figure 1: Level of injury sustained by affected persons in CPS officer-involved shootings 2012-2017

⁸ Some detailed information related to more recent officer-involved shootings was not included, as that information was not provided by the Alberta Serious Incident Response Team (ASIRT) because it was still forming part of their investigation.

⁹ ASIRT defines a subject officer as a police officer who is the subject of a complaint or whose actions may have resulted in a serious or sensitive incident.

¹⁰ For the purpose of this Review, an affected person is a member of the public who died, was injured or was otherwise involved in an officer-involved shooting.

Different factors were identified as being present for affected persons in each of the incidents reviewed. It is important to note that in any one of the incidents presented, multiple factors may have been present; hence one incident could have included drug use, alcohol use and a person with suspected or diagnosed mental health issues^{11,12} or another case could have only one factor, such as a stolen vehicle. Drug use and mental health concerns were identified as a factor for ten (46%) affected persons and alcohol in three (14%). Four (18%) persons made a demand for the police officer to kill them (suicide by cop) and five (23%) affected persons used stolen vehicles in these incidents.

Factors identified among affected persons in CPS officer-involved shootings 2012-2017

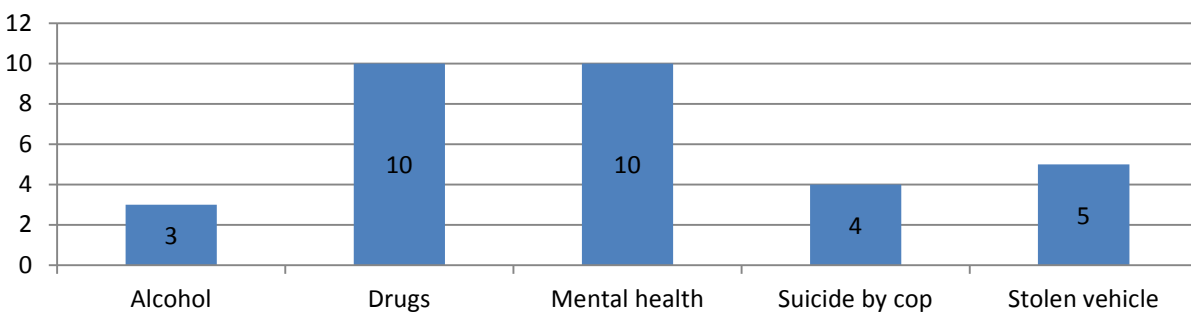


Figure 2: Factors identified among affected persons involved in CPS officer-involved shootings, 2012-2017

¹¹ Mental Health Act, RSA 2000, c M-13, s 1.

¹² The Mental Health Act defines mental disorder as a “substantial disorder of thought, mood, perception, orientation or memory that grossly impairs, (i) judgment, (ii) behavior, (iii) capacity to recognize reality, or (iv) ability to meet the ordinary demands of life”.

The primary weapon used by affected persons was a vehicle, which was used in nine (43%) of the 21 incidents, a firearm in five (24%) incidents and a knife or some other weapon (machete, large pipe, axe, etc.) in seven (33%) incidents.

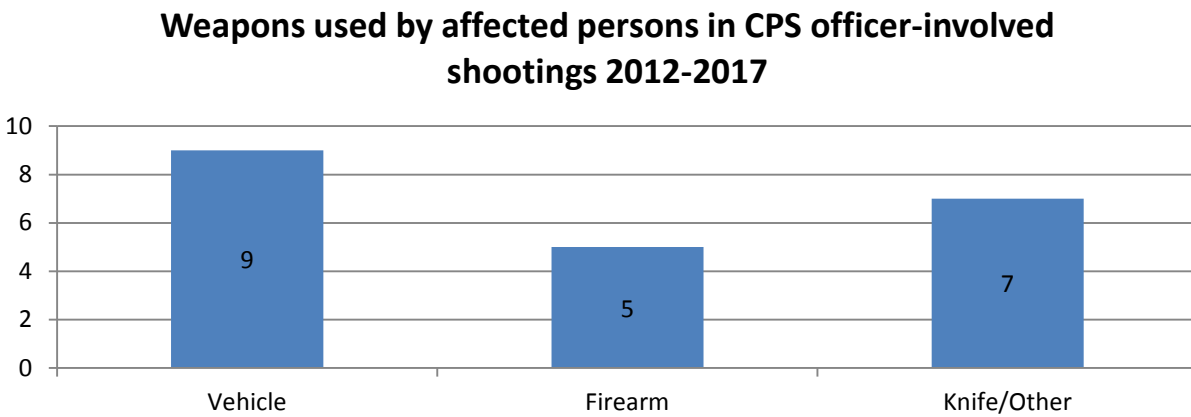


Figure 3: Weapons used by affected persons in CPS officer-involved shootings, 2012-2017

THE CONTEXT

PART B: THE CONTEXT

The City of Calgary: Demographics and Crime Trends

Calgary is the largest city in the province of Alberta at 825.3 km². It is also the third largest municipality and the fourth-largest census metropolitan area (CMA¹³) in Canada. Calgary is situated in an area of foothills and prairie about 80 km east of the Canadian Rockies. The area includes a mixture of residential and commercial properties, rural areas and one provincial park. In 2016, the City of Calgary had a population of 1,239,220; an increase of 142,387 (13%) from 2011¹⁴. This figure is projected to increase by 150,000 over the next 10 years, reaching an estimated 1.4 million by 2026. The economy of Calgary includes activity in the energy; financial services; film and television; transportation and logistics; technology; manufacturing; aerospace; health and wellness; retail and tourism sectors¹⁵. The city has the highest concentration of corporate headquarters and small businesses per capita in Canada¹⁶.

¹³ The Calgary CMA as defined by Statistics Canada includes Calgary, Airdrie, Rocky View County, Cochrane, Chestermere, Crossfield, Irricana, Beiseker and Tsuu T'ina Nation.

¹⁴ Statistics Canada. (2017). *Census Profile. 2016 Census*. Statistics Canada Catalogue no. 98-316-X2016001. Ottawa, ON: Statistics Canada.

¹⁵ Government of Alberta. (2018). *Calgary*. Retrieved on March 13, 2018 from <https://regionaldashboard.alberta.ca/region/calgary/#/>.

¹⁶ Calgary Economic Development. (2018). *Work in Calgary*. Retrieved on March 14, 2018 from <https://www.calgaryeconomicdevelopment.com/why-calgary/be-part-of-the-energy/working-in-calgary/>

Figure four shows Calgary’s crime rate had been on the decline for a number of years up until 2014, when significant increases in domestic violence and property crimes occurred. There is no single causal factor that can account for these shifts and increases; rather, it is a combination of the downturn in the economy, proliferation of drugs, commodity-driven crime and Calgary’s increasing connections to the provincial, national and international crime landscape.

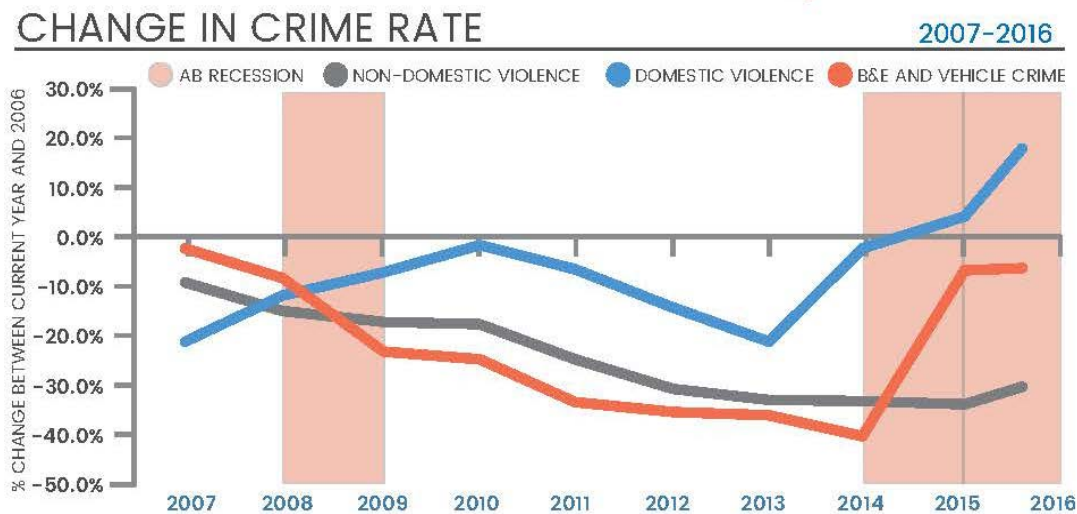


Figure 4: Calgary crime trends¹⁷ 2007-2016 info graphic

The City of Calgary had 28 homicides in 2017; 15 involving a gun, 10 involving an edged weapon and three resulting from blunt force trauma. Thirty-five percent (35%) of homicides involved drugs; 25% were domestic in nature and 17% involved organised crime or gang-related crime. Calgary had a 26% increase in

¹⁷ Source for all crime statistics is SENTRY; the CPS records management system. The data includes a count of each occurrence of the most serious violations for each category of crime (unfounded cases have been excluded).

person crimes and a 29% increase in property crimes in 2017 compared to the five-year average. The rise in the number of crimes against persons has been largely because of assaults and domestic violence. There was an 11.8% increase in the number of domestic violence incidents in 2017 over 2016.

CRIME TYPE	2013	2014	2015	2016	2017	5 Year Average
Crimes against persons	7,252	8,029	8,781	9,227	10,691	8,796
Crimes against property	36,140	36,130	49,924	50,630	51,307	44,826

Table 2: Calgary crime statistics 2013-2017¹⁸

Calgary has had a significant increase in the number of commercial and bank robberies, suggesting that offenders are willing to engage in more high-risk methods to acquire property and money. Commercial break and enters, stolen autos and thefts have dominated Calgary’s property crime numbers. These crimes are referred to as acquisitive crimes because offenders derive material gain, such as cash, jewellery, or other property, from their activity.

House break and enters spiked in 2015 resulting in the development of the CPS Break & Enter Strategy. While house break and enters have decreased, available data shows that commercial break and enters continue to be an issue. With regard to auto thefts, there was a decline in the number of vehicle thefts between

¹⁸ Ibid.

2011 and 2014; falling to less than half of the total vehicles stolen in 2008. However, since 2015, there has been steady increase in the number of stolen vehicles. In 2017, an average of 138 vehicles were stolen each week in Calgary, with an average 282 thefts (items left in a vehicle) from vehicles each week. At the end of 2017, the reported value of unrecovered vehicles stolen in 2017 was \$1.8 million with an average value of \$16,700.

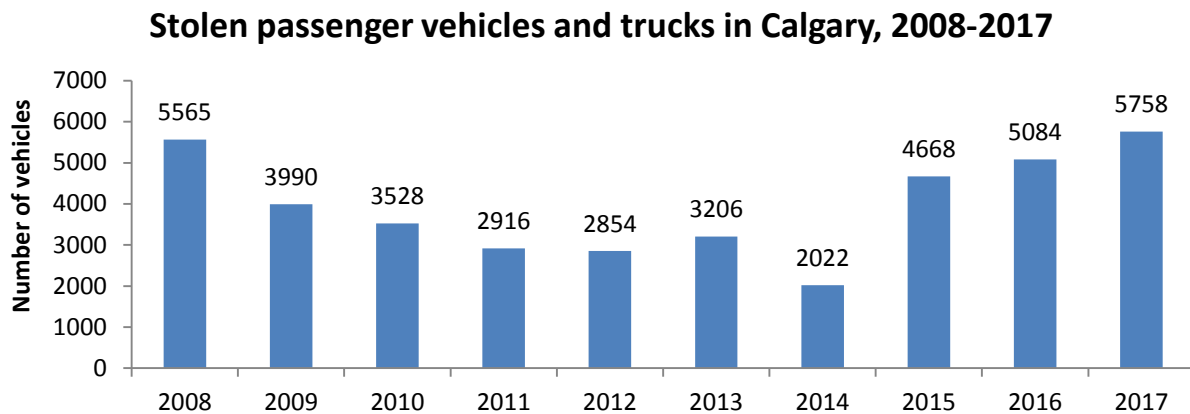


Figure 5: 10-year trend showing stolen passenger vehicles and trucks in Calgary, 2008-2017

Analysis indicates that of all crimes, stolen autos are most likely to be associated with possession of drugs charges. Over the five year period, 2013-2017, CPS had an average of 2287 drug seizures per year. The five year trend indicates an increase in meth, heroin and fentanyl seizures and a decline in marijuana and cocaine seizures.

DRUG SEIZURES¹⁹	2013	2014	2015	2016	2017	5 Year Average (2013-2017)
Cocaine	645	713	600	569	412	588
Fentanyl	3	12	111	169	162	91
Heroin	46	84	103	170	159	112
Marijuana	1246	1206	898	859	821	1006
Meth	142	283	467	724	833	490
TOTAL	2082	2298	2179	2491	2387	2287

Table 3: Drug seizures 2013-2017, CPS

¹⁹ Incidents involving multiple drug types are counted as one seizure occurrence.

Calgary Police Service

The Calgary Police Force was created in February 1885 with a mandate to uphold the law, police the new town and collect the fines and fees, which were formerly collected by the North West Mounted Police (NWMP). In 1973, the Force was renamed the Calgary Police Service to “reflect a community-oriented focus”²⁰.

Organisational Size and Demographics

The CPS has an authorised budget for 2774.5 positions, including 2049²¹ full-time police officers and 725.5 civilian positions. There are 42 positions within the senior management ranks²², constituting 2% of the total number of sworn officers. There are 81 staff sergeant, 218 sergeant and 225 detective positions constituting 26% and 1,483 police constable positions within the CPS, constituting 72% of the total number of sworn officers.

At the time of this Review, approximately 20% of sworn members at the CPS were female.

²⁰ City of Calgary. *Calgary Police Service History*. Retrieved from <http://www.calgary.ca/cps/Pages/Calgary-Police-Service-history.aspx>.

²¹ The total number of sworn officers can be more than the authorised number of positions due to the CPS initiative that hires 48 sworn positions ahead of attrition. This is the total number of authorised positions as of December 31, 2017.

²² One chief constable, four deputy chiefs, seven superintendents and 30 inspector positions.

Uniformed patrol officers are the most visible component of the CPS, since they are out in public for most of the day, every day. They patrol in vehicles, on foot or on bicycles and act as the first level of response to routine calls for service and emergency situations. The average seniority of a frontline patrol constable is seven years²³.

In this Review, when I refer to an officer, I am referring to a sworn police officer rather than a civilian member of the CPS. When I refer to a member of the CPS, or to CPS personnel, I am referring to either an officer or a civilian member.

Legal Framework

The officers of the CPS carry out their duties within the context of several statutes, which define their roles, powers and responsibilities as police. The power, authority and responsibility for policing are informed by all three levels of government: federal, provincial and municipal. The federal government is responsible for legislating criminal offences and procedures in Canada, mainly under the Criminal Code²⁴ and the Controlled Drugs and Substances Act²⁵. That level of government also protects the rights of citizens from the misuse of police

²³ Seniority is based on sworn CPS years of service for constables with authorised positions on patrol teams. Some of these constables may be seconded to another unit. This information is current as of April 3, 2018.

²⁴ Criminal Code, RSC 1985, c C-46.

²⁵ Controlled Drugs and Substances Act, S.C. 1996, c 19.

powers of arrest, detention and search and seizure, through the Charter of Rights and Freedoms²⁶.

Police Act

The source of policing policy in Canada remains at the provincial level and is codified in individual provincial statutes. In Alberta, the Police Act²⁷ provides guidance for delivering adequate and effective policing in the province. The Act sets out the nature of policing services that Albertans can expect in their communities and mandates the Government of Alberta to ensure adequate and effective policing for the needs of different communities across the province²⁸. The Police Act also outlines the principles of policing; processes for filing complaints against police officers and police services; and defines the activities of police commissions and municipal police boards.

Police Service Regulation

The Police Service Regulation²⁹ is made pursuant to the Police Act and governs the discipline and performance of duty of police officers. The Regulation addresses the competence of police officers; probationary periods; misconduct

²⁶ Canadian Charter of Rights and Freedoms, s.7, Part I of the Constitution Act, 1982, being schedule B to the Canada Act 1982 (UK), 1982, c11.

²⁷ Police Act, RSA 2000, c P-17.

²⁸ Alberta Justice and Solicitor General. (2013). *Safe and Strong Communities: Law Enforcement in Alberta*. Edmonton, AB: Government of Alberta.

²⁹ Police Service Regulation, AR356/90.

and the punishment of police officers; procedures for relieving officers from duty and requirements for counselling, time limits, statements and evidence.

Provincial Policing Standards Manual

The Policing Standards Manual (the Standards Manual)³⁰ is developed pursuant to the provisions found in the Police Act. It is neither a regulation nor an Order in Council. These documents serve as guidelines for the policies and procedures of the province's individual police services³¹. Together with the Police Act and the Police Service Regulation, they provide guidance for the roles and responsibilities of the police, organisational management of police services, personnel administration, police operations and support services³². The administration of the Police Act falls under the authority of the Minister of Justice and Solicitor General.

According to the Standards Manual, police services in Alberta should be provided in accordance with the following principles. Police services are to be:

- delivered effectively, efficiently and impartially to all persons;

³⁰ Solicitor General and Public Security (2018). *Provincial Policing Standards Manual (V2.0)*. Edmonton, AB: Government of Alberta, Policing Standards and Audits Section.

³¹ There are 10 independent police services (7 municipal and three First Nations) that along with the Royal Canadian Mounted Police (RCMP) provide policing services throughout Alberta. They are the Blood Tribe Police Service, Calgary Police Service, Camrose Police Service, Edmonton Police Service, Lacombe Police Service, Lakeshore Regional Police Service, Lethbridge Police Service, Medicine Hat Police Service, Taber Police Service and Tsuu T'ina Nation Police Service.

³² Griffiths, C. (2008). *Canadian Police Work (2nd ed.)*. Toronto, ON: Nelson Education.

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- delivered on the basis of a partnership between the police and the community and responsive to community needs;
 - sensitive to the needs of victims of crime and all other users of policing services;
 - sensitive to and strive to represent the diverse character of the community being served; and
 - conducted in a manner that maintains the trust and respect of the public (through adherence to strict ethical standards)³³.

Information in Table 4 below outlines a selected list of attachments forming part of the Standards Manual and the effective dates for these documents.

List of Selected Attachments in the Police Standards Manual	Effective Date
Alberta Recruit Selection Guidelines	November 7, 2017
Annual Survey of Force Use by Police	October 18, 2017
Motor Vehicle Pursuit Guidelines	January 1, 2008
Provincial Guidelines for the Use of Conducted Energy Weapons	March 3, 2016
Provincial Guidelines for the Use of Force	March 25, 2016

[Table 4: List of selected attachments included in the Provincial Policing Standards Manual, Alberta.](#)

³³ Supra note 30, p. 10.

Corporate Structure and Governance

Police Commission

The Calgary Police Commission is a statutory body created under the Police Act to provide independent civilian oversight and governance of the CPS. The Commission serves as a link between the community and the police, with a mandate to balance the requirements of public accountability with those of police independence³⁴. The Commission is responsible for

Appointing the Chief of Police and evaluating his or her performance. The Police Commission issues directions to the Calgary Police Service through the Chief of Police... Additionally, the Calgary Police Commission monitors the public complaints process; handles complaints regarding the Chief of Police; and handles appeals regarding the policies of, or services provided by, the Calgary Police Service³⁵.

The Commission is accountable to the Minister of Justice and Solicitor General and operates according to the Calgary Police Commission Bylaws, established by the City of Calgary.

³⁴ Calgary Police Commission. (2015). Roles and Responsibilities. *Calgary Police Commission News*, 4(1), 2.

³⁵ Calgary Police Commission. (2015). *Staff Roles and Responsibilities*. Calgary, AB: Calgary Police Commission. Retrieved from <https://www.calgarypolicecommission.ca/content/about-us>.

Chief Constable

The Chief Constable (Chief of Police) is responsible for the daily operations and administration of the CPS. Under section 41 of the Police Act, the Chief has ultimate responsibility for the preservation of peace and crime prevention within Calgary, management of officers in delivering this required outcome, the maintenance of discipline and the enforcement of policies made by the Calgary Police Commission.

Bureaus

The CPS has four bureaus; the Bureau of Community Support, the Bureau of Corporate Support, the Bureau of Operations and the Bureau of Investigative Support. Each Bureau is headed by a Deputy Chief. The Bureau of Investigative Support incorporates a reactive side in the Criminal Investigations Division and a proactive side in the Criminal Operations Technical Support Division. The Bureau of Community Support works to advance innovative and collaborative solutions that address the root cause of social disorder calls for service. The Bureau has the Community and Youth Services Section including programming for children and youth and targeted initiatives such as the Police and Crisis Team (PACT); the Community Support Section, with focus on exploitation, drugs, domestic violence and specialised offender challenges; the Arrest Processing Section and the Safe Communities Opportunity and Resource Centre (SORCe).

The Bureau of Corporate Support and the Bureau of Operations are the core areas of focus for this Review. The Bureau of Corporate Support and specifically the Employee Services Division (ESD) has lead responsibility for officer recruitment,

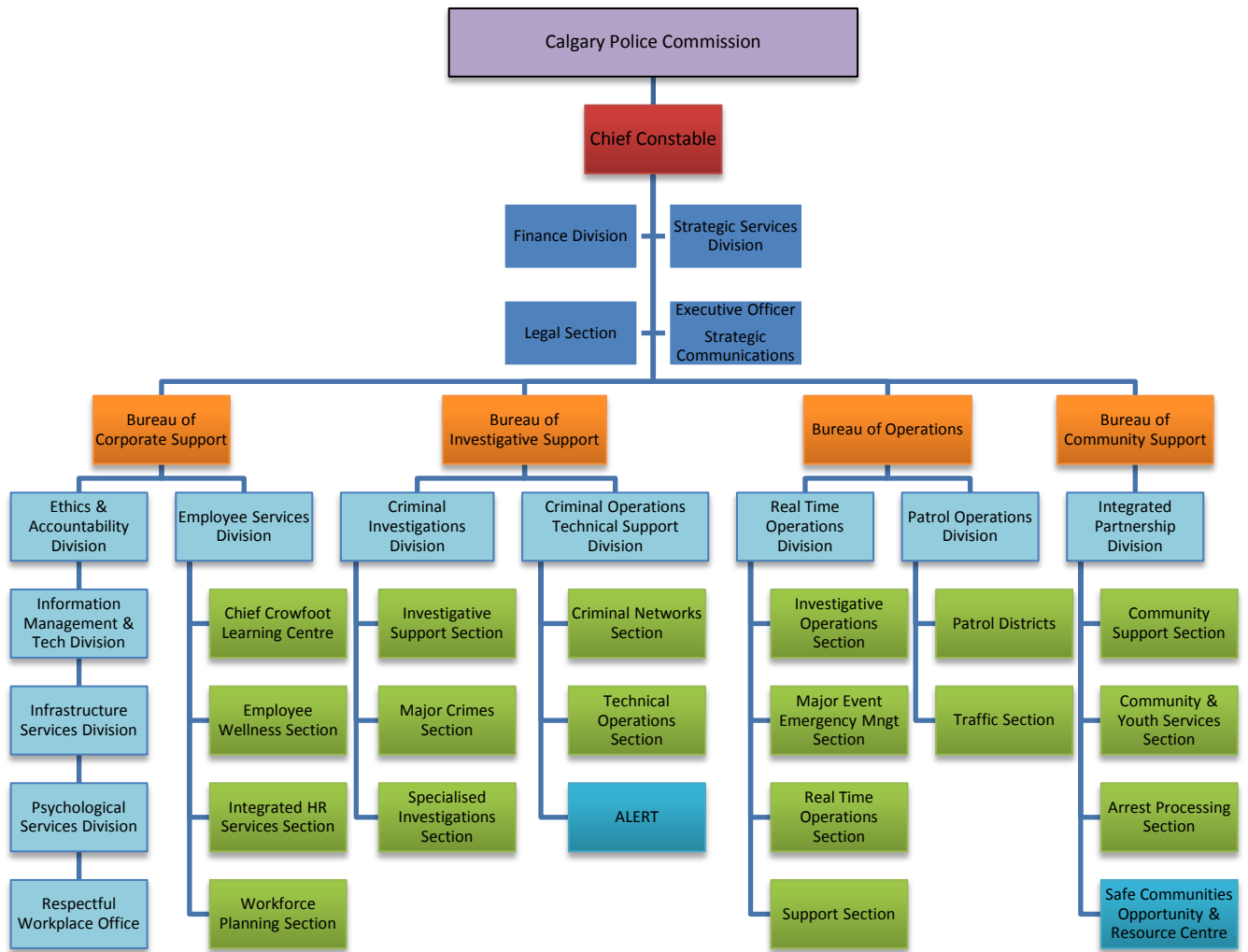


Figure 6: Organisational Chart, CPS 2018

training, education and development. The Bureau of Operations leads frontline service delivery, with Patrol Operations and specialised teams including Tactical, Public Safety, Air Support and Canine units.

Districts

Police services are provided to the City of Calgary through eight Districts (Figure 7 below); each with a District Office. Overall management of the Districts is provided through the Superintendent in the Patrol Operations Division within the Bureau of Operations. Day-to-day management is provided by an Inspector and a Staff Sergeant³⁶. Districts are responsible for responding to citizens' calls for service and investigating criminal offences, social disorder and traffic collisions. The Districts also work with citizens to mutually identify, resolve or prevent community problems and concerns affecting policing; conduct traffic enforcement; address crime and social disorder through the Crime Management Strategy; execute outstanding warrants; serve summonses and subpoenas and provide assistance to other units, sections, districts and other law enforcement agencies.

Each District operates with between 80 and 120 patrol constable positions. Currently both Districts One and Four also have dedicated Beat³⁷ teams. The

³⁶ District One has two Staff Sergeants.

³⁷ A beat officer primarily patrols a selected area on foot.

2018 Police Boundary Map with Zoning

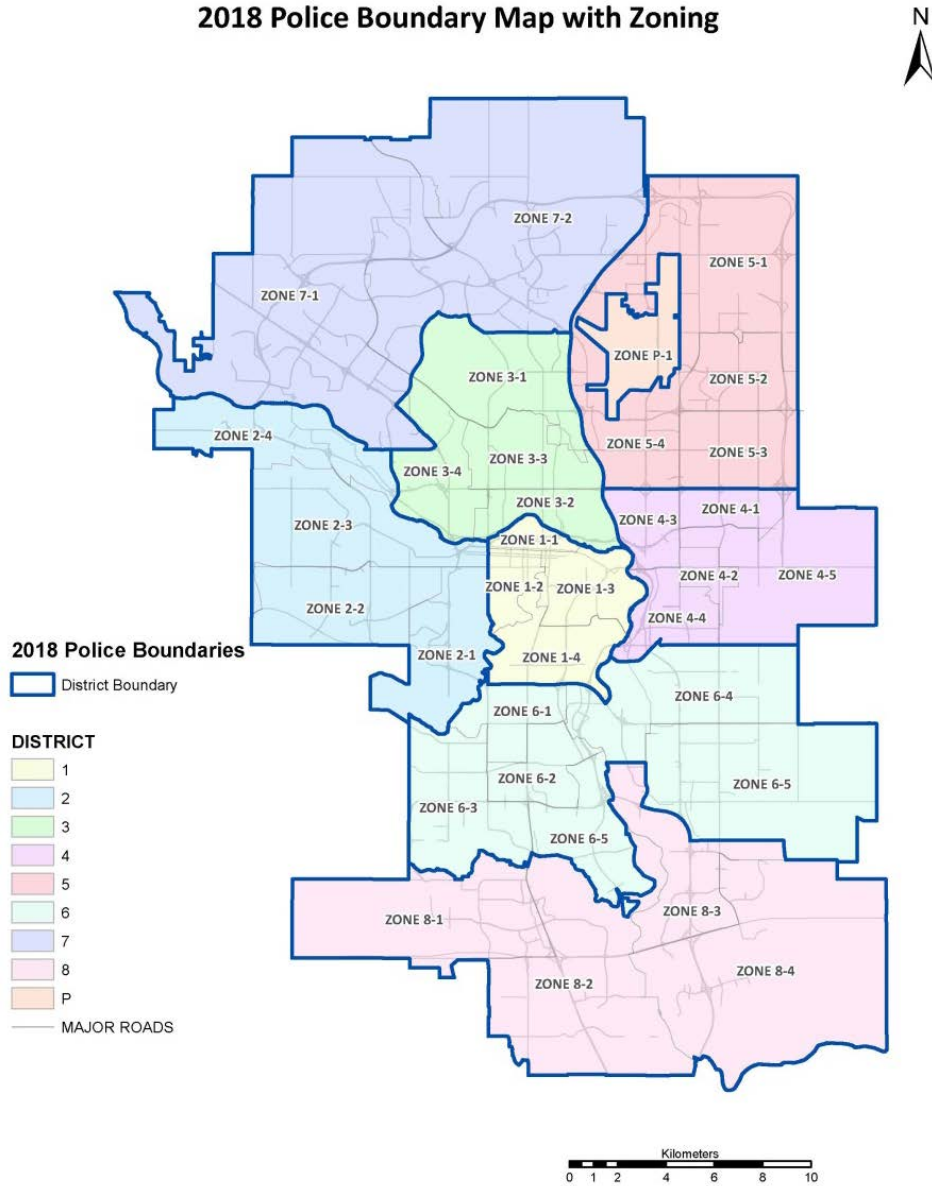


Figure 7: Divisional map of the CPS³⁸

³⁸ Zone P-1 is the Calgary International Airport.

patrol team sizes vary from eight to 14 authorised³⁹ constable positions reporting to one Team Sergeant. The Team Sergeant is responsible for the daily administrative duties of these constables, including performance assessments, employee development, scheduling and approval of reports. For a portion of most shifts (Figure 8), the Team Sergeant will assume the role of the operational District Sergeant for the District. During this time, they will be in command of between approximately eight to upwards of 30 patrol constables depending on the time of day, day of the week and the District.

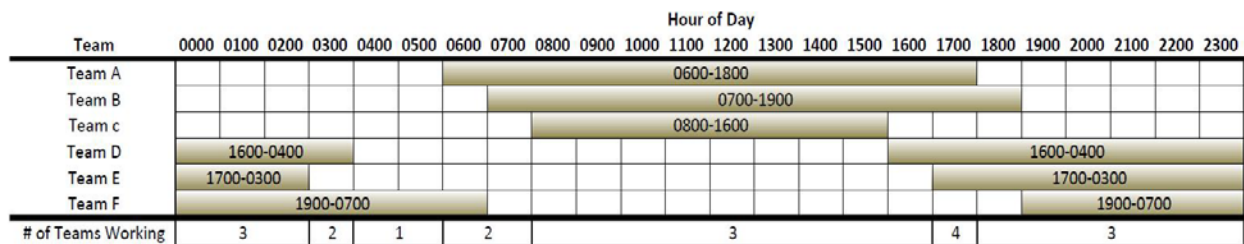


Figure 8: An example of CPS District shifts

This difference in the number of constables is based on overlapping shift start times. During these periods of overlap, while not assuming the role of the District Sergeant, the Team Sergeant(s) will be performing administrative duties, coaching and mentoring their officers and providing assistance to the District Sergeant as required. If the District Sergeant is in command of a major or protracted incident, another team sergeant can become the de facto District Sergeant for the

³⁹ On average, approximately 75% of constable positions are deployed on patrol with the remaining 25% allocated to leave, training or other assignments.

remainder of the District through a process called ‘board splitting’ at the Calgary 911⁴⁰ Emergency Communications Centre. Overall command and control of the patrol Constables and District Sergeants is provided through the Real Time Operations Centre (RTOC).

Rank Structure

The order of rank within the CPS, in descending order is Chief of Police (Chief Constable), Deputy Chief, Superintendent, Inspector, Staff Sergeant, Sergeant/Detective and Constable⁴¹. Unless hired as an experienced officer, recruits are hired as 5th Class Constables and progress through classifications annually to 1st Class Constable as outlined in the current collective bargaining agreement between the City of Calgary and the Calgary Police Association (CPA).

The Agreement notes that in order,

to qualify to enter the Senior Constable Classification, the Member must have completed eight (8) years of continuous service as a Police Officer with the Calgary Police Service since most recent date of hire, hold the

⁴⁰ Calgary 911 is a business unit in Calgary Community Standards, City of Calgary that receives, evaluates and dispatches 911 emergency and non-emergency calls for the Calgary Police Service, Calgary Fire Department and Alberta Health Services Emergency Medical Services in Calgary.

⁴¹ The appointments of Executive Officer and Regimental Sergeant Major (RSM) are not included in the rank structure. The position of Executive Officer is filled by a Superintendent and the position of RSM by a Staff Sergeant. Both positions report directly to the chief of police.

Rank of First Class Constable and be qualified through passing the Senior Classification examination with the required marks⁴².

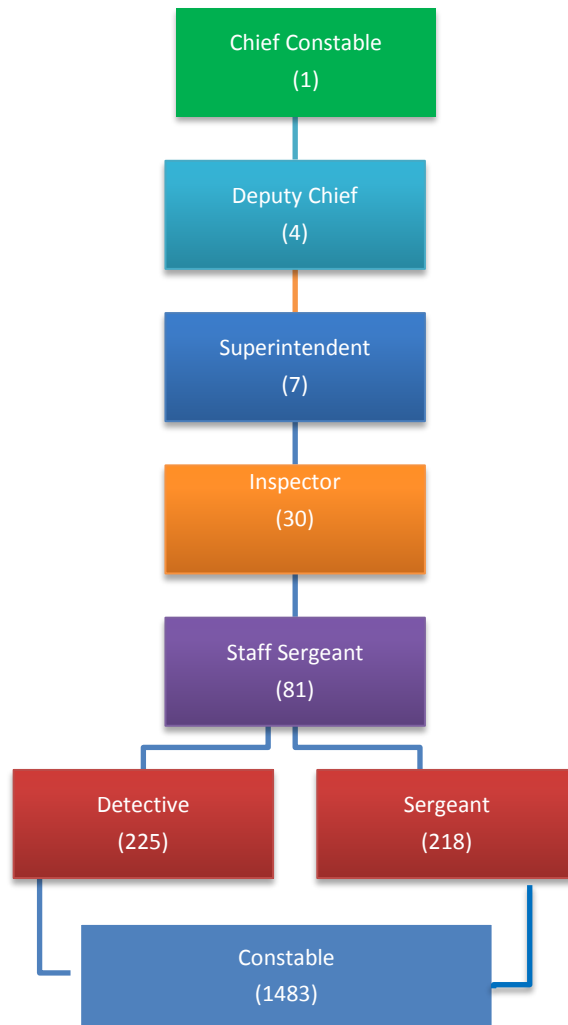


Figure 9: CPS rank structure

⁴² Calgary Police Association (CPA). (2017). Agreement between the Corporation of the City of Calgary and the Calgary Police Association. Calgary, AB: CPA, p. 27.

A constable who completes three continuous years as a Senior Constable I, passes the Senior Constable Classification examination and receives a recommendation from his/her immediate supervisor may progress to the level of Senior Constable II. Advancement to ranks beyond constable (including Senior Level I and II) are attained through the CPS promotional process, in keeping with the current applicable collective bargaining agreement^{43, 44} and relevant internal policy and procedure. Members who have attained the rank of either sergeant or detective are eligible to be promoted to staff sergeant.

⁴³ The ranks of inspector and superintendent are considered senior officers and are included in the Calgary Police Senior Officers' Association (CPSOA). The Association is legislated under the Police Officers Collective Bargaining Act s.1(b). It is responsible for collective agreement negotiations; officer representation on issues related to respectful workplace; disciplinary actions under the Police Act and may also assist with legal defence of its members and members' services.

⁴⁴ Police Officers Collective Bargaining Act, RSA 2000, c P-18.



Figure 10: CPS Officer rank and insignia

Non-Patrol Units

The CPS has several non-patrol units requiring officers to receive additional training or experience in order to operate in their roles. These non-patrol roles focus on constables serving in units that require members to compete for a position through a competition or expression of interest and usually involve time limits on their stay in the unit.

List of Calgary Police Service Non-Patrol Units

- | | |
|--|--|
| <ul style="list-style-type: none"> • Air Support Unit • Airport Unit • Alberta Law Enforcement Response Team (ALERT) • Alberta Vulnerable Infant Response Team (AVIRT) • Alcohol/Drug Recognition Expert • Break & Enter Detail • Cadet Unit • Canine Unit • Chief Crowfoot Learning Centre (CCLC) • Child Abuse • Child at Risk Response Team (CARRT) • Collision Reconstruction • Court & Disclosure • Crime Prevention • Crime Stoppers • Criminal Identification • Cybercrime Support • Digital Communications Officer • Digital Forensics • Directed Patrol Coordinator • District Operations Team (DOT) • Diversity Resources • Domestic Conflict • Drug Unit • Economic Crimes • Elder Abuse Response • Electronic Surveillance • Evidence & Property | <ul style="list-style-type: none"> • Forensic Crime Scene • Gang Enforcement Team (GET) • Gang Suppression Team (GST) • Gangs & Guns • High Risk Offender Program (HROP) • Human Resources Operational Section • Intelligence Support Unit • Major Event Emergency Management (MEEMS) • Mounted Unit • Multi Agency School Support Team (MASST) • Parental Outreach Support Team (POST) • Police and Crisis Team (PACT) • Priority Crimes • Probe • Recruiting • School Resource Officer (SRO) • Serious Habitual Offender Program (SHOP) • Specialized Offender • Specialized Traffic Enforcement Program (STEP) • Stolen Property • Strike Force • Tactical Unit • Traffic Response • Victims Assistance • Vulnerable Persons • Youth at Risk Development Program (YARD) • Youth Education Unit |
|--|--|

Table 5: CPS non-patrol units, 2017

RECOMMENDATIONS

POLICE OVERSIGHT BY THE PROVINCE

As can be seen by the earlier description of the Police Act and the Police Service Regulation, the Standards Manual is neither a Regulation nor an Order in Council applicable to the CPS or to any other municipal police service in Alberta.

The Police Service Regulation addresses complaints, discipline and the competence of police officers and the requirements for counselling, time limits, statements and evidence. It does not address provincial policing standards.

The Police Act, in Section 61, contemplates the Lieutenant Governor making Orders in Council by way of Regulations and Section 62 contemplates the Minister making Regulations. Many sub-sections in Section 61 allow for Orders in Council for the establishment and operation of police services; the governing of probationary periods of service for police officers; the appointment, employment, qualifications, training, duties, discipline and performance of police officers; regulations governing investigations, including by another police service or governing the operation of integrated investigative units and action that may be taken against police officers. The Ministerial Regulations permitted by Section 62, also allow the Minister to prescribe the colour and style of uniforms and insignia

for police officers; clothing and equipment; firearms, with respect to police officers; the information to be provided to the Director of Law Enforcement (DLE) under Section 52 and the release of that information by the DLE. It also provides for the establishment of standards for police services, police commissions and policing committees.

I have also examined provincial oversight as it pertains to standards in some other Canadian jurisdictions. For example, in Saskatchewan, there are Municipal Police Training Regulations, (RRS 1991, c P-15.01 Reg 2) that pertain to municipal police training. In this regard, there is a Saskatchewan Police College and the Regulation applies to all police services. There is an established training advisory committee and a director who drafts and implements rules for the conduct and guidance of all police personnel attending training courses. There are recruit training course requirements, reference to exams for Recruits' Assessment Report and a section on in-service training requirements. Saskatchewan also has a Municipal Police Equipment Regulation (RRS 1991, c P-15.01 Reg 3), which generally governs all firearms; special equipment such as gas, chemicals, body protectors and less lethal blunt impact rounds. This Regulation references firearms training and testing and also the specifications for the kinds of firearm and the ammunition that is to be used with respect to authorised firearms. The Regulation also references tire deflation devices (spike belts), Oleoresin Capsicum spray (pepper spray) as well as conducted energy weapons (CEWs).

In Ontario, Ontario Regulation 266/10 made pursuant to the Police Services Act⁴⁵, addresses the issue of police officers attempting to direct the driver of a motor vehicle to stop where the driver refuses to obey the officer and the officer pursues in a motor vehicle for the purpose of stopping a fleeing motor vehicle. An additional Regulation entitled, “Equipment and Use of Force, RRO 1990, Reg 926”⁴⁶, made pursuant to the Police Services Act, outlines specifications for handguns as well as their use and also references other weapons, training in the use of force in firearms and reports on the use of force.

In British Columbia, like Alberta, the development and enforcement of Provincial Standards for Police Services is governed by the Police Act. There is a Director of Police Services with defined functions including inspecting and reporting on the quality and standard of policing and law enforcement services delivery, establishing standards respecting training and retraining of officers and the use of force among other matters. The Director has responsibility for the collection, disclosure and analysis of information about the management of programs related to policing and a mandate to evaluate compliance with the standards issued by that office. There is also a clear indication as to when the Director’s standard is binding on a police service: only after the standard is approved by the Minister, made available to the public and written notice of the standard is given to the relevant police service. The manner in which the Director’s standards must

⁴⁵ Police Services Act, RSO 1990 c P-15.

⁴⁶ Ibid, RRO 1990, Reg 926: Equipment and Use of Force.

be made available to members of the public is by posting the standard on a publicly accessible website and by having the standard available for public inspection in the Office of the Director during regular office hours⁴⁷.

In addition, in British Columbia, there is a document entitled “Provincial Policing Standards” which contains a number of directions. Specific to training, the Provincial Policing Standards states there must be mandatory training for frontline police officers and supervisors with respect to British Columbia’s Crisis Intervention and De-Escalation Training course or other provincially approved training in crisis intervention and de-escalation. This mandatory training also applies to every recruit. The document also requires refresher training, in that this mandatory training must be updated once every three years by successfully completing a provincially approved training course.

As stated above, in Alberta, the Police Service Regulation AR356/90 is largely confined to the “discipline and performance of duty of police officers”⁴⁸. In fairness, Section 3 indicates that the basic standards of skill and knowledge that are acceptable to the Minister of Justice and Solicitor General must be complied with, in order for a person to be appointed as a police officer under Section 36 of the Act. Section 4 also deals with probationary periods and as indicated, the misconduct of police officers.

⁴⁷ Police Act, RSBC 1996, c 367, s.39, s.40.

⁴⁸ Supra note 29, s.2.

Section 3.1 of the Police Act, provides that:

The Minister may, subject to the Regulations,

(a) establish standards for

(i) police services,

(ii) police commissions, and

(iii) policing committees,

and

(b) ensure that standards are met⁴⁹.

There is merit to rigorous provincial oversight. Alberta Justice and Solicitor General has issued a document entitled “Provincial Policing Standards Manual” (the Standards Manual) dated January 2018, in force January 1, 2018. This document deals with a number of the matters that are permitted to be dealt with by an Order in Council or Regulations. The document gives municipal police services some discretion in terms of what standards should be applicable. It is worthwhile to note that there indeed may be differences among and between various municipal police services which would be reflected in their individual standards by reason of local conditions. That concept, however, does not deal with the idea that a citizen of Alberta should be able to expect the same minimum standard for most things from all police services in Alberta. The Standards Manual is a document grounded in principle. It states that “the development and

⁴⁹ Supra note 27, s. 3.1.

refinement of policing standards is a dynamic process”⁵⁰. Yet, the current document’s predecessor was dated November 2010, over seven years prior to the January 2018 revision. It also states that,

The Ministry will continually review and modify the standards in consultation with police services, police commissions and other policing stakeholders to ensure that they accurately reflect appropriate benchmarks for the delivery of an adequate and effective level of policing⁵¹.

The CPS complies with the Standards Manual. Part of that compliance involves the requirement that the CPS, or for that matter any stand-alone municipal police service, develops its’ own policies and procedures outlining the command protocol, a written code of conduct and a policy to ensure that all sworn members abide by a code of conduct. There is also a requirement that a police service policy include a mission statement and values of the service. The recruitment section of the Standards Manual states, the police service policy shall ensure the recruit selection process complies with the Ministry’s Recruit Selection Guidelines. With respect to training, the Standards Manual indicates that the police service shall ensure individuals who are responsible for training, have the skill and competencies required to fulfill their responsibilities. It also states that Course Training Standards are to adhere to a curriculum recognised by the

⁵⁰ Supra note 30, p. 11.

⁵¹ Ibid.

Ministry and approved by the Chief of Police. The Standards Manual contains a section entitled 'Patrol', which refers to the uniformed, frontline, service delivery component of policing. It then mandates that a municipal police service (the CPS) shall outline procedures for responding to routine, urgent and emergency calls. With respect to motor vehicle pursuit, the Standards Manual indicates that a municipal police service shall have a written motor vehicle pursuit policy that is consistent with the Motor Vehicle Pursuit Guidelines issued by the Solicitor General and Public Security.

There is a section on use of force and it indicates that guidance and references for use of force initiatives can be found in the documentation in Course Training Standards for the Alberta Association of Chiefs of Police (AACP) and the Royal Canadian Mounted Police (RCMP) Use of Force models. It also indicates that a municipal police service shall have written policy governing the use of force that is consistent with the Criminal Code and that any techniques and applications of use of force shall comply with guidelines issues by the Solicitor General and Public Security. The Standards Manual also indicates that the policy will be consistent with the guidelines such as "conducted energy weapons", "motor vehicle pursuits" and "Use of Force".

During the course of this Review, I have been unable to ascertain why in Alberta there is an absence of Orders in Council or Regulations permitted under Sections

61 and 62 of the Alberta Police Act with respect to standards of provincial oversight. It appears that Alberta has adopted the same concept as British Columbia. That is to say, the Standards are not embodied in a Regulation or Order in Council in British Columbia, but rather are issued by the Director of Policing whose functions are delineated in the British Columbia Police Act (Appendix D). The Police Act in Alberta does not provide for a Director of Policing. It provides for a Director of Law Enforcement, with prescribed duties, including developing and promoting standards and training⁵².

It has been suggested that in order to maintain standards on a relatively current or dynamic basis, it is better to have them embodied outside a Regulation or an Order in Council. This is because the process of making amendments to Regulations or an Order in Council can sometimes take longer and be subject to a more cumbersome process. That being said, the important thing for provincial oversight is to develop standards and to see that they are met. My Review has indicated that those standards are by and large met by CPS. There are audits every four years to ascertain whether the standards have been met and the AACP also recognises the requirement to adhere to the standards. It is, however, of some concern that the Alberta Police Act seems to contemplate a format that is consistent with developing standards through Orders in Council or Regulations, but Alberta has chosen to go the other route, similar to British Columbia. While

⁵² Supra note 27, s. 8(2).

this may be permissible under Sections 3.1 and 8 of the Police Act, I think it is more desirable to develop a protocol or legislation consistent with the present practice in Alberta recognising the way standards and guidelines are developed, similar to that embodied in Sections 39 and 40 of the Police Act in British Columbia.

RECOMMENDATION 1:

- **The CPS, through the Alberta Association of Chiefs of Police (AACP), or otherwise, urge the province of Alberta to review the Police Act and the way oversight and policing standards are developed and if it is desirable to continue to issue standards other than through Orders in Council or Regulations, that the Police Act be amended to indicate the clear powers and mandate of a Director of Policing or Law Enforcement, including their functions and ability to develop, publish and enforce compliance with the standards, directions or guidelines.**

THE POLICE ACT, ALBERTA

In August, 2017, the AACP submitted a document to the Minister Justice and Solicitor General, proposing and recommending a number of amendments to the Police Act. Many of these amendments were calculated to review the policy

objectives of the Police Act to ensure they are current, adequately address the needs of the community and policing and identify areas of potential legislative improvement in order to meet those objectives. It referenced the Police Complaints System and whether the Act effectively promotes everyday ethics, professional responsibility and transparency in Alberta policing.

The document made significant recommendations, including a proposal that the Alberta Police Act, reflecting the practice in other professions, adopt many of the reforms of policing in use in the United Kingdom. It said “the Police Act could also be a vehicle to further professionalize the police by setting standards for police training, skills qualifications, professional development and undertaking best practice research”⁵³. The document also recommended a review of the Police Act to further promote professionalism in Alberta policing, the potential development of a College of Policing in Alberta, similar to that recommended by the Honorable Justice Michael Tulloch⁵⁴ and the development of a values-based code of ethics for Alberta police officers. Ontario has recently enacted a new Police Services Act, 2018⁵⁵, not yet in force, containing many of the reforms recommended by Justice Tulloch.

⁵³ Alberta Association of Chiefs of Police (AACP). (2017). Police Act Amendments Committee Recommendations. Adopted August 1, 2017. Edmonton, AB: AACP, p. 10.

⁵⁴ Tulloch, M. (2017). Report of the Independent Police Oversight Review. Toronto, ON: The Honourable Justice Michael Tulloch, p. 263.

⁵⁵ S.O. 2018 c.3, Schedule 1.

My mandate, as it pertains to police culture within the CPS and use of force, in my view, engages provincial oversight. The recommendations that I make can be seen to be directed at the provincial government through the Minister of Justice and Solicitor General. Through a narrow interpretation of my mandate, I am obligated to make recommendations to the CPS Chief Constable to continue to advocate for action through the AACP or to directly urge the provincial government to act.

RECOMMENDATION 2:

- **The CPS work with the AACP and renew efforts urging the province to adopt the recommendations contained in the AACP’s proposal to amend the Police Act and Regulations.**

RECOMMENDATION 3:

- **The CPS review the Ontario Police Service Act, 2018 with a view to working with the AACP to further refine recommendations for an amended Police Act in Alberta.**

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OFFICER RECRUITMENT

PART C: OFFICER RECRUITMENT

The police officer recruitment process within the CPS is guided by the Standards Manual under the authority of the Minister of Justice and Solicitor General. Police services are required to develop a policy to guide recruitment with specific provisions for who has responsibility for the recruitment of officers; the skills and competence of persons responsible for the recruitment process; a detailed recruitment plan and requirements for communicating with all applicants⁵⁶.

Recruit Selection

The CPS policy for recruitment of sworn officers notes that “the purpose of police recruitment is to attract, screen and select persons who possess the intelligence, education, ethical judgment and physical fitness to perform effectively as officers”⁵⁷. An internal review of applicants to the CPS (2013-2017) found that of 3577 applicants during this period, 81% were males and 19% were females. Of this number, the CPS has hired 450 persons (70% males and 30% females).

⁵⁶ Supra note 30.

⁵⁷ Calgary Police Service. (2010). *Policy for Recruitment, Probation and Employment*. Calgary, AB: CPS, p. 1.

All applicants to the CPS must satisfy the following minimum standards⁵⁸:

- Grade 12 diploma or equivalent;
- Canadian citizen, landed immigrant or permanent resident status (living in Canada or the United States for three years);
- At least 18 years of age;
- Class 5 Driver's license (non GDL) with no more than five demerit points;
- Meet medical/health and fitness standards;
- No unpardoned criminal convictions;
- No criminal charges pending before the courts;
- No criminal activity within the last three years both detected and undetected;
- Strong credit rating;
- One year clear of discharge date from a bankruptcy;
- Standard first aid certificate; and
- "Level C" CPR certificate.

In addition, the CPS also has the following preferred requirements⁵⁹ for new recruits:

⁵⁸ Calgary Police Service. Join the Calgary Police Service. Retrieved on March 14, 2018 from <http://join.calgarypolice.ca/>.

⁵⁹ Ibid.

- Minimum of two years post-secondary education and/or consistent employment history;
- Volunteer experience in the community;
- Work experience involving a position of responsibility and trust;
- Duties that involve significant interaction with the public; and
- Applied knowledge of computers, including but not limited to, MS Windows, Word, Outlook, etc., and basic typing skills.

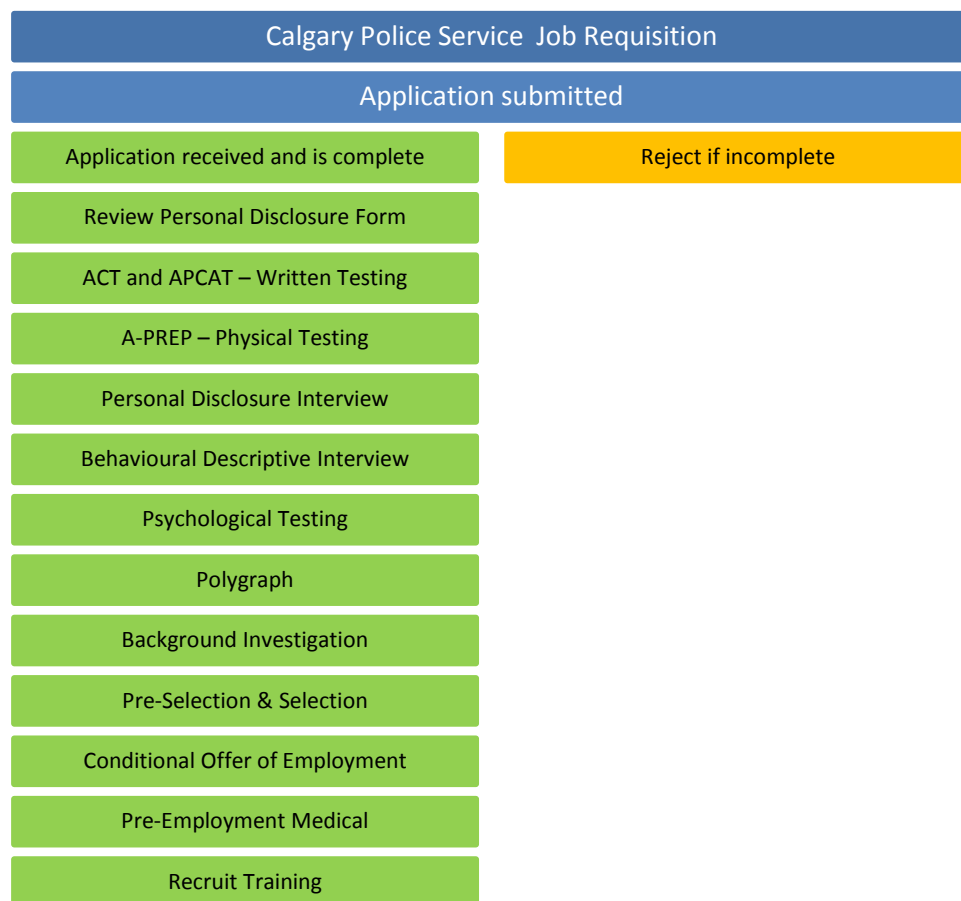


Figure 11: Overview of the CPS officer recruitment process.

Along with aligning with the CPS core values of respect, honesty, integrity, fairness, compassion and courage, officers are expected to demonstrate the following characteristics and traits: exemplary moral character, a high degree of personal integrity, sound judgment, intelligent decision-making, maturity and common sense⁶⁰. Applicants participate in a multi-stage recruitment process (described below):

OVERVIEW OF OFFICER RECRUITMENT PROCESS	
STEPS	DESCRIPTION
1. Application Review	<ul style="list-style-type: none"> All applications are reviewed by a member of the Recruiting Unit to ensure compliance with basic requirements. Incomplete applications are rejected. Accepted applications are assigned to a File Manager (Constable, Recruiting Unit) who contacts each applicant and oversees their progress in the process.
2. Personal Disclosure Form (PDF) ⁶¹ Review (Pre-screening)	<p>The PDF is a standard set of questions approved by Alberta Solicitor General and Public Security and is used to determine the applicant's suitability for employment. The PDF focuses on detected or non-detected criminal activity over the applicant's lifetime and emphasises honesty, integrity and ethics.</p> <ul style="list-style-type: none"> Each applicant sits with his/her File Manager and reviews, in significant detail, their submission as well as their personal history. The details in the Security Clearance form are also reviewed.
3. Written Testing	<ul style="list-style-type: none"> Applicants write two provincially required tests, the Alberta Communication Test (ACT) and the Alberta Police Cognitive Ability Test (APCAT). The tests are completed in a group setting under the supervision of the Recruiting Unit. The ACT is completed in 95 minutes and includes multiple choice, reading vocabulary, spelling and English. The APCAT is completed in 135 minutes and includes multiple choice questions to test an applicant's cognitive ability including judgment, observation skills, written communication skills, learning/memory recall and problem analysis.
4. Physical Testing	<ul style="list-style-type: none"> The Alberta Physical Readiness Evaluation for Police (A-PREP) is the police recruit selection physical abilities test used by all municipal police agencies in Alberta. It consists of a pursuit restraint circuit and the leger (aerobic shuttle run) tests⁶².

⁶⁰ Ibid.

⁶¹ The Personal Disclosure Form (PDF) has 103 questions, with an additional 22 questions for applicants with prior law enforcement experience.

⁶² The leger test (aerobic shuttle run) is designed to evaluate aerobic fitness and work capability during physically demanding policing tasks as well as everyday policing activities. In this test, the applicant is required to run back and forth between two marked lines over a 20-metre course, in time with taped audio signals. The time permitted at

	<ul style="list-style-type: none"> Applicants may participate in an orientation session prior to the completion of the A-PREP test. However, all applicants must have medical clearance before taking the test. A-PREP is administered by members of the CPS Fitness Unit, who undergo annual requalification in order to administer the test.
5. Personal Disclosure Interview	<ul style="list-style-type: none"> Each applicant sits with their File Manager and reviews their PDF as well as their personal history. The details in the Security Clearance form are also reviewed. The Personal Disclosure Interview usually takes 2-3 hours and is intended to ensure that the applicant has not withheld any relevant information. Information provided in the PDF may also be used as input to the polygraph, background and reference checks, psychometric evaluation and pre-employment medical.
6. Security Clearance & Credit Check	<ul style="list-style-type: none"> The Security Clearance Form collects information from each applicant on: <ul style="list-style-type: none"> The names, relationships, dates of birth, addresses and phone numbers of the applicant's immediate relatives and that of current or former spouses, domestic partners, common-law, or significant other; A chronological list of the applicant's addresses and persons with whom they have lived for the past 10 years; and Responses to six questions about criminal convictions, pardons, any investigations, charges, guilty findings, associations with companies, businesses, organisational memberships and information relating to any legal suits over the past 10 years. The Security Clearance Unit conducts the security clearance investigation. A determination of approved or not approved is made at the end of the check.
7. Panel Interview (Behavioural Descriptive Interview)	<p>The Behavioural Descriptive Interview (BDI) is designed to evaluate the applicant's character as it relates to the skills and behaviours demonstrated by successful police officers. The BDI is informed by the philosophy that past behaviour is the best predictor of future behaviour.</p> <ul style="list-style-type: none"> The applicant is interviewed by a 3-person panel, including the File Manager and two other sworn members. The panel reviews each applicant with focus on the following competencies: valuing service and diversity; adaptability-decisiveness; initiative-perseverance; interpersonal skills; stress management and overall presentation and communication. Applicants must clearly describe a personal experience, including the incident, all of their actions and the end result.
8. Fingerprinting	<ul style="list-style-type: none"> Applicants who successfully complete the Panel Interview are fingerprinted by the Identification Section to support an AFIS search and the RCMP National Criminal Records repository. The results of the search are provided to the Sergeant, Recruiting Unit and forwarded to the File Manager.
9. Psychometric Evaluation	<ul style="list-style-type: none"> Psychological testing is administered and evaluated by the CPS Psychological Services Section. CPS currently uses two tests; 16-Personality Factors (16-PF) and the Inwald-2 Personality Inventory. Prior to 2015, CPS used the Minnesota Multiphasic Personality Inventory (MMPI), the Millon Clinical Multi-axial Inventory (MCMI) and the 16-PF. Results for each applicant are presented to the Recruiting Unit with a descriptive paragraph and a rating:

the beginning of the test to cover the 20-metre distance requires a slow jog. Thereafter, for each 20 metres, the time between audio signals lessens, requiring that the applicant increase their pace.

	<p>Acceptable for Selection:</p> <p>1: no significant performance problems predicted</p> <p>2: no significant performance problems predicted. However, the data suggest behaviour or attitudes worthy of comment.</p> <p>3: performance problems are predicted as specified but they may be remediable through training or education.</p> <p>Requires Secondary Assessment:</p> <p>4: significant performance problems are predictable which are not likely to be affected through further training. This applicant would be requested to participate in a psychological interview with the psychologist.</p> <p>Psychologically Unsuitable:</p> <p>5: applicant's current psychological characteristics constitute a liability concern to the Service.</p>
10. Polygraph	<ul style="list-style-type: none"> • Applicants complete a pre-employment polygraph informed by responses provided in step 5 of the recruitment process. • Concerns about the applicant's integrity or discrepancies between the PDF and the polygraph exam may result in a deferral. • Results of the polygraph exam are captioned as: <ul style="list-style-type: none"> a. successful (based on honesty and integrity); b. successful with concerns (based on honesty and integrity); or c. unsuccessful (based on honesty and integrity).
11. Background Investigation	<ul style="list-style-type: none"> • Following the successful completion of the polygraph, an investigator completes a background check that considers the security investigations, reference checks, education verification, credit checks and driver's abstract of applicants. • The applicant provides five personal references along with their employment history for the past 10 years. • Background investigators conduct at least eight reference checks. • Investigators ascertain additional information to confirm or deny findings from the personal disclosure form and the results of psychological testing. • Results of the Background investigation are summarised and presented to the Recruiting Unit.
12. Pre-Selection Review	<ul style="list-style-type: none"> • The File Manager, Unit Staff Sergeant and Sergeant jointly review the applicant's file and decide if the applicant should be sent forward for selection.
13. Selection	<ul style="list-style-type: none"> • The Recruit Selection Committee includes the Chief Human Resource Officer, Employee Services Division (ESD); Manager, Integrated Human Resource Services Section and the Inspector, Chief Crowfoot Learning Centre. The Psychologist, File Managers, Human Resources Legal Counsel, the Sergeant and Staff Sergeant in Recruiting and the Background Investigators serve as resource personnel for the Committee meetings. • The Committee meets monthly to review submitted files and determines if applicants presented should be hired. The Committee considers a computer-based file on each applicant as well as a presentation by the File Manager and the Background Investigator. • Successful candidates are placed on a selection list to await placement in a recruit class. Candidates who are deemed unacceptable are deferred. The decision about the period of deferral may be made by the Selection Committee or by Human Resources.

Table 6: Description of the steps in the CPS officer recruitment process

Prior to 2017, recruits were assigned an individual file manager who managed their file throughout the entire recruitment process. Recent changes in the Employee Services Division (ESD) means the file managers and recruiting outreach officers will now serve as recruiting officers. These six constables will share responsibility for all applicant files; conducting the Personal Disclosure Form Interview, the Behavioural Descriptive Interview and preparing the applicant's file for presentation to the Recruit Selection Committee.

Withdrawal of Recruits

There are many reasons that an applicant may choose to withdraw from the process after applying, which include but are not limited to, a change in personal circumstances; a change in professional circumstances; self-realisation after some involvement in the process that policing is no longer a career they wish to pursue or illness or injury that precludes them from further participating in the process.

Deferral of Application

An applicant who fails to satisfy the necessary requirements at any stage in the recruitment process will be declined, and a deferral period of as low as one month or as long as a lifetime, will be determined.

These are some of the Government of Alberta mandated deferral periods at various stages in the recruitment process:

ACT WRITTEN TEST

- 1st fail: 1 month deferral
- 2nd fail: 6 months deferral
- 3rd fail: 12 months deferral
- All subsequent fails the length of the deferral period doubles that of the previous deferral

APCAT WRITTEN TEST

- 1st fail: 1 month deferral
- 2nd fail: 3 months deferral
- 3rd fail: Lifetime

APREP PHYSICAL TEST

- 1st fail: 24 hours deferral
- 2nd fail and all subsequent fails: 2 months deferral

PSYCHOLOGICAL EVALUATION

- 1st instance of a score of 5: 6 month deferral
- 2nd instance of a score of 5: 18 months deferral
- Subsequent: no more than 2 attempts in a 2 year period

Table 7: Reasons for and length of deferrals in the police officer recruitment process

The CPS also defers applicants at different stages of the process for various reasons. Typically, the guiding principle behind the length of each deferral is informed by the minimum amount of time that is deemed necessary to elapse between the issues or incidents requiring the deferral, and when it would be acceptable for the applicant to re-apply. Should an applicant choose to re-apply

on conclusion of their deferral (not including the provincially mandated deferrals above), they are required to submit a new application and participate in all stages of the process (with the exception of any stage where previous successful testing results are still valid). Deferrals for these reasons typically range in length from one to five years depending on the severity of the issue identified. The justification for a deferral and its length is determined by the file manager and the Recruiting Sergeant. Depending on the circumstances, the Staff Sergeant, Recruiting and the Manager, Integrated Human Resource Services Section may also be involved in the process. Deferrals for periods of one to five years cannot be appealed. Possible reasons for deferrals of one to five years include:

- criminal behaviour (previously detected and undetected/not disclosed prior to application process);
- “failure” at a stage that does not have a provincially mandated deferral period;
- patterns of behaviour that reflect a lack of character, honesty, maturity, integrity and sound critical decision-making skills;
- issues raised at the background investigation stage;
- issues with security clearance; and
- detected dishonesty or deceit during the application process.

Where it is determined that the issues or incidents informing the deferral are of such a significant nature that no passage of time will render them acceptable, the

applicant will be given lifetime ineligibility. This applicant is provided with the opportunity to appeal. These decisions are reviewed by a panel⁶³ to determine the basis for the declaration of ineligibility and to determine if the decision will be upheld or changed. This process occurs for every applicant deemed lifetime ineligible, regardless of whether or not an appeal is received.

⁶³ The panel reviewing lifetime deferrals comprises the Manager, Integrated Human Resource Services Section and Staff Sergeant.

RECOMMENDATIONS

The CPS has developed a robust recruit selection process and should be encouraged to continue to build on this program. Where feasible, attention to file management and greater engagement of psychological services may enhance the ability of the CPS to recruit and select the most appropriate officers.

FILE MANAGEMENT

Specific to the management of recruit files, the CPS may want to consider additional measures to ensure objectivity in the selection process.

RECOMMENDATION 4:

- **The CPS ensure that file managers do not maintain sole responsibility for any one recruit file, to enhance the objectivity of their input during the officer recruitment process.**

RECOMMENDATION 5:

- **The CPS review and implement additional avenues for the engagement of psychological services in the design, implementation and review of the officer recruitment process.**

PSYCHOMETRIC TESTING

In considering recommendations for recruit selection as noted, the Minister of Justice and Solicitor General (the Minister) has issued some standards including a document entitled Alberta Provincial Guidelines for Police Recruit Selection Administration Manual⁶⁴. This document is dated November 7, 2017. It contains a heading, “Stage 4-Psychometric Evaluation”, which references the psychological tests that will be used by all police agencies within this province of Alberta. The Minnesota Multiphasic Personality Inventory -2 (MMPI-2) is included. The CPS no longer uses the MMPI-2. By a Resolution (F15-10) on November 19, 2015, the AACP changed the Psychological Assessment Standards to remove the MMPI-2 as part of the psychological testing. The MMPI-2 was replaced with the Inwald Personality Inventory-2 (IPI-2), as an approved psychometric assessment in the evaluation of police recruit applicants.

I was unable to ascertain whether the AACP’s Resolution was approved by the Minister as a province-wide police recruit selection standard for psychometric testing. The MMPI-2 psychometric test has been credited for its efficacy in supporting the identification of applicants who exhibit psychopathology or problematic personality characteristics that could impinge on an individual’s ability to function as a police officer. If that test is to be eliminated it should be

⁶⁴ Alberta Solicitor General & Public Security (ASG&PS) (2017). *Psychometric Evaluation*. Alberta Provincial Guidelines for Police Recruit Selection: Administration Manual (4th ed.). Edmonton, AB: ASG&PS.

the subject of a reasoned, articulated foundation. Similarly if an independent review were to examine the test and find it unsuitable, the reasons for its unsuitability ought to also be articulated.

Another recommendation with respect to psychological testing involves the Implicit Association Test developed at Harvard University. The test is designed to show whether a candidate may possess hidden biases. All human beings have biases or prejudices, as a result of their experiences, and these biases influence how they might react when dealing with people or situations. In policing, the Implicit Association Test may be a useful tool in the identification of any implicit or explicit bias among police recruit applicants.

RECOMMENDATION 6:

- **The CPS, in conjunction with the AACP, conduct an independent evaluation of the suitability of the Minnesota Multiphasic Personality Inventory-2 (MMPI-2) as a psychometric test for recruit selection.**

RECOMMENDATION 7:

- **The CPS evaluate the efficacy of the Implicit Association Test, in terms of whether it would be useful in identifying implicit and explicit bias among applicants, particularly with regard to use of force or for that matter, whether it could be administered to new recruit classes for teaching purposes focused on bias.**

DEFERRAL OF APPLICATION

My inquiry as to whether candidates are told the reasons for their deferment resulted in inconsistent information. My information is that some of the file managers, assigned to a specific candidate, may verbally indicate to them why they were not selected. In other cases, no reason is given. Similarly in all cases there is no written communication indicating the reasons for deferment. It behooves the CPS, as a matter of courtesy, to provide candidates with a reason or reasons for a deferment.

RECOMMENDATION 8:

- **The CPS inform all candidates to be deferred for between one and five years, of the reasons for the deferment, at least verbally. In that way, a candidate can decide whether they believe they can be successful on reapplication or whether they should abandon their aspiration to become a CPS officer.**

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OFFICER EDUCATION & TRAINING

PART D: OFFICER EDUCATION & TRAINING

Training and Education

According to the Standards Manual,

Police services are required to provide police induction training, in-service training and professional development to personnel to ensure that they have the skills and competencies to effectively discharge their responsibilities. This training commences on hiring and continues throughout the careers of sworn, civilian and volunteer personnel⁶⁵.

The Standards Manual outlines the “minimum requirements for promoting predictable and consistent skill development in police services in Alberta...” and “do[es] not limit any police service from designing and delivering enhanced training to meet the needs of the community they serve”⁶⁶.

⁶⁵ Supra note 30, p. 29.

⁶⁶ Ibid.

Recruit Training and Education

Recruit Training Program

The Chief Crowfoot Learning Centre (CCLC) within the Bureau of Corporate Support delivers the Recruit Training Program (RTP). The RTP is six months in duration. Usually recruit classes comprise 24 officers. This training is designed to introduce recruit officers (recruits) to the laws and procedures of frontline policing, patrol fundamentals, investigative skills, tactics and field preparation (Appendix E – Summary of RTP). The CCLC uses a variety of instructional approaches including classroom lectures and discussions; case studies; scenario-based exercises (indoor/outdoor); simulations of events and practical skills training including driving, firearms and subject control tactics. There are a variety of testing methods to ensure officers meet a minimum standard of knowledge prior to graduation.

There is a strong focus on legal authorities, communication and professionalism throughout the entire RTP. The program follows a curriculum map that builds on recruits' knowledge base throughout to ensure they are able to apply and integrate that knowledge into scenarios and simulations. The 2017 RTP consisted of 405 hours within the CCLC, 20 hours of drill, 100 hours of physical training, 305 hours on skills, 40 hours of experiential learning and 105 hours of firearms instruction.

Use of Force in Recruit Training

Within the first two weeks of training, recruits begin to learn legal concepts such as arrest, detention and search. In week three, recruits receive instruction on their legal authority respecting use of force and the CPS Policy and Procedures associated with force. The physical training begins with basic skill/technique building and progresses to use of weapons systems. Recruits have the opportunity to further develop their skills in a reality-based environment, where they participate in scenarios that prompt them to assess the situation, communicate and make reasonable and effective decisions. Opportunities for development through scenarios continue throughout the entire program, building in complexity as recruits' skills progress. In these scenarios, recruits are evaluated on different criteria, most important among them, the reasonableness of their actions in response to the environment of a specific encounter. At the conclusion of each scenario, recruits are asked to articulate their actions and instructional feedback is provided. This feedback loop encourages recruits to learn from mistakes in a safe learning environment and then integrate the feedback into future scenarios.

Use of Force

The aim of this section is to train police recruits to use the appropriate level of force, having regard to the Criminal Code and the CPS Policy and Procedures Manual. Substantive areas of focus include:

- **Mental preparation:** This module introduces recruits to the discussion around using force as many new recruits recognise this is an aspect of being a police officer, but have never been in a situation where they were responsible for someone else's safety. The mental preparation discussion goes beyond use of force and engages recruits in discussions about coping with shift work and emotionally surviving a career in policing.
- **Simulation Training:** CPS relies on a computer-based judgment simulator in the RTP to allow recruits to interact with a video depiction of potential situations. In previous years, CPS used a system named PRISim. It has recently changed to Training Lab, which is described as a high quality, full-function, interactive judgement, use of force and firearms simulation system. Recruits are required to view the scenario, react with lawful, reasonable and effective use of force and must be able to articulate their actions to instructors. This interactive system provides a developmental opportunity to “put the pieces together” in a

controlled environment. It is a precursor to the final evaluation which involves dynamic confrontations in which recruits interact with live subjects.

- **Strategic Communications and De-escalation:** Recruits are trained to respond in a manner that is proportionate, reasonable and necessary. This is often achieved through respectful and empathetic communication. This module provides recruits with the skills to maintain personal control and professional presence, even when confronted with angry, aggressive or abusive subjects, and to seek voluntary compliance where possible. Recruits learn methods of communicating, active listening and techniques to gain voluntary compliance through verbal strategies. Beginning in 2018, this module also includes an enhanced focus on de-escalation.
- **Subject Control Techniques:** In some cases, recruits must use physical force to gain the compliance of a subject. Failing to control a subject can have disastrous consequences for the officer-involved, the individual being confronted and members of the public. Without the necessary skills in restraining subjects, the level of force used may increase. This increases the risk of injury to the subject, the public near the scene and the officer(s) involved in the confrontation. Recruits learn a variety of offensive and defensive techniques, including strikes, stuns, kicks and punches, use of

weapons and tools such as the baton, conducted energy weapons, leg restraints and Oleoresin Capsicum (pepper) Spray⁶⁷.

Officer Safety

The Officer Safety section synthesises all use of force training and requires recruits to apply and integrate their skills and knowledge in real-life environments. Recruits must be able to identify their authority to use force; use reasonable and effective responses; utilise different levels of force and make decisions appropriate to the situation; while maintaining their own safety and the safety of their classmates. The foundations of mental preparation and mindset are revisited and put into practice in complex, dynamic simulations involving crisis point containment, building clearing, traffic stops and rapid intervention incidents. Recruits also complete the Patrol Officer Casualty Management module designed to assist officers in applying casualty care to other officers or affected persons until emergency services arrives. Higher risk situations are incorporated because recruits have developed and practiced the foundational skills and techniques.

⁶⁷ These approaches are further described in the section on Use of Force Tools and Options.

Substantive areas of focus include:

- close quarter subject control;
- crisis point containment and building clearing;
- foot pursuits;
- fundamentals of officer safety;
- officer hostage rescue;
- rapid intervention techniques; and
- traffic stops (operational, increased/high risk traffic stops).

Firearms Training

Training focuses on recruits' capacity to safely handle and use CPS-issued handguns and shotguns. The emphasis is on skill building in order to prepare recruits for the dynamic environments in which they may be required to utilise their firearm. Instruction primarily focuses on the handgun, with a smaller segment focused on the shotgun. This familiarises the recruits with handling, loading, unloading and firing. Shooting proficiency and safe handling of the weapons are emphasised. Review and repetition are conducted throughout firearms training to ensure that recruits maintain a high level of skill, knowledge and confidence.

Knowing the mechanical capability of firearms is not the only consideration for police recruits. They must recognise the psychological issues associated with the use of a firearm. They must also recognise the immense responsibility placed upon them by the citizens under their protection. This responsibility is conveyed through common law, the Criminal Code of Canada, the Police Act and the CPS Policy and Procedures Manual.

Substantive areas of focus include:

- introduction to firearms training;
- firearms tactics;
- handgun fundamentals;
- shotgun fundamentals;
- Alberta Association of Chiefs of Police (AACP) handgun and CPS shotgun qualification programs; and
- shooting under stress.

Police Training Officers

The Police Training Officer (PTO) program was instituted in July 2007, replacing the former Field Training Officer program. The program allows for a trained police officer to facilitate the “on-street” training of new police officers upon successful completion of the RTP and relies on the “theories of adult education

and problem based learning in an effort to promote ongoing professional development”⁶⁸. An officer who is a PTO has successfully completed the 40-hour PTO course (Appendix F) offered through the CCLC.

Probationary Constables

New police officers who complete recruit training enter the field as probationary constables. The probationary period is at least 18 months and commences on the first day of recruit training. This period may be extended for an additional six months upon the recommendation of the Chief Constable and the approval of the Police Commission. These extensions typically provide additional time for the evaluation of the probationary officer’s progress. Following the six-month RTP a probationary constable, who is new to policing, is assigned to a PTO for a period of 15 weeks. This allows for focus on four substantive topics and two assessment phases.

TIME	POLICE TRAINING OFFICER PROGRAM
1 week	Orientation
6 weeks	Non-Emergency & Emergency Response
1 week	Mid-Term Evaluation
6 weeks	Patrol Activities & Criminal Investigation
1 week	Final Evaluation

Table 8: Length and areas of focus of the Police Training Officer Program for CPS probationary officers

⁶⁸ Calgary Police Service. (2011). *Police Training Officer: Course Training Standards*. Calgary, AB: CPS, p. 3.

Officers who have had previous law enforcement experience participate in the modified PTO program which typically lasts for eight weeks.

When probationary officers fail to meet required competencies, as assessed on a mid-term or final evaluation:

- the PTO notifies the probationary officer's immediate supervisor or the PTO Coordinator;
- the probationary officer's immediate supervisor or the PTO Coordinator informs the Board of Evaluators⁶⁹;
- the Board reviews all relevant documentation and determines the appropriate course of action, which may include remedial training, after which the probationary officer is again evaluated;
- if the probationary officer does not satisfy the requisite competencies, the Board reviews their suitability for continued employment. Where it is determined that the probationary officer is not suitable for continued employment, the Board advises the probationary officer's immediate supervisor and gets legal advice from the Legal Counsel, ESD; and
- when a recommendation is made to the Chief Constable for termination of a probationary officer's service, the Legal Counsel, ESD will ensure a termination package is prepared.

⁶⁹ Board of Evaluators comprises the PTO Sergeant, CCLC; the Probation Advocate (Sergeant, Integrated Human Resource Services Section); a District/Section Inspector; probationary officer's immediate supervisor, the PTO Coordinator from the probationary officer's District and anyone else deemed necessary by the PTO Sergeant.

Mandatory Requalification

All CPS officers are required to qualify and achieve proficiency in use of force related skills, in order to ensure competency and effectively discharge their duties. Officers are required to re-qualify for up to 12 different Use of Force practical and eLearning components, mandated under the CPS Use of Force Training and Qualification policy⁷⁰ and Vehicle Pursuit (Code 600) policy⁷¹.

Officers may receive an exemption from mandated qualifications based on medical or non-medical reasons. Medical exemptions require the submission of an Exemption Request to the Integrated Human Resource Services Section. Non-medical exemptions primarily involve a decision related to leaves of absence or an officer's current job functions. Exemptions must be approved by a supervisor and senior management. The CPS policy requires exempted officers to return their use of force equipment to the Firearms Unit or the City of Calgary Corporate Stores.

Officer qualification information is tracked by the Training Partner system, which is maintained by the CCLC. After each Handgun, Vehicle Pursuit and Subject Control Tactics re-qualification period, the CCLC sends out a "DID NOT QUALIFY LIST" to the District/Section Inspectors to inform them of the officers who have

⁷⁰ Calgary Police Service. (2013). *Use of Force Training and Qualifications*. Calgary, AB. CPS.

⁷¹ Calgary Police Service. (2013). *Code 600*. Calgary, AB. CPS.

TRAINING/RE-QUALIFICATION	RANK	FREQUENCY	QUALIFICATION PERIOD
e-Learning modules	All CPS Officers	Twice each year	January - June July - December
<ul style="list-style-type: none"> Discharging firearm at occupant(s) of moving or potentially moving vehicles Vehicle Pursuit 			
e-Learning modules	All CPS Officers	Every year	January - December
<ul style="list-style-type: none"> Excited delirium⁷² Firearms maintenance Firearms procedures and safety 			
Use of force theory			
Handgun (AACP ⁷³ qualification program)	All CPS Officers	Twice each year	January - June July - December
Patrol Rifle	Officers certified to carry a patrol rifle	Twice each year	January - June July - December
Shotgun	Officers below the rank of Staff Sergeant	Every year	January - December
Subject Control Tactics (plain clothes officers)	Detectives and plain clothes officers	Every year	January - December
Subject Control Tactics (uniformed officers)	Uniformed officers	Every year	January - December
<ul style="list-style-type: none"> Conducted Energy Weapon Lateral Vascular Neck Restraint® 			each odd numbered year each even numbered year

Table 9: Mandatory skills qualifications for CPS officers

⁷² CPS policy (Care in Custody, 2013) refers to excited delirium as a “state of delirium coupled with mental and physiological excitement characterized by extreme agitation, hyperthermia, hostility, exceptional strength and endurance without apparent fatigue”.

⁷³ AACP – Alberta Association of Chiefs of Police

failed to complete the requalification. The list does not include officers who have been exempted. Once this information is verified by the members' Inspector, a finalised list of non-compliant officers is sent to the Manager, Integrated Human Resource Services Section. The final list of non-compliant members is shared with applicable Inspectors who are responsible for serving these officers with a letter of expectation regarding the lack of compliance and direction to qualify forthwith.

Information in Table 10 below shows that in 2017, 1,951 (94.3%) officers completed the first round of handgun re-qualification and 1,996 (93.4%) completed the second round. A total of 101 (4.9%) officers were exempted and 17 (0.8%) officers did not re-qualify in the first round. In the second round of handgun re-qualifications, 131 (6.1%) officers were exempted and 9 (0.4%) did not qualify.

RE-QUALIFICATION	REQUIRED	COMPLETED	EXEMPTED	DID NOT QUALIFY
Handgun (Jan - Jun)	2069	1951 (94.3%)	101 (4.9%)	17 (0.8%)
Handgun (Jul - Dec)	2136	1996 (93.4%)	131 (6.1%)	9 (0.4%)
Subject Control Tactics (Conducted energy weapon)	2157	1949 (90.4%)	146 (6.8%)	62 (2.9%)
Vehicle Pursuit (Jan - Jun)	2072	2001 (96.6%)	53 (2.6%)	18 (0.9%)
Vehicle Pursuit (Jul - Dec)	2158	2058 (95.4%)	50 (2.3%)	50 (2.3%)

Table 10: Completion of CPS mandatory skill qualifications, 2017

A total of 2157 officers were required to complete Subject Control Tactics re-qualification for the use of conducted energy weapons in 2017. Of this number, 1949 (90.4%) completed the re-qualification; 146 (6.8%) received an exemption and 62 officers (2.9%) did not qualify. For vehicle pursuit, 2,001 (96.6%) officers completed the first round of re-qualification and 2,158 (95.4%) completed the second round. A total of 53 (2.6%) officers were exempted and 18 (0.9%) officers did not re-qualify in the first round. In the second round of vehicle pursuit re-qualifications, 50 (2.3%) officers were exempted and 50 (2.3%) did not qualify.

In-Service Training and Education

The CPS offers several opportunities for individual members to improve their knowledge and enhance and expand upon their initial training and education. Internal courses for both civilian and sworn members focus on topics that include, but are not limited to, professionalism in policing; health, wellness and safety; patrol response and community relations; police tactics; investigations; and leadership (Appendix G – Table of Contents of CCLC courses). The CCLC also offers courses in conjunction with the University of Calgary and the Canadian Police Knowledge Network (CPKN).

Members of the CPS may apply for partial tuition reimbursement for a certificate, diploma or degree that is deemed beneficial to their career and to the

organisation's business needs⁷⁴. This reimbursement is subject to the member first receiving approval for the program from their inspector or manager and the approval of the course from the Learning Advisor and CCLC Inspector prior to registration. Once approved, the member pays for the course, attends on their time and attains a passing completion grade before they qualify for the partial tuition reimbursement.

District Training Officers

Ongoing training for sworn officers is also facilitated by District Training Officers (DTOs). DTOs are sergeants who report to a staff sergeant in the CCLC. Each District has an assigned DTO, who has responsibility to coordinate the delivery of formal and informal professional training that focuses on frontline police operations and use of force concerns. Examples of this training include building clearing and containment and high-risk vehicle stops. The DTO works closely with the District management team, Team Sergeants, Force Review Officer⁷⁵ and CCLC, to ensure consistency in all training that is developed and delivered, as well as operational debriefings. DTOs review use of force incidents and reports for each District, draft debrief reports, have follow-up discussions with members as required and are responsible for ensuring that accurate data is captured related to use of force incidents.

⁷⁴ Calgary Police Service. (2017). *Training and Post-Secondary Education*. Calgary, AB: CPS.

⁷⁵ The Force Review Officer is a staff sergeant who supervises the District Training Officers (DTOs) and manages the use of force reporting system.

CALGARY POLICE SERVICE DISTRICT TRAINING OFFICER -LED TRAINING 2015-2017

2015	Attendance Total
Active Assailant in the Open	403
Breaching Tools ⁷⁶	59
Control & Restraint	359
Increased/High Risk Vehicle Stops	295
2016	Attendance Total
Active Assailant in the Open ⁷⁷	122
Code 300: Containment	391
Lateral Vascular Neck Restraint (LVNR®) ⁷⁸	216
Rapid Intervention Training	361
2017	Attendance Total
Code 900: Shooting at or from Moving Vehicles	972
Conductive Energy Weapons (CEW) ⁷⁹	210
Increased/High Risk Vehicle Stops	240
Multiple Officer Single Subject Arrests/Warrantless Exigent Entries	276

Table 11: Table showing CPS officer's attendance at District Training Officer-led courses 2015-2017

Four blocks of training are usually scheduled in each year. Each District schedules officers to participate in training on a day-shift that is typically set aside for training or investigative follow-up. The exception to this is District Five, which has

⁷⁶ Training on Breaching Tools was introduced in January 2014 and some officers completed this training prior to the DTO session. Breaching tools, such as a battering ram, pry bar or edge bender are used to facilitate immediate entry into buildings or vehicles while minimizing the risk of injury.

⁷⁷ Active Assailant in the Open training was introduced in 2015 and some officers completed this training prior to the DTO session.

⁷⁸ This is a required annual requalification for all officers. An additional 1232 officers completed this requalification through the CCLC.

⁷⁹ This is a required annual requalification for all officers. An additional 1298 officers completed this requalification through the CCLC.

a scheduled training day once every 24 weeks (twice each year). The four in-service training days provided by DTOs allow for officers to remain current in high-risk tactical maneuvers and to increase investigative capacity. Information in Table 11 shows the areas of focus for DTO training as well as officer attendance between 2015 and 2017.

Instructor Development

In 2015, the Norris Report⁸⁰ recommended that the CPS create a program for instructor development. The program would augment existing mechanisms targeting the capacity development of instructors within the CPS, ensuring alignment with the needs of the organisation as well as a standardisation of requirements across all instructors. Prior to this time, instructors were all expected to successfully complete the CPS internal courses Foundations of Instruction and ABCs of Effective Presentation.

In the fall of 2017, the CCLC facilitated training for instructors with focus on the following:

- Advanced Instructional Techniques
- Mental Skills Training

⁸⁰ Norris, J. (2015). Calgary Police Service Skills Unit Training Audit. Calgary, AB: CPS & University of Calgary.

-
- National Coaching Certification Program (Learning Facilitation and Mentorship)
 - Scenario Based Instructors course

At the end of these courses, instructors were expected to be able to:

- analyse and utilise methods that create an effective learning environment;
- explain the principles involved in designing a learning session to meet the learning objectives and the identified needs of the learners;
- explain the purpose of evaluation and the different types; and
- demonstrate the ability to modify a lesson and incorporate effective teaching methodologies, appropriate student and instructor resources and proper assessment techniques.

Research Findings and Officer Concerns

Some of the core concerns raised by officers around the issue of officer recruitment, education and training include absence of consistency in training as well as lack of adequate emphasis on ongoing training. Officers also highlighted the need for focus on supervision for trainers and resources for training.

Skill Perishability

As was concluded in the Norris Report⁸¹, this Review found that the Recruit Training Program (RTP) does appear to adequately prepare new police recruits for their patrol-related duties. However, there is a concern that there is an absence of a consistent level of training and shared knowledge across all patrol officers. For frontline patrol officers, the absence of a mandatory requirement for participation in most ongoing training has been identified as one factor that limits opportunities for the CPS to introduce new approaches or philosophies to areas of training that might have undergone change since recruit training, as experienced by veteran officers. With the exception of mandatory courses such as de-escalation⁸², the CPS does not have a structured and systematic avenue for patrol officers who were previously trained as recruits, to be introduced to the philosophy and approaches being advanced by the current curriculum for recruits.

⁸¹ Supra note 71.

⁸² Infra note 101.

In addition, aside from curriculum change, the absence of ongoing mandatory in-service training is particularly significant in light of research around skill perishability⁸³ that indicates that officers who do not practice the skills taught during training, are less likely to be able to “recall or be able to apply techniques, principles and skills that they were taught”⁸⁴, when these skills are required.

Norris noted that,

Under duress, officers tend to abandon much of the hand to hand defence and control skillset they learned in recruit training and revert to habits and practices, such as closed hand strikes, use of flashlights as batons etc. that may be less effective and have greater risk to themselves, subjects and the Service⁸⁵.

Norris also cited findings in the 1985 US military research into skill perishability that looked at the retention of wristlock and arm bar techniques taught to recruits,

After 1 month without additional practice or performance, 67% of recruits could perform the skill correctly. After 2 months, this number dropped to

⁸³ Angel, H., Adams, B., Brown, A., Flear, C., Mangan, B., Morten, A., & Gruson, G. (2012). *Review of the Skills Perishability of Police “Use of Force” Skills*. Guelph, ON: Humansystems Incorporated.

⁸⁴ Supra note 80, p. 11.

⁸⁵ Ibid.

45% of the cohort. After 12 months, with no additional practice, 0% of the training cohort was able to correctly perform the technique⁸⁶.

These findings are also consistent with a forthcoming study by the Force Science Institute⁸⁷ identifying training deficiencies, including skills retention.

Trainers

Officers noted that the current organisational structure does not necessarily provide for direct oversight of all trainers or training initiatives by the CCLC. For example, DTOs are located in the Districts but their direct supervisor is in the CCLC. A similar concern was noted about the absence of a coordinated supervision mechanism for the PTOs, who operate at the District level and are not directly supervised by the CCLC. Instructors indicated that the existing structure is not organised to support cross-sharing, learning or collaboration among the different focus areas in training. This could result in lack of efficiencies and missed opportunities to reinforce key training messages.

⁸⁶ Ibid.

⁸⁷ Lewinski, W. (April, 2018). A Summary of Research on Pre-Service Training: A Call for Action. Mankato, MN: Force Science Institute.

Training Standards

Training within policing is, by its very nature, required to adapt to the emerging trends in policing and concerns from the public. It is expected that the CPS will continue to adjust its education and training curriculum and standards in line with new and emerging technologies, needs and situations in policing. However, in spite of the inevitability of this process, the CPS does not have a consistent, clearly defined process for course review and amendments. This may mean that various versions of training standards could exist and be utilised alongside each other, contributing to the dissemination of competing messages to learners.

Resources

Officers noted that there was no dedicated budget for the DTO-led in-service training. This means officers are sometimes forced to abandon a training facility to make room for recruit training, which is prioritised. Some forms of training that require additional budgetary resources, may be abandoned all together. One District Sergeant noted “we are working out of parking lots, we’re working at Calaway Park...we’ve fallen very short and you can go years on the job without subject control tactics”. In another submission, an officer noted that the CPS has prioritised and provided resources for training in units such as the Tactical Unit, which in this officer’s view “responds to known risks, occasionally”, yet has not

demonstrated similar commitment to front line patrol officers who encounter and respond to a variety of unknown risks each shift.

RECOMMENDATIONS

The CPS programs for education and training have established a commendable platform for officers to garner required skills and knowledge to effectively perform in their assigned roles, in most areas. The initial training provided to recruits is fundamentally designed to support the “systematic acquisition of skills, rules, concepts, and attitudes”⁸⁸, to enable them to function in their role as police officers. A critical requirement to fostering a culture of training and education is the value placed on that area of the organisation and the resources provided to the area. Within the CPS, training and education stands to benefit from additional focus on both aspects.

RECOMMENDATION 9:

- **The CPS elevate the Chief Crowfoot Learning Centre (CCLC) to a Division with specific responsibility for all aspects of recruit and in-service education and training for members. The CCLC Division should have responsibility for:**
 - a) Ensuring education and training aligns with the needs of the organisation and consistently reflect the philosophy and tone of policies and legislation.**

⁸⁸ Goldstein, I. & Ford, J. (2002). *Training in organizations: Needs assessment, development and evaluation* (4th ed.). Belmont, CA: Wadsworth.

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- b) Facilitating the periodic review and amendment of existing courses, as well as the development of new courses, as required, to augment the training and education programming.**
 - c) The development and implementation of requirements for the certification, assessment and continued development of instructors.**
 - d) Ongoing review of emerging practices and relevant research by other law enforcement agencies, academia and institutions such as, the Police Executive Research Forum (PERF), Force Science Institute, International Association of Chiefs of Police (IACP) and facilitate the application of relevant findings to training and education programming.**
 - e) Advocate for and manage resources to support quality training and education for recruit and in-service training. This should include financial support, maintaining an efficient training schedule and the maintenance or replacement of training facilities as required (e.g. shooting ranges, driving track).**

RECOMMENDATION 10:

- The CPS allocate an annual budget to the CCLC to include amounts designated for quality training and education for new and existing officers and members, with provisions for the shooting ranges, driving track, training materials and personnel.**

RECRUIT TRAINING

My Review has found that the CPS has established and continues to deliver a rigorous RTP. The program demonstrates the capacity to prepare new officers to meet the challenges on the streets of Calgary and to learn from and implement suggestions that emerge from periodic reviews. Aside from use of force training, my recommendations for the RTP are directed at the area of mentorship as it relates to the need to foster an organisational culture that is open to the benefits of ongoing training and education.

Once new officers enter the street, they are paired with a Police Training Officer (PTO). The benefits of this approach are that it allows new officers to benefit from tangible, on-the-job support and evaluation from specially trained and experienced officers. It also provides an opportunity for young police officers to balance the needs of operating within a chain of command and the need for critical thinking skills.

Within CPS, PTOs have all completed an initial 40 hour PTO course, which largely covers the administrative duties of their function. However, following their initial training, there is no structured opportunity for PTOs to retrain or re-engage with the materials being covered through the RTP. An effective PTO program should minimise areas of inconsistency between what is taught in RTP and what is

expected of new officers once they are deployed to their respective Districts. It can also serve to inform the RTP of areas where new officers require additional training, thus improving the efficiency of the overall program.

RECOMMENDATION 11:

- **The CPS strengthen the existing Police Training Officer (PTO) program to ensure continued capacity development for PTOs and alignment with the Recruit Training Program (RTP) by:**
 - a) **Introducing mandatory certification for all current PTOs, to ensure they have the capacity to effectively perform the required mentorship and evaluation of new officers.**
 - b) **Subsequently introducing mandatory, annual re-certification of all PTOs. This one-day course should ensure PTOs are aware of new and emerging areas covered in RTP.**
 - c) **Instituting an evaluation of PTOs, with specific consideration of the implementation of an anonymous mechanism for new officers to provide feedback on the quality of mentorship and training received from their individual PTO. Implement remedial training for PTOs as required following evaluation.**
 - d) **Rescinding the designation and replacing those PTOs who fail to achieve the program's objectives.**

IN-SERVICE TRAINING

The nature of policing at CPS means officers enter the job as sworn police officers after only six months of training. In order to develop the skills required to effectively function in their role, the CPS has to provide ongoing opportunities for skill development and mentorship to support professionalization of the role. The CPS does facilitate extensive education and training opportunities. However, the operational training offered by District Training Officers (DTOs) is often avoided, as demonstrated by attendance numbers. Many DTOs interviewed emphasised that re-qualification is not training and they do not regard it as such. I agree.

Mandatory participation in DTO facilitated in-service training could provide an avenue for the CPS to ensure consistency in training and shared knowledge across all frontline officers; both new and existing. This approach would allow the CPS to ensure officers are engaged in structured opportunities, designed to support their understanding of changes in legislation, emerging issues and trends and to ensure that all members have the knowledge, skills and ability to perform their jobs.

As it relates to use of force, one of the key concerns is skill perishability. In the absence of participation in structured, targeted training, officers risk losing the capacity to recall and appropriately use skills and techniques previously learned. This means officers may use less or more force than is required, in either case

increasing the level of risk to themselves, members of the public and the affected person. The in-service training provided by DTOs is an integral component of continuous education for existing officers. It needs to be supported fully.

RECOMMENDATION 12:

- **The CPS provide additional support to the existing District Training Officers (DTO) program to improve in-service training by:**
 - a) **Identifying areas of training that should be mandatory (in addition to scheduled re-qualifications), such as training related to use of force and DTO facilitated training in de-escalation.**
 - b) **Establishing the level of proficiency that must be attained by each officer upon completion of the training.**
 - c) **Outlining the expectations for remedial work for officers not attaining desired proficiency in training.**

RECOMMENDATION 13

- **The CPS ensure that the deployment and scheduling models utilised within the Districts provide the capacity for mandatory training and re-qualifications while minimising impact on service delivery to the citizens of Calgary.**

DISTRICT TRAINING OFFICER

District Training Officers (DTOs) have a significant role in supporting the capacity development of frontline officers within the CPS. They deliver in-service training and education in their District, informed by the needs of their respective District as well as those of the wider organisation. One of the weaknesses I identified with this mechanism is the gaps in its alignment to the CCLC. DTOs must be seen as important in informing the areas of focus for the annual training agenda and ensuring consistency in training and education across the organisation. They should also be given additional responsibility in ensuring increased District-level participation in training and education.

RECOMMENDATION 14:

- **The CPS develop a comprehensive annual DTO training agenda outlining the key areas of focus for training, targets, resources, schedule and assessment processes.**
 - a) **While DTOs must be required to conform to an established training agenda, the CPS should provide scope for DTOs to develop and implement training in line with identified needs within their respective Districts, albeit in consultation with and the approval of the CCLC. Where applicable, this training must be shared across all DTOs.**

b) The CCLC work with the DTOs to develop an annual training schedule for each District, with focus on the most efficient use of training facilities and officers' time.

RECOMMENDATION 15:

- **The CPS develop and implement different approaches to training that emphasise use of shorter periods, to highlight and reinforce key learning.**

RECLASSIFICATION TRAINING

During this Review, I had the opportunity to learn about the York Regional Police Reclassification Training (Appendix H), implemented in 2015. York Regional Police Service has 1500 sworn officers and 600 civilian employees; therefore it is a smaller police service than the CPS. The reclassification program is designed to allow a constable to move through different classifications. That is to say from 5th class to 4th class to 3rd class to 2nd class to 1st class constable. The classification training is mandatory and there is a culture that supports it. The training schedule is set for four years. Thus, a new recruit class is required to come together two weeks, each year, for four years to attend Reclassification Training.

Various subjects are taught including court training; crisis intervention; driving training; interviewing skills; intelligence; search and arrest; domestic violence; criminal investigations; and critical thinking scenarios. The training uses adult learning principles, including scenarios and includes testing and feedback for all courses. Initial reviews of the Reclassification Training have indicated that it is achieving the desired outcomes. York is currently working towards adding one year after the class in progress attains the rank of First Class Constable. In addition, the program is experiencing increased interest and has taken steps to include some officers who did not benefit from this kind of training, because they joined before it was implemented.

This kind of scheduled training provides the platform for officers to develop an appreciation for the value of ongoing training. It also contributes to enhanced collegiality among members of the recruiting class and the established schedule contributes to certainty as to when training occurs.

RECOMMENDATION 16:

- **The CPS consider the implementation of cohort-based Reclassification Training for new officers to align with their progression from 5th to 1st class constable.**
 - a) **The CPS evaluate and report on the impact of Reclassification Training on officers' skill perishability.**

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USE OF FORCE

PART E: USE OF FORCE

Legal Framework for Use of Force in Calgary Police Service

Criminal Code

The Criminal Code of Canada provides the underlying authority for the use of force by both citizens and police officers. Section 25(1) of the Criminal Code⁸⁹ states that,

Every one who is required or authorized by law to do anything in the administration or enforcement of the law

- (a) as a private person,
- (b) as a peace officer or public officer,
- (c) in aid of a peace officer or public officer, or
- (d) by virtue of his office,

is, if he acts on reasonable grounds, justified in doing what he is required or authorized to do and in using as much force as is necessary for that purpose.

Section 25(4) of the Criminal Code states that,

⁸⁹ Supra note 24, s. 25.

A peace officer, and every person lawfully assisting the peace officer, is justified in using force that is intended or is likely to cause death or grievous bodily harm to a person to be arrested, if

- (a) the peace officer is proceeding lawfully to arrest, with or without warrant, the person to be arrested;
- (b) the offence for which the person is to be arrested is one for which that person may be arrested without warrant;
- (c) the person to be arrested takes flight to avoid arrest;
- (d) the peace officer or other person using the force believes on reasonable grounds that the force is necessary for the purpose of protecting the peace officer, the person lawfully assisting the peace officer or any other person from imminent or future death or grievous bodily harm; and
- (e) the flight cannot be prevented by reasonable means in a less violent manner.

Police officers are further bound by the provisions outlined in Section 26, which states that, “Every one who is authorized by law to use force is criminally responsible for any excess thereof according to the nature and quality of the act that constitutes the excess”⁹⁰.

⁹⁰ Ibid., s. 26.

Provincial Policing Standards Manual

The Provincial Policing Standards Manual recognises that police officers may be required to use force in the enforcement of laws. It mandates police services within the province “to provide officers with an understanding of the legal parameters for the lawful application of force”⁹¹. The current Standards Manual requires police services to develop policy that is consistent with the Criminal Code and Provincial Guidelines for Conducted Energy Devices, Motor Vehicle Pursuits and Use of Force. The Standards Manual also mandates that police services within Alberta address the levels of force that may be used by an officer in different situations, reporting requirements once there is a use of force incident, as well as requirements for periodic reviews and updates to policy⁹².

Provincial Guidelines for the Use of Force

The Provincial Guidelines for the Use of Force⁹³ have been issued under the authority of section 8(2) of the Police Act and apply to all sworn police officers in Alberta. Section 62(1) (d), (g) and section 62(3) of the Police Act provide authority for the Minister to make regulations relevant to Use of Force. To date, no regulations have been made. The stated objective of the Guidelines for the Use of Force is to “provide police with direction on the development of policies and

⁹¹ Supra note 30, p. 55.

⁹² Ibid.

⁹³ Alberta Justice and Solicitor General (2016). *Provincial Guidelines for the Use of Force (V1.20)*. Edmonton, AB: Government of Alberta, Policing Standards and Audits Section.

procedures that may eliminate and/or reduce risk to the safety of the public and police when the use of force is required”⁹⁴. These Guidelines (Appendix I) outline the authority for police officers to use force; the approval of force options (tactics, weapons) and restraint equipment; operational risk management; records maintenance and management; training and supervision related to police use of force.

Use of Force Models

Use of force models have been used by different policing agencies in Canada since the 1980s to assess situations involving police confrontations in the course of their duty. In 1999, the Canadian Association of Chiefs of Police (CACP) supported the development of a national use of force model (Figure 12)⁹⁵, which focused on decision-making for officers confronted by threatening situations. The options outlined by this model included officer presence (officer being on the scene); communication (verbal or non-verbal to control the situation); physical control techniques; intermediate weapons; and lethal force.

⁹⁴ Ibid, p. 5.

⁹⁵ National Use of Force Framework (NUFF), Canadian Association of Chiefs of Police, 2000.

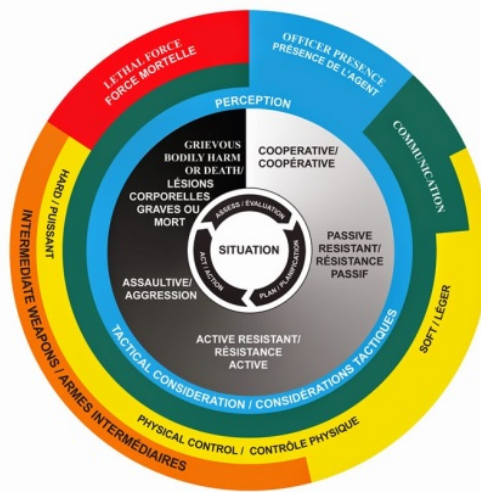


Figure 12: National Use of Force Framework (NUFF), CACP

The AACP developed the Reasonable Officer Response Guidelines to help officers in maintaining or bringing an incident under control. Officers are encouraged to consider the facts and circumstances of the specific situation, categorised as officer factors, subject factors and environmental factors.



Figure 13: Use of Force Model, AACP

Officer factors include, among other things, the officer's age; size and gender; the number of responding officers; level of training and fitness; distance from the subject; available equipment; and whether the officer has any injuries. Subject factors include, among other things, age; size and gender; number of subjects; training and experience; nature and severity of crime; history and mental state. Examples of environment factors include the location, availability of cover, weather, lighting and footing. Officers are also required to assess the level of response from the subject, such as, are they cooperating with commands, are they exhibiting low or high levels of resistance and are they assaultive or likely to cause grievous bodily harm or death to the officer or any other person.

Calgary Police Service Use of Force Policy and Procedures

The policy and procedures on use of force within CPS are informed by the federal and provincial legal framework previously described.

Use of Force

The Use of Force policy (revised in January 2017), states that officers are required to select the force option believed to be “reasonably necessary to safely control the situation”⁹⁶. The policy addresses officers’ reporting requirements as it relates to use of force incidents, the types and approved use of physical control techniques, intermediate weapons and firearms. The policy also speaks to the use of police service dogs and patrol emergency breaching tools.

The main amendment to the Use of Force policy in 2017 stipulates the CPS position on shooting at or from moving vehicles, noting that the recovery of stolen vehicles and the immediate apprehension of the offender are secondary to the safety of the officer, the public and the offender. It notes that “firearms will not be discharged at a moving or potentially moving vehicle unless an occupant in the vehicle is immediately threatening you or another person with death or grievous bodily harm by means other than the vehicle”⁹⁷. In addition, the policy

⁹⁶ Calgary Police Service (2017). *Use of Force*. Calgary, AB: CPS, p. 3.

⁹⁷ Ibid, p. 15.

states that “firearms will not be discharged from a moving vehicle, except in imminent exigent circumstances and in the immediate defence of life where no other reasonable use of force options are reasonably available”⁹⁸. Officers are further cautioned that if they have discharged their firearm, they must be able to “articulate the unique and imminent reasons that justified the use of deadly force”⁹⁹. Possible reasons identified in the policy include the perception that their life was in danger or the “lives of others were in imminent peril and there was no reasonable means of evasion or escape”¹⁰⁰.

De-escalation

Police officers often encounter situations in which use of force is absolutely necessary. There are also situations which may be less dangerous than they appear. These situations sometimes include persons who, due to various conditions (medical conditions, mental, physical or hearing impairment, emotional crisis, language barriers, drugs and alcohol), may not be able to understand and communicate effectively with a responding police officer. In some of these scenarios, the individual may appear to be uncooperative or threatening, when in fact, they have limited understanding of the situation and the commands being given and in some cases, diminished capacity to respond appropriately.

⁹⁸ Ibid.

⁹⁹ Ibid.

¹⁰⁰ Ibid.

The CPS has instituted mandatory de-escalation training for all front line personnel, as one technique to support officers in responding effectively to these kinds of situations. In current training¹⁰¹ on strategic communication and de-escalation¹⁰², de-escalation is defined as,

A range of strategies and tactics used by officers to lower the intensity of potentially volatile situations with the aim [of reducing] the necessity or level of force required for successful resolution. This includes verbal strategies such as effective communication, active listening and empathy and non-verbal strategies such as the effective use of time, distance, teamwork and officer self-regulation.

The specific objectives for the De-escalation and Strategic Communication course are to:

- state CPS de-escalation Policy and Statement of Principle;
- discuss the tactical principles of de-escalation;
- identify how to recognise a person is in crisis;
- recognize a variety of communication skills in crisis de-escalation;
- identify barriers to effective communication; and

¹⁰¹ Mandatory de-escalation training began in October 2017. 1142 officers have completed this in-service training between October 16, 2017 and January 31, 2018. This training has also been added to the RTP effective 2018.

¹⁰² Calgary Police Service. (2017). *Strategic Communication and De-escalation*. Calgary, AB: CPS.

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- review the importance of note taking/ articulation when dealing with persons in crisis.

Emphasis on strategic communication and de-escalation, as a use of force option for police officers, has often encountered resistance. In general, police officers indicate that this approach is introduced following a negative incident, thus facilitating the perception that officers lack the required skills and therefore need training. This directly contrasts with the overwhelming view among officers who indicate that they are already effectively engaging de-escalation strategies and techniques in their current role.

Other police agencies have also noted that de-escalation can be perceived as contradictory to the traditional role of the law enforcement officer, as it appears to force police officers to pause and reflect on agency guidelines or policy provisions before acting. It has also been suggested that this can create a gap wherein “new officers feel like veteran officers will get them involved in excessive force complaints while veteran officers feel that new officers will get them hurt because they will attempt to de-escalate situations when force is necessary”¹⁰³.

¹⁰³ Swift, P. (2017). De-escalation vs. Use of Force: Are We Sending Mixed Messages? *Police Psychology*. Retrieved from www.policepsychologyblog.com, p. 1.

Officer Tools and Equipment

Uniformed officers typically carry equipment weighing between 7 and 10 kilograms on their person.

MANDATORY	OPTIONAL
Officers are required to carry these issued items: <ul style="list-style-type: none">• Baton• Firearm with loaded magazine• Mobile phone• OC spray• One set of handcuffs• Radio• Soft body armour• Two fully loaded magazines	Officers may also carry these items: <ul style="list-style-type: none">• ARWEN® (approved, not yet issued, deployed when appropriate to certified officers)• Body Worn Camera (approved, not yet issued)• CPR barrier (breather)• Carbine (personal issue for certified officers – deployed when appropriate)• Ear piece• Flashlight• Folding knife (not issued)• Hard body armour• Keys and key rings• Multi-tool (not issued)• Naloxone nasal spray• One additional set of handcuffs (not issued)• Patrol Officer Casualty Management Kit¹⁰⁴• Nitrile or latex gloves• Shotgun (deployed when appropriate)• CEW (Taser® - X26/X26P)

Table 12: List of mandatory and optional equipment for CPS officers

¹⁰⁴ Individually issued compact and durable hemorrhage control kit used to treat bleeding.

Use of Force Tools and Options

The CPS Use of Force Policy identifies physical control techniques, intermediate weapons, firearms, emergency breaching tools and the canine unit as use of force options and tools available to officers. It serves as the basis for techniques and tools provided in the RTP Course Training Standard on Use of Force¹⁰⁵.

Physical Control Techniques

Physical control techniques include options that can be used by an officer to control a subject, outside of the use of a weapon. They include soft physical techniques which are regarded as control-oriented and have a lower probability of causing injury. They may include restraining techniques, joint locks and handcuffing. Hard techniques are intended to stop a subject's behaviour or to allow application of control techniques and have a higher probability of causing injury. They may include empty hand strikes such as punches and kicks.

1. Empty-hand techniques:

- Kicks: angle kicks using the front of the shin to strike the nerves on the interior/exterior of the thigh above the knee, are taught to affect motor

¹⁰⁵ Calgary Police Service. (2015). *CPS Recruit Training Course Training Standard: Use of Force*. Calgary, AB: CPS.

dysfunction and balance displacement. The technique is used prior to moving into a position of gaining control or disengaging from the subject.

- Pain compliance:
 - a. Joint locks: a technique involving the manipulation of a joint, such as the wrist, fingers or elbow.
 - b. Pressure points: officers are taught to apply fingertip/digital pressure to specific locations on the body in order to gain compliance from uncooperative subjects.

- Stuns: is a knee stun and is directed at the nerves on the interior and exterior of the legs. This is used as a distraction technique in combination with a joint lock or takedown to gain control of a subject.

- Strikes: may be utilised in order to gain control of, or disengage from, assaultive subjects.
 - a. Palm Heel: using the base of their palm to target the chest and/or face (targeting the nose when reasonable and necessary based on circumstances) of a subject.
 - b. Knee Strike: using the knee to target the interior and exterior of the leg to achieve motor dysfunction and balance displacement prior to moving to a position of control.

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- c. **Fisted Strike:** targeting the thighs, nose or cheeks of assaultive subjects when reasonable and necessary.
 - d. **Elbow Strike:** used to target the mid-section of a subject. It may also be used to strike the face of a subject during lethal force or grievous harm situations (i.e. ground fighting).
- o **Takedowns:** following the use of motor dysfunction or balance displacement techniques, officers are taught to gain control of the subject's head and to use it to direct the subject to the ground for prone control. This technique focuses on the balance relationship between the head, shoulders and hips and highlights that displacing one of the three, assists in gaining control of a subject.
 - a. **Prone Control:** officers are taught to use their body weight across the subject's back and to control the subject's arms, in order to gain compliance following a takedown prior to handcuffing.
2. **Disarming techniques:** officers are taught options available to them to physically strip a subject of a firearm.
3. **Edged weapon response:** officers are taught to respond to a close-quarter edged weapon attack by deflecting the attack; gaining control over the

subject's limb (usually the hand); striking to neutralise the attack; and transitioning to a use of force weapon or disengaging.

4. **Ground fighting:** officers learn how to control a subject should they find themselves on the ground as a result of a fall or having being knocked down, including strikes and defending from an attack when they are on their back.
5. **Handcuffing:** officers are taught two types of handcuffing; one for compliant/standing subjects and the other for subjects in a kneeling or prone position.
6. **Lateral Vascular Neck Restraint (LVNR®):** this technique is designed to control a subject, with the ability to render him/her unconscious by applying pressure systematically to both sides of the neck. Three levels of LVNR® application, progressive in nature, are taught for use on subjects who are uncooperative, combative or assaultive as circumstances dictate.
7. **Searching:** officers learn systematic search patterns for standing and prone subjects, focusing on locating weapons and escape tools following the detention or arrest of a subject.

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8. **Secondary Restraint Methods:** these restraints are only permitted to be used in conjunction with a lawful arrest and detention and where a subject has shown that handcuffs alone are not sufficient to prevent injuries to themselves, others or property, or may not prevent the subject from escaping or attempting to escape lawful custody:
- a. Leg restraints: police officers use leg restraint straps to control violent and combative individuals who pose a continued risk of injury to themselves, others and emergency services personnel, where handcuffs alone would be insufficient. CPS policy prohibits the practice of attaching a leg restraint to a handcuff in what is commonly referred to as a “hog-tie”.
 - b. Restraint rings: police officers use handcuffs with a restraint ring when necessary, in police facilities, on a prisoner who is demonstrating violent or destructive behaviour that may cause harm to themselves or others, damage property, or where there is a potential to escape.
9. **Spit mask:** police officers may place a spit mask on individuals to prevent the exchange of saliva, blood and/or mucous when violent and combative subjects pose a risk of spitting. These bodily fluids pose a health risk to the public and the police. Spit masks may be used, pursuant to policy, to prevent or mitigate harm.

10. Weapon retention: several techniques are taught to officers to maintain control of service firearms whether holstered or un-holstered.

Intermediate Force Options

Intermediate force options relate to weapons, which when used appropriately, are not intended to cause serious injury or death.

1. **Batons:** police officers may use a baton when there has been threatened or actual resistance to a lawful arrest. The Use of Force policy instructs officers to target the legs and avoid using the baton to strike a subject in the head, neck, spine or groin. Officers' may also use the baton to block or strike a subject's arms when appropriate.
2. **Conducted Energy Weapons (CEW):** commonly referred to as a 'Taser®', a CEW is a less lethal weapon that delivers an electrical charge to an individual through two metal probes. This is intended to physically control the individual causing neuromuscular incapacitation, allowing officers to thereby restrain and gain control over them¹⁰⁶. Guidelines established by Alberta Justice and Solicitor General for the use of CEWs specify that only approved models can be used by police services within Alberta. Police officers may use a CEW if the subject can be lawfully arrested; detained or apprehended; the officer believes

¹⁰⁶ Supra note 96.

that the subject poses a risk of harm to members of the public; him/herself or the officer; and where other use of force options may be ineffective¹⁰⁷.

3. **Oleoresin Capsicum (pepper) Spray:** may be used if there has been threatened or actual resistance to lawful arrest, or by approved units to aid in crowd dispersion.

4. **Speciality munitions:** include less lethal, frangible and chemical rounds. Less lethal impact munitions utilise kinetic energy to generate blunt force which disrupts tissue in order to debilitate a high risk subject. The kinetic energy, blunt force and peak force imparted by less lethal impact projectiles varies depending on the weight, composition, angle of impact, duration of impact and the velocity it travels to the intended target area¹⁰⁸. Frangible rounds are designed to break apart into smaller pieces upon impact to minimise the potential of penetrating the target. Chemical rounds provide officers with less lethal options in the form of an aerosol, vapour, liquid, fog, or powder that usually cause temporary pain, burning and irritation of exposed skin or respiratory passages.

¹⁰⁷ Ibid.

¹⁰⁸ Bobrowich, J. (2017). *Patrol Less Lethal Project: Less Lethal Impact Munitions – Risks, Research and Recommendations. Report to Executive Committee.* Calgary, AB: CPS.

The CPS has used less lethal munitions within approved units from as early as 1999. In 2017, the CPS approved the use of the ARWEN® ACE 37mm tactical less lethal launchers and AR-1 standard energy impact baton round for patrol officers beginning in spring 2018. Deployment of the less lethal option will be supported with appropriate policy and training for officers. It is anticipated that the CPS will deploy 80 launchers (10 per District) over the next five years with a total of 160 officers trained.

Some less lethal options, such as the ARWEN®, provide frontline patrol officers with an extended range (20 metres from subject) in which officers can respond to high risk subjects and make the best use of time and distance. Options such as the CEW, baton and OC spray, while available to all officers, all have limited effective ranges. In addition, the degree of effectiveness of some options is impacted by varying conditions including where contact is made with the subject. For example, with CEWs, “the degree of incapacitation is largely dependent on the spread of the probes”¹⁰⁹. In addition, the precise impact actually delivered to a subject is dependent on the nature of the contact between the probe darts and the subject’s skin and clothing¹¹⁰. The optimum distance from the subject, for probe deployment is between 7 to 12 feet [2 to

¹⁰⁹ Council of Canadian Academies and Canadian Academy of Health Sciences. (2013). *The Health Effects of Conducted Energy Weapons*. Ottawa (ON): The Expert Panel on the Medical and Physiological Impacts of Conducted Energy Weapons, p. 20.

¹¹⁰ Reilly, J., & Diamant, A. (2011). *Electro-stimulation: Theory, Applications and Computational Model*. Norwood, MA: Artech House.

4 metres]. Within this range, the probe spread on a subject will be 12 to 26 inches [0.3 to 0.7 metres]¹¹¹. Deploying the CEW beyond the optimal distance may cause the probe spread to be less effective.

Firearms

According to the Use of Force policy¹¹²,

discharging a firearm with the intent to cause death or grievous bodily harm is prohibited unless it is necessary to protect the officer or other persons under the officer's protection, from death or grievous bodily harm as stated in s. 25(3) and s. 25(4) of the Criminal Code.

Patrol officers within CPS use handguns, shotguns or patrol rifles.

Handguns: the standard issue sidearm of the CPS is the Glock Model 22, .40 calibre, semi-automatic pistol with three, 15-round capacity magazines¹¹³. Some officers are also authorised to use the Glock Model 27.

¹¹¹ Calgary Police Service. (2018). *Use of Force (Chapter 1 – Theory): E-Learning*. Calgary, AB: CPS.

¹¹² Supra note 96, p. 14.

¹¹³ The CPS initiated a transition from the Glock 22 .40 calibre to the 17-round capacity 9mm Glock 17 and Glock 26 in February 2018. Each member will participate in a four-hour training block and will be required to successfully complete the AACP qualification shoot before being issued the new firearm and magazines. The transition process is expected to be completed in 2019.

Shotguns: officers are permitted to sign-out a Remington 870 general issue shotgun from specific locations within the CPS.

Patrol Rifle: selected and qualified patrol officers use the Colt C8 patrol carbine.

Canine Unit Police Service Dogs

The Canine Unit was established in 1960. The unit consists of 21 different dogs that work in general patrol and specialty detection. Police canines play an integral role in locating and apprehending high risk individuals. They are used to locate evidence of a crime such as weapons or clothing, or for locating drugs, explosives and cadavers. The Canine Unit has provided statistics for 2017 indicating the number of canine calls, the number of resulting arrests, how many deployments occurred and how many actual contacts occurred. In 2015 there were 53 contacts; 55 in 2016 and 50 in 2017. Every contact is the subject of an SBOR Report.

During my interviews with senior officers from the Canine Unit and in my observations of the canine training as it relates to use of force, I noted that in many instances the canine or police service dog was not actually in contact with a subject. The threat of contact alone was stated to be sufficient in a vast majority of cases. Where contact is made, the police service dogs are trained to bite and hold. They are trained to bite on their back molars so as not to tear or rip skin.

Only when the police service dog is told to release does the release occur. It is difficult to envisage a subject obtaining a release from a police service dog's grip, absent the unlawful use of force by a subject, such as a knife or a firearm.

I have observed that the Canine Unit appears to have extremely well trained personnel and police service dogs. I also observed that there have been no reported fatalities as the result of a canine contact. There have in the past been some injuries. The Canine Unit is a valuable part of the CPS in terms of using less lethal force in appropriate situations.

Patrol Breaching Tools

Officers, who are authorised and trained, may use CPS-approved patrol breaching tools to forcibly enter a building, structure or vehicle in exigent circumstances. The use of these tools has to be approved by the Duty Inspector or designate.

Body Worn Cameras

Body Worn Cameras (BWCs) are small digital recording devices that are typically worn on the head or chest. Police officers around the world have been increasingly using them to capture their interactions with the public. BWCs have been in use in parts of the UK and Australia for the past decade¹¹⁴ and in the US

¹¹⁴ Taylor, E. (2016). Lights, Camera, Redaction. Police Body-Worn Cameras: Autonomy, Discretion and

for the past five years¹¹⁵. Research points to a 50 percent reduction in the odds of officers using force when BWCs are present compared with control conditions¹¹⁶. Other benefits associated with police BWCs include the production of an objective record of events during interactions with the public and support for the collection of evidence¹¹⁷. Given these benefits, advocates argue that this new tool can be used to improve public trust and confidence¹¹⁸.

A 2015 BWC project within the CPS was terminated due to technical issues resulting in the compromise of officer safety. On July 11, 2017, the CPS Executive approved a new trial phase for BWCs, with support for capital and operational funding as well as a commitment to reassigned staff positions. The pilot is anticipated to support an initial rollout of 250 cameras in 2018, scaling up to 1300 cameras. The policy pertaining to BWCs states that “officers will use BWCs to record their interactions with the public in the course of their duties”¹¹⁹. It also notes that “CPS will employ BWCs in an overt capacity in support of police officers’ statutory and common law duties (law enforcement duties)...” and that

Accountability. *Surveillance & Society*, 14(1), 128-132.

¹¹⁵ White, M. (2014). *Police Officer Body Worn Cameras: Assessing the Evidence*. Washington, DC: Office of Community Oriented Policing Services.

¹¹⁶ Henstock, D., & Ariel, B. (2017). Testing the Effects of Police Body-Worn Cameras on Use of Force during Arrests: A Randomized Controlled Trial in a Large British Police Force. *European Journal of Criminology*, 14(6), 720-750.

¹¹⁷ Miller, L., Toliver, J., Police Executive Research Forum. (2017). *Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned*. Washington, DC: Office of Community Oriented Policing Services.

¹¹⁸ Ellis, T., Jenkins, C., & Smith, P. (2015). *Evaluation of the Introduction of Personal Issue Body Worn Video Cameras (Operation Hyperion) on the Isle of Wight*. Final Report to Hampshire Constabulary. Portsmouth, UK: University of Portsmouth Institute of Criminal Justice Studies.

¹¹⁹ Calgary Police Service. (2018). *Body Worn Cameras*. Calgary, AB: CPS, p. 2.

“officers will take reasonable steps to balance the privacy rights of individuals with the anticipated benefits of using BWCs for law enforcement purposes”¹²⁰.

Officers are required to make BWC recordings in,

circumstances where an arrest or detention is likely to result; during an arrest and detention; when providing a Charter and Caution; when issuing a legal demand such as a breath demand; where use of force is possible; where a charge is being laid; or where the BWC may assist in de-escalating a situation by affecting the behaviour of individuals who are aware of the recording in-progress¹²¹.

Specific to use of force incidents, officers are required to complete SENTRY¹²² and SBOR¹²³ reports and identify in both reports if a BWC recording is available. If a recording is not available, then the officer is required to provide an explanation in the investigative details section of the Occurrence Report in SENTRY.

¹²⁰ Ibid, p. 2.

¹²¹ Ibid, p. 4.

¹²² SENTRY is the CPS records management system.

¹²³ A Subject Behaviour Officer Response (SBOR) report is required once an officer has been engaged in a use of force incident (See Part F).

Vehicle Flight Intervention Tactics

Police officers encounter motor vehicle drivers who initiate evasive action or ignore direction to stop, usually in an attempt to avoid apprehension. In some of these events, the driving pattern of the individual is extremely dangerous, placing the public at risk of harm. A Code 600 (vehicle pursuit) occurs “when an officer follows a vehicle with the intent to stop to identify the vehicle or driver and the driver intentionally continues, initiates evasive action, or ignores direction to stop to avoid apprehension and the police continue to follow on the ground”¹²⁴. The policy encourages officers to “find alternatives to pursuits whenever possible”¹²⁵, and notes that pursuits should not be initiated unless officers have “reasonable grounds to believe that the person has committed or is about to commit an indictable offence”¹²⁶. It also cautions officers that in spite of the circumstances, engagement in a pursuit neither protects nor absolves them “from the consequences of wanton or reckless disregard for the lives and safety of other persons”¹²⁷.

In such exigent situations, where public safety is at serious risk, the Vehicle Pursuit policy authorises the use of vehicular intervention techniques, with permission from the Duty Inspector. These techniques are described as “police

¹²⁴ Supra note 71, p. 2.

¹²⁵ Ibid.

¹²⁶ Ibid.

¹²⁷ Ibid.

vehicle manoeuvres intended to prevent or terminate a pursuit” and may only be used by “members who have been trained or certified”¹²⁸. They include:

- Box-in: the safe positioning of police vehicles in such a manner as to prevent the movement, forward, backward or sideways, of the suspect’s vehicle. This technique is not to be used in circumstances where the occupants are suspected to be in possession of weapons.
- Pinning: occurs when a police vehicle is intentionally used to safely physically contact and contain the suspect’s vehicle to end the pursuit. Pinning is not intended to disable or damage the suspect’s vehicle. It is used when the suspect has lost control of the vehicle, either by “spinning out” or colliding with an object resulting in a reduction in speed and the suspect continues the attempt to escape. Pinning will only be attempted when the suspect is stopped or speeds are extremely low (less than five kilometres per hour).
- Precision Immobilization Technique (PIT): a method of using one vehicle to rotate another vehicle while in forward motion, turning the suspect vehicle sideways and allowing other police vehicles to move in and safely pin or perform a high-risk vehicle stop. Under the correct conditions and proper application, PIT has a high probability of success and is a reasonably safe

¹²⁸ Ibid.

technique. Officers in approved units can use the PIT if they have completed the required training and are certified.

- **Ramming:** when a police vehicle is intentionally used to physically contact the suspect's vehicle to immobilise it and end the pursuit. It is used when the suspect is in control of the vehicle and continues the attempt to escape, when their driving pattern continues to pose a risk to the public and when other vehicle intervention techniques are not viable.

Pursuits are not allowed in situations in which an individual has only committed a breach of a provincial traffic offence; if the sole reason for stopping the vehicle is that it has been reported as stolen; or when the suspect's identity is known. Officers are also restricted from engaging in a pursuit if there is a civilian in their police vehicle, if they are in an unmarked police vehicle or if they are on a motorcycle. CPS policy also stipulates that officers will not discharge their firearm at a moving or potentially moving vehicle or from a moving vehicle^{129, 130}.

Responding to Auto Thefts

The CPS Auto Theft Unit has devised and implemented several initiatives to address the issue of auto thefts in Calgary. The nature of these initiatives has

¹²⁹ Ibid.

¹³⁰ Supra note 96.

been informed by changes in trends in auto thefts as well as resource availability within the CPS. Key examples of these mechanisms include District Operations Teams, the High Enforcement Auto Theft team and the Auto Theft Response Team.

District Operations Teams

District Operations Teams (DOTs) are mandated to reduce crime throughout the city by focusing on prominent crime trends and carrying out covert operations to address them. These four teams (formerly five), are centralized and work with many other areas of the Service to identify crime issues and focus resources as necessary. Examples of issues targeted by DOTs include auto thefts; break and enters; drugs; and property related crimes.

High Enforcement Auto Theft Team

The High Enforcement Auto Theft Team (HEATT) was established in 2003 to target prolific auto thieves. With a decline in the number of stolen vehicles, HEATT was disbanded in 2015 and members were reassigned to the Probe Team to support criminal intelligence. The core duties of HEATT included:

- maintaining a database of known offenders;
- investigating auto theft and offences which included a stolen vehicle;

-
- conducting physical surveillance on persons associated with stolen vehicles and in areas from which vehicles were stolen or recovered;
 - providing support to the areas across the CPS with stolen vehicle investigations;
 - monitoring court cases and liaising with the Crown in cases involving chronic auto theft offenders; and
 - working with the Fleet Safety Officer to monitor court cases involving an auto theft that resulted in a police pursuit.

Auto Theft Response Team

In 2017, the Auto Theft Unit was moved to the Investigative Operations Section to support better alignment with property crime investigators and offender management teams. The Auto Theft Unit's Detectives investigate auto theft and provide advice, direction and investigative support, including intelligence to the frontline; provide expertise for Vehicle Identification Number (VIN) identification; and liaise with external agencies. In addition, one of the previous five DOTs was reallocated to form the Auto Theft Response Team (ATRT). The ATRT works along with members of the Prolific Offender Engagement Team (POET) to identify, locate and arrest high-risk, prolific auto theft offenders using covert surveillance. The team has worked with POET to develop a prioritization system to target and monitor the most prolific offenders. Offenders are rated based on categories

such as risk to the public, dangerous operation of a motor vehicle, prolific behaviour and acquisitive crime.

Informed by the principles outlined in its Action Plan for the Prevention and Reduction of Stolen Vehicles, the ATRT has been focusing on the prevention; investigation and enforcement; intelligence; and offender management aspects of auto theft. Under the area of prevention, the team has been focused on the issue of persons leaving vehicles running and unattended with keys inside. Officers indicate that this continues to be a significant source of concern, since advancements in motor vehicle technology mean that a key is generally required to steal a newer model vehicle. In its implementation of Operation Cold Start¹³¹ on January 10, 2018, officers found 194 vehicles in Calgary were left running and unattended with keys inside between 6 and 8 a.m. On the same day, six vehicles were stolen while being warmed-up and five offenders were arrested in three separate stolen vehicles. The core areas of focus for prevention under the Plan are:

- public education campaign and initiative to prevent unattended idling of vehicles;
- researching feasibility of bylaw prohibiting individuals from leaving vehicles running, unlocked and unattended; and

¹³¹ Operation Cold Start educates members of the public about the risks of leaving vehicles unattended and running, with keys inside.

-
- provincially coordinated steering committee to identify and request regulatory and legislative changes to prevent tampering with the VIN and fraudulent sale of stolen vehicles.

Incident Management by the Calgary Police Service

Incident Command is described as the use of the best available information (intelligence) to make good decisions and take action. Decision-making requires examining choices, considering risks and following strategies based on training, experiential learning and best practices. Any action(s) taken must meet the criteria of being necessary, reasonable, legally, morally and ethically acceptable. The CPS is responsible for the management and resolution of various incidents. Some of these incidents may be described as normal operations, while others are more complex in nature, occurring in dynamic and chaotic environments. The Incident Command structure within the CPS outlines the process to assist with these situations.

For a typical incident, the District Sergeant is regarded as the de facto Incident Commander. This command may be assumed by the Duty Staff Sergeant or the Duty Inspector based on the nature or dynamics of the call. Training for District Sergeants includes a 40 hour in-classroom course, followed by a 40 hour field

practicum. Areas covered include Risk Management; Tactical Planning/SMEAC¹³²; Support Sections within CPS (Tactical Unit, Canine Unit, Air Support Unit, Negotiators); Fleeing Offender Containment; Rapid Intervention Techniques; Missing Persons; and Emergency Code (Major Codes) procedures. Training of Duty Staff Sergeants and Duty Inspectors is offered through a 40 hour in-classroom course. Areas covered include Risk Management; Tactical Planning /SMEAC; Legal; Critical Decision Making; Incident Management; Critical Incident Command; and Support Sections within the CPS (Tactical Unit, Canine Unit, Air Support Unit, Negotiators).

During my Review, the CPS has established the Incident Command Unit within the Bureau of Operations. The mandate of the Unit includes administering training in response to the identified gaps in incident command capacity within the CPS.

Incident Command

- The District Sergeant is responsible for oversight and command of frontline patrol calls in their respective districts.
- If necessary, the District Sergeant may call the RTOC¹³³ Duty Staff Sergeant for assistance with both distribution and allocation of additional CPS resources

¹³² SMEAC (is an acronym for Situation; Mission; Execution; Administration & Logistics; and Command and Communication) system is used to document orders and instructions for field operations. A copy of the card is given to sergeants and used in the process of defining mission scope and reporting on incidents.

¹³³ Real Time Operations Centre

and/or advice on how to proceed. (If the incident is rapidly escalating CPS dispatch informs the RTOC Duty Inspector and Duty Staff Sergeant so they can actively monitor and/or assume command).

- The Duty Staff Sergeant provides oversight, mentors and coaches a District Sergeant through an incident, if needed.
- Command may be transferred to the Duty Staff Sergeant or the Duty Inspector depending on the dynamics of the incident.

Critical Incident Command

Critical incidents are described as events where an anticipated or known threat to public safety must be assessed and managed through the use of negotiations and specialised tactics. Examples of such incidents include i) armed and barricaded persons; ii) armed persons in public places; iii) hostage takings; and iv) person with gun calls¹³⁴. These incidents require specialised equipment and tactics, dedicated investigation and negotiations under the command of trained and qualified Critical Incident Commanders¹³⁵. A Duty Inspector has responsibility to assess an incident and determine if it should be upgraded to a critical incident requiring a Critical Incident Commander. Incidents may be upgraded to critical based on any of the following conditions being present for at least 60 minutes:

¹³⁴ Calgary Police Service (2014). *Critical Incident Command*. Calgary, AB: CPS.

¹³⁵ A Critical Incident Commander has a current Critical Incident Command qualification (issued by the Canadian Police College) that meets the CPS approved training standard. There are 15 officers within CPS with Level II Critical Incident Command qualification. These officers are not always at the rank of an Inspector.

-
- the subject refuses to surrender;
 - the subject cannot be contacted in a safe or timely manner; or
 - the subject's behaviour escalates to further jeopardize their own safety or the safety of the public and officers¹³⁶.

When an incident is designated as a critical incident and a Critical Incident Commander is assigned, he/she has the following responsibilities:

- Stabilise and manage critical incidents by applying investigative and tactical strategies to direct command operations, coordinate available resources and effectively manage risk.
- Determine the nature of the incident through investigation and corroboration of information from witnesses and CPS members properly placed at the scene.
- Assign appropriate tasks and resources to effectively manage the incident and clearly communicate what actions will be taken.
- Throughout the incident, the Critical Incident Commander monitors the investigative process and articulates the lawful authority of actions taken.
- During this type of incident, members of the Tactical Unit and Crisis Negotiators, as well as the mobile command vehicle and scribes may be deployed to the location. The team consults with Psychological Services if there is a need to develop a profile on the subject.

¹³⁶ Supra note 134.

When a complex incident arises such as a flood, bridge collapse, train derailment, airplane crash, apartment building fire, etc. which requires the police service to integrate with other agencies to respond, the CPS becomes part of an incident management system. These agencies may include Fire, Emergency Medical Services, Bylaw, City services, through the coordination of the Calgary Emergency Management Agency (CEMA).

Real Time Operations Centre

The RTOC is a tactical, intelligence-driven, operations centre, flexible enough to coordinate the efforts of all required CPS units in the event of a major incident or operation, or to support a strategic objective. It is the first real-time, command-based, police operations centre of its kind in Canada. Launched in February 2010, the RTOC has focused on linking CPS frontline and investigative support services, resources using the principles of operational command and control, intelligence-led policing, collaborative information sharing and the timely flow of operational information and intelligence throughout the Service.

Its 24/7 operations rely on four teams, each led by a Duty Inspector (2900) and two Duty Staff Sergeants (2902 and 2903). The Centre also has an embedded legal counsel and round-the-clock citywide analytical support.

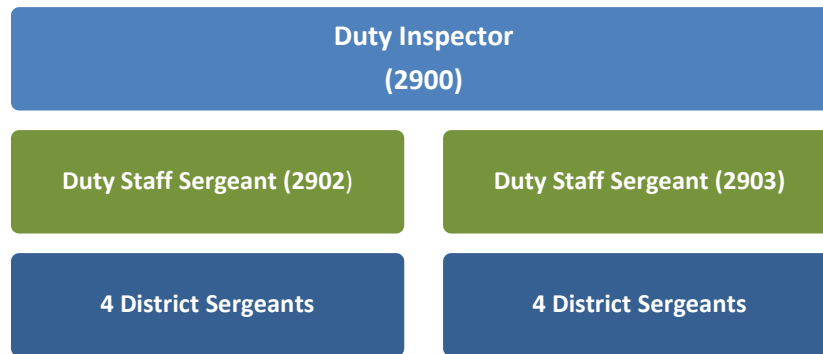


Figure 14: CPS Real Time Operations Centre (RTOC) operational structure

The team assists the CPS with the timely and effective response to incidents through the provision of operational assistance and support; resource deployment and coordination; overall advice and guidance; information collection; analysis and dissemination; ongoing liaison with internal and external stakeholders; de-confliction; and other real-time analytical initiatives. Specific real-time support activities include information and intelligence receipt, retrieval, analysis and dissemination; ongoing liaising with outside law enforcement and related agencies; media contact and liaison; investigative and legal advice; file and resource de-confliction; analytical support; coordinated resource requests and allocations; timely identification of emerging crime trends and patterns; tracking search warrant applications and assigning the CPS Identifier numbers; database searching assistance; ongoing operational risk management; and directed patrol management and tracking.

Crisis Negotiators

The CPS deploys certified¹³⁷ crisis negotiators to specific situations with the stated purpose of preserving life and minimising the risk and trauma to the subjects, the community and police. There are currently 15 crisis negotiators within CPS. They are not part of a Crisis Negotiation Unit that operates on a full-time basis rather they assume these duties on an as-needed basis, while performing regular duties elsewhere. Crisis negotiators provide crisis communication and intervention involving suicidal or emotionally disturbed persons (EDP), help to facilitate peaceful resolutions to critical incidents and assist the Tactical Unit with the execution of high risk warrants.

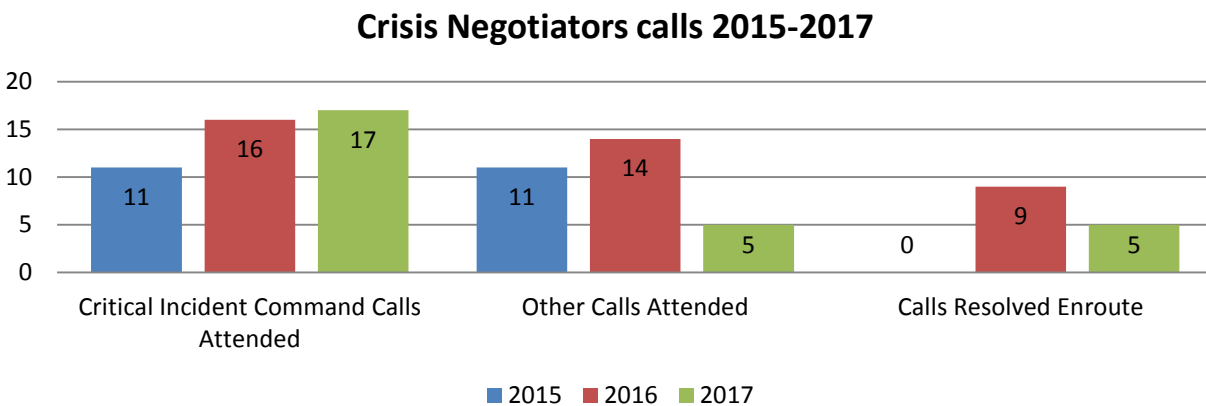


Figure 15: Number of calls to which CPS Crisis Negotiators were dispatched 2015-2017

¹³⁷ Crisis negotiators are certified by the Canadian Police College in a two-week initial course. Recertification is required every 5 years.

Tactical Unit

The Tactical Unit is a specialised unit within the CPS that is utilised, as required and when available, to respond to incidents in which a firearm is used in an offensive manner; when a person is held by another against their will by force or threat of force; an event where a person has been forcibly confined, kidnapped, abducted or held against their will; a bomb threat or an incident where there is reason to believe that explosives or improvised explosive devices (IED) are present and incidents involving the hijacking of an aircraft¹³⁸.

The Tactical Unit executes high risk entries, with or without warrants and assists in the apprehension of known dangerous offenders. It supports the Bureau of Operations with additional patrol resources and provides speciality units, external agencies and partners with resources for investigative operations, when required.

Air Support Unit

The CPS Air Support Unit provides aircraft response to life threatening incidents; air support for ground units and has the required capacity to detect, prevent and reduce crime through aerial patrols. CPS has two (EC-120) helicopters used in the Helicopter Air Watch for Community Safety (HAWCS) program. HAWCS is often used for covert surveillance of stolen vehicles, particularly those being driven in a

¹³⁸ Calgary Police Service. (2013). *Functions*. Calgary, AB: CPS.

reckless manner. These helicopters are equipped with daylight/thermal imaging cameras that allow officers to not only see images similar to a standard video camera but also thermal images that are visible through the emission of heat, which is very effective, especially at night. The helicopters also have the latest technology in mapping systems and pilots have night vision goggles.

Public Safety Unit

The Public Safety Unit (PSU) is “responsible for responding to events where large crowds may impact the resources of the CPS, or may jeopardize the safety of members or the public, and for managing any crowd-related incident, including those that may result in violence, damage to property or breaches of the peace”¹³⁹. The Unit operates on a call-out basis, as needed and has an authorised strength of 160 members; two full-time¹⁴⁰ and 158 who are assigned part-time. Members volunteer to join the PSU, with the primary criteria for membership being the ability to commit to three to five years in the Unit and having the requisite experience¹⁴¹.

¹³⁹ Ibid, p. 65.

¹⁴⁰ PSU has a full time Coordinator who is a Sergeant and a Logistics Coordinator, who is a Constable.

¹⁴¹ Some of the areas of experience required for PSU include completion of the Public Safety Unit course; crowd control training; incident command training; qualified on specialty munitions; operational experience; written, verbal and organisational skills and leadership training.

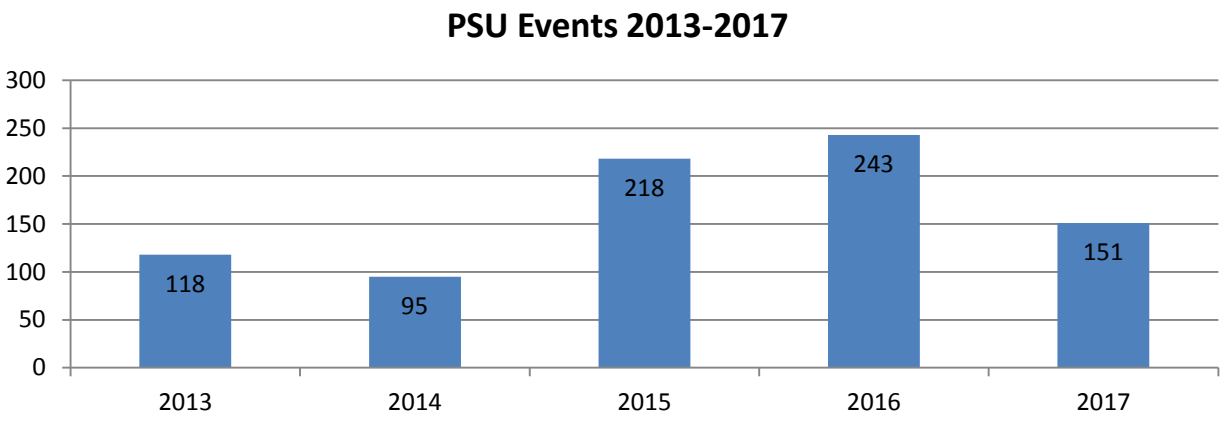


Figure 16: Number of PSU events 2013-2017¹⁴², CPS.

New members complete an 80 hour certification with focus on crowd control and management; incident command; firearms; human rights; legal authorities and deadly force encounters. This is supplemented by a minimum of 40 hours of requalification each year with focus on subject control tactics; use of force techniques; human rights; legal authorities and crowd control and management. The Unit conducts joint training with the Mounted Unit and the Covert Crowd Intelligence Team, who on occasion are deployed with members of the PSU. The PSU also trains with members of AHS Emergency Medical Services (Special Operations), who may be deployed with the Unit to provide medical support.

¹⁴² PSU events include, among other things, concerts, festivals, rallies, parades, missing person and evidentiary searched, operational assistance (Stampede, search warrants, etc.).

Peer Support

The CPS Peer Support program is made up of one coordinator and 75 trained sworn and civilian volunteers who are committed to assisting members and their families through difficult times. This help usually falls within four basic categories: critical incidents; family support; health and wellness; and occupational development.

Support provided peer to peer has been proven to be tremendously important in helping individuals and families move through stressful times. It is common for people with similar backgrounds to be able to offer each other practical advice and suggestions for coping strategies that have worked for them in the past. In addition, as a result of ongoing training, the peer support members are also able to direct their peers to a wide variety of support resources and services that are available to all members.

Research Findings and Officer Concerns

Panel of Experts on Use of Force

On September 7, 2017, I convened a panel of experts¹⁴³ on police use of force in Calgary. The forum provided feedback on the issue of police use of force within the CPS with specific focus on selected use of force policy within the CPS; code of ethics and culture; mental health issues; de-escalation; leadership and decision-making; and recruit and in-service training. Key areas of concern identified by participants included the need for organisational prioritisation of training and education; increased emphasis on critical decision-making skills for police officers; and integration of core values within CPS policies and procedures.

The CPS was commended for having policies that support appropriate responses to varying use of force situations. However, participants indicated that the policies (Use of Force, Code 600) appear to prioritise compliance with rules and guidelines, as opposed to critical thinking. This approach was identified as problematic, since many officers may not be able to recall the required steps or processes outlined within a policy when responding to a situation. It was also noted that some situations may require officers to deviate from established guidelines in order to provide an appropriate response. In this regard,

¹⁴³ Constable Joe Tassone, Dr. Kelly Sundberg, Dr. Patrick Baillie, Dr. Stephen Maguire, Gary Creaser, Greg Brown, Inspector Chris Butler, Inspector Darren Leggatt, Inspector Tom Walker, Joel Johnston and Sue Hughson, QC. Use of Force experts Chris Lawrence and Brian Willis were unavailable to attend but were engaged through post-Forum interviews. See additional information on page 7.

participants suggested that the CPS should prioritise critical decision-making skills and situational judgment.

Participants suggested that the process should recognise the significance of the following factors in informing the organisation's overall culture:

- Leaders who promote values and ethics; align rewards with values and ethics; establish appropriate conduct measures; ensure employee development and accountability; and visibly interact with employees from all levels of the organisation; have a significant impact on a sustained commitment to professionalism.
- Perceptions of fair treatment (especially promotions) encourage the internalisation of organisational values and perceptions of fair decision-making encourage internalisation of rules.
- Appropriate standards of conduct mitigate risk and inform discretionary judgment.

Decision on Vehicle Flight Intervention Tactics

Many officers noted that the CPS Executive has been tardy in making a decision on appropriate approaches and tools for the management of vehicle flight events. Some officers noted that outside of specialised units such as Tactical, most

officers have not received training in vehicle intervention tactics such as box-in, the PIT manoeuvre, pinning or ramming. However, in a high-risk event, they have been ordered to use these tactics in order to immobilise a vehicle. Further to this, officers noted that in spite of the recurring recommendation for the CPS to introduce some kind of tire deflating device by successive committees reviewing this issue over the past years, there has been no decision.

In January 2018, CPS announced that a working group was being convened to review recommendations compiled by previous committees. The group will also be conducting additional research on how other jurisdictions manage vehicle flight events. A new recommendation document will be shared with the Executive for consideration in 2018.

Existing recommendations to be reviewed include:

- Procuring tire deflation devices (spike belts) that will be appropriate for deployment in Calgary's urban environment and weather conditions.
- Reviewing training requirements and capacity to facilitate training for potential vehicle intervention tactics as well as tire deflation devices. At the same time, training for Incident Command will be reviewed to incorporate these potential tools and tactics. The Incident Command course will look at

training that would also include the deployment of vehicle intervention tools and tactics.

- Developing Standard Operating Procedures and consistent Incident Command across all RTOC teams as well as investigative units, including the Auto Theft Resource Team, District Operations Teams, and the Offender Management Unit as they relate to fleeing vehicles.
- Thorough tracking of the incidence and dynamics of fleeing vehicles and Code 600s to provide evidence-based data to refine deployment of tools and tactics.
- Reviewing the current Code 600 policy and the addition of tools and tactics, as well as updated benchmarking with other police services.
- Implementing longer term strategies including partnering with or lobbying the insurance and automobile industries (e.g. anti-theft, OnStar capabilities, etc.) and the court system to ensure a collaborative effort is in place to tackle this longstanding issue¹⁴⁴.

Resources

Members of the PSU identified a number of challenges being faced by the Unit:

- The existing unit structure has two full-time members and 158 authorised part-time members. This has implications for the coordination of unit logistics

¹⁴⁴ Calgary Police Service. (2018). Service Response to Vehicle Flight Events. *All Personnel Memo*, 022. Calgary, AB: CPS.

including organisation of training; information dissemination to members of the unit and communication with District Inspectors.

- Limited resources for training, including funding and suitable space to conduct a range of training scenarios.
- Limited opportunities and resources to develop the leadership/supervision capacity of the PSU members.
- There is uneven representation of PSU members across the organisation, resulting in varied impacts on District staffing when the PSU is required. This has often led to challenges with securing the release of PSU members from the Districts for PSU events.

The Tactical and Canine units noted that they continue to struggle with maintaining a dedicated training schedule based on competing priorities and increased demand on the Units¹⁴⁵. In addition, both Units noted the ongoing difficulties being experienced with securing facilities for specific types of training.

Training

Use of Force training within the CPS has on occasion used different aspects of guidelines provided to police services in Alberta through the AACP. There has been a gradual shift from alignment with the AACP's model because the CPS has

¹⁴⁵ KPMG. (2017). *Appendix Compendium: Continuous Improvement Study of the Public Safety, Canine and Tactical Units. Report prepared for the Calgary Police Service.* Calgary, AB: KPMG.

sought to emphasise the requirements of critical decision-making. Since this change, the CPS has not developed a revised training for officers who previously engaged in training using this model. This means newer officers may hold a different interpretation of the CPS's approach to use of force than officers who have been on the job for longer periods.

RECOMMENDATIONS

PANEL OF EXPERTS ON USE OF FORCE

The key recommendations emerging from the meeting of the panel of experts in Calgary in September 2017 are outlined below. They have informed other recommendations presented throughout the report.

- Support for ongoing capacity development of trainers across all sections of the CPS as well as management of these training resources through the CCLC to support consistency in training standards.
- In-service training should be mandatory and requires dedicated resources. This training should be informed by an overarching focus on improving critical decision-making skills.
- The CPS should consider existing and emerging trends in education and training that support learning opportunities that occur over shorter periods, are designed to target a specific issue and rely on consistent repetition, as opposed to the typical 8-hour long classroom based sessions.
- Organisational values must be seen to emanate from the ground up but must be modeled from the top-down.
- Organisational values have to be integrated within processes and procedures within the CPS to support Service wide adaptation.

RECOMMENDATION 17:

- The CPS emphasise and balance critical decision-making skills in use of force education and training.

RECOMMENDATION 18:

- The CPS review its Use of Force and Code 600 (pursuit) policies to inject provisions relating to critical decision-making in appropriate sections.

RECOMMENDATION 19:

- The CCLC review all education and training curricula and procedures to ensure core values are integrated and reinforced.

LESS LETHAL OPTIONS

The main less lethal options used by the CPS are the ARWEN[®], the CEW (Taser[®]), baton and OC spray. The CEW, baton and OC spray are available to all officers, but have limited effective ranges. The ARWEN[®], on the other hand, has an extended range of up to 20 metres and has been the subject of extensive study within the CPS over the past year. The ARWEN[®] is used by the Tactical Unit and has been used successfully without any fatalities.

The concept of “less lethal” by definition means that less than lethal force could be used in some circumstances confronting officers. Resort can be had to a less lethal option in order to preserve life and minimise the risk to the subject, the officer or officers involved and members of the public. In some circumstances, the less lethal option may be an alternative to lethal force. In other circumstances, the lethal option is the only appropriate response.

CONDUCTED ENERGY WEAPONS

As with the baton and OC spray, which are available to all officers, the CEW has a limited effective range. In addition the degree of effectiveness of some less lethal options is impacted by varying conditions including where contact is made with the subject. For example with CEWs “the degree of incapacitation is largely dependent on the spread of the probes”¹⁴⁶. In addition, the precise impact delivered to a subject in the case of a CEW, depends on the nature of the contact between the probe darts, the subject’s skin and clothing¹⁴⁷. The optimum distance from the subject, for probe deployment is between 7 to 12 feet [2 to 4 metres]. Within this range the probe spread on a subject will be 12 to 26 inches

¹⁴⁶ Supra note 109.

¹⁴⁷ Supra note 110.

[0.3 to 0.7 metres]¹⁴⁸. Deploying the CEW beyond the optimal distance may cause the probe spread to be less effective.

CEW deployment can contribute to fatalities. I am not aware of any CEW fatalities caused by the CPS. The most notorious case is of course that of Robert Dziekanski in Vancouver in 2007. In that case, as found by the Braidwood Commission¹⁴⁹, multiple deployments of the CEW played a prominent role in causing Dziekanski's death although Commissioner Braidwood was unable to definitively state the cause of death.

I will not detail the use of the baton or the OC spray as less lethal options except to state the obvious: they can incapacitate a subject without causing grievous bodily harm or death. In some instances, the application of less lethal force provides officers with an alternative to the use of lethal force. That in and of itself, is a reason to use it in situations where it can be safely used. The CPS policy acknowledges that there are some situations in which the CEW or ARWEN® may be used; provided that there is a partner officer with a firearm, who can provide cover. This ensures there is an alternative if these less lethal options are not successful. At the same time, I also note that the frontline patrol officers are not

¹⁴⁸ Supra note 111.

¹⁴⁹ Braidwood, T. (2010). *Why? The Robert Dziekanski Tragedy. Braidwood Commission on the death of Robert Dziekanski*. Victoria, BC: Commissioner Thomas Braidwood, Q.C.

required to carry a CEW although anecdotally I am told that most frontline patrol officers do carry the CEW.

RECOMMENDATION 20:

- **The CPS require all frontline patrol officers to carry a Conducted Energy Weapon (CEW) as well as a handgun, baton and Oleoresin Capsicum (OC) spray.**

ARWEN®

ARWEN® launches a projectile that releases 158 foot pounds of force. The projectile or munition is 37 mm in diameter and is designed, when properly utilised, to stop a subject from advancing. Alternatives to the ARWEN® include shotguns with bean bag projectiles, where Kevlar pellets are inserted. The research has indicated that in many cases the shotgun alternative does not necessarily stop a subject. Also, where a police agency actually uses shotguns as a firearm, there is a danger of mistaking the less lethal munition for the regular munition. ARWEN® was therefore selected for CPS frontline patrol officers after considerable research. Studies of the ARWEN® have indicated that there can be fatalities, especially when the projectile contacts a person above the lower ribcage depending on a subject's clothing, or if it contacts their neck or head.

However, studies have indicated that fatalities related to the use of the ARWEN® are significantly less than cases where a firearm is used, whether that is a handgun, shotgun or carbine.

In order to prepare frontline patrol officers to use an ARWEN®, CPS has developed a draft policy entitled Patrol Less Lethal Munitions (new). Officers who are allowed to use the ARWEN® will have to undergo training, meet the CPS Training Standards and will be required to re-qualify twice a year. The draft policy notes the ARWEN® is an approved use of force option for use if the situational, environmental and officer factors permit. That is to say, if the subject can be lawfully arrested for a criminal offence; presents a danger to the public or the subject or bystanders; and other use of force options would otherwise be ineffective, the ARWEN® may be deployed.

The policy contains restrictions and preferred target areas as well as prohibitions on using less lethal munitions on a handcuffed or secured prisoner or where a subject's fall could reasonably result in death or grievous bodily harm. It also restricts the use of the ARWEN® from a moving vehicle or in situations in which the sole justification is to apprehend a fleeing subject, where there is no perceived risk to others. The policy also contemplates that trained CPS patrol officers will be able to use the less lethal munitions and draw a launcher from a district office or other CPS facility during their shift and that during the shift the

less lethal launcher will be stored in its case in the trunk or a secure vehicle compartment when not deployed for use and returned at the end of the shift. Also there will be reporting requirements with respect to any incidence of the deployment with the less lethal launcher.

RECOMMENDATION 21:

- **The CPS establish a robust evaluation framework to monitor and report on the use, misuse, impact on levels of use of force and use of lethal force, once the ARWEN® is deployed.**

BODY WORN CAMERAS

Research in support of the body worn camera project has indicated that where used, they contribute to improved accountability and transparency, evidence documentation, and policing in terms of interaction with the public. Some studies have shown that the use of body worn cameras by police services has contributed to a decline in the occurrence of police use of force incidents¹⁵⁰. There has also been some indication that there is a significant cost saving related to police use of

¹⁵⁰ Braga, A., Coldren, J., Sousa, W., Rodriguez, D., & Alper, O. (2017). The Benefits of Body-Worn Cameras: New Findings from a Randomized Controlled Trial at the Las Vegas Metropolitan Police Department. Las Vegas, NV: University of Nevada.

body worn cameras, in that the number of complaints of officer misconduct has declined¹⁵¹.

One noted drawback to this kind of initiative is the cost. My research has indicated that the RCMP, Edmonton, Vancouver and Victoria police have all stopped their body worn camera program efforts due to high implementation costs. Other concerns include officers' reactions, such as questions about the impact on officer behaviour or their willingness to use the equipment. Additional questions relate to the perception of bias of a recording of an event because it doesn't tell the whole story. Some authors even indicate that it may not reduce use of force incidents and will give rise to privacy concerns.

The other area of focus as it relates to body worn cameras is the opportunity it provides to enable the public to understand the range of issues in which police officers become engaged on any given day. Body worn cameras in various police agencies in the United States have been used to show police heroism. Events such as a rescue of a suicidal person preparing to alight over a 6th floor balcony; an officer finding a crying child who had been abandoned; an officer wading into a pond and rescuing a small boy from drowning; and an officer carrying a man from a burning car moments before it exploded¹⁵².

¹⁵¹ Police Executive Research Forum (PERF) (2017). *Citizen Perceptions of Body-Worn Cameras: A Randomized Control Trial*. Final Report. Washington, DC: PERF.

¹⁵² Bosman, J. (May 28, 2017). Hollywood-Style Heroism is Latest Trend in Police Videos. *The New York Times*. Retrieved from <https://www.nytimes.com/2017/05/28/us/body-cameras-police-video.html>.

The videos that have emerged from the April 23, 2018 tragic van attack in Toronto were not from police body worn cameras. However, the availability of video has provided an opportunity for police officers as well as the members of the public to reflect on and applaud the actions of Constable Kevin Lam in the successful apprehension of the suspect. Comments on his effective use of de-escalation training in effecting the arrest are reinforced through the video. Undoubtedly also, the video recording provides a welcomed boost to members of the Toronto Police Service following less than favourable outcomes in similar situations in the past.

RECOMMENDATION 22:

- **The CPS monitor and report on the number of body worn camera recordings; impact of body worn cameras on complaints against officers; availability of body worn camera recordings in use of force related incidents and use of force by and against officers with/without body worn cameras.**

RECOMMENDATION 23:

- **In addition to the existing policy for body worn cameras, the CPS consider having the Public Affairs and Media Relations Unit (PAMRU) publish or disseminate acts of police heroism and positive engagement with the community, where the same have been captured on body worn cameras.**

VEHICLE FLIGHT INTERVENTION

This appears to be an issue that, in spite of its significance, has remained unresolved over different administrations within the CPS. Perhaps the most concerning issue, especially from the point of view of a patrol officer, incident commander and members of the Air Support Unit, is the lack of an updated, cohesive policy on vehicle flight intervention. It is clear that the current rate of vehicle thefts in Calgary is the highest per capita in the nation. The related flight from police officers is a frequent occurrence, which places the life of officers, the affected person and members of the public at significant risk. That said, the policy of not pursuing a vehicle simply because it is stolen, or is being driven by someone in violation of a provincial statute or provincial regulatory offence; a municipal by-law; or a property related offence, is not in question. That disengagement or non-pursuit policy is wholly justified for public safety. What is problematic are incidents presenting a danger to the public that go unimpeded or unchecked, regardless of police pursuit.

The Code 600 policy presently utilised by the CPS was issued on September 11, 2013, with a stated review date of September 11, 2015. It has not been updated, except for a reference in the Use of Force policy, issued January 5, 2017, which prohibits shooting at or from moving vehicles. The history of the development of these policies is such that it is apparent that the present status impacts not only

the ability of the CPS to effectively manage and apprehend a vehicle which is being operated in a manner that poses a danger to the public. These policies also arguably create liability and may be career debilitating for officers.

For many years, the pursuit of an offender fleeing from the police in a vehicle, resulted in what is commonly known as a police chase. This activity resulted in many unfortunate collisions, which were attributed to the fact that the police were chasing a vehicle causing the offender's driving to escalate, posing a threat to the public. As originally developed, the Code 600 policy authorised the use of Stinger spike belts; a tire deflation device. CPS members also received some training in vehicle flight intervention tactics, in line with the provisions of the policy. In 1993, Constable Rick Sonnenberg was killed by a criminally responsible young offender, when he was deploying a spike belt across the Deerfoot Trail. This resulted in the termination of the use of spike belts by the CPS in February 2003.

On May 13, 2008, the CPS introduced a new 10-80 Vehicle Taunting/Baiting event code. This emanated from an increase in the number of incidents in which offending operators of stolen vehicles attempted to taunt or bait police officers into ground pursuits. The policy effectively discontinued ground pursuits in situations in which the sole reason was a vehicle was stolen. The use of all vehicle intervention tactics referred to earlier, namely boxing, pinning, the PIT

manoeuvre or ramming, were suspended, pending the final recommendations of the 10-80 committee. These recommendations were to be provided within 90 days.

Offenders have demonstrated an increasing propensity to engage in risky manoeuvres, even where they are not being pursued by law enforcement officers. During my interviews, many frontline officers indicated that the absence of a comprehensive policy has emboldened local career criminals engaged in auto thefts to view the CPS as having no tactics, tools or training to manage vehicle flight events. A frequent complaint from patrol officers is that on many occasions, anecdotally at least once daily, an offender drives a vehicle, usually stolen, in a manner that is dangerous to the public. Some examples include going the wrong way down the Deerfoot Trail at 160 km per hour or going on the sidewalks down the Stephen Avenue Mall at speeds in excess of 100 km per hour. The frontline officers state that in many of these cases, there is no police pursuit. The lack of police pursuits does not apparently deter offenders from driving in a manner that is dangerous to the public.

On the other hand, I have also heard from frontline officers, who have been instructed by an Incident Commander, be it a District Sergeant or Duty Inspector, to “stop the vehicle any way you can!” The patrol officers I have interviewed, who are placed in this situation simply state, “we have never been trained as to

how to do that”. They also opine that it is good luck that there has not been a disaster when they have successfully stopped a vehicle in these circumstances.

Each incident demands a variety of resources including covert surveillance, and is therefore at a significant cost to the CPS and in turn, the citizens of Calgary. An analysis of one vehicle flight incident, which occurred over a 90 minute period, found that the estimated cost of the event to the CPS was \$28,955¹⁵³.

In a 2016 review of the Code 600 policy by a Pursuit Review Committee, one recommendation was made to re-institute the use of a spike belt or tire deflation device. The report indicated that “an evaluation of the current tire deflation device technology will determine the best equipment for officer safety in Calgary road conditions”. It is clear that the currently available tire deflation devices have benefitted from developments in technology, enabling them to be remotely deployed, greatly enhancing officer safety. Another recommendation from the Committee was for the re-institution of vehicle flight intervention tactics, such as box-in, pinning, PIT manoeuvre and ramming. I am advised that recently the Tactical Unit has been allowed to deploy these vehicle intervention tactics. In late 2017, I had the opportunity to observe a video of the successful deployment of

¹⁵³ Costs only include resources directly engaged in the call over the 90-minute period - Air Support Unit; District Operations Team; General Investigation Unit and the RTOC. Units involved in the event but not included in the costing include the Strike Force Unit; officers assigned to the hospital following the incident; Professional Standards Section and the Public Affairs and Media Relations Unit (PAMRU).

the PIT manoeuvre by the Tactical Unit, resulting in the apprehension of a suicidal driver. No one was injured.

I have been advised that at least one District Sergeant has conducted training, in a deserted shopping centre parking lot at night, ensuring that members of his team were able to use vehicle flight intervention tactics if required, since they had not been provided with training. It has also been drawn to my attention that some of these vehicle flight intervention events have resulted in officer-involved shootings. At least one officer has indicated that an officer-involved shooting has resulted from a situation which he terms “officer precipitated risk”. This is his definition of what can occur, when officers are placed in dangerous situations without the requisite training.

Specific to the issue of legislation and theft of vehicles, the province recently amended the Occupational Health and Safety Code, 2009, requiring customers prepay for fuel sold at gas stations and retail fuel outlets¹⁵⁴. This provision will greatly assist with the apprehension of stolen vehicles. The amendment will be in force June 1, 2018. Now a familiar strategy for police officers is to wait out a stolen vehicle until it runs out of gas. Usually, the offender goes to a gas station and fills the tank before the CPS can apprehend him/her. The surveillance effort on the ground and in the air with HAWCS then begins again. In most cases, the

¹⁵⁴ Act to Protect Gas and Convenience Store Workers, RSA (2017, c. C- 24.).

thief does not go in and pay, but just runs. This provision will impact the ability to steal fuel and increase the likelihood of a successful apprehension.

RECOMMENDATION 24:

- **The CPS re-institute vehicle flight intervention tactics and training.**
 - a) **The CPS train all frontline members to use vehicle intervention techniques in line with the Code 600 policy.**
 - b) **The CPS amend existing policy to address vehicle flight intervention tactics related to larger vehicles.**

RECOMMENDATION 25:

- **The CPS immediately introduce remote-controlled (deployable and retractable) spike systems (tire deflators) to be available for use by members who are authorised and trained to conduct vehicle flight interventions.**

RECOMMENDATION 26:

- **The CPS allocate additional resources to the Auto Theft Response Team (ATRT) to support a more robust response to the issue of auto thefts.**

RECOMMENDATION 27:

- **The CPS work in conjunction with the AACP or directly with the province to suggest legislation preventing insurance companies from providing theft insurance on vehicles that are stolen while running with keys inside.**

USE OF FORCE MODELS

As indicated earlier, there are a number of Use of Force models that have been employed by different policing agencies in Canada for some number of years. Many police agencies are moving away from the use of a specific Use of Force model. The CPS has a Use of Force Policy, not a Use of Force model, which is consistent with the AACP Reasonable Officer Response Guidelines or the other Use of Force Models discussed. The Use of Force Policy as stated was revised to require officers to select the use of force option believed to be “reasonably necessary to safely control the situation”.

Recent literature has emphasised the importance of the strategic question: is the use of force necessary? A factor worth considering is whether some encounters between police officers and affected persons arise from officer-created jeopardy. In a report by the Ontario Ombudsman in June of 2016 it was stated “our investigation found that Ontario officers have plenty of training on how to use their guns but not enough on how to use their mouths. Their ‘use of force’

training is largely focused on the use of weapons, with very little on verbal tools that can help them calm down someone who is armed with a weapon and experiencing a crisis. The problem is not that police officers aren't following their training. They are. The problem is the training itself¹⁵⁵.

Many of the recommendations in this Review align with the Police Executive Research Forum's (PERF) Guiding Principles on Use of Force¹⁵⁶. Concepts such as the sanctity of human life, exceeding a legal standard of justification, proportionality, de-escalation and critical decision-making are referred to throughout this Review.

RECOMMENDATION 28:

- **The CPS amend its existing Use of Force policy, adding the words “and proportionate” to existing words “reasonably necessary to safely control the situation”. This aligns with case law¹⁵⁷ on what is an appropriate use of force by police officers.**

¹⁵⁵ Dubé, P. (2016). *A Matter of Life and Death*. Toronto, ON: Officer of the Ombudsman of Ontario, pp. 6-7.

¹⁵⁶ Police Executive Research Forum (PERF). (2016). *Guiding Principles on Use of Force*. Critical Issues in Policing Series. Washington, DC: PERF.

¹⁵⁷ Supra note 3.

THREAT ASSESSMENT

A central issue in police use of force training is how to best position the police in terms of use of force, where there is a subject posing a danger to him or herself or to the public. I am of the view that the best way to prevent the police from using lethal force is to try to avoid placing them in a position where they do have to use force. In many of the situations I have reviewed, there were alternatives that might have been used before getting to the stage where force had to be used. This is often the case with a so-called welfare check or suicide call for service.

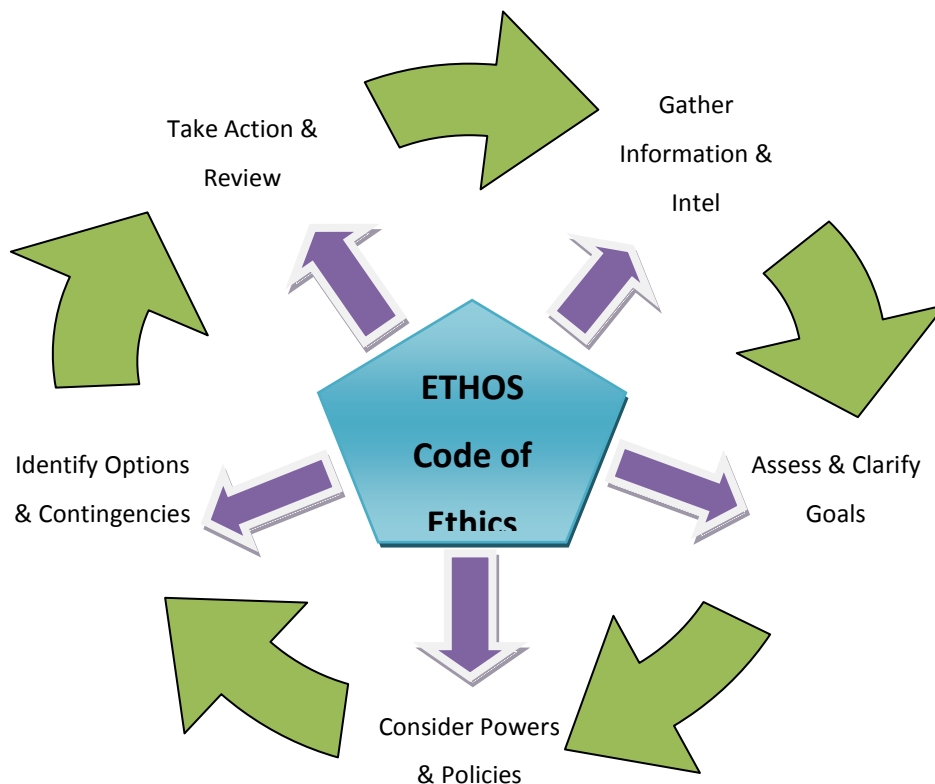


Figure 17: Ethical Decision-Making Model, CPS (draft)

Threat assessment in instances when an officer has time and distance, should begin with the questions – should we confront the subject or do we have to engage the subject at all? This requires an analysis of the threat posed by the subject: is the subject a threat linked to him/herself, or a potential threat to other members of the public? In many instances, the responding police officer will not have the required time and distance to conduct a threat assessment. There can be spontaneous attacks by a subject on a police officer, where use of force is reasonably necessary, proportionate and necessarily rapid. However, in other situations, where time and distance permit, the threat assessment ought to be conducted and the decision to engage or not to engage, should be the first decision made.

The CPS Ethics Committee has developed a draft Ethical Decision-Making Model. The Model aligns the process of decision-making as well as the review of decisions made with the organisation's values. It notes that decisions should reflect alignment with the Code of Ethics, which sets out the standards of behaviour members are expected to meet as well as the organisation's Ethos, which sets out policing principles and duties that members are expected to uphold. The CPS could benefit from the incorporation of such an approach in all aspects of decision making, with specific focus on the importance of questions such as: is it necessary, is it reasonable, is it acceptable, why now and what has changed?

RECOMMENDATION 29:

- The CPS develop and implement scenario-based training for recruits as well as in-service training, that is consistent with the CPS De-escalation Policy and statement of principles, that train officers to conduct threat assessments, including the primary decision to engage or not to engage.

RECOMMENDATION 30:

- The CPS develop and institute ongoing in-service training on Strategic Communication and De-escalation training to be completed by frontline officers annually.

PEER SUPPORT PROGRAM

The Peer Support Program is a valuable resource to officers and their families as well members of the public, particularly in the aftermath of traumatic events, such as officer-involved shootings or wounded officers. The benefits of this program need to be shared with members to ensure it is used when needed and is also able to recruit additional volunteers.

RECOMMENDATION 31:

- The CPS review the Peer Support Program's resources and consider re-establishing the psychiatric nurse position.

RECOMMENDATION 32:

- The CPS improve communication to members about the achievements and value of the Peer Support Program.

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RESPONDING TO USE OF FORCE INCIDENTS

PART F: RESPONDING TO USE OF FORCE INCIDENTS

There are different procedures that are implemented once there has been a use of force incident. In this section, I examine provincial guidelines and processes that inform the response from the CPS once these incidents occur. The evaluation of the CPS response to use of force incidents is vital to the issues of accountability, education, training, culture and morale.

Provincial Requirements to Report Use of Force

The Provincial Guidelines for the Use of Force defines reportable use of force as “any use of force other than cooperative handcuffing and escort techniques; any use of force ending in injury to the officer; subject; or bystander that requires emergency treatment or medical intervention beyond mere assessment; any display of a firearm or CEW to gain compliance; and unintentional discharge of a firearm or CEW, other than into a designated loading station”¹⁵⁸.

¹⁵⁸ Supra note 93, p. 7.

Subject Behaviour Officer Response Reports

The CPS Use of Force policy requires officers to complete a Subject Behaviour Officer Response (SBOR) report in every instance, other than training or qualification, in which [an officer]¹⁵⁹

- applies any empty hand physical force to a subject above the level of handcuffing or low-level pain compliance such as joint locks or pressure points, including but not limited to:
 - stuns, strikes or kicks; or
 - leverage or impact (dynamic) takedowns where a person has been forcibly taken to the ground;
- applies a LVNR®;
- uses Oleoresin Capsicum (OC) spray;
- strikes a subject with a baton;
- uses a leg restraint strap;
- uses a restraint ring;
- uses a spit mask;
- uses a police vehicle to intentionally make contact with an occupied motor vehicle;
- points, illuminates, or discharges a CEW at a person;

¹⁵⁹ Ibid, p. 4.

-
- points a firearm at a person;
 - discharges a firearm, except when destroying an injured or dangerous animal in accordance with Assistance to Animal Control Officer;
 - deploys a police service dog and a person is bitten;
 - uses a method of forced entry, including the use of a patrol emergency breaching tool or physical force (exception: Tactical Unit officers);
 - is involved in an unintentional firearm discharge at a Service firearm range or an unintentional CEW discharge; or
 - conducts a strip search.

Officers are required by policy to notify their on-duty supervisor of the incident and make an entry in their notebook and the Occurrence Report, including details on “subject’s behaviour, officer actions, situational factors, any injuries sustained by the officer or subject and details describing the effectiveness of the use of force”¹⁶⁰. If an officer deploys a patrol rifle, he/she is required to document the incident in their notebook, Occurrence Report and the rifle log book.

The officer’s supervisor or alternate is required to attend the scene of an incident that meets the threshold for an SBOR and ensure a thorough investigation is conducted. According to the Use of Force policy, this includes documenting:

¹⁶⁰ Ibid, p. 5.

-
- What member(s) were involved?
 - Were the officer(s) lawfully placed? Are there reasonable grounds for arrest?
What are the appropriate charges?
 - Have witnesses been located / separated?

The supervisor is also required to:

- ensure proper crime scene management; all relevant evidence is located and collected;
- ensure that all involved members make appropriate entries in their Service notebooks;
- ensure members complete the “Will State” section of the Occurrence Report;
- ensure an SBOR report is completed;
- in the event that an officer is the victim of an assault / resist arrest / obstruction, assign an uninvolved officer to conduct the investigation;
- ensure that medical / psychological aftercare is provided to subject(s), officer(s) or others as required; and
- ensure the Duty Inspector is notified to determine if the event meets the requirements for notifying the Director of Law Enforcement (DLE) under section 46.1 of the Police Act, which relates to the investigation of serious injury or death incidents.

The District Training Officer (DTO) or Inspector will review the SBOR report, the officer's notes and occurrence report and forward them to the Force Review Officer for final review.

CALGARY	2013	2014	2015	2016	2017	TOTAL
Number of SBOR events	606	604	696	640	708	3254
Number of public contacts¹⁶¹	500,529	542,923	573,370	603,273	531,258	2,751,353
SBOR as % of public contacts	0.12%	0.11%	0.12%	0.11%	0.13%	0.12%

Table 13: SBOR events in Calgary as a percentage of police contacts with members of the public 2013-2017

Information presented in Table 13 shows the number of SBOR events reported by members of the CPS for the City of Calgary between 2013 and 2017. This is calculated against the number of documented police officer contacts with members of the public in Calgary, over the same period. Over the 5 year period, there were 3254 SBOR events, which represent 0.12% of the total number of police public contacts (2,751,353).

¹⁶¹ These counts represent interactions between police officers and members of the public including dispatched and on-view calls for service; traffic stops, counts of persons issued a summons and counts of persons charged. Additional interactions not captured in these numbers include walk-ins, attendance at community events and community patrols.

USE OF FORCE METHODS¹⁶²	2013	2014	2015	2016	2017	Total
Physical Control Methods:						
Lateral Vascular Neck Restraint®	43	43	33	31	34	184
Leg Restraint	123	158	175	120	160	736
Restraint Ring	42	19	16	10	18	105
Spit Mask	97	92	96	71	73	429
Strip Search ¹⁶³	N/A	N/A	38	39	62	139
Stuns/Strikes	227	213	233	227	257	1157
Takedowns	69	197	257	263	394	1180
Intermediate Force Options:						
ARWEN® ¹⁶⁴	5	2	1	0	1	9
Baton						
• Baton – Impact	10	16	12	7	59	104
• Baton – Leverage ¹⁶⁵	20	18	14	16	83	151
Conducted Energy Weapon ¹⁶⁶						
• Combination Contact/Probes	15	16	22	15	13	81
• Contact mode	8	9	11	9	5	42
• Display/Illumination	41	39	41	47	65	233
• Probes	37	34	58	42	37	208
OC Spray	10	7	13	3	8	41
Police Service Dog Contact	30	32	53	55	50	220
Firearms Involved:						
Firearm Pointed	25	43	22	32	34	156
Firearm Fired ¹⁶⁷	4	3	3	10	3	23
Other ¹⁶⁸	77	101	135	121	195	629

Table 14: Use of force methods in CPS incidents 2012-2017

¹⁶² Data reported indicates use of force methods used in CPS encounters at the incident level; this is not a representation of involved-officer counts.

¹⁶³ Strip search as a separate SBOR was added to reported statistics in 2014.

¹⁶⁴ Used by members of the Tactical Unit.

¹⁶⁵ Baton – Leverage relates to the use of a baton to pry out subject’s limb(s) in order to gain compliance.

¹⁶⁶ CEW data reported here does not include unintentional discharge.

¹⁶⁷ Firearm fired represents incidents in which a firearm was used against a human subject. This category does not capture instances of firearm used against animals, inanimate objects (e.g. door breach) or unintentional discharge into a load/unload box.

¹⁶⁸ Includes counts of less frequently used methods not reported in a separate category, such as: pressure points, joint locks and vehicular intervention.

Information in Table 14 shows use of force methods used by police officers over the five year period 2013-2017. Officers mostly used stuns/strikes. This category totalled 1157 incidents over the five year period. This was followed by takedowns with a total of 1180 incidents and leg restraints with 736 incidents. The least common methods used by CPS officers were the ARWEN® with nine incidents; firing a firearm with 23 incidents and using the Oleoresin Capsicum (pepper) spray, which was used in 41 incidents.

Subject Behaviour Officer Response Debriefs

District Training Officers (DTO) conduct debriefs with officers involved in SBOR incidents. The SBOR debrief report is used to capture information in order to identify gaps or deficiencies in training as well as acknowledge positive skill application. My Review found that while debrief reports might have been completed, these were not always accompanied by a debrief conversation. Current practice allows for the identification of incidents that satisfy the threshold for debrief conversations. In these instances, DTOs hold meetings with the officer(s) involved to debrief the identified situation.

Officer-Involved Serious Incident or Death Policy

The Officer-Involved Serious Injury or Death (Code 900) policy within the CPS defines serious injury as,

injuries likely to interfere with the health or comfort of the complainant and are more than merely passing or trivial in nature. Serious injury will be presumed when the complainant is admitted for a hospital stay or suffers severe trauma to the body, including, but not limited to:

- a. a fracture or combination of fracture and severe trauma to a limb, rib or vertebrae or to the skull including the probability of a head injury;
- b. burns or abrasions to a major portion of the body;
- c. loss of any portion of the body;
- d. loss of vision or hearing;
- e. injury to any internal organ; or
- f. loss of consciousness brought about by extreme mental distress, prolonged agitation and / or combative behaviour which collectively may be classified as symptoms of a state of excited delirium.
- g. Serious injury will be presumed in all instances where:
 - i. there are allegations of sexual assault;
 - ii. a person has sustained a gunshot wound of any degree of severity from a firearm fired by an officer; or

-
- iii. a prolonged delay may be likely before the nature and seriousness of injury can be assessed.
 - h. Serious injury is not presumed where a complainant receives out-patient / walk-in care, or is treated and released from hospital¹⁶⁹.

Section 46.1(1) of the Police Act mandates the Chief of Police to notify the Police Commission and the Minister where

- a. an incident occurs involving serious injury to or the death of any person that may have resulted from the actions of a police officer, or
- b. a complaint is made alleging that
 - i. serious injury to or the death of any person may have resulted from the actions of a police officer, or
 - ii. there is any matter of a serious or sensitive nature related to the actions of a police officer.

Professional Standards Section

The Professional Standards Section (PSS) is located within the Ethics and Accountability Division (CPS Organisational Chart – Figure 6). PSS has responsibility for addressing public and internal concerns and complaints about

¹⁶⁹ Calgary Police Service. (2017). *Officer-Involved Serious Injury or Death (Code 900)*. Calgary, AB: CPS, pp. 3-4.

the conduct of police officers, the policies of the CPS or the service provided by the CPS.

A professional standards file can be opened in five different ways:

- a citizen contacts the PSS with a concern;
- a citizen files a formal complaint they want investigated;
- the Chief Constable or his designate orders an investigation;
- an individual or another law enforcement agency makes criminal allegations against an officer; or
- an incident occurs that requires a review to determine if any further action is required.

When citizens contact PSS, they speak with an intake investigator who gathers information on the incident, explains the police officer's actions if possible, and asks the citizen how they would like the incident to be resolved. Intake investigators typically resolve over 90% of the concerns at this stage by explaining police procedures, facilitating an informal conversation between involved parties, or through the officer's supervisor addressing the concern. These informal resolutions allow for citizens to learn about police processes and provide officers with feedback on their performance.

If a matter cannot be resolved informally to the citizen's satisfaction, and it is something that meets the complaint criteria under the Police Act, it is formally investigated. Formal investigations follow the process outlined in Section 45 of the Police Act¹⁷⁰. If an officer is found to have committed an offence under federal or select provincial statutes, the case is referred to the Alberta Crown Prosecution Service in Edmonton for review.

Formal complaints about officer conduct are ultimately reviewed by the Chief Constable. All complaints are investigated in order to determine if there is evidence of misconduct as defined by the Police Service Regulation. If the alleged misconduct is not what the Police Act defines as "of a serious nature," then the Chief Constable determines whether misconduct occurred and decides what, if any, of the disciplines allowed under the Police Service Regulation are appropriate. If the alleged misconduct is "of a serious nature" and there is enough evidence to reasonably believe the misconduct occurred, the case must go to a Professional Conduct Hearing (commonly referred to as a service hearing). This Hearing is led by a presiding officer, who is appointed by the Chief Constable. The presiding officer may be a current or former police officer or a former member of the judiciary¹⁷¹. The hearing determines whether misconduct occurred and decides what, if any discipline is appropriate.

¹⁷⁰ Supra note 27, s. 45.

¹⁷¹ Supra note 29, s. 13(1).

In all formal investigations, PSS investigates officer conduct to determine if any misconduct occurred under the Police Act, Police Service Regulation or any provincial or federal statute. Complaints outside of this mandate may be handled informally. Cases where police actions have resulted in serious injury or death, as well as any serious or sensitive allegations of police misconduct, are first investigated by the Alberta Serious Incident Investigation Team (ASIRT). PSS reviews the decision from ASIRT once that process is completed and may initiate a service investigation and/or an administrative review. An administrative review focuses on issues of command and control as well as CPS policy and tries to identify areas for improvement.

Director of Law Enforcement, Alberta

The Director of Law Enforcement (DLE) is mandated under the Police Act to be responsible for specific activities related to the monitoring of police services and commissions. The DLE's duties specified in the Police Act¹⁷² include:

- monitoring police services to ensure that adequate and effective policing is maintained both municipally and provincially;
 - monitoring the handling by chiefs of police and commissions of complaints;

¹⁷² Supra note 27, s. 8(2).

-
- developing and promoting crime prevention and restorative justice programs;
 - developing and promoting programs to enhance professional practices, standards and training for police services, commissions and policing committees;
 - assisting in the co-ordination of policing services;
 - consulting with and advising councils, commissions, policing committees, chiefs of police and authorised employers of peace officers appointed under the Peace Officer Act¹⁷³ on matters relating to police and policing; and
 - developing, maintaining and managing programs and statistical records and conducting research studies in respect of offences and enforcement practices.

Police services are required to notify the DLE as soon as possible once,

- (a) an incident occurs involving serious injury to or the death of any person that may have resulted from the actions of a police officer, or
- (b) a complaint is made alleging that
 - i) serious injury to or the death of any person may have resulted from the actions of a police officer, or
 - ii) there is any matter of a serious or sensitive nature related to the actions of a police officer¹⁷⁴.

¹⁷³ Peace Officer Act, SA 2006, cP-3.5

¹⁷⁴ Supra note 27, s. 46.1(1).

Alberta Serious Incident Response Team

The Alberta Serious Incident Response Team (ASIRT) investigates incidents involving Alberta's police that have resulted in serious injury or death to any person, as well as serious or sensitive allegations of police misconduct¹⁷⁵. ASIRT is a provincially legislated team of civilian investigators and investigators seconded from different police agencies in Alberta. Once the DLE determines that an investigation is required, ASIRT can be assigned one of the following roles:

- The DLE can direct the head of ASIRT to conduct an investigation into the incident or complaint.
- The DLE may request or direct a police service other than the one involved in the incident or complaint to conduct an investigation. The DLE may at any time direct the head of ASIRT to take over the ongoing investigation.
- The DLE may request or direct that ASIRT provide an ASIRT investigator to assist and advise the police service investigating the incident or complaint.

In 2017, ASIRT led 11 investigations involving members of the CPS, 30 in 2016 and 14 in 2015. Between 2008 and 2017, ASIRT investigated a total of 459 files involving police officers; with 106 (23.1%) including officers within CPS¹⁷⁶. Of

¹⁷⁵ Ibid, s. 46.2(1).

¹⁷⁶ Retrieved from <https://solgps.alberta.ca/asirt/Statistics/Pages/investigations-agency.aspx>. October 12, 2017.

these 106 files, seven (6.6%) resulted in recommendations for charges against officers within the CPS.

Fatality Inquiry

The Fatality Inquiries Act¹⁷⁷ requires that the medical examiner or an investigator be informed if a death occurs as a result of violence, accident or suicide or while the deceased person was in the custody of a peace officer or as a result of the use of force by a peace officer while on duty¹⁷⁸. Between September 2011 and September 2016, there were 11 fatality inquiries¹⁷⁹ involving members of the CPS.

A Fatality Inquiry for an officer-involved death is mandated under section 33(3) of the Act. The decision to hold an inquiry into a fatality is determined by the Fatality Review Board, following the notification of the medical examiner. The Board is, however, bound to recommend an Inquiry where death results from a police officer's use of force while on duty. The Board's recommendation is to the Minister of Justice and Solicitor General. The Fatality Inquiry is held before a judge at the Provincial Court and findings at the conclusion are limited to the identity of the deceased; the date, time and place of death; the circumstances under which the death occurred; the cause of death; and the manner of death.

¹⁷⁷ Fatality Inquiries Act, RSA 2000, c F-9.

¹⁷⁸ Ibid, s. 10(2).

¹⁷⁹ The Fatality Inquiries that involved members of the Calgary Police Service, September 2011 – September 2016 reviewed the deaths of 14 individuals.

NAME (deceased)	Date of Death	File Completed by Medical Examiner	Fatality Review Board (FRB)	Fatality Inquiry	Fatality Report
D. Al-Karawi A. Umar	Aug 3, 2008	Oct 15, 2009 Aug 22, 2009	Sent Oct 15, 2009 to FRB FRB decision: Dec 16, 2009	Sept 26-27, 2011	Apr 11, 2012
S. Rizig W. Maragan	Sept 4, 2008	Jan 14, 2009 Apr 19, 2010	Sent Sept 9, 2009 to FRB FRB decision: Oct 28, 2009	Jun 19-21, 2012	Jul 15, 2014
G. Bowe	Nov 2, 2008	May 27, 2009	Sent Apr 6, 2009 to FRB FRB decision: Apr 28, 2009	Jun 13-15, 2011 Aug 24-26, 2011	Nov 30, 2011
T. Oakes	Mar 18, 2009	Jul 30, 2009	Sent Jul 30, 2009 to FRB FRB decision: Sept 10, 2009	Nov 21-25, 2011 Jun 6, 2012	Feb 1, 2013
M. Vanhouwe	May 24, 2009	Feb 23, 2010	Sent Feb 23, 2010 to FRB FRB decision: Apr 21, 2010	Feb 14-16, 2012 Apr 16, 2012	Jun 17, 2013
B. Gray R. Gray	Jun 9, 2010	Oct 29, 2010 Oct 29, 2010	Sent Nov 3, 2010 to FRB FRB decision: Nov 4, 2010	Mar 11, 2013 Aug 6, 2013	Sept 5, 2013
B. Adams	Apr 18, 2011	Aug 8, 2011	Sent Aug 8, 2011 to FRB FRB decision: Aug 17, 2011	Jun 18-19, 2014	Jul 2, 2014
C. Peeace	Jun 10, 2011	Sept 9, 2011	Sent Sept 9, 2011 to FRB FRB decision: Oct 12, 2011	Dec 16-19, 2013	De 4, 2014
J. Rawlings	Aug 8, 2011	Dec 1, 2011	Sent Dec 1, 2011 to FRB FRB decision: Dec 2, 2011	Jan 5-9, 2015	Nov 16, 2015
P. Spiewak	Oct 20, 2011	Feb 1, 2012	Sent Jan 15, 2013 to FRB FRB decision: Jan 25, 2013	Nov 17-19, 2014	Apr 28, 2015
A. Campbell	Feb 17, 2012	Sept 13, 2012	Sent Sept 13, 2012 to FRB FRB decision: Oct 17, 2012	Dec 15-18, 2015 Sept 19-21, 2016	Nov 8, 2016

Table 15: Timelines for Fatality Inquiries involving CPS officers 2011 - 2016

It is to be noted that an officer who is involved in a deadly force encounter is usually the subject of a wide variety of effects associated with critical incident stress. One author notes that the fatality inquiry occurs at a “pivotal point” in the officer’s fatal encounter process, as it relates to coming to terms with the shooting incident. Until that time, there is always a degree of uncertainty regarding the investigative findings of the shooting regardless of how confident

the officer was in his or her action¹⁸⁰. Equally important is the stress experienced by the family and friends of the deceased. Often, it is the fatality inquiry that provides answers and injects some certainty into an outcome previously unknown. Table 15 above demonstrates the unacceptable timelines for Fatality Inquiries, held between 2011 and 2017 involving members of the CPS. There were no Fatality Inquiries involving CPS officers in 2017.

¹⁸⁰ Parent, R. B. (1996). *Aspects of Police Use of Deadly Force in British Columbia: The Phenomenon of Victim Precipitated Homicide* (Master's Thesis). Retrieved from National Library of Canada. (0-612-17043-8).

Research Findings and Officer Concerns

Undue Delay in Processes

A noted concern is the length of the investigative and judicial processes following any officer-involved shooting or serious incident. Officers noted that often times these incidents are sources of significant emotional stress for themselves and their families as well as the affected persons and their families. They also remarked that the delays can impact relations with the public.

A review of the process following an officer-involved shooting or serious incident indicates evidence of delay throughout the process, beginning with the Office of the Chief Medical Examiner and continuing with delays with ASIRT, Crown Prosecutor and the Fatality Inquiry. My Review examined the last 10 reports received from ASIRT by the CPS, and found there was on average, 14 months between the officer-involved shooting or serious incident and the receipt of a report from ASIRT. The last 11 fatality inquiries involving members of the CPS, took on average, 36 months between the incident and the date of a Fatality Inquiry report. Discussions with ASIRT indicated that they have had to wait up to 18 months for reports from the Office of the Chief Medical Examiner.

SBOR Forms and Debriefs

Instructors in the Officer Safety and Tactics Training Unit within CCLC do not appear to have any systematic opportunity to review SBOR or SBOR Debriefing Forms. It is likely that they would have a much more nuanced understanding of the training implications revealed by particular incidents as well as the opportunity to incorporate such implications into ongoing training in real time. One of the possible factors contributing to this situation is the existing database is not as user-friendly as required to support quick searches. A revamped database could be useful in identifying patterns of behaviour that could be addressed through training and/or policy.

Officers also noted that while the SBOR form and debrief process ought to be regarded as educational, there appears to be some tension around the debriefing process. Some members noted that the review process is framed within the context of them having to justify their decisions rather than participating in an opportunity for learning.

RECOMMENDATIONS

There continues to be significant delays in the investigation of officer-involved shooting/serious incidents. This has implications for the subject officer(s); other officers involved in the incident; the affected person(s); families of the officer(s) and the affected person(s); the wider CPS and members of the public. This Review recognises that there are several different factors involved in the investigative process related to such incidents; however, the importance of these investigations demands urgent action to mitigate against delays and the attendant deleterious effects.

FATALITY INQUIRY

As indicated earlier, there must be a Fatality Inquiry pursuant to the Fatalities Inquiries Act when an on-duty officer causes a death. The statute as presently worded, states that the Fatality Review Board, appointed by the Lieutenant Governor in Council, must review investigations under the Act, to determine the need for a public inquiry. Section 10(2) (i) of the Fatalities Inquiries Act requires a notification to a medical examiner when a death occurs while the deceased person was in the custody of a peace officer or as a result of the use of force by a peace officer while on duty. Section 32 of the Act states that the Chief Medical

Examiner shall notify the Board of any deaths that has been the subject of an investigation. If the death is one that is referred to in section 10(2) (i)(a death caused by the use of force by a peace officer), Section 33(3) mandates that the Board must, when it conducts a review under that section, recommend to the Minister that a Public Fatality Inquiry be held, unless the Board is satisfied the death was entirely due to natural causes or there was no meaningful connection between the death and quality or nature of care or supervision by reason of the deceased's status described in Section 10(2)(i). It is difficult to accept the likelihood of an exception applying in the case of an officer on duty causing a death. The Board then must recommend a Fatality Inquiry.

According to ASIRT, in some instances, the medical examiner's reports are delayed up to 18 months from the incident. ASIRT will not conclude its investigation until it receives the medical examiner's report. I am acutely aware of the issue of resources plaguing all sectors of the public service. However, I do not believe that anything meaningful will happen to speed up the process unless time deadlines are imposed. Eighteen months is not an acceptable time for the report of a medical examiner after an incident. It delays the ASIRT process and thus the Fatality Inquiry process.

Also troubling is the time when the Fatality Inquiry may be scheduled and conducted, or when a report is prepared and released. Table 15 demonstrates

that much of the delay is attributable to the elapsed time between the Fatality Review Board decision recommending an Inquiry and the date the Inquiry is held. The Minister must order that a judge conduct a Public Fatality Inquiry upon receiving the recommendation of the Fatality Review Board¹⁸¹.

Fatality Inquiries in Alberta once directed to be held are held before a provincial court judge. Typically a provincial court judge will reserve an inquiry decision report after hearing all of the evidence. Section 53 of the Act says that the written report of the judge shall be made to the Minister of Justice and Solicitor General. Section 53.1 indicates that it is the Minister that shall make a written report available to the public in a “form and manner the Minister considers appropriate”. I do not know of any good reason why the Minister should have the opportunity to arguably change the form or manner of making the written report available to the public. While there may be good reasons for this, it is another cause of delay in the release of the report. Why is the report not made public upon its release by the judge?

¹⁸¹ Supra note 177, s.35(1) (a).

RECOMMENDATION 33:

- The CPS, on its own or through the AACP, should urge the province to amend the Fatality Inquiries Act, when a peace officer allegedly causes a death:
 - a) As it pertains to the requirement that there is a Fatality Inquiry so as to stream-line the process, possibly eliminating a review by the Board.
 - b) To introduce time deadlines for a medical examiner to complete a report.
 - c) To introduce time deadlines for a Fatality Inquiry to be heard, once ordered.
 - d) With a view to changing the requirement for the Minister to make a written report available to the public in a form and manner the Minister considers appropriate, and instead compel the release of the report by the Provincial Court of Alberta to the public upon completion.

RECOMMENDATION 34:

- The CPS, either alone, or through the AACP, work with the provincial government to secure additional resources for Alberta Serious Incident Response Team (ASIRT) and the Office of the Chief Medical Examiner for the investigation of officer-involved shootings and serious incidents.

SBOR FORM AND DEBRIEF

The SBOR system (forms and debrief process) provides an opportunity for the CPS to monitor use of force by members; identify trends and inform training. My Review found that the CCLC has initiated changes to the SBOR system to support the collection of more relevant information about incidents and to create better alignment with training. My recommendations are designed to support the usefulness of this process over the long term.

RECOMMENDATION 35:

- **The CPS create a searchable, user-friendly platform for Subject Behaviour Officer Response (SBOR) forms to support analysis and training.**

RECOMMENDATION 36:

- **The CPS adjust the SBOR debrief process to include a mandatory discussion about the officer's decision-making process to use or not use less lethal and/or lethal options.**

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**MENTAL HEALTH,
SUBSTANCE ABUSE &
POLICE INTERACTIONS**

PART G: MENTAL HEALTH, SUBSTANCE ABUSE & POLICE INTERACTIONS

Contact between police and persons with mental illness is common. This contact is mainly associated with the 24-hour nature of policing and police officers' role in the enforcement of civil commitment and criminal legislation. The "lack of resources for services, treatment and supports for people with mental health issues and the presence of stigmatizing attitudes and behaviours among [members of] the public..."¹⁸² has also been cited as one factor contributing to public expectation of law enforcement response to persons in crisis. Research has also indicated that "the reasons people with mental illness interact with the police are generally attributed to clinical risk factors, such as co-occurring substance use problems and treatment non-compliance"¹⁸³. Other factors noted include improperly implemented deinstitutionalization policies¹⁸⁴, homelessness and poverty, community disorganisation, poorly funded and fragmented community-based mental health and social services, hospital emergency room bed pressures, overly restrictive civil commitment criteria, intolerance of social

¹⁸² Agerback, E. (2014). *Mental Health Training for Law Enforcement in Alberta. Research Summary and Proposal*. Edmonton, AB: Alberta Justice and Solicitor General, p. 3.

¹⁸³ Brink, J., Livingston, J., Desmarais, S., Greaves, C., Maxwell, V., Michalak, E., ... Weaver, C. (2011). *A Study of How People with Mental Illness Perceive and Interact with the Police*. Calgary, AB: Mental Health Commission of Canada. Retrieved from <http://www.mentalhealthcommission.ca>, p. 11.

¹⁸⁴ Cotton, D., & Coleman, T. (2010). Canadian Police Agencies and their Interactions with Persons with a Mental Illness: A Systems Approach. *Police Practice and Research*, 11(4), 301-314.

disorder, and criminal law reforms¹⁸⁵. In most instances, the interaction between police and persons in crisis occurs without incident. However, in some situations, the interaction may escalate quickly, placing police, the person in crisis and members of the public at risk. These incidents are often repeat encounters with the same individuals; may require more time than other calls for service; and may require additional skills or training on the part of officers to de-escalate the situation.

Within the context of use of force, for this Review I was interested in understanding the frequency of officer interactions with persons with mental health concerns; the current approach to responding to persons in crisis by the CPS; challenges presented by interactions between persons in crisis and members of the CPS; as well as the impact on CPS resources. Calls for service related to suicides were of concern because in most instances, there is a relation between suicide and mental health¹⁸⁶.

I relied on the previously shared definition of mental disorder as outlined in the Mental Health Act which states that a mental disorder is a “substantial disorder of thought, mood, perception, orientation or memory that grossly impairs, (i)

¹⁸⁵ Coleman, T., & Cotton, D. (2014). *Tempo: Police Interactions. A Report towards Improving Interactions between Police and People Living with Mental Health Problems*. Calgary, AB: Mental Health Commission of Canada. Retrieved from <http://www.mentalhealthcommission.ca>.

¹⁸⁶ Canadian Association for Suicide Prevention (CASP). *What is suicide?* Retrieved on April 2, 2018 from <http://suicideprevention.ca/sitemap.xml>.

judgment, (ii) behaviour, (iii) capacity to recognise reality, or (iv) ability to meet the ordinary demands of life”. I also relied on the definition of a person in crisis outlined by the Honourable Frank Iacobucci, which defines a person in crisis as,

a member of the public whose behavior brings them into contact with police either because of an apparent need for urgent care within the mental health system, or because they are otherwise experiencing a mental or emotional crisis involving behaviour that is sufficiently erratic, threatening or dangerous that the police are called in order to protect the person or those around them. The term “person in crisis” includes those who are mentally ill as well as people who would be described by police as “emotionally disturbed”¹⁸⁷.

In CPS training material, emotionally disturbed behaviour is described as “excessive behaviour that is driven by unregulated emotions. It involves a disruption in what is considered to “normal” or “usual” functionality. The intensity, frequency and duration of this abnormal behaviour differentiate it from normal behaviour”¹⁸⁸.

¹⁸⁷ Iacobucci, F. (2014). *Police Encounters with People in Crisis. Independent Review for Chief of Police William Blair, Toronto Police Service*. Toronto, ON: The Honourable Frank Iacobucci, p. 4.

¹⁸⁸ Calgary Police Service. (2011). *Dealing with Emotionally Disturbed Behaviour* 3rd ed. Calgary, AB: CPS, p.1.

Overview of Current Situation

CPS numbers show increasing calls for service with focus on suicide and mental health. Based on the nature of these calls, an officer almost always has to be dispatched. Some of these calls for service are as a result of a prank or incorrect information received from the public.

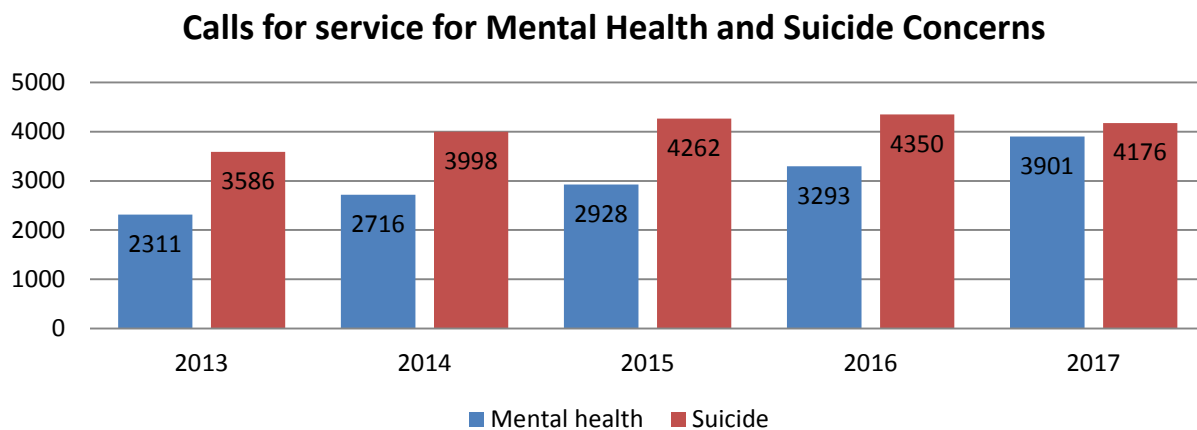


Figure 18: CPS calls for service for mental health and suicide concerns 2013-2017

Some calls require the attendance of an officer for a short period to achieve a successful outcome. Others require significant resources in terms of time and personnel before they are resolved. Some of these calls may also result in use of force by the officer and the affected person.

Over the five year period 2013-2017, the CPS received 35,521 calls for service related to mental health and suicide. A total of 20,376 (57.4%) were classified as suicide related (suicide, suicide with a weapon) and 15,151 (42.7%) as mental health related (mental health, mental health with a weapon and mental health warrant).

CALL EVENT TYPE	NUMBER OF EVENTS					
	2013	2014	2015	2016	2017	Total
Mental health concern	2235 (37.9%)	2613 (38.9%)	2695 (37.5%)	2996 (39.2%)	3529 (43.7%)	14069 (39.6%)
Mental health concern with a weapon	76 (1.3%)	77 (1.2%)	66 (0.9%)	72 (0.9%)	82 (1.0%)	373 (1.1%)
Mental health warrant	-	26 (0.4%)	167 (2.3%)	225 (2.9%)	290 (3.6%)	709 (2.0%)
Suicide	3341 (56.7%)	3724 (55.5%)	4007 (55.7%)	4058 (53.1%)	3928 (48.6%)	19062 (53.7%)
Suicide with a weapon	245 (4.2%)	274 (4.1%)	255 (3.6%)	292 (3.8%)	248 (3.1%)	1314 (3.7%)
Total	5897	6714	7190	7643	8077	35521

Table 16: Mental health and suicide related calls for service to CPS 2013-2017

In 2017, the CPS received 8,077 calls for service related to mental health and suicide. There were 3,529 (43.7%) calls related to a mental health concern; 82 (1%) related to mental concern with a weapon; and 290 (3.6%) related to a mental health warrant. There were 3,928 (48.6%) calls related to a suicide concern and 248 (3.1%) related to suicide with a weapon. On average, the CPS received 22 mental health or suicide related calls for service each day in 2017.

A related issue is police encounters with individuals who are under the influence of alcohol and/or drugs. In many of these cases, police may be unaware of the presence of these substances within the individual. They may also be unable to determine that the individual's actions are as a result of the presence of these substances. In Alberta, Calgary had the largest number of apparent accidental opioid toxicity deaths between January 2016 and June 2017. There were 372 deaths in Calgary; 41% of the total number recorded for the province during that period¹⁸⁹.

¹⁸⁹ Government of Alberta. (2017). *Opioids and Substances of Misuse: Alberta Report, 2017 Q3*. Edmonton, AB: Alberta Health, Analytics and Performance Reporting Branch.

Police Response to Persons in Crisis

Common Law Duty to Protect Life

Section 38(1) of the Police Act states that,

Every police officer is a peace officer and has the authority, responsibility and duty

- a. to perform all duties that are necessary
 - i) to carry out the police officer's functions as a peace officer,
 - ii) to encourage and assist the community in preventing crime,
 - iii) to encourage and foster a co-operative relationship between the police service and the members of the community,
 - iv) to apprehend persons who may lawfully be taken into custody, and
- b. to execute all warrants and perform all related duties and services.

In my discussions, officers expressed varying opinions about the legal duty to protect life as a primary factor informing the decision of police officers to enter premises in order to deter an individual from harming themselves. Officers also pointed to the decision from the Supreme Court of Canada on *R. v. Godoy*¹⁹⁰. This decision re-affirmed the common law duty of police to protect life as first

¹⁹⁰ *R. v. Godoy*, [1999] 1 S.C.R. 311.

responders following a 911 distress call. The case decided the issue of lawful entry by police. The police power to forcibly enter dwelling places, impinging on the constitutionally protected right to privacy, without judicial pre-authorization in order to ensure the safety and well-being of the occupants, in a domestic violence call was affirmed. The case did not specifically deal with a police officer's duty to prevent suicide.

The Mental Health Act

In the course of their work, police officers interact with people with mental illness - many of whom are neither a danger to themselves nor others. Officers also encounter individuals who require intervention, stemming from observed behaviours that are of concern. They also respond to requests for assistance from family or healthcare workers, or members of the community. The Mental Health Act provides the authority for a police officer to apprehend these individuals.

Section 9.6(1) of the Act details the process for apprehension in relation to community treatment orders,

if a psychiatrist has reasonable grounds to believe that person who is subject to a community treatment order has failed to comply with the community treatment order, the psychiatrist may issue an order in the prescribed form to a peace officer that authorizes the peace officer to

apprehend the person who is named in the order and to convey the person to a facility¹⁹¹ named in the order for an examination¹⁹².

Section 10 provides authority for officers to apprehend individuals using a warrant issued by a Provincial Court Judge for the apprehension of a “person who is suffering from mental disorder, and likely to cause harm to [themselves] or others or to suffer substantial mental or physical deterioration or serious physical impairment”¹⁹³. The judge may also issue a warrant if there are reasonable and probable grounds to believe that an individual who is the subject of a community treatment order is not complying with the terms of the order.

Section 12 of the Act notes that a peace officer, who has reasonable and probable grounds to believe that,

- a. a person is suffering from mental disorder,
- b. the person is
 - i. likely to cause harm to [themselves] or others or to suffer substantial mental or physical deterioration or serious physical impairment, or
 - ii. subject to a community treatment order and is not complying with the community treatment order,

¹⁹¹ The Mental Health Act s.1(1)(d) defines a facility as a place or part of a place designated in the regulations as a facility. Subsection 1(1) of the Mental Health Regulation 19/2004 lists various hospitals in Alberta as designated facilities under the Act.

¹⁹² Supra note 11, s. 9.6(1) (a).

¹⁹³ Ibid, s. 10

-
- c. the person should be examined in the interests of the person's own safety or the safety of others, and
 - d. the circumstances are such that to proceed under section 10 would be dangerous,

the peace officer may apprehend the person and convey the person to a facility for examination¹⁹⁴.

Policy on Mental Health Apprehensions

CPS policy on Mental Health Apprehensions¹⁹⁵ states that,

Officers have the authority to apprehend and transport a person to a health facility for examination:

- a. if the person exhibits emotionally disturbed behaviours and the officer deems it necessary to immediately apprehend them to protect the safety of the person or the public; or
- b. if the person is the subject of any of the Mental Health Act forms listed in the following table:

¹⁹⁴ Ibid, s.12 (1).

¹⁹⁵ Calgary Police Service. (2015). *Mental Health Apprehensions*. Calgary, AB: CPS.

FORM	NAME	COMPLETED BY	VALIDITY	POLICE AUTHORITY
1	Admission certificate	2 physicians	72 hours	Apprehend and take person to designated facility
3	Order to return a formal patient to facility	Representative of board of designated facility, e.g. physician	No expiry	Apprehend and take person back to facility
8	Warrant	Provincial Court Judge (anyone, including police, can apply to Court for warrant)	7 days Warrant may be extended for an additional 7 days	Apprehend and take person to designated facility Apply for extension of warrant
10	Statement of peace officer	Peace Officer	To be executed immediately	Apprehend and take person to a facility for examination
23	Community treatment order apprehension	Psychiatrist or designated physician	30 days	Apprehend and take person to designated facility; enter premises and use physical restraint if necessary; and care for, observe, detain and control the person while they are transported to the facility.

Table 17: Mental Health Act forms and description of officer's authority

Form 10 Apprehensions

As outlined above, police officers are authorised under section 12 of the Mental Health Act to apprehend and transport individuals to a facility for examination if there are reasonable and probable grounds to believe that the person is suffering from a mental disorder and is at risk to harm themselves or others. When this is done, the officer is required to complete a Statement of Peace Officers on Apprehension Report (Form 10), outlining the grounds for their action. Analysis has shown that officers issue a Form 10 deriving from calls for service related to domestics, checks on welfare, mental health and suicide concerns. Information in Figure 19 below shows the number of Form 10s completed by CPS officers over the five year period 2013-2017.

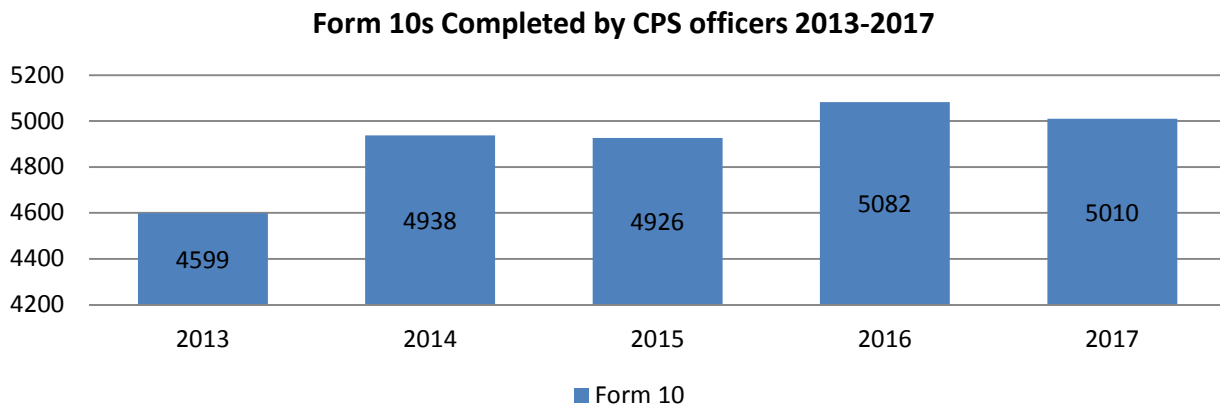


Figure 19: Calls for service to CPS resulting in Form 10 2013-2017

Information in Table 18 below shows that of the 8,077 mental health and suicide related calls for service in 2017, 3,564 (44%) did not result in the creation of a case report in SENTRY. A review of these files indicates that the threshold for emotionally disturbed behaviour, as defined in the Mental Health Act, was not met during these interactions. Approximately 50% of all mental health and suicide related calls for service in 2017 had some element of emotionally disturbed behaviour during the police/citizen interaction. These calls resulted in a report with a Form 10 (3529 incidents) or a report, but no Form 10 (984 incidents).

CALL FOR SERVICE TYPE	NO CASE REPORT	REPORT & NO FORM 10	REPORT & FORM 10
Mental Health	2291	460	1150
Suicide	1273	524	2379
Total	3564	984	3529

Table 18: Reports generated by CPS officers for mental health/suicide calls for service 2017

In the past three years, CPS members responded to an average of roughly 13 events per day, where an individual was apprehended under a Form-10. Analysis indicates that 69% of these calls had two officers conveying individuals to an approved facility, 30% had one officer and 1% had three officers. In 2015, wait times for officers at these facilities, following the transportation of an individual

for examination, averaged 72 minutes. Officers have had to wait up to eight hours with the individual before custody is transferred.

Officer Training to Respond to Persons in Crisis

Training has been recognised as an important component of efforts to ensure law enforcement personnel are able to recognise and respond appropriately to Emotionally Disturbed Persons (EDPs). Training also helps to reduce stereotypes and stigmas about persons with mental illnesses. Within the CPS officers are introduced to different courses during the RTP that focus on working with persons in crisis. Community specialists provide information on homelessness; medications and their side effects; crisis intervention models; addiction; suicide; Aboriginal mental health and dealing with EDPs. During recruit training, officers also participate in the Road to Mental Readiness (R2MR)¹⁹⁶ training that supports the mental health and well-being of first responders. Key objectives of this program include:

- examine the effects of mental health problems and mental illness in the workplace;
- identify indicators of declining and poor mental health in yourself and others;

¹⁹⁶ All members are required to complete R2MR.

-
- review employees', managers' and employers' mental health rights and responsibilities; and
 - provide strategies to maintain good mental health.

Beginning in 2018¹⁹⁷, the CPS is encouraging new recruits to complete the Alberta Family Wellness Initiative (AFWI) Brain Story Certification prior to the start of classes. The Brain Story Certification is an in-depth 30 hour, online course for professionals interested in the scientific underpinnings of the Brain Story. CCLC is also working with the AFWI to design a program tailored to the needs and experiences of law enforcement officers. Modules include a focus on brain architecture, toxic stress, the impact of adverse childhood experiences on a range of adult health outcomes, among other areas. The goals of the course are to:

- explain how brains develop and how social interactions shape development;
- describe the effects of stress on brain development, and the impact of adverse childhood experiences on physical and mental health outcomes, including addiction;
- identify evidence-based approaches for children in the prevention, intervention, and treatment of childhood adversity;
- describe the basic neurobiology of both substance and process addiction;

¹⁹⁷ Members of class 220 (2018) are required to complete the Brain Story Certification prior to completion of the RTP. In class 221 (2018), recruits will be encouraged to complete the certification before the start of RTP.

-
- identify evidence-based approaches for adults in the prevention, intervention, and treatment of addiction; and
 - identify ways to build the foundations of resilience in children and families.

Officers are required to complete three online eLearning modules - Emotionally Disturbed Persons User Guide; Mental Health Diversion; and Criminal Charges and the Emotionally Disturbed Patient. At the time they were introduced all existing officers were mandated to complete the modules. Currently, new officers are required to complete the modules prior to graduation from the RTP. Officers are only required to complete the courses once.

Emotionally Disturbed Persons User Guide (compulsory for all frontline officers and their supervisors): is a 45 minute module which provides information about dealing with emotionally disturbed behaviour. In particular, it identifies behaviours and provides guidance to officers to assist them while interacting with an emotionally disturbed person (EDP). It also discusses risk management strategies for suicidal behaviour and explains how to effectively communicate information about the individual to mental health professionals. At the end of the module, officers are required to provide confirmation that they have read the document.

The course requires officers to:

- Describe the verbal, behavioural and environmental cues officers can use to identify EDPs.
- Recognise that extreme stress such as caused by an arrest may cause an EDP to be fearful and aggravate mental health issues.
- Explain 11 actions officers can take to ensure their safety and minimize an EDP's fear and negative impacts.
- Identify the signs officers must note to evaluate the potential or probability of violence.
- Identify the signs that may indicate suicidal tendencies.

Mental Health Diversion (compulsory for all officers): provides an introduction for all officers to the Mental Health Diversion Program¹⁹⁸ and uses a flowchart to help officers understand the processes involved in diverting eligible individuals to the mental health system. Police officers, trained by mental health professionals, together with psychiatric and forensic nurses and a psychiatrist have worked to develop the course. At the end of the module, officers are required to provide confirmation that they have read the document.

¹⁹⁸ The Mental Health Diversion Program diverts persons 12 years and over, who have a mental illness and are charged with a less serious criminal offence, from the justice system to the mental health system.

Criminal Charges and the Emotionally Disturbed Patient (compulsory for all CPS patrol officers, their supervisors and investigators): focuses on supporting a coordinated, consistent and collaborative working relationship between the Mental Health and Psychiatric Services of Alberta Health Services (AHS) and CPS personnel, regarding the response to emotionally disturbed persons. It requires a 100% passing grade.

Police and Crisis Teams

The Police and Crisis Teams (PACT) has been developed and implemented through a collaborative funding and governance initiative between Addiction and Mental Health - AHS and CPS. The four teams, each with a police officer and a mental health clinician, operate seven days each week from 6 a.m. to 12 midnight. PACT is not a first response team. They provide a shared response to incidents involving individuals and families experiencing a mental health, addiction or psychosocial crisis when they are a danger to themselves or others. Following the initial assessment, once the individual has been stabilised, the team connects that individual with the appropriate services or resources within the community. For individuals whose mental health condition has deteriorated, PACT will transport to a designated facility under a Form 10 Mental Health Warrant.

The program ensures individuals who commit chargeable offences are held accountable, but works with the judicial system to deliver alternative forms of

sentencing and treatment that enable recovery and rehabilitation. PACT services are initiated through calls for service from the public and police officers. The program is designed for individuals who meet one or more of the following criteria:

- A client has a history of aggression/violence/weapons.
- A client is demonstrating suicidal/homicidal ideation.
- A client has a history of substance use and/or mental illness and is presenting with likelihood of danger or harm to self or others.

In 2017, PACT had 567 new referrals for service. Of this number, the program engaged 259 clients. Thirty additional clients seen by the program during 2017 were repeat clients. The program received 284 client referrals from the CPS, 53 referrals came from family members or friends, 41 clients were self-referred, 51 were from homeless shelters and 41 from AHS mental health programs. The most common diagnoses for clients were schizophrenia, delusional disorder, personality disorder and substance use disorder. PACT transported 70 persons to hospital on a Form 10 warrant and 21 cases were presented in Family Court in order to obtain mental health warrant.

PACT has one team that provides assertive case management for those whose mental health issues require a Community Treatment Order¹⁹⁹ support (medication and psychiatric management). These clients must have demonstrated a history of violence and harm to self or others, access to weapons or history of use, diagnosis of a mental illness requiring treatment, moderate to high risk to the public when mental illness has gone untreated and significant substance abuse impacting the individuals' mental status. The team has a caseload of 15 clients.

Safe Communities Opportunity & Resource Centre

The Safe Communities Opportunity and Resource Centre (SORCe) opened in June 2013 as a location where people with physical or mental vulnerabilities and/or social-economic needs can access programs and services that address their current situation. SORCe serves all vulnerable youth and adults with mental health and addiction disorders who are (i) homeless or at risk of homelessness; (ii) have a high number of interactions with the justice/health system; and/or (iii) live in poverty. The collaborative co-locates staff from 18 agencies²⁰⁰ that provide in-house services including information; initial assessment to determine a person's needs; counseling as required; referrals to a range of programs and services that

¹⁹⁹ Community Treatment Orders issued under s. 9.1 of the Mental Health Act are intended to assist individuals suffering from a mental disorder with complying with treatment while in the community.

²⁰⁰ Agencies involved in SORCe include Alberta Health Services (AHS), Alberta Justice and Solicitor General, Alpha House, Calgary Catholic Immigration Society (CCIS), Calgary Drop-in and Rehab Centre, Calgary Police Service, Calgary Public Library, Calgary Mental Health Association (CMHA), Distress Centre Calgary, Immigrant Services Calgary, Inn from the Cold, Inform Alberta, Kerby Centre, Mustard Seed, Probation, Sheldon Kennedy Child Advocacy Centre, Woods Homes, YWCA Calgary.

respond to their unique circumstances and transportation to agencies when appropriate. The CPS currently provides and maintains the facilities in which SORCe is located. The Centre is also led by a CPS Staff Sergeant, who serves as the Executive Director.

Data from SORCe indicates that the number of unique clients using the service continues to increase, with a total of 3,071 clients being seen by the collaborative between June 2017 and February 2018.

Vulnerable Persons Registry

The Vulnerable Person Self-Registry was developed in 2015 and is open to anyone who spends a majority of their time in Calgary and due to a medical, mental health or physical condition, or due to a cognitive developmental disability, may require special attention in an emergency/disaster situation. Some examples include Alzheimer's disease; Autism Spectrum Disorder; Acquired Brain injury; mobility impairment; visual impairment; deaf or hard of hearing; cognitive/developmental disability; or a mental health condition. It is a self-registry, so the individual or their caretaker must enter their information into the system. Persons on the Registry receive an email reminding them to update their information prior to expiration.

When registering, persons submit a current photograph; the individual's name, date of birth, physical description, contact information, methods of approach/communication and a description of any life threatening medical conditions.

The information in the self-registry is only accessed when a vulnerable person is in danger or distress due to an emergency. At present the Registry is housed in Calgary 911 and may be accessed by Calgary Police Service, Fire Department and EMS (Alberta Health Services). There are 937 persons registered and in 2017, the RTOC completed 67 Registry checks (checked to see if an affected person was registered) and located 33 persons using information on the Registry.

Research Findings and Officer Concerns

Officers shared concerns about the level of training and resources provided to effectively respond to persons in crisis; concerns about access to appropriate information to respond effectively to persons in crisis; and frustration with gaps in the mental health response which seems to foster a revolving door approach to responding to persons with mental illnesses.

Officers' Duty to Remain With Patients

The Mental Health Act²⁰¹ stipulates that while conveying an individual to a facility for examination, the police officer can care for, observe, assess, detain and control the person. An area of concern among several police officers is the requirement to remain with the person, at the facility, until they are transferred to the healthcare system. CPS policy requires officers “remain at the hospital if the subject is violent or if requested by the hospital staff, pending a decision regarding detention or release of the subject”²⁰².

Section 16(2) of the Involuntary Psychiatric Treatment Act (Nova Scotia)²⁰³ states that, the peace officer or other authorised individual shall remain at the place of the medical examination and shall retain custody of the person until the medical

²⁰¹ Supra note 11, s. 9.6(1)(c), s.10(6), s. 12(2).

²⁰² Supra note 195, p. 6.

²⁰³ Involuntary Psychiatric Treatment Act, SNS 2005, c-42., s. 16(2).

examination is completed. The Mental Health Act (Ontario)²⁰⁴ in section 33 states that, a police officer or other person who takes a person in custody to a psychiatric facility shall remain at the facility and retain custody of the person until the facility takes custody of him or her in the prescribed manner. The Act in Alberta is not clear about the officer's duty to remain with individuals at the facility until they have been examined.

In Calgary, officers have identified challenges with the process of patient care transition once an individual has been conveyed to a hospital on a Form 10. This means officers can wait, on average, 72 minutes with a patient at a health facility and in some instances up to eight hours. Officers noted that hospital administrators have generally advised that a patient who is brought into the facility by a police officer is free to leave if the police leave and the patient has not been assessed. Officers must wait with a patient until the emergency department intake process has been completed. This may be required for patients who pose a risk to themselves, hospital staff and/or members of the public. However, where a patient is found to be at minimum risk, other approaches can be introduced to support the safety of the patient.

As noted by Honourable Frank Iacobucci, this extensive waiting period can serve as a “disincentive for police to bring people in crisis into the mental health system

²⁰⁴ Mental Health Act, RSO 1990, c. M.7., s. 33.

for treatment”²⁰⁵. It can also add to the frustration and confusion being experienced by the affected individual. Hamilton Police and St. Joseph’s Healthcare have developed a protocol to reduce lengthy wait times for officers in emergency rooms. This protocol allows officers to transfer custody of an EDP to an emergency room nurse after a wait of 30 minutes, if both the officer and nurse agree that the individual being transferred is at a low risk to him/herself, the staff and members of the public. Once the transfer is completed, the patient is monitored by hospital security until they can be seen by a doctor. The officer can leave but remains on-call in the event the hospital has any difficulty controlling the patient. A similar protocol has been developed and implemented at the Mount Sinai Hospital in Toronto.

Crisis Intervention Teams

The PACT program operates as a post-crisis response. This means CPS frontline officers who encounter persons in crisis, generally have to rely on their knowledge and skills, which can be inadequate for such scenarios. Other law enforcement jurisdictions have explored utilising crisis intervention trained patrol officers to provide 24/7 support to officers responding to persons in crisis. My Review found that the CPS sent a delegation to Memphis in October 2014 to review the Crisis Intervention Team (CIT) Model. The team recommended that

²⁰⁵ Supra note 187, p. 101.

the CPS should replicate the model by identifying and training interested frontline officers. This was not done. I was unable to determine the basis for the decision not to institute the CIT Model in Calgary.

Care should be taken to distinguish between the Crisis Negotiation Team and a Crisis Intervention Team. As stated earlier, crisis negotiators are typically called to respond to situations with hostages or barricaded individuals. In fact the previous name for the team in Calgary was the Hostage/Barricade Negotiation Team.

The CIT Model was created by the Memphis Police Department in 1988 and is being implemented in police jurisdictions in Canada including Hamilton Police (Appendix J), York Regional Police and Halifax Police. The primary goals of the model are to “increase safety in encounters and when appropriate, divert persons with mental illnesses from the criminal justice system to mental health treatment”²⁰⁶. Officers participate in a 40-hour training session provided by mental health clinicians, advocates and police trainers. Topics covered include signs and symptoms of mental illnesses, mental health treatment, development disorders, suicide intervention, legal responsibilities, de-escalation techniques, trauma and excited delirium. One review of this model indicates that CIT trained police officers demonstrate increased awareness and knowledge, enhanced self-

²⁰⁶ Watson, A., & Fulambarker, A. (2012). The Crisis Intervention Team Model of Police Response to Mental Health Crises: A Primer for Mental Health Practitioners. *Best Practice Mental Health*, 8(2), 71-

efficacy, reduced social distance and reduced stigmatizing attitudes in their work with persons in crisis²⁰⁷.

With respect to crisis intervention and the Memphis model, CIT is related to de-escalation training. The 40-hour course to certify an officer as trained in crisis intervention in Memphis is subject to re-certification on an annual basis. Not all officers are CIT-certified. In terms of deployment, the Memphis model contemplates that at least one CIT-certified officer attends a call involving an EDP, if possible. In Memphis, a CIT officer is paid an extra twenty-five (\$25) dollars per day for being recognised as part of a specialised team and receives a certificate and a CIT pin, which can only be worn by CIT members. The Memphis model also builds a community of stakeholders, has the advantage of providing law enforcement officers with better skills required to assist a person in crisis and to a certain extent, develops a generalist specialist team of officers to champion the work with EDPs.

The implementation of any such program for the CPS would involve some additional resources or re-deployment of perhaps two sergeants and some staff. The Memphis model was originally developed in partnership with the University of Memphis. It involved Dr. Randy Dupont, who is a professor and clinical

²⁰⁷ Hanafi, S., Bahora, M., Demir, B., & Compton, M. (2008). Incorporating Crisis Intervention Team (CIT) Knowledge and Skills into the Daily Work of Police Officers: A Focus Group Study. *Community Mental Health Journal*, 44(6), 427-432.

psychologist at the University of Memphis. As of last fall, the Memphis Police Department had a total of 2,142 sworn members, of which approximately 1,300 were patrol officers. The department's CIT had 285 sworn officers. According to Lt. Col. Vincent Beasley of the Memphis Police, there are approximately 4000 police departments in the United States that have adopted the Memphis CIT model. The 911 centre in Memphis receives an average of 30 calls each day that engage a CIT member.

The Memphis Model in Hamilton

The Hamilton Police crisis intervention training is a four-day course based on the Memphis model. Officers, who first have to complete the CIT training, are paired with a mental health worker to form part of the Mobile Crisis Rapid Response Team (MCRRT). In their 2016 report, the Crisis Response Unit indicated there is a combination of police officers, paramedics and mental health workers responding to persons experiencing a mental health crisis. It is stated that the program has proven to dramatically decrease the number of persons being brought to hospital emergency departments by police officers as well as the associated wait times. There has also been a memorandum of understanding between the St. Joseph's Health Care hospital and the Hamilton Police Service with respect to a protocol guiding the attendance of an officer with an EDP at the hospital. As a result, the

time spent by officers in the emergency department has now been reduced on average to approximately 60 minutes.

The Memphis Model in British Columbia

According to a 2016 report entitled, “Vancouver Police Mental Health Strategy”, the Vancouver Police Department (VPD) instituted an in-house Crisis Intervention Team (CIT) training program based on Memphis model for crisis prevention in 2002, ensuring all frontline personnel working in patrol received this course.

It would appear that the province of British Columbia’s standards have developed the Crisis Intervention and De-escalation course “modelled after the VPD CIT”, for all police officers in British Columbia. This course effectively replaced the CIT program delivered within the VPD.

The intersection of de-escalation and crisis intervention training demonstrates the relationship between the two. The CPS has implemented mandatory Strategic Communication and De-escalation training. What is needed is the crisis intervention training to augment the De-escalation training. The Memphis model should guide the CPS and serve to train, certify and re-certify CIT members. Another option would be to follow the British Columbia model and integrate CIT training into the existing CPS de-escalation training, melding both concepts into

one comprehensive course. It is, however, imperative that there be annual re-certification or mandatory refreshers for officers. In addition, the training of CIT and de-escalation should begin with recruits.

Communication

The Health Information Act²⁰⁸ provides for “strong and effective mechanisms to protect the privacy of individuals with respect to their health information and to protect the confidentiality of that information²⁰⁹”. This provision is generally identified as the basis for information which can or cannot be shared as it relates to individual’s health. The Health Information Act does outline provisions “to enable health information to be shared and accessed, where appropriate, to provide health services and to manage the health system²¹⁰”. The Act states that,

A custodian may disclose individually identifying health information referred to in subsection (2) without the consent of the individual who is the subject of the information to a police service or the Minister of Justice and Solicitor General where the custodian reasonably believes

²⁰⁸ Health Information Act, RSA 2000, C H-5.

²⁰⁹ Ibid, s. 2(a).

²¹⁰ Ibid, s. 2(b).

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- a. That the information relates the possible commission of an offence under a statute or regulation of Alberta or Canada, and
 - b. That the disclosure will protect the health and safety of Albertans²¹¹.

The Act also states the type of information that may be disclosed under subsection (1), including the individual's name; date of birth; nature of an injury or illness; the date on which a health service was sought or received; and the location where an individual sought or received a health service²¹².

However, generally police officers have difficulty accessing healthcare information in order to respond appropriately to persons in a crisis. Inadequate and/or inaccurate information about the subject of a call can result in a situation where officers are unprepared to appropriately respond to the call. While access to health information is a contentious issue across all jurisdictions, it appears that this is an issue that requires further dialogue and the consideration of policy and legislative changes.

Abdication of the Mental Health Response Role to Police Services

As with existing literature, officers related the perception that often times they are responding to calls for service for persons in crisis because of gaps in the

²¹¹ Ibid, s. 37.3(1) (a) (b).

²¹² Ibid, s. 37.3(2)

health care system. This aligns with findings that the “lack of resources for services, treatments, and supports for people living with mental health problems and illnesses and the presence of stigmatizing attitudes and behaviours among the public continues to lead to the expectation of a police response when persons are in crisis”²¹³. This results in police officers being first responders to persons in crisis, sometimes with inadequate skill, information or knowledge to appropriately respond. Another outcome is that officers are often called to respond to the same individual over very short periods, resulting in increasing levels of frustrations among frontline police officers.

CPS and AHS have established a working group to address the increasing challenges of responding to the Form 10 process. The group is examining inconsistencies involved in determining who meets the Form 10 threshold and the considerable wait times for officers who have conveyed individuals to hospitals for medical assessment. Some of the anticipated outcomes of this dialogue include:

- better understanding of the grounds for the application of a Form 10;
- increased understanding and consistent expectations for the role and function of both CPS and EMS personnel in responding to vulnerable populations; and

²¹³ Supra note 182.

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- increased consistency and coordination in the delivery of care by CPS and EMS to vulnerable populations.

RECOMMENDATIONS

Repeated reviews of police use of force have noted increasing concerns about the frequency and often tragic circumstances surrounding encounters between members of law enforcement and persons in crisis. Especially relevant to the issue is an article that appeared in the *Toronto Star* on April 27, 2017 by Michael Bryant and Graham Brown²¹⁴, which referenced the history of treatment of mental illnesses in Canada. Based on the premise that persons suffering with mental illnesses would be better off in the community rather than in institutions, institutions were closed and the unintended consequences began to occur, which still occur today. Those consequences include a “shortage of supportive housing units and difficulties in accessing community services for individuals in need”²¹⁵. The gravamen of the article is:

That’s when police became frontline triage workers for the mentally ill. Instead of diagnosis and treatment, police did what they were trained to do: investigate, arrest and charge people with criminal offences²¹⁶.

²¹⁴ Bryant, M., & Brown, G. (2017, April 27). Judge Exposes How We Criminalize Mental Illness: Opinion. *Toronto Star*. Retrieved from <https://www.thestar.com/opinion/commentary/2017/04/27/judge-exposes-how-we-criminalize-mental-illness-opinion.html>.

²¹⁵ Ibid.

²¹⁶ Ibid.

This Review has once again found that like other law enforcement agencies, CPS officers are often the primary responders to persons in crisis. In most of these encounters police officers are able to de-escalate the situation and provide required assistance. In others, the outcome is tragic; impacting officers, affected persons and family members.

Some aspects of this discussion are essentially outside the scope of the mandate of this Review. However, it is important to note that the CPS cannot be regarded as solely responsible for the outcome of police interactions with persons in crisis. It is incumbent on the broader mental health system to review and address the ways to prevent people from finding themselves in crisis, thus minimising the likelihood of negative interactions with the police. In addition, it is important to note that often times an encounter between a police officer and a person in crisis occurs in a matter of seconds, leaving little time for officers to apply the required time and distance to prevent harm to themselves or others. However, there are still aspects of the police response that can be addressed, within the scope of this Review, to minimise police use of force in situations that allow for such considerations.

RECOMMENDATION 37:

- The CPS develop and implement crisis intervention training for a cross-section of frontline officers to ensure capacity to provide first-response support when required.
 - a) Develop and implement stringent criteria for the selection of officers to receive crisis intervention training.
 - b) Implement requirement for annual re-certification and training for officers to maintain Crisis Intervention Team (CIT) designation.
 - c) Monitor and report on the engagement of officers with CIT in calls for service responses related to persons in crisis and the outcomes of these calls.

RECOMMENDATION 38:

- The CPS provide additional resources to the Police and Crisis Team (PACT) to increase its capacity to fulfill the program's mandate.

RECOMMENDATION 39:

- The CPS strengthen collaboration with Alberta Health Services (AHS) to ensure continued cooperation in the implementation of the PACT program.

RECOMMENDATION 40:

- **The CPS implement targeted initiatives to ensure frontline officers are aware of mental health supports, such as PACT, Safe Communities Opportunity and Resource Centre (SORCe), Mental Health Diversion and the Vulnerable Persons Registry and track and report on the levels of awareness and use of these initiatives.**

FORM 10 APPREHENSIONS

When police officers apprehend and convey (Form 10) an individual to a hospital, they are arguably engaged in the use of force, since the individual is not voluntarily participating in this process. The practice of police officers remaining with these individuals once they are conveyed is arbitrarily extending their detention and the potential for additional use of force. It does appear that one of the most plausible ways to minimise the potential for police use of force is to reduce the officers' wait time at the hospital with the individual once conveyed.

RECOMMENDATION 41:

- **The CPS, in conjunction with the province, work to address inconsistencies in policy and legislation related to expectations for police officers to wait with persons in crisis apprehended pursuant to the Mental Health Act, once they have been conveyed to a hospital.**

RECOMMENDATION 42:

- The CPS support ongoing work with partners on the development of solutions to reduce officer wait-times with persons in crisis at health facilities.
 - a) This process should consider the merits of protocols between Hamilton Police and St. Joseph's Healthcare as well as the example provided through Mt. Sinai Hospital, Toronto.

RECOMMENDATION 43:

- The CPS work with AHS in providing appropriate holding areas and adequate security, in hospitals, as a fundamental step in eliminating the need for officers to remain with persons in crisis after they have been conveyed to hospitals.

ACCESSING INFORMATION

The issue of access to information for officers to effectively respond in emergency situations has been noted as a persisting concern in this Review, as well as in other reports. Police officers have access to police information systems, however, encounters with persons in crisis could generally benefit from information about best approaches to support de-escalation. Existing legislation and policies around the sharing of health information appear to limit access by police officers to this

critical information. These provisions have been created to safeguard the privacy of individuals. However, within reason, and within the legal provisions, it does seem that there ought to be dialogue between relevant parties within health, law enforcement and justice in an effort to preserve the lives of those most susceptible to being negatively affected by this restriction.

RECOMMENDATION 44:

- **The CPS, pursuant to the authority of Section 37.3(1) of the Health Information Act, work with AHS in the creation of a protocol to support the sharing of relevant information with officers about the mental health of persons in crisis, when that information could facilitate a more effective response.**
 - a) **The CPS work with AHS to support the development and implementation of joint training opportunities for frontline health staff and police officers, to facilitate the sharing of health information about the mental health of persons in crisis.**

RECOMMENDATION 45:

- **The CPS continue its work with Calgary 911 on policies and training for call evaluation and dispatch processes, in order to ensure responding officers are provided with thorough information.**

POLICE CULTURE

PART H: POLICE CULTURE

Culture refers to the common identities that emerge from the shared life context or experiences of individuals from a given group. These shared experiences influence the collective identity of a group as well as individual identity. Culture informs such choices as order of dress, language, ceremonies and traditions. It also informs the way things are done, the practices and behaviours of members of the group in different situations²¹⁷. Within policing, a police culture may be understood as the complex system of values, work-related principles and moral standards shared among members and which informs how they think, feel and react to various situations in the course of their duties. Police culture also has considerable influence over the internal character of the police organisation, shaping the nature of the relationship among members themselves²¹⁸.

As a central part of my mandate, it was important to examine the issue of culture within the CPS. This Review and its related recommendations have significant implications for the culture within the organisation. The prevailing values and attitudes have served as a lens through which I could understand the organisational practices related to use of force. Moving forward, it is these

²¹⁷ Workman-Stark, A. (2017). *Inclusive Policing from the Inside Out*. Ottawa, ON: Springer.

²¹⁸ Campeau, H. (2015). Police Culture at Work: Making Sense of Police Oversight. *British Journal of Criminology*, 55, 669-687.

values, behaviours and attitudes that will provide the impetus for the attainment of improvements and changes, where required.

Police culture has quite often been characterised in terms of its undesirable features; the distrust between ranks, harassment, suspicion, cynicism and bullying²¹⁹. Yet there are positive elements to this culture as well, such as camaraderie, support, commitment to duty and sacrifice²²⁰. During the course of this Review I, like other members of the public, have heard of the allegations of bullying and harassment within the CPS and have also heard of the various efforts, largely led by the Employee Services Division (ESD) to address these issues. I have also seen examples of the positive nature of policing; men and women who are committed to the organisation's mission, to protecting the people of Calgary and who are working tirelessly to create a stronger CPS.

In any discussion about culture, it is important to recognise that culture is neither monolithic nor uniform. In large entities such as the CPS, there is a distinct organisational culture, largely informed by the senior management. "Through their words and actions, police executives establish norms about risk-taking, health and wellness, employee empowerment, dress and deportment, and the actions that are more favorably viewed in terms of promotions, job assignments,

²¹⁹ McCartney, S., & Parent, R. (2015). *Ethics in Law Enforcement*. Victoria, BC: BCcampus. Retrieved from <http://opentextbc.ca/ethicsinlawenforcement/>

²²⁰ Supra note 217.

and other types of rewards”²²¹. This influences policies and procedures and eventually is manifested in the behaviours of employees that are then rewarded and acknowledged. Researchers also point to the culture that exists at different ranks or levels, for example among frontline officers, noting that this tends to mirror the traditional or universal police culture and is directed at meeting the immediate needs of the job. In some instances, it has been suggested that greater distance between the executive and the frontline results in distrust and alienation²²².

Discussions about police culture have also focused on its role in fostering the development of the next generation of police officers. Police culture is at the heart of the transformation or conversion of the civilian recruit to the organisational ideal²²³. In some situations, this process of socialisation enables the new police officer to learn the practical demands of the job, through mentorship by more experienced officers. The opposite is also true. This process can also facilitate the transfer of negative habits, perceptions and practices; erasing the positive influences from recruit training. Some officers I interviewed recall being told on their entry into the field, ‘forget all the crap that you heard in training, this is the real world’.

²²¹ Ibid, p. 27.

²²² Ibid.

²²³ Conti, N. (2010). Weak Links and Warrior Hearts: A Framework for Judging Self and Others in Police Training. *Police Practice and Research*, 12(5), 410-423.

Policing as a Profession

There continues to be much debate about whether policing can or should be regarded as a profession. That decision remains outside the realm of this Review. However, it is important to discuss some of the elements of professionalisation that are of merit to the work of the CPS. A profession is organised and characterised by a body of specialised knowledge acquired through extensive education, training, experience²²⁴ and a well-considered set of internal standards and ethical guidelines that hold members of that profession accountable to one another and the entity they serve²²⁵. Different researchers suggest varied criteria that should be considered in the process of professionalisation. These include being dedicated to serving the needs of the public; recruiting and selecting qualified applicants; establishing and adhering to substantial training and certification requirements; formalised code of ethics and a professional culture that fosters adherence to standards of excellence and guards against underperformance and corrupt practices.

My overall impression, throughout my time spent within the CPS, reaffirms my belief that the work being done in all these areas has many of the attributes of a professional organisation. At the very foundation, I believe that I can attest to the overwhelming commitment of the members of the CPS to the organisation's

²²⁴ Carlan, P., & Lewis, J. (2009). Professionalism in Policing: Assessing the Professionalization Movement. *Professional Issues in Criminal Justice*, 4(1), 39-57.

²²⁵ Evetts, J. (2006). Short Note: The Sociology of Professional Groups. *Current Sociology*, 54(1), 133-143.

mandate. This is evidenced in the daily efforts which seek to review and improve services and approaches, in meeting the needs of a growing City. Secondly, the CPS has a very robust recruitment and selection process; more robust, I think than the requirements that have been established at the provincial level. This has facilitated the engagement of some of the most qualified and dedicated men and women to serve within the organisation. The third area relates to training and certification and presents as an area in which the CPS has significant work to do. Previous sections have captured the substantial comments relating to the efforts within the CPS with regard to training and certification. Key recommendations to address any deficiencies I have identified have also been noted. The fourth component speaks to a code of ethics. During the course of this Review, I learned that the CPS was engaged in a process of developing an organisational ethos and code of ethics. Finally, the culture, a component which I believe is being informed by these varying processes and at the same time informing the scope of changes within the organisation.

Ethos and Code of Ethics

Ethics and ethical standards have been generally described as “doing the right thing at the right time in the right way for the right reason”²²⁶. There is an expectation that CPS officers will conduct their duties in an ethical manner both

²²⁶ Grant, K. (2002). Ethics and Law Enforcement. *FBI Law Enforcement Bulletin*, 71(12), 11-14

on and off the job. Ethos is regarded as the consciously reflected, identifiable culture, spirit or set of characteristics that define or conjoin a specific group or community²²⁷. There is a reciprocal relationship between an organisation and its organisational ethos. On the one hand, ethos is informed by the core values, principles and behaviours of members and on the other, ethos constantly informs the organisation's values, role within the community and the actions and behaviours of the members. Essentially, the values, beliefs, and principles of the organisation are borne out in the way members do their jobs. The ability of the CPS to deliver effective and efficient policing services to the citizens of Calgary depends upon its members embracing both a collective and individual identity as members of a policing tradition. This includes having a common understanding of the unique culture and values, rooted in the specific history and traditions of the organisation. Service-wide acceptance of the CPS's ethos facilitates collaboration among the numerous bureaus, divisions, sections, and units of the CPS, comprised of both civilian and sworn members, in a unified effort to deliver required services to the people of Calgary. It also fosters and sustains trust between the CPS and members of the community.

²²⁷ Glauner, F. (2016). *Future Viability, Business Models and Values: Strategy, Business Management and Economy in Disruptive Markets*. Grafenaschau, DE: Springer.

Oath of Office (Police Officer)

New officers swear or affirm an oath of office on the very first day of recruit training. The oath states,

I swear [affirm] that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, her heirs and successors, according to law, in the office of police officer for the City of Calgary and that I will diligently, faithfully and to the best of my ability execute, according to law the office of police officer, and will not, except in the discharge of my duties, disclose to any person, any matter or evidence that may come to my notice through my tenure in this office²²⁸.

The CPS has done further work to expound on the nature and value of the oath, to secure a personal commitment to each tenet. Officers are encouraged to reflect on the oath as,

a promise made at the start of your career and lived for a lifetime. Your choice in career brings with it a profound responsibility as well as honour. It allows you to bear witness to life's most promising and most trying moments. It is in those moments that you put into practice, not only the training that you have received but also the promise you have made to

²²⁸ Supra note 27, p. 57.

serve as a member of the community whose words and actions should hold greater weight than the words and actions of others.

There is a reason why you wanted to swear this oath, wear this uniform, carry your badge and make a difference in the lives of others. Let this drive you through your first days on the job to your last. Let it serve as a way to be uplifted when the days seem full of challenges and humbled when the days are full of success.

You have chosen to be guided by a duty of care to all those that you meet. Whether they are harmed or the ones harming, you give them care that is dignified and void of judgment. Your badge and your uniform serve as a reminder to anyone in the community that when they are in your care you set an example of what it means to treat others fairly. Respecting the sanctity and dignity of life of all, even those who have caused harm to others is how we serve honourably. This is an underpinning of our Canadian values and our democratic principles.

In acceptance of this oath you understand that the expectations placed upon you are far different than other professions. Whether on shift or at home you are always seen as representing your Service and your fellow

officers. Your actions will always be scrutinized and you accept the transparency and accountability that is inherent in this.

Know that in accepting this oath you carry both the rights and responsibilities that empower you to improve the quality of life in our communities, but also the ability to forever alter the course of life through your actions. Embrace the accountability that comes with this role and see it not as a hindrance but as a necessary measure in upholding the public's deep trust in us. We not only enforce the law, we obey the law as members of our community²²⁹.

Guiding Principles of the Calgary Police Service

In a revised document, the CPS identifies four principles guiding its work with the citizens of Calgary; *commitment to the community, fostering collaboration, nurturing trust and driving innovation*. The document outlines that members of the CPS are “defined not only by [their] ability to keep people safe in the moment, but equally by how [they] work towards finding meaningful, long-term solutions to the challenges faced by people, families and communities”²³⁰.

²²⁹ Calgary Police Service. (2018). *Ethos*. Draft document. Calgary, AB: CPS.

²³⁰ Ibid.

Core Values of the Calgary Police Service

A recently revised document identifies seven core values of the CPS; respect, honesty, integrity, compassion, fairness, courage and accountability. This has been elaborated as:

Our **respect** for the values, beliefs, thoughts and ideas of others is the foundation from which we build trust with one another and the community. **Honesty** and **integrity** guide our actions. We have a duty to care with **compassion** and **fairness**, ensuring impartial and just treatment to all. We show **courage** while we face adversity and stand up for what is right. We are always **accountable** to those we serve and to each other.

We strive to create a community that is safe, diverse, inclusive and inspired. We are honoured to serve.

Together, we are CPS²³¹.

Militarisation of Police

The phrase militarisation of police usually relates to the use of military equipment²³² and tactics by police services, to support their law enforcement

²³¹ Ibid.

roles²³³. The birth of the militarisation of North American police has been traced back to the Watts Rebellion in Los Angeles in August 1965. A fight between an African-American motorist and police officers who had stopped him on suspicion of reckless driving escalated into six days of intense fighting between police and members of his family. The Los Angeles Police Department (LAPD) was not equipped or trained to bring this kind of situation under control, and therefore the California Army National Guard was deployed to lead a paramilitary response to the disorder²³⁴. At the end of six days, 34 persons were killed, 977 buildings were damaged or destroyed and there was over 40 million dollars in property damage. The Watts Rebellion is still regarded as one of the most destructive riots in American history and is identified as one factor informing the development of the first Special Weapons and Tactics (SWAT) team in Los Angeles in the 1960s²³⁵. The war on terror, which followed the 9-11 attacks facilitated access to surplus and like-new military equipment for police services in the United States, at minimal cost²³⁶.

Like their American counterparts, police in Canada can access military-like equipment (albeit on a smaller scale) through the Directorate Disposal, Sales,

²³² Balko, R. (2013). *Rise of the Warrior Cop: The Militarization of America's Police Forces*. New York, NY: Public Affairs.

²³³ Kraska, P. (2007). Militarization and Policing: Its' Relevance to 21st Century Police. *Policing*, 1(4), 1-13.

²³⁴ Hinton, E. (2016). *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America*. Cambridge, MA: Harvard University Press.

²³⁵ *History of S.W.A.T.* Retrieved from www.lapdonline.org/metropolitan_division/content_basic_view/849

²³⁶ Atkinson, C., (Director) & Hartrick, L. (Producer). (2016). *Do Not Resist* (Documentary on DVD). Sausalito, CA: Vanish Films.

Artefacts and Loans; a division of the Department of National Defense. This group oversees transfers, subject to various regulations of the Treasury Board. Municipal or provincial police can request surplus material through the solicitor general's office. Some examples include but are not limited to,

- The RCMP has received night vision goggles, webbing and field equipment from the Canadian Forces;
- Windsor Police received a light armoured vehicle from the Canadian Forces in 2014;
- Police in Edmonton, Windsor and New Glasgow have received 'de-armed' armored fighting vehicles.

Another factor seen to inform the militarisation of police services is the mega-events funnel. Major events, such as a G20 Summit, facilitate the procurement of military equipment and the deployment of tactics to support additional security. Once the event is over, if a tool is available it's likely to get used outside of the initially stated purpose. Some examples include,

- Long range acoustic devices or sound cannons that were initially purchased for a G20 Summit in Toronto have since been acquired by Toronto and Montreal

police services. The equipment is capable of vibrating human bones and can induce nausea and vomiting²³⁷.

- 71 closed circuit television cameras were installed for the G20 Summit in Toronto. After the Summit 52 were re-deployed.

The literature reviewed supports police possessing and training with specialised equipment and tactics to respond to unusual events such as hostage situations, barricaded individuals, active shooters, terrorist events, or crimes in progress that pose a serious threat to community safety.

Proponents of militarisation argue on the one hand that law enforcement needs to advance in line with the threats being encountered. Hence, access to military-style equipment and tactics provides opportunities for a more robust response to threats to public safety by those in law enforcement. Others have argued that specialised teams such as SWAT provide opportunities for police services to effectively neutralise threats to public safety by using highly skilled and appropriately equipped police officers.

Arguments against militarisation have largely focused on what is regarded as the misuse of military-style equipment and tactics by police services. For example, in

²³⁷ Smith, N., & Cowen, D. (2011). Martial Law in the Streets of Toronto: G20 Security and State Violence in T. Malleson & D. Wachsmuth (Eds.), *Whose Streets? The Toronto G20 and the Challenges of Summit Protest*. Toronto, ON: Between the Lines.

the United States, a 2014 study by the American Civil Liberties Union (ACLU) found that approximately 79% of SWAT deployments were to execute a search warrant for drug investigations and only approximately 7% were for hostage, barricade or active shooter scenarios²³⁸. The ACLU argued that this abuse of force negatively impacts public trust and confidence. Police themselves also agree that approaching a crowd in a militarised fashion has the potential to increase violence, and drives a wedge between the police and the community.

Militarisation and the Calgary Police Service

The CPS, like many other policing services has different tactical equipment and munitions to support its law enforcement roles. For some, the argument could be made that having an armoured rescue vehicle or irritant gas munitions equates to militarisation of policing. However, my perspective is that the availability of this equipment does not in and of itself equate to militarisation. But it may reinforce the stereotypical notion that law enforcement relies on an authoritarian regime, in which mindless individuals are programmed to “shoot first and ask questions later”²³⁹. This unfortunate perception unduly detracts from the necessary capacity of police officers to critically assess a situation and deploy the most appropriate resource to fulfill their mandate. It also contravenes the modern

²³⁸ American Civil Liberties Union (ACLU). (2014). War Comes Home: The Excessive Militarization of American Policing. Retrieved from <https://www.aclu.org/sites/default/files/assets/jus14-warcomeshome-report-web-rel1.pdf>

²³⁹ Cowper, T. (2000). The Myth of the “Military Model” of Leadership in Law Enforcement. *Police Quarterly*, 3(3), 228-246.

concept of the military, which “far from being the creaking bastion of rigidity...has developed operational doctrine based on decentralisation of decision making and action”, with “independent and audacious teams led by innovative, knowledgeable and dynamic leaders”²⁴⁰.

To what extent are officers at all levels within the CPS able to take action to resolve issues and accomplish key outcomes without detailed orders or supervision? My Review has found that there are examples that indicate both the presence of this ability and capacity as well as the absence of this ability. Like many police agencies, the CPS has traditionally operated with a centrally controlled structure that is characterised by top-down order transmission and bottom-up reporting²⁴¹. There is evidence that the CPS is implementing efforts to support a transition to a less centrally directed model. This is however, perceived by many as slow and often lacking the required communication across members.

Further, to what extent, does the current culture admonish or punish those who make the slightest mistake in the commission of their duties? Some officers with the CPS have identified this as an area of concern. In my conversations with officers of varying ranks, it was identified that the tendency to admonish rather than focus on opportunities for learning means opportunities to learn from errors

²⁴⁰ Ibid, p. 234.

²⁴¹ Supra note 217.

are not effectively utilised within the CPS. This has implications for SBOR debriefs and its alignment with in-service training. This environment, where it does exist, fosters intellectually rigid individual officers bound to tradition and regulations, unable to deal effectively with both the dynamics of modern policing theories and the communities they serve²⁴². A process that fosters open after-action dialogue can greatly inform learning and improvements in operations.

Cultivating the Officers' Mindset

Different police services have relied on an image or metaphor to support the teaching of important messages and ideas. This practice has supported the development of shared meaning and purpose in training exercises. Some of the different metaphors used by policing agencies include warrior images (samurai, contemporary soldier, special forces operatives & teams, heroic knight, paladin)²⁴³, a lion and zebra, a sheep and a sheepdog²⁴⁴, a predator, a mother bear, a guardian and various heroic police figures²⁴⁵.

The choice of metaphor and imagery has been a source of recurring debate, in part due to the direct and indirect meanings conveyed by the different options.

²⁴² Ibid.

²⁴³ Supra note 80.

²⁴⁴ Huth, C. (2016). Public Trust and the Warrior Ethos. Retrieved from <https://www.linkedin.com/pulse/public-trust-warrior-ethos-charles-huth?trk=prof-post>.

²⁴⁵ Rahr, S., & Rice, S. (April 2015). From Warriors to Guardians: Recommitting American Police Culture to Democratic Ideals. *New Perspectives in Policing*. Washington, DC: National Institute for Justice, p. 1.

For example, some researchers have criticised the warrior metaphor used by some agencies because it appears to be a reversal of Sir Robert Peel’s ideal: “the police are the people, and the people are the police”. This approach emphasises a “culture and mindset more like warriors at war with the people [they] are sworn to protect and serve”²⁴⁶. The behaviour of the warrior cop, leads to the perception of an occupying force, detached and separated from the community, missing opportunities to build trust and confidence based on positive interactions²⁴⁷. They juxtapose the warrior mindset against the guardian mindset, noting that “people tell good cops what is going on in their neighborhoods and work with them to keep it safe. They view good cops as part of their community – one of the distinguishing characteristics between cops with a guardian mindset and cops who operate with a warrior mindset”²⁴⁸. Others have argued that the use of warrior may connote symbols of individuals preparing for war and blindly following orders.

Willis on the other hand argues that the warrior mindset is often misconstrued as ‘us vs. them’. Instead, he emphasises the importance of a warrior spirit as having more to do with the individual officer and his/her innate character rather than extrinsic nature. He argues that a warrior is not someone who fights for the sake of fighting; disrespects others by embarrassing, belittling or demeaning them;

²⁴⁶ Ibid, p. 1.

²⁴⁷ Ibid, p. 4

²⁴⁸ Ibid, p. 3

abuses his or her position of authority or someone who lacks the courage to admit they are wrong and to take responsibility for their actions. Key characteristics of the warrior spirit that he outlines are, among other things, being committed to a cause greater than oneself; standing up and defending those who cannot stand up for, or defend themselves; being committed to training, to learning, to fellow warriors, to the profession, to one's family; embracing values of honour, integrity, courage, bravery, honesty, humility, compassion and empathy; understanding that courage is the ability to do what is right even when it is not popular or expedient and accepting responsibility for ones choices, actions and words²⁴⁹.

Another example of the critique levelled against this type of metaphor is found in the sheep-sheepdog allegory. Members of the public are primarily regarded as sheep, operating in constant fear of predators. Police officers and other law enforcement personnel are the sheepdogs that vigilantly protect the hapless, naive sheep from the wolves (criminals) that stalk them²⁵⁰. This metaphor has also been criticised because of the notion that the members of the public are stupid, unaware of existing threats or lack the capacity to aid in their own defence. In this metaphor, the sheepdog adopts a posture characteristic of a predator, as it strives to keep the sheep in line. This transformation puts the

²⁴⁹ Willis, B. (2016). An Apology from a Warrior Trainer. Retrieved from <http://winningmindtraining.com/an-apology-from-a-warrior-trainer/>

²⁵⁰ Supra note 244.

sheep in a perpetual state of fear and it also heightens the level of distrust of the sheepdog among sheep. This runs counter to policing efforts to engage members of the public as partners in efforts to prevent or reduce crime.

Officer Mindset and the Calgary Police Service

Norris found that, “the CPS does not have a single metaphor that it uses in skills training”²⁵¹. Instead, there appears to be an unresolved tension between how to best represent in imagery or metaphorically, the organisation’s commitment to community-based policing alongside the organisation’s responsibility to sometimes use lethal force. He notes that agreement on “core metaphors and symbols for training is required to help recruits overcome a natural reluctance to use violence and to prepare them to use force (deadly if necessary) in a way that is legal, moral and in service of the organisation’s mission. To be truly effective, a core policing metaphor needs to be both a point of unity and aspiration”²⁵².

The CPS may best benefit from a combination of elements of various metaphors and imagery. For example, Huth notes that the warrior mindset may have useful components as it relates to the physical, mental and spiritual readiness of the police officer, in that it prepares the individual to act courageously in challenging circumstances. Similarly, Willis argues that the warrior concept reflects the spirit

²⁵¹ Supra note 80, p. 81.

²⁵² Ibid.

of service, the spirit of commitment, the spirit of professionalism and the spirit of the law enforcement profession. He cautioned that the guardian and warrior are not mutually exclusive and should be understood as desirable components of the same officer. Norris suggests building on the guardian metaphor, in that it contains the “positive elements of the warrior, sheepdog, predator and paladin metaphors without their drawbacks”²⁵³.

Having a consistent metaphor and associated imagery across all units within the CPS will also be important. It is very easy for different units to create and disseminate different metaphors and imagery as representative of the organisation, albeit without the agreement of the organisation. Having agreement on the tone of this kind of imagery and the approval process for use should be centrally managed within the organisation to guard against the use of imagery that could negatively impinge on the organisation’s reputation.

Awards and Recognition

There are a number of awards²⁵⁴ available to members of the CPS as well as to members of the public who have made an extraordinary contribution to the CPS. CPS employees can be nominated by peers, direct reports or supervisors. All

²⁵³ Ibid, p. 82.

²⁵⁴ Information on Awards and Recognition retrieved from <http://cpsnewsroom.wordpress.com/human-resources/all-members/awards/cps-service-events-and-awards/chiefs-awards/>

nominations are reviewed by the Chief Constable's Awards Board, which consists of sworn and civilian members of all ranks. Their recommendation is then forwarded to the Chief Constable for approval.

The highest level of recognition is a **Chief's Award**; these awards represent extraordinary acts by an individual. Recipients are honoured at a merit pin presentation and the annual Chief's Awards Gala. Sworn and civilian members are recognised with merit pins (Bricks) that can be worn with their work attire, identifying them as an award recipient. All recipients receive a framed embroidered copy of the Chief's Colours, which features at its center the Coat of Arms of the Chief Constable.

Categories for the Chief's Award are:

- The Boyd Davidson Memorial Award is presented in memory of Detective Boyd Davidson, who was killed in the line of duty in 1974. This award is presented in recognition of an outstanding act of courage and heroism. It was presented for the first time at the 1998 Chief's Awards.
- The Award of Valour recognises an act of valour where a police service member was at substantial risk of injury or death while attempting to preserve the life of another individual.

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- The Life Saving Award recognises an act that goes above and beyond what would reasonably be expected, and in which the person saves or attempts to save the life of another individual.
 - Excellence in Mental Health Intervention recognises exemplary use of de-escalation techniques, compassion, respect or critical judgment in dealing with an individual experiencing a mental health crisis. This award was introduced in 2018.
 - The Award of Excellence recognises exemplary performance through a proactive and positive approach, sustained effort and sound judgment. The Committee looks for evidence of persistent exemplary performance over an extended period, measureable improvements (effectiveness, workplace environment, and efficiency) or unique approaches to improve the quality of the workplace.
 - The Community Service Award recognises outstanding sustained effort which positively impacts the community.
 - The Leadership Award recognises initiative in leading a team or a group to a significant accomplishment which positively impacts the community and the CPS.
 - The Award of Investigative Excellence recognises exemplary performance in a complex investigation through innovation, perseverance and leadership.

Chief's Award Team Citations recognise exemplary team performance or achievement. Teams are recognised at a private group event, hosted by the Chief. Each member of the team is acknowledged with a plaque. Categories for this award include:

- The Team Citation recognises exemplary team performance or achievement through diligence, sustained effort and sound judgment which contributes to the quality of life in the community or enhances the capacity of the Service.
- The Team Citation for Investigative Excellence recognises exemplary team performance during a complex investigation through sustained effort, perseverance and innovation. Criteria from the Award of Investigative Excellence may be applied.

At the direction of the Chief's Awards Board, a nomination may be directed to receive any one of the following subsequent levels of recognition:

- A **Deputy Chief Noteworthy** is a letter of commendation from a Deputy Chief which is sent to the recipient, their direct supervisor and their commander. The noteworthy is also filed on the recipient's personnel file.
- **Commander's Compliment** is a letter of commendation from the recipient's commander. The compliment is also filed on the recipient's personnel file.

Members may also be nominated for **external agency awards**. These awards are generally submitted through the Chief's Awards Board. Examples of these awards include:

- Alberta Community Justice Awards recognises people in the community, including police, who go the extra mile to prevent and address crime in Alberta. Criteria includes: leadership, innovation, service enhancement, community mobilisation and partnerships and collaboration. The nomination has to be done by an individual or organisation, not a police service or a fellow member.
- Canadian Association of Chiefs of Police (CACP) offers a number of categories including: Police Exemplary Service Medal, International Policing Award, Traffic Safety Awards and the Policing Partnership Award. The Bank of Canada Law Enforcement Award of Excellence for Counterfeiting Deterrence is also offered through the CACP.
- Calgary Police Commission Community Policing Award honours individuals, groups, organisations and businesses that contribute in an extraordinary way to improve police policy and/or the ability of the CPS to serve the community.
- Governor General of Canada Honours focus on achievements that are exceptional, individuals who have performed outstanding acts of bravery or who have benefited Canada or humanity in general. This includes the Order of

Merit of the Police Forces, Decorations for Bravery, Meritorious Service Decorations and Medals.

- St. John Ambulance Life-saving Awards acknowledges individuals or groups of individuals who have administered first aid while saving or attempting to save a life. To recognise these individuals, St. John Ambulance grants two awards at the national level by the Chancellor and one at the provincial/territorial level by the Chair of the Council.
- Alberta Association of Chiefs of Police (AACP) Outstanding Achievement Awards was created to enable formal recognition of employees, citizens and community groups in the categories of Outstanding Service, Volunteer Activities, Crime Prevention and Community Policing Initiatives.

Early Intervention Program

The Early Intervention Program (EIP) is designed to promote the well-being of officers by empowering supervisors to proactively approach potential performance concerns in order to support the professional development of officers under their charge. The EIP is a critical tool in identifying inter-related factors and situations that have the potential to negatively impact an officer at home or at work. It helps to ensure effective and accountable performance by providing resources that help safeguard officers, the CPS and ultimately, the citizens of Calgary.

The program adopts a non-disciplinary, problem-solving approach in handling performance concerns for officers. Employee support is informal and typically involves counseling, training and wellness support. The program tracks administrative concerns; automated technology enforcement program (ATEP²⁵⁵); citizen contacts; compliments; internal and external complaints; leave reports; pay duty; missed courts; SBORs; statutory complaints and vehicular accidents.

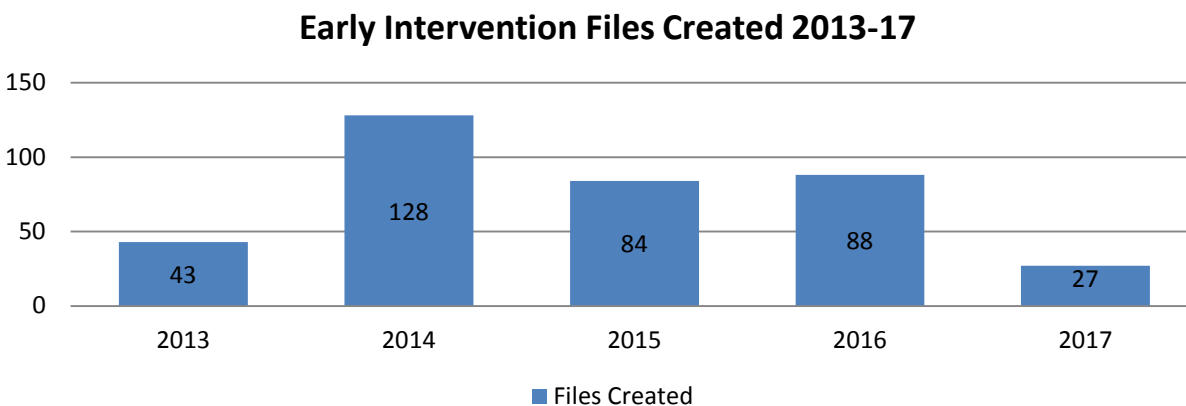


Figure 20: Number of files created by the Early Intervention Program, 2013-2017

The Early Intervention office receives an alert once an officer reaches a threshold of incidents on the monitoring system. This information is reviewed by an analyst for trends and where required, is reported to the officer’s front line supervisor(s). By conveying the information to the supervisor, the office is

²⁵⁵ ATEP is an internal CPS program which monitors the receipt of photo enforcement violation notices (red light camera, speed on green, photo radar) by officers while operating police vehicles.

ensuring that they are aware of the situation and can become proactively engaged in managing, accounting for and supporting the desired team performance. Supervisors also have the ability to request specific reports from the Early Intervention office to monitor performance in individual members, a team or to ascertain Service-wide comparisons. Information in Figure 20 above shows that the program created a total of 370 files. There were 18 requests from frontline supervisors for the creation of a file on selected officer(s) between 2014 and 2017.

Rotation to Patrol (Tenure)

Tenure is a human resource and management initiative that is designed to provide officers with “opportunities to develop their individual skills, expertise and career paths”²⁵⁶. It is intended to complement other initiatives including transfers, promotions, succession management, assessment, learning programs and career planning. Tenure introduces limits on the time officers can serve in specific positions, with consideration of such factors as, “training costs and needs; the level of expertise required; quality of service; stress and psychological impacts; career path; succession planning and mentoring; transferring knowledge; and providing tenured experience to patrol”²⁵⁷. Examples of established tenure periods for constables include a maximum of three years in the District

²⁵⁶ Calgary Police Service. (2016). *Tenure* (new). Calgary, AB: CPS, p. 1.

²⁵⁷ *Ibid*, p. 2.

Operations Team; five years in CCLC; seven years in Cybercrime Support and 10 years in the Tactical Unit. The tenure period mandates the rotation of officers and provides an opportunity, particularly for frontline officers who have demonstrated the readiness for career progression, to experience other aspects of policing. It is also designed to “improve call response, training and development by returning expertise to patrol and ensuring skillsets and experiences learned in specialty positions are transferred to members”²⁵⁸.

The CPS tenure requirement was initially introduced in the Transfers-Lateral Transfers policy in 1998. In early 2016, CPS introduced a revamped tenure program to assist in achieving the following priorities set out by the Chief Constable:

- enhancing investigative development by offering opportunities to a wider group of employees; and
- enhancing call response and training and development by returning expertise to patrol to ensure skillsets and experiences learned in non-patrol positions are transferred to all employees.

The current program is being implemented in two phases. Phase one, which is currently being implemented, focuses on constables who have exceeded or are

²⁵⁸ Calgary Police Service. (2016). *Standard Operating Procedure for Tenure and Returning to Patrol*. Calgary, AB: CPS, Human Resources Operations Sections (HROS).

nearing their tenure in selected non-patrol areas. Phase two will assess the needs involved in implementing tenure at the Sergeant and Detective level.

Constables are required to return to patrol duties for a period of one year following the expiration of their tenure period in a non-patrol placement²⁵⁹. The non-patrol unit is responsible for completing an Annual Tenure Plan to identify the members to be tenured out based on the principle of “First In, First Out”. The Integrated Human Resource Services Section notifies an officer at least eight weeks before the expiration of their tenure. Members returning to patrol from non-operational positions are encouraged to complete the Patrol Officer Reintegration Course (Appendix K) and are partnered with a mentor to support their reintegration into patrol. Officers also have the option to work with a DTO on individual training needs. The tenure period may be extended for up to 12 months. The Inspector prepares and submits an application for an extension of the tenure period. These applications are reviewed and approved by the Superintendent in charge of the Division of the requesting area²⁶⁰, who is required to “apply fair and consistent rationale for extension approvals²⁶¹”. Final approval is provided by the Manager, Integrated Human Resources Section. The extension form has to include a plan for the member to meet tenure requirements at the end of the extension period.

²⁵⁹ Exceptions apply for officers in Break and Enter, District Operating Teams, Gang Suppression Team, Arrest Processing Section, Coordinator of RTOC Directed Patrol and the Traffic Response Unit.

²⁶⁰ The Division Superintendent decides on extension of tenure in consultation with the Commander for the specific section and Inspector, HROS.

²⁶¹ Supra note 256, p. 3.

As of February 2018, approximately 71²⁶² constables have been tenured out from 61 non-patrol units, and 13 extensions for non-patrol officers to remain in their current unit have been approved. One review of a previous tenure policy noted the perception that some practices “are not transparent and fair and that the policy and administration of tenure is often unevenly applied”²⁶³. A 2017 review of tenure found similar sentiments still persist in spite of policy and program changes. Officers cited concerns with the desired redistribution of expertise, noting that “tenure does not show respect for expertise that members work so hard to develop”²⁶⁴. Similar responses to tenure policies have occurred in other police services, with Ottawa Police terminating their program in 2015 following complaints that the program was negatively impacting police morale.

The CPS has since announced its intention to audit the current tenure policy to,

- determine if the current tenure process and policy are adequate to meet the needs of the two CPS priorities and individual members in an effective and efficient manner; and
- determine if the tenure process is [being] implemented in a fair and consistent manner to ensure compliance with the tenure policy²⁶⁵.

²⁶²Tenure numbers will be further verified during the audit. The number of postings for Tenure positions in the non-patrol units has not been identified as of February 2018.

²⁶³ Calgary Police Service. (2005). *CPS Tenure Report*. Calgary, AB: CPS, Human Resources Section, p. 1.

²⁶⁴ McCarthy, A., Evans, H., & McCarthy, P. (2017). *Inquiry to Inform Action*. Report prepared for the CPS. Cultural Dynamics Strategy & Marketing.

²⁶⁵ Calgary Police Service. (2018). *Tenure Audit Scope*. Calgary, AB: CPS, Operations Audit Section, p. 4.

Research Findings and Officer Concerns

Police culture is a significant issue informing the work the organisation does and how police officers do their jobs. The CPS, like many police services has strong, positive elements of culture that can be harnessed in efforts to support organisational changes and development. Like other organisations, the CPS also has to contend with its share of challenges which must be acknowledged and addressed. Conversations with members highlighted concerns about issues with organisational support, engagement, leadership, risk aversion and communication.

Morale

Results of the 2017 Employee Survey²⁶⁶ indicate a sharp decline in number of employees who believe that morale at CPS is good, falling to 4% in 2017 from 18% in 2014. Members attributed this decline to increasing dissatisfaction with the promotion process, noting that the existing approach does not allow for the promotion of the most qualified person for the job. Members also pointed to factors including growing dissatisfaction with the organisation's leadership, perception that there continues to be limited communication about decisions within the organisation, absence of recognition for employees who excel at their

²⁶⁶ Illumina Research Partners (2017). Calgary Police Commission Annual Employee Engagement Survey Report. Calgary, AB: Calgary Police Commission and Illumina.

jobs and a general sentiment of an increasing workload without the required personnel. Employees also pointed to dissatisfaction with the implementation of tenure and the Sentry projects.

Prioritisation of the Negative

Officers noted ongoing concern with an apparent willingness on the part of the CPS Executive to prioritise focusing on the negatives, without a similar focus on highlighting key achievements. Some examples shared include the unwillingness to share stories with the media that highlight positive outcomes achieved by members of the CPS, or the lack of internal recognition of successful outcomes such as officers de-escalating a tense call. Officers suggested that instead the CPS seems to highlight the negative outcomes associated with officer interaction with the public, accompanying this with punitive action and a tendency to prioritise opportunities to admonish officers for errors. Some officers noted that this culture limits opportunities to engage in open debriefs which then has implications for learning and improvements.

Officers also noted that practices appear to extend to a general unwillingness among senior management to identify and address specific areas or individuals of concern. For example, some officers noted that if there is a concern with the behaviour of one or few officers, supervisors are generally not required to identify

and address that behaviour nor the group of officers. Instead of identifying the source of a concern or the officer or officers directly engaged in negative practices, officers indicated that the CPS tends to generalise a solution. This then requires all officers to participate in a remedial activity, which is regarded as a waste of resources; demoralising and often times missing the intended targets of the solution.

Risk Aversion

Some officers noted that there appears to be an increasing focus on liability within the organisation, with a tendency to exercise increasing levels of caution. While some noted that this might be informed by the nature of law enforcement within the current society, others indicated that it appears to be at the core of delays in decision-making around critical issues, for example around tools and training required for vehicle intervention. Officers also indicated that the tendency towards risk-aversion at the organisational level may be informing a similar trend among frontline officers.

This perspective aligns with findings in a recent study by Greg Brown²⁶⁷, pointing to increasing reluctance among frontline officers to engage in “unnecessary interactions” with the public, in order to reduce risks of scrutiny from the public

²⁶⁷ Greg Brown was a member of the Expert Panel on Use of Force in Calgary.

or their organisation. The concept is defined as “de-policing”, where officers limit their contact with members of the public because they fear interactions can contribute to disciplinary actions from their police service or a provincial oversight body, or public shaming, since a number of interactions are captured and shared on social media. Examples indicative of de-policing for Brown include officers opting to wait to be dispatched to a call, rather than actively engaging in activities such as pulling over a driver for a highway traffic infraction; approaching a suspicious person in an area of high break and enters or even seeking out wanted offenders.

Specific to Calgary, the study found that of a total of 350 frontline police participants, 26% (91) were categorised as continuing to actively engage in proactive policing (not de-policers). The remaining 74% of respondents admitted that they were engaged in limited to intensive de-policing or non-engagement in proactive policing. A total of 15.3% (54) of the Calgary police officers who responded identified as being limited de-policers; 29.7% (104) as moderate and 29.1% (102) as intensive.

Staff Rotation Practices

A stated benefit of the tenure process is that it facilitates the rotation of expertise from specialty assignments to the frontline. This allows other frontline officers to

rotate into speciality assignments and benefit from similar expertise. Processes such as tenure and transfers can facilitate the introduction of new ideas and behaviours; possibly guarding against the tendency for a unit to adopt and institutionalise negative practices. However, rotation of staff has its disadvantages which should be considered and weighed. One of the drawbacks of efforts like tenure is that where officers feel their time in the unit is limited, there is the potential for officers to “work at burn-out pace attempting to close big cases, get specialised training, contribute to positive changes and make an impression in that area before being transferred out”²⁶⁸.

Some officers noted that the tenure process does not consider the time and effort they have expended to develop expertise in a particular area of work. This sentiment was also shared in a recent internal review, which noted that “the overwhelming view is that tenure does not show respect for expertise that members work so hard to develop”. The “Inquiry to Inform Action” report further noted that,

Research in expertise indicates that it can take 10 years for an individual to become an expert in their field. Where you have specialisms in which the service has invested up to \$1m in training alone, it makes no sense to arbitrarily remove these individuals from their roles and place them in

²⁶⁸ Christmas, R. (2013). *Canadian Policing in the 21st Century: A Frontline Officer on Challenges and Changes*. Montreal, QC: McGill University, p. 116.

patrol. More than that, individuals are attracted to particular roles because it allows them to exercise and develop their talents and work passions in a way that fuels high levels of work motivation”²⁶⁹.

Another issue which must be considered is the additional resources and time that are now required to support the re-integration of non-patrol expertise into the frontline. It appears the CPS needs to assess the cost-benefit associated with this requirement, noting that “members transferred [to] the frontline, having spent many years away from patrol, need time to get back up to speed, during which he or she is a burden at best and a liability at worst to the rest of the team”²⁷⁰.

Members noted that an underlying objective of the tenure process appears to be an effort to elevate the profile of the frontline. However, they noted that while this may be commendable, the process is undermining its own desired goals, by mandating officers, who lack the required skill set or even the interest, to return to frontline. The process should instead seek to highlight the multi-faceted nature and broad range of skill sets required for frontline work; engaging and retaining officers who are interested in and adequately skilled to serve in these roles.

²⁶⁹ Supra note 264, p. 4.

²⁷⁰ Ibid.

Engagement

Another concern shared by officers was the lack of efforts by senior management to meaningfully engage them in key decisions. Officers noted that it was not uncommon for decisions to be made or key projects to be determined at the level of Executive without frontline input, yet the project or decision has significant implications for their work. This sentiment was also noted in the 2017 Employee Survey which indicates a decline in the number of employees who feel their opinion counts or who have sufficient authority to do their work. Officers suggested that the CPS may benefit from additional efforts around bottom-up decision-making rather than only bottom-up reporting.

Leadership

Officers suggested that there is growing frustration with the Executive related to delays in project approval as well as what they regard as limited information on the general organisational direction. Some officers noted that instead of being specific and providing instructions about what needs to be done, leaders could at least provide general overviews of expectations, which can in turn foster independent but critical thought. Organisational systems that support decentralised and participatory decision-making contribute to employees who understand the value of their individual contribution to the overall mission. It

also fosters critical thought and flexibility to adjust established plans as needed in a manner that remains consistent with broader organisational aims²⁷¹.

²⁷¹ Supra note 239.

RECOMMENDATIONS

Culture appears to be a central issue in any discussion about police use of force. It exists in a constant relationship feeding from and at the same time informing the complex system of values, work-related principles and moral standards among members and how they think, feel and react to various situations in the course of their duties. The CPS has the opportunity to influence and contribute to the desired culture beginning with the recruit selection process. It also has to have the required systems in place to ensure that the desired organisational culture is being reinforced and renewed. This Review recognises the work that has been done and which is currently underway within the CPS to ensure a positive and supportive organisational culture.

In moving forward, having systems that enable this effort to be naturally incorporated into the various processes related to planning, training, and implementation of programs, policies and operations will be critical. There has to be a relentless and consistent repetition of the message for it to become a part of the culture. Therefore, efforts to ingrain critical decision-making and the value of concepts such as time and distance in use of force decision-making need to benefit from deliberate repetitions in policy, programs and operations before it becomes cultural.

The draft code of ethics should be recognised as a valuable start to impacting organisational culture. However, as it relates to the issue of use of force, the code, as well as existing policy, both appear to base the requirement for use of force on the provisions of the Criminal Code. Strict adherence to the Criminal Code may result in use of force that can be described as “lawful but awful”²⁷². Instead, officers should be mandated to assess the extent to which the proposed force response is reasonable, necessary and proportionate to achieve the desired outcome, not whether use of force is “justified” in any particular situation.

The CPS also has to recognise that public accountability requires the sharing of information in instances where there are negative outcomes as well as when these outcomes are positive. During the period of this Review, I have encountered a number of instances where officers have successfully intervened in extremely difficult situations, using principles of de-escalation to prevent harm to themselves and others. Often times, however, these incidents receive little to no attention, feeding into a perception that these occurrences are neither valued nor celebrated.

²⁷² Wogan, J. B. (February 2, 2016). How Police Chiefs Plan to Avoid ‘Lawful but Awful’ Shootings. *Governing*. Retrieved from <http://www.governing.com/topics/public-justice-safety/gov-police-chiefs-shootings.html>.

RECOMMENDATION 46:

- The CPS recruit and in-service training and education on use of force begin with critical decision-making and threat assessment, not whether use of force is “justified” under the Criminal Code.

RECOMMENDATION 47:

- The CPS develop a comprehensive code of ethics for the organisation.

RECOMMENDATION 48:

- The CPS prominently display the organisation’s mission and vision statements across the organisation.

RECOMMENDATION 49:

- The CPS require greater accountability from supervisors to identify issues/officers at-risk, so the organisation can design and implement targeted efforts rather than generalised, cross-service interventions that are less effective and can demotivate officers who are already operating within approved guidelines.

RECOMMENDATION 50:

- **The CPS create and introduce measures to recognise the achievement of officers who implement approaches designed to reduce use of force.**

RISK AVERSION

In many of my interviews with officers, especially frontline patrol, they expressed a concern about liability for their actions (or inactions). That is, they would govern their conduct according to the potential liability that may result. Policing is inherently risky. All risk cannot be eliminated. Legal risk is taught and learned, especially in recruit education and training. Legal risk should only be considered as one factor governing police conduct. It should not dominate.

RECOMMENDATION 51:

- **The CPS amend policies, education and training to ensure a focus on legal liability does not dominate or predominantly govern police conduct.**

OFFICER MORALE

The results of different surveys have pointed to declining morale among members of the CPS. While different recommendations throughout this document should

be understood as intending to address this issue, the CPS should consider the implementation of initiatives that bridge the very appearance of a disconnect between its senior management and members of the frontline. Initiatives including the engagement of senior officers (inspector through to chief constable) in patrol could impact leadership, officers' morale and could certainly ensure these officers remain aware of what is happening on the frontline. This initiative would be seen as positive by frontline officers.

RECOMMENDATION 52:

- **The CPS consider instituting a requirement for all senior officers (inspectors through to chief constable) to join frontline officers on patrol, with such frequency as may be reasonably practical.**

ROTATION TO PATROL (TENURE)

The issue of tenure appears to be of significant concern across the CPS. The desired program objectives stand in stark contrast to outcomes of low morale and the costs associated with the re-allocation of staffing. One of the core issues within the tenure process is an attempt to prioritise and value the work of frontline patrol. However, it does appear that the CPS could institute additional measures that achieve this purpose without impinging on morale, interest in

policing or amassing the related costs. For example, in Edmonton, constables, sergeants and staff sergeants serving in patrol²⁷³ receive approximately three percent (3%) in additional salary per year²⁷⁴.

In addition, I note that the tenure process is expected to enhance expertise among officers involved in patrol. Again, it seems the CPS could accomplish this objective through the introduction and maintenance of a relentless focus on mandatory in-service training and education for members in patrol. This will contribute to the development of required skills and capacities for patrol officers.

A review of the Tenure Audit Scope²⁷⁵ indicates that an assessment of issues pertaining to job demands in the non-patrol units, officer morale and operation performance are all out of scope. Yet the results of recent internal surveys including the 2017 Employee Survey and the Inquiry to Inform Action project both point to growing concerns about the impact of tenure on officer morale.

²⁷³ To qualify for the indexed salary, the member must have completed 5 years of service with the Edmonton Police Service and be actively assigned to patrol.

²⁷⁴ Edmonton Police Association (EPA). (2017). Collective Agreement between the City of Edmonton and the Edmonton Police Association 2016-2017. Edmonton, AB: EPA, pp. 79-80.

²⁷⁵ Supra note 265.

RECOMMENDATION 53:

- The CPS evaluate the tenure program, including its impact on officer morale, to ascertain whether its objectives can be attained without adverse costs and effects on employee satisfaction and amend the program as required.

RECOMMENDATION 54:

- The CPS mandate all officers returning to patrol to complete the Officer Reintegration course.

RECOMMENDATION 55:

- The CPS devise and institute additional measures that recognise, value and reward the contribution of frontline patrol officers on an ongoing basis.

RECOMMENDATION 56:

- The CPS examine existing models that provide additional incentives, including compensation, for frontline members and institute an appropriate option.

EARLY INTERVENTION PROGRAM

The Early Intervention Program appears to provide the CPS with an opportunity for the early identification of potential issues among members. It also provides a platform through which the CPS may support the member to use available resources to prevent any escalation of undesirable conduct. The optimal performance of each member must continue to be a desired outcome of the CPS. This requires the commitment across all areas of the CPS to achieve this mutually beneficial result over a sustained period. While the program does have the scope to support the attainment of this outcome, its current operations need to be improved.

One challenge noted with the Early Intervention Program is that once the report is provided to the officer's frontline supervisor, the Program has no ability to follow-up to determine if the officer has been informed of the issue, if the officer has received any supports and where supports are provided, what is the outcome of such action. Another challenge is that there is currently no sworn officer working in the program. The absence of a sworn officer has implications for communication of findings and the required follow-up to ascertain outcomes.

RECOMMENDATION 57:

- The CPS provide additional resources to the office of the Early Intervention Program, including direct sworn oversight.

RECOMMENDATION 58:

- The CPS implement a system for ongoing reports to the Executive on the range of issues being identified by the Early Intervention Program and the extent to which individuals and Districts are impacted.

RECOMMENDATION 59:

- The CPS implement additional resources to monitor and report on the outcome of reports produced by the Early Intervention Program.

RECOMMENDATION 60:

- The CPS ensure systems of accountability by frontline supervisors in responding to issues identified in Early Intervention reports, for e.g. mandating supervisors to have a conversation with the subject officer once a report is received.

RECOMMENDATION 61:

- The CPS explore additional avenues through which members may engage with the Early Intervention Program, for e.g. an officer may directly seek the assistance of the office in responding to an issue that is impacting or has the ability to impinge on his/her effective functioning.

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STRATEGIC MANAGEMENT

PART I: STRATEGIC MANAGEMENT

Police organisations are complex, operating with complex processes including recruiting, hiring, training, supervising, disciplining, assigning and dispatching officers²⁷⁶. Policing itself is complex; with constant, compelling and competing challenges. Faced with ever evolving crimes and threats, police are increasingly forced to combine the focus on known criminal entities and offences such as drugs, property and person crime, which traditionally defined policing responsibilities, with a newer and rapidly evolving need for attention to issues in cybercrime, organised crime and terrorism.

The multi-faceted nature of policing requires strategic management to ensure skills and resources are targeted at the key areas of concern and not stretched too thinly whereby they become ineffective. Police leaders are required to spearhead the process that facilitates the understanding of existing trends and the implications for their organisation. They also are required to constantly engage in an assessment of projected trends and challenges and how these are likely to impact the organisation. This strategic outlook requires managers to assess the organisation's ability to meet future demands; the implications of these trends for the organisation, including "organisational structure, knowledge,

²⁷⁶ Sherman, L. (2018). Reducing Fatal Police Shootings as System Crashes: Research, Theory and Practice. *Annual Review of Criminology*, 1, 421-449.

skills and expertise, education and training, assessment and reward systems, equipment, cooperative relationships and ...attitudes to be able to adapt to change²⁷⁷". This process is critical to facilitate the development of the functional vision for the organisation and the identification and communication of priorities to all employees to ensure a shared vision.

The CPS is not unlike many policing agencies. It is faced with the ongoing requirements for decisions about programs, resources, partnerships, crime trends and projections. My Review found that there are structures and processes within the organisation to support its effective and strategic management. However, there are some limitations, which if left unattended, could undermine the organisational effectiveness of the CPS. These include consistent approaches to the identification and prioritisation of key areas; resource allocation to support these prioritised areas; and attention to ongoing training and education.

Strategic Management within the Calgary Police Service

Business Planning

The CPS Business Plan outlines the Service's commitments, strategies, goals, objectives, and performance measures. The CPS develops a Business Plan that

²⁷⁷ Waddell, D., Creed, A., Cummings, T., & Worley, C. (2017). *Organisational Change: Development and Transformation*, 6th ed. Victoria, AU: Cengage Learning.

aligns with the City’s Business Plan, which provides information on how City of Calgary priorities will be achieved over a three-year period. CPS is held accountable for the goals and strategies contained in its Business Plan as well as for its progress in meeting them. The Plan itself contains a number of performance measures. CPS also releases Quarterly Reports, which provide updates on its progress and level of success. The business planning process benefits from a bi-annual environmental scan, designed to support the identification of relevant trends and trajectories for policing. The environmental scan focuses on opportunities, challenges and future trends and their implication for the organisation.

Decision-Making Structures within the Calgary Police Service

Responsibility for decision-making is vested in the chief constable, by virtue of the Police Act. The Act states that the chief of police has responsibility for “the day to day administration of the police service; the application of professional police procedures [and] the enforcement of policies made by the Commission with respect to the police service”²⁷⁸. It also states that the chief “shall issue orders and make directives as the chief of police considers necessary”²⁷⁹. To facilitate his decisions, the CPS has developed a structure including the Senior Executive, full

²⁷⁸ Supra note 27, s.41 (1) (c) (d) (e).

²⁷⁹ Ibid, s.41 (2).

Executive, the Operations Council and its Project Management Program Steering Committee.

- Senior Executive is comprised of a representative from Legal, Finance, Strategic Services, Strategic Communications and the Bureau Deputy Chiefs. This body, led by the Chief Constable, is the final decision-making body within the CPS. Senior Executive meets each week and expands to include members of the Operations Council twice each month in a full executive meeting.
- Operations Council includes superintendents and senior civilian managers from the Employee Services Division; Infrastructure Services Division; Information Management and Technology Division; Strategic Services Division; Finance Division and Strategic Communication. The Operations Council meets weekly and has the following responsibilities:
 - reviews and makes recommendations to senior executive ;
 - monitors progress of prioritised projects;
 - ensures optimal cross-division coordination;
 - approves allocation of internal resources to support approved projects; and
 - devises plans for the operationalisation of decisions at the senior executive level.

-
- The Project Management Program Steering Committee (PMPSC) is a sub-committee of the Operations Council. Members of this group include managers in Business Strategy and Research; Employee Services Division; Finance; Infrastructures Services Division; Information Management and Technology Division; Patrol Operations; and Supply. They work to support the application of project management principles in work being done within the CPS, with focus on:
 - facilitating and coordinating the project in-take process;
 - identifying and assisting with mitigating resource capacity and/or constraints; and
 - identifying project redundancies, interdependencies and dependencies.

Challenges to Organisational Effectiveness

“The effectiveness of any organisation, including the police, is underpinned by its awareness of what it exists to do”²⁸⁰. In the absence of clear strategic direction, the organisation will “struggle to determine the best structure in which to operate, or the type of skills its staff will require”²⁸¹. One of the noted challenges for the CPS is clearly identifying its mission and then effectively communicating

²⁸⁰ Kirby, S. (2013). *Effective Policing? Implementation in Theory and Practice*. London, UK: Palgrave Macmillan, p. 27.

²⁸¹ Ibid.

this across the organisation towards attaining the support of all employees. My conversations with civilian and sworn members pointed to significant challenges with the internal decision-making process. Members noted that they found the system does not operate with the required efficiency and sometimes this can lead to the implementation of projects and plans without the required approvals. This is risky and fosters a culture of inconsistencies that can inform other areas of the organisation including training, service to the community and operations.

The vertical or hierarchical structure of the CPS is demonstrated by rank designations across three broad segments – the operating core, the middle line and the strategic apex²⁸². The operating core or frontline are responsible for the delivery of services to the community. The middle line offers direct supervision of the operating core, evaluating performance, identifying issues and managing the flow of decisions between the frontline and the organisation’s strategic leadership core. The strategic core develops and administers the organisation’s vision, desired goals, establishes policies and liaises with external stakeholders.

One of the noted challenges of the vertical structure, particularly in large organisations, is the potential for a very segmented policing entity. This can impede the flow of information up and down the organisational structure. Frontline supervisors have a significant role in the implementation of

²⁸² Giblin, M. (2017). *Leadership and Management in Police Organizations*. Thousand Oaks, CA: Sage.

organisational change processes. However, if middle managers are not provided with required information by the executive, they will fail to provide frontline supervisors with information to justify required changes. In some instances, not necessarily a factor within the CPS, organisational structures can be unevenly distributed, with too many employees concentrated in one level. This has implications for effective communication across the organisation, staff morale, perceptions of engagement, and efforts to support implementation.

A third challenge is an organisation that is so compressed or weighed down by demands, without the required resources so that it has little room for flexibility. This kind of system can result in a culture of urgency in which officers engage in undue haste in order to quickly resolve calls and move to the next call or at least be available to be dispatched, in order to maintain system flow. Another form of pressure emerging from this kind of system is the pressure to contain risk, in which officers perceive the need to ensure that the situation being addressed remains contained to the initial participants and does not spill over to impact others. A system which is designed to be “complexly interactive and quite tightly coupled... all in an attempt to keep the system running constantly at top speed”²⁸³ is at great risk of producing regular and repeated errors. These errors can become so regular that they eventually become a normalised component of operations increasing susceptibility for significant or catastrophic errors or system

²⁸³ Supra note 276, p. 434.

crashes. At an organisational level, this approach can create a system-wide contradiction between doing the present task well and getting it over with as soon as possible²⁸⁴. For an issue such as use of force, this approach undermines the current focus on de-escalation, which urges officers to engage in strategic, thoughtful communication, where time and distance permit. A safer system provides room for officers to critically analyse each situation and apply the appropriate strategy to minimise the risk of a lethal encounter.

Within the CPS, one visible example of this ‘tight coupling’ is the number of projects being undertaken across the organisation. There are approximately 100 major projects that are captured in the organisational project management process, in addition to a number of strategies and audits. Other projects (related to Information Technology; Fleet and facilities; or individual Districts) may not even be captured by this process, creating concerns about resources and efforts to support consistency in organisational practices.

During the Review, I have been advised that the CPS has initiated work to support the development of a robust project management process. This has so far resulted in the approval of the project management process by the Executive, mandating the submission of all projects for consideration, prior to initiation, by the Project Management Committee. It has also led to the initiation of a project

²⁸⁴ Ibid, p. 436.

prioritisation process and the introduction of a project management course through the Project Management Office. This is intended to support capacity development around project management within the CPS.

The CPS has also implemented the Executive Update to inform members of outcomes of both Senior Executive and Operations Council meetings. It does appear that the implementation of a similar mechanism for updates across the various areas, steering committees and projects within the CPS would be useful.

Human Resources and Training

The traditional view of human resource departments is that they focus on issues related to recruitment, benefits and wages, employee relations and performance. However, the Employee Services Division (ESD), particularly through its oversight of training, is increasingly informing the organisation's culture and aligning that culture with the resolution of pressing problems in the organisational development process. This means that the ESD requires personnel with specialised skills and competencies to meet the increasing demand for services and support work across various organisational development components.

My Review found that the CPS has developed and continues to implement robust recruitment, selection and basic training processes targeting new officers. The

process has some systems to support ongoing monitoring and evaluation and there is evidence that relevant departments devise and implement changes as required to support the continued relevance of these processes. However, the systems related to in-service training and education require additional supports to meet the current and anticipated demands on members.

In strengthening the ESD's capacity, the CPS needs to consider the distinct nature of the required functions within this area of the organisation. There is the need to ensure that the ESD has the capacity to continue to focus on recruitment, compensation and benefits. However, there is a symbiotic relationship between the needs of the employees and those of the organisation. The ESD is critical in balancing these sets of needs in fostering organisational sustainability. The other critical area of focus therefore, is anticipation of the organisation's future needs and the development of employees' capacity and organisational processes to meet these needs. This approach fosters the redefinition of job functions beyond narrowly defined, supervisor-directed positions to functions that prioritise critical thinking and team-oriented structures to support collaboration and innovation; provide incentives that foster employee identification, innovation and retention²⁸⁵. By prioritising capacity development, organisations create a platform for better identifying deficiencies in employee skills based on the needs of the organisation. This supports the creation of systems through which

²⁸⁵ Stone, D. & Deadrick, D. (2015). Challenges and Opportunities Affecting the Future of Human Resource Management. *Human Resource Management Review*, 25(2), 139-145.

members can access required education and training to improve their knowledge and capacity and then aligning this capacity with strategy to meet the organisation's needs.

A prioritised focus on the need for training and education within the CPS first requires an enhanced profile and resources for this section or function within this organisation. It also requires the assignment of appropriate leadership with the requisite skills, knowledge, experience and authority to identify employees' developmental needs in line with those of the organisational needs, identify various types and modes of training and learning opportunities and create the systems through which employees may access these opportunities. The development of a culture that views learning as ongoing, aspirational and necessary will enable the CPS to make use of different approaches to training and education. This includes using shorter, bite-sized modules that can possibly be delivered in staff meetings or parades, rather than the more traditional, classroom session that typically requires longer periods. Having structured options that provide training and development opportunities that are designed to support employees interested in new roles is another critical area that can be improved within the CPS. In addition, a strong learning culture could help diminish the perception that debriefs and reviews tend to focus on blame and fault finding, and instead promote the identification of areas for personal and professional growth and development.

Research Findings and Officer Concerns

Strategic Planning

While the CPS does meet the requirements of the City of Calgary Business Plan, it does appear that the CPS suffers from a gap in establishing and articulating its own strategic direction. The absence of a strategic plan that either informs or aligns with the CPS business plan and budget appears to leave the CPS with a number of varied and competing priorities, that are at best unsustainable and at worst, unlikely to be attained. This sentiment was noted in a number of interviews with members and was further reiterated in the “Inquiry to Inform” report. That report indicated that,

Every day that passes without an integrated strategy and strategic goals increase the likelihood that individuals are at least in part, unorganized or worse still, disorganized. It increases the likelihood of ‘good to do’ projects and/or positions that fail to realize their intended organizational benefits²⁸⁶.

²⁸⁶ Supra note 264, p. 3.

Training

Training contributes to enhanced strategic knowledge, so employees know when to apply a specific knowledge or skill. Training has been shown to contribute to improved knowledge within teams, with trained teams demonstrating “better planning and task coordination, collaborative problem solving and communication in resolving new tasks”²⁸⁷. Training has also been identified as a useful method for communicating an organisation’s overall goals throughout the rank structure. It improves productivity, reduces liability and increases self-discipline.

Training, however, is susceptible to a number of challenges which seek to undermine its potential contribution to organisational efficiency and effectiveness. Traditionally, training is likely to be under-funded and very susceptible to additional budget restrictions in times of economic downturn. Training is likely to suffer from a gradual reduction in level of prioritisation, which leads to out of date training materials, curricula and approaches; limited alignment across different departments to support ongoing relevance and trainers who themselves do not have the required competencies to effectively deliver the required training.

²⁸⁷ Ellis, A., Bell, B., Plyhart, R. Hollenbeck, J., & Ilgen, D. (2005). An Evaluation of Generic Teamwork Skills Training with Action Teams: Effects on Cognitive and Skill-based Outcomes. *Personal Psychology*, 58, 641-672.

CPS could benefit from a re-prioritised focus on in-service training and education. This will require leadership, organisational commitment and resources.

Leadership

The issue of leadership is pivotal to the organisation's efforts to develop and clearly articulate an integrated strategy and strategic goals. Officers shared concerns that there appears to be gaps in the strategic direction for the organisation, leading to inconsistencies in training and major initiatives. Other members noted that where one exists, it has not not been clearly articulated across the organisation. The gaps in strategic planning, at least for these members, appears to impact the decision-making process with initiatives starting and then stopping without any clear reasoning or articulation of the basis for the decisions.

RECOMMENDATIONS

One of the primary concerns with strategic management within the CPS is the extent to which the organisation has not prioritised key areas of work. This has contributed to a plethora of projects and initiatives that certainly do not have the required resources to ensure they are completed. While the CPS develops and aligns with the City of Calgary Business Plan, it would certainly benefit from a similar strategic process that allows the organisation to identify, over specific time frames, work that must be done and is feasible. The consistent application of strategic management principles in the business management processes should transcend to other areas of the CPS including recruit selection; training and education; and frontline operations.

RECOMMENDATION 62:

- **The CPS create a comprehensive strategic plan to support the prioritisation and scheduling of initiatives and the allocation of resources to ensure implementation.**

RECOMMENDATION 63:

- The CPS create a Strategic Planning Committee that manages the development and administration of the CPS strategic plan, which should set short, medium and long term goals, that is one, three and five years.
 - a) The CPS should consider placing the Strategic Planning Committee in the hierarchy of the organisation's decision-making, above or in place of the Operations Council.
 - b) The CPS should consider having the Chief Constable chair the Strategic Planning Committee.
 - c) The CPS utilise internal employee surveys and consultation to identify issues of concern, which will assist the Strategic Planning Committee in identifying priorities.

RECOMMENDATION 64:

- The CPS enhance its internal communications strategy to ensure members are informed of decisions or the progress of projects and initiatives and anticipated timelines to ensure expectations are realistic and informed.

RECOMMENDATION 65:

- The CPS engage external support from reputable business schools to support the development and alignment of its business management processes.

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APPENDICES

APPENDIX A

Terms of Reference



Issued by: Chief Roger Chaffin, Calgary Police Service
To: The Honourable Neil Wittmann, Q.C.
Date: 2017 May 16

Independent Review: Use of Force within the Calgary Police Service

Regrettably, the incidence of police involved shootings has increased in Calgary over the last two years, with six of fourteen total incidents resulting in fatalities. As the Chief of Police I am compelled to ensure our members have the correct leadership, policy, procedures and equipment - as well as training - to ensure that we are policing the community in the safest, most contemporary way possible. Therefore, I have concluded that it is appropriate to have an independent review undertaken.

The purpose of directing a systemic review is not to assign individual fault, or to concentrate on the examination of any one particular shooting, but rather to determine whether systemic drivers, gaps or opportunities can be identified that may increase public and officer safety, and enhance public confidence in the Calgary Police Service (CPS). We also hope that although the review will focus on shootings in particular, some of the results may provide ideas and guidance

that assists us in ensuring we have the best possible practices in respect of the use of force generally.

The mandate of your independent review will be to examine the policies, procedures, practices, training, equipment, and culture of the CPS with respect to the use of lethal force - with the goal of achieving zero fatalities for all critical incident police encounters. I note that in the 2014 report of the Honourable Frank Iacobucci “Police Encounters with People in Crisis”, police encounters which result in death:

...is a failure for which blame in many situations cannot be assigned; it is more likely a failure of a system. Policies and procedures should be designed and exercised with that zero target in mind but, of course, not at the cost of ignoring the safety of the subject, the police or the public.²⁸⁸

The result of the review will be a preliminary outline providing a high level overview of the current CPS environment highlighting areas that merit further focus or analysis. These areas will be prioritized with you and our leadership team, for the purposes of setting the scope of issues that will be examined for the final report. The final report will be written for CPS and public audience with an executive summary laying out recommendations that will be used as a blueprint for the CPS to reform our policies, procedures, practices, training, equipment, and culture as determined to be necessary and appropriate.

²⁸⁸ (Iacobucci, 2014 p. 39)

With CPS providing required logistical and administrative support, the intended hallmark of your review is its independence. You are asked to conduct an independent and objective review, to the extent of your mandate, of the following:

1. CPS policies, procedures, practices, equipment, and culture relating to the use of lethal force;
2. Training (both initial and continuing) provided to CPS members both internally and by external partners/ agencies; and
3. Current command, control and supervision models of personnel as it relates to the use of lethal force.

As part of your review you are authorized to:

1. Review current CPS policies, procedures, practices, equipment, training and culture relating to the use of lethal force;
2. Assemble and retain an advisory panel of experts;
3. Consult with other experts in the use of force, training of police, crisis intervention and all other matters that are the subject of the review;
4. Examine CPS use of force equipment;
5. Attend to observe CPS training;
6. Interview CPS personnel;
7. Receive submissions and/or meet with stakeholder groups or individuals as you see fit;
8. Consider best practices and precedents from major police forces;
9. Consider the Police Encounters with People in Crisis Report of Hon. Frank Iacobucci for the Chief of Police of the Toronto Police Service dated July 2014 and any other such reviews or reports that you deem relevant and appropriate;
10. Consider reports from past fatality inquiries involving CPS as you see fit;

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11. Consider research, reviews, and assessments that have been completed/ implemented with CPS;
 12. Make recommendations as you deem fit and proper based on the work performed and the information obtained;
 13. Perform such other work and review of materials as may be reasonably incidental to the independent review; and
 14. Ensure that all considerations and recommendations acknowledge the current climate of policing within Calgary, including the economic and socio-cultural realities of our city, our population, and our Police Service.

The review will not examine the specific conduct of individual police officers in any of the aforementioned officer involved shootings, as each incident has been or is currently the subject of a statutory external investigation by the Alberta Serious Incident Response Team (ASIRT), as well as an administrative review by the CPS Professional Standards Section. Nor will the review make any findings of civil, criminal or disciplinary liability against any person, agency or organisation.

Similarly, the review is not intended to make findings of fact or otherwise in respect of any one or more specific shootings or incidents. It is most likely that the fatal incidents will be subject to inquiries under the *Fatality Inquiries Act* and we neither want to entrench on those processes nor duplicate efforts. We would like your work to use the specific incidents as context and examples in an overarching review of our policies, procedures, practices, training, equipment and culture.

Finally, it must be emphasized that the purpose of this review is to ensure we are doing everything we can to protect both the public and our members.

APPENDIX B

List of Participants²⁸⁹

ORGANISATION/GROUP	SECTION
Alberta Justice & Solicitor General	<ul style="list-style-type: none">• Director of Law Enforcement• Fatality Inquiries• Minister of Justice and Solicitor General• Policing Standards and Audits
Alberta Serious Incident Response Team	
Calgary Police Association	
Calgary Police Commission	
Calgary 911	
Calgary Police Service (example of units participating in Review)	<ul style="list-style-type: none">• Alberta Law Enforcement Response Team• Arrest Processing Section• Auto Theft Response Team• Body Worn Camera Project Team• Break and Enter Team• Business Strategy and Research• Canine Unit• Chief Crowfoot Learning Centre (includes PTO and Probation Advocacy)• Community and Youth Services Section• Crime and Intelligence Analytical Section• Crisis Negotiation Unit• District Inspectors• District Patrol Constables• District Sergeants• District Training Officers• Driver Safety and Compliance• Duty Inspectors

²⁸⁹ Participants are listed by name of group, name of section or organisation. The list does not include participants in the Panel of Experts on Use of Force, September 7, 2017.

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- Employee Services Division
 - Ethos Project Team
 - Executive Office
 - Finance Division
 - Hard Body Armour Project Team
 - High Risk Offender Program
 - Incident Command Project Team
 - Legal Services
 - Less Lethal Project Team
 - Major Event and Emergency Management Section
 - Mounted Unit
 - Office of the Regimental Sergeant Major
 - Operations Audit Section
 - Patrol Advisory Committee
 - Peer Support
 - Police and Crisis Team
 - Professional Standards Section
 - Project Management
 - Psychological Services
 - Public Affairs/Media Relations
 - Public Safety Unit
 - Real Time Operations Centre
 - Recruiting Unit
 - Safe Communities Opportunity & Resource Centre
 - Strategic Services Division
 - Tactical Unit
 - Vehicle Flight Event Project Team

Family members of affected persons

Insurance Bureau of Canada

Law Enforcement Agencies

- Hamilton Police Service
- Memphis Police Department
- Royal Canadian Mounted Police
- York Regional Police

Research/Academia

- University of Calgary
- University of Memphis

Use of Force Experts

APPENDIX C

Individuals and Organisations who responded to Requests for Information

Canada

- Abbotsford Police Department, Abbotsford, British Columbia
- Alberta Justice and Solicitor General, Edmonton, Alberta
- Alberta Serious Incident Response Team, Edmonton, Alberta
- Brandon Police Service, Brandon, Manitoba
- Brantford Police Service, Brantford, Ontario
- Calgary Police Commission, Calgary, Alberta
- Canadian Society for Evidence Based Policing, London, Ontario
- Central Saanich Police Service, Central Saanich, British Columbia
- Edmonton Police Service, Edmonton, Alberta
- Halifax Regional Police, Halifax, Nova Scotia
- Hamilton Police Service, Hamilton, Ontario
- Insurance Bureau of Canada, Edmonton, Alberta
- London Police Service, London, Ontario
- Medicine Hat Police Service, Medicine Hat, Alberta
- Metro Vancouver Transit Police Vancouver, British Columbia
- Montreal Police, Montreal, Quebec
- Moose Jaw Police Service, Moose Jaw, Saskatchewan
- Ontario Provincial Police, Ontario
- Peel Regional Police, Peel, Ontario

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- Quebec City Police, Quebec City, Quebec
 - Quebec Provincial Police, Quebec
 - Regina Police Service, Regina, Saskatchewan
 - Royal Canadian Mounted Police
 - Saanich Police Department, Saanich, British Columbia
 - Saint-Eustache Police, Saint-Eustache, Quebec
 - Saskatoon Police Service, Saskatoon, Saskatchewan
 - Toronto Police Service, Toronto, Ontario
 - University of Calgary (Dr. Julien Norris), Calgary, Alberta
 - Vancouver Police Department, Vancouver, British Columbia
 - Victoria Police Department, Victoria, British Columbia
 - Waterloo Regional Police Service, Waterloo, Ontario
 - Winnipeg Police Service, Winnipeg, Manitoba
 - York Regional Police, York, Ontario

United Kingdom

- London College of Policing

United States of America

- Albuquerque Police Department, Albuquerque, New Mexico
- Atlanta Police Department, Atlanta, Georgia
- Aurora Police Department, Aurora, Colorado
- Austin Police Department, Austin, Texas
- Baltimore County Police Department, Towson, Maryland
- Chicago Police Department, Chicago, Illinois

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- City of Tulsa Police Department, Tulsa, Oklahoma
 - Columbus Division of Police, Columbus, Ohio
 - Dallas Police Department, Dallas, Texas
 - Denver Police Department, Denver, Colorado
 - Indianapolis Metropolitan Police Department, Indianapolis, Indiana
 - Kansas City Police Department, Kansas City, Missouri
 - Los Angeles Police Department, Los Angeles, California
 - Memphis Police Department, Memphis, Tennessee
 - Mesa Police Department, Mesa, Arizona
 - Milwaukee Police Department, Milwaukee, Wisconsin
 - Minneapolis Police Department, Minneapolis, Minnesota
 - Montgomery County Police, Montgomery, Maryland
 - New York Police Department, New York, New York
 - San Antonio Police Department, San Antonio, Texas
 - San Francisco Police Department, San Francisco, California
 - Seattle Police Department, Seattle, Washington
 - The Police Foundation, Washington, DC
 - University of Memphis (Dr. Randy Dupont), Memphis, Tennessee

APPENDIX D

British Columbia Police Act [RSBC 1996] CHAPTER 367

Director of Police Services

- 39** (1) The minister must designate as the director of police services a person employed in the ministry and, on behalf of the minister and subject to the direction of the minister, the director is responsible for superintending policing and law enforcement functions in British Columbia.
- (2) Subject to the *Public Service Act*, the director may
- (a) employ or retain the persons the director considers necessary to carry out the business of the director's office, and
 - (b) designate the title, office and responsibilities of persons employed or retained under paragraph (a).
- (3) Despite the *Public Service Act* but subject to the minister's approval, the director may engage and retain any person the director considers necessary as a consultant, expert or specialist.

Functions of the Director

- 40** (1) Without limiting section 39 (1), the director has the following functions:
- (a) to inspect and report on the quality and standard of policing and law enforcement services delivery;
 - (a.1) to establish standards respecting the following:
 - (i) the training of persons to become officers or IIO investigators;
 - (ii) the training and retraining of officers, IIO investigators or the chief civilian director;
 - (iii) the use of force;
 - (iv) places of detention and equipment and supplies to be used in relation to policing and law enforcement;

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- (v) cooperation between the independent investigations office and the provincial police force, municipal police departments, designated policing units and designated law enforcement units in relation to investigations by the independent investigations office;
 - (vi) cooperation and coordination among the provincial police force, municipal police departments and designated policing units in relation to
 - (a) investigations into the whereabouts of missing persons,
 - (b) investigations that are complex, and
 - (c) investigations that involve serious crimes, including, without limitation, investigations of murder, attempted murder, sexual assault, kidnapping, armed robbery or money laundering;
 - (vi.1) principles, practices and strategies to be used in investigations referred to in subparagraph (vi);
 - (vii) the collection, disclosure and analysis of information relating to administration, management or programs of, or related to, policing and law enforcement;
 - (viii) the promotion of unbiased policing and law enforcement services delivery;
 - (ix) community consultation regarding the priorities, goals and objectives for policing and law enforcement;
- (a.2) to evaluate compliance with the following:
- (i) the director's standards;
 - (ii) section 68.1 [*requirement to use information management system*];
- (b) to maintain a system of statistical records required to carry out inspections, evaluations and research studies;
 - (c) to consult with and provide information and advice to the minister, chief civilian director, chief constables, chief officers, boards and committees, on matters related to policing and law enforcement;
 - (d) to make recommendations to the minister about appointments to a board;
 - (e) to make recommendations to the minister on
 - (i) the minimum standards for the selection and training of officers or IIO investigators or classes of officers,

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- (ii) the use of force by officers or IIO investigators or classes of officers, including, without limitation, their training and retraining in the use of force, and
 - (iii) any other matter related to policing and law enforcement;
- (f) to establish and carry out, or approve and supervise, programs to promote cooperative and productive relationships between officers or IIO investigators and the public;
- (g) to assist in the coordination of policing and law enforcement provided by the independent investigations office, provincial police force, municipal police departments, designated policing units and designated law enforcement units;
- (h) to report to the minister on the activities of police forces, police departments, designated policing units and designated law enforcement units in their provision of policing and law enforcement services;
- (i) to perform other functions and duties assigned to the director under this Act or under the *Security Services Act*.

(1.1) The director may

- (a) establish different standards under subsection (1) (a.1) for different classes of officers and different police forces, designated policing units, designated law enforcement units or other law enforcement agencies, and
- (b) vary or cancel those standards.

(1.2) A director's standard

(a) is binding on an entity, a designated board, a municipal police board, the chief civilian director, a chief officer, a chief constable or the commissioner, as the case may be, only after

- (i) the standard is approved by the minister,
- (ii) the standard is made available to the public under subsection (1.3), and
- (iii) the entity, designated board, municipal police board, chief civilian director, chief officer, chief constable or commissioner receives written notice of the standard, but

(b) is not effective to the extent it conflicts with this Act or the regulations.

(1.3) The director must make the director's standards available to members of the public by both of the following means:

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- (a) posting the standard on a publicly accessible website maintained by or on behalf of the director;
 - (b) having the standard available for public inspection in the office of the director during regular office hours.
- (2) If a report is completed under subsection (1) (a), the director
- (a) must submit a copy of the report to the minister, and
 - (b) may distribute a copy of the report to those persons the director considers appropriate.
- (3) The director may inspect the records, operations and systems of administration of any policing or law enforcement operation but only if the director gives written notice of the inspection
- (a) to the minister, and
 - (b) to the chair of the board or to a person designated by the minister as the person in charge of the operation.
- (4) If requested by the minister, the director must inspect the records, operations and systems of administration of any policing or law enforcement operation, on notice to the chair of the board or to a person designated by the minister as the person in charge of the operation.

APPENDIX E

Calgary Police Service: Recruit Training Syllabus, 2018

WEEK 1		MARCH 19 - 23, 2018							
MONDAY	Introduction & Welcome	Integrated HR Operations Section Welcome – Police Commission Finance paperwork Logistics: Fleet & Photos			Team Orientation & Logistics Facility & Library Tour		Health Management & Shots		
TUESDAY	Leadership & Professionalism: Ethics	Swearing in	CCCLC Expectations		PT Intro Lecture		PT Component Test		
WEDNESDAY	Computer Introduction			In Time Scheduling		FMS Testing			
THURSDAY	Leadership 1: Intro to Learning & Leadership	Leadership & Professionalism: Drill, Dress & Department			CPA Lunch	Patrol Fundamentals: Intro to Community Policing			
FRIDAY	PT	Leadership & Professionalism: Drill, Dress & Department			Patrol Fundamentals: Investigative Fundamentals, Notebooks				
WEEK 2		MARCH 26 - 30, 2018							
MONDAY	Drill	R2MR 1: Mental Health in Policing	CAD Intro	Occupational Health & Safety	10 Code Exam	FMS + PT	Patrol Fundamentals: Codes & Radio Etiquette		
TUESDAY	FMS + PT	Police Powers: Criminal Law Intro	Police Powers: Criminal Code Intro	Statements & Interviews 1: Communication Fundamentals		Leadership & Professionalism: History of CPS & Drill		Drill	
WEDNESDAY	Patrol Fundamentals: Report Writing 1		Police Powers: Charter Rights		Police Powers: Common Offences 1		Patrol Fundamentals: CPIC Overview		
THURSDAY	FMS + PT	Arrest, Detention & Search: Discretion & Investigative Negligence			Police Powers: Common Offences 2		Arrest, Detention & Search: Report Writing		
FRIDAY	STATUTORY HOLIDAY								
WEEK 3		APRIL 2 - 6, 2018							
MONDAY	Firearms & Skills Equipment		Subject Control Tactics (SCT)			Arrest, Detention & Search: Bias Free			
TUESDAY	Group 2: SCT (Day 2) Drill			Group 1: FMS + PT H & W: WHMIS & E-learning FOIP			Drill		
WEDNESDAY	Arrest, Detention & Search: Arrest, Charter & Search							FMS & PT	
THURSDAY	Group 1: SCT (Day 2) Drill			Group 2: FMS + PT H & W: WHMIS & E-learning FOIP			Drill		
FRIDAY	Group 2: SCT (Day 3) Drill		Group 1: FMS + PT Mini Scenarios Community Policing: Community Defined				Admin/ELearning		

WEEK 4						APRIL 9 - 13, 2018						
MONDAY	Group 1 SCT (Day 3) Drill			Group 2: FMS + PT Mini Scenarios Community Policing: Community Defined			Drill		Family Night			
TUESDAY	FMS + PT	EXAM: Police Powers & Charter			Arrest, Detention & Search: Investigation Detention							
WEDNESDAY	Arrest, Detention & Search: Field Officer Release					Mental Prep Conditioning (Day 4)						
THURSDAY	Group 2: SCT (Day 5) Longitudinal Trends in Cohorts eLearning FMS + PT					Group 1 Charter & Arrest Mini Scenarios 1B Police Power Exam Review						
FRIDAY	Group 1: SCT (Day 5) Longitudinal Trends in Cohorts eLearning FMS + PT					Group 2 Charter & Arrest Mini Scenarios 1B Police Power Exam Review						
WEEK 5						APRIL 16 - 20, 2018						
MONDAY	Group 2 Police Vehicle Operations Familiarization					Group 1: SCT (Day 6) SCORCE/Drop-In/YouthLink						
TUESDAY	Group 1 Police Vehicle Operations Familiarization					Group 2: SCT (Day 6) SCORCE/Drop-In/YouthLink						
WEDNESDAY	Group 2 Police Vehicle Operations (Day 1)					Group 1: FMS + PT Public Safety Communications Community Policing 3: Library Tour						
THURSDAY	Group 1 Police Vehicle Operations (Day 1)					Group 2: FMS + PT Public Safety Communications Community Policing 3: Library Tour						
FRIDAY	FMS + PT	Arrest Detention & Search: Report Writing 3: Statements			Arrest Detention & Search: Arrest & Detention Scenarios							
WEEK 6						APRIL 23 - 28, 2018						
MONDAY	FMS + PT	Arrest Detention & Search: Report Writing 4: Narrative Chapters			Arrest, Detention & Search: Youth Criminal Justice Act		Police Power Exam Review		Drill – In Class			
TUESDAY	Mini-Scenarios 2b				Arrest Detention & Search: Arrest in a Dwelling House							
WEDNESDAY	Diversity Introduction		Arrest & Detention: Pre Exam			Patrol Response		FMS + PT				
THURSDAY	FMS + PT	Arrest & Detention: Exam			Patrol Fundamentals: Common Offences 3			Traffic Safety: POPA				
FRIDAY	Traffic Safety: Traffic Safety Act Intro				Traffic Safety: Violation Tickets		PT: Wellness Lecture 1					
WEEK 7						APRIL 30 – MAY 4, 2018						
MONDAY	Group 1 Firearms Day 1				Group 2: FMS + PT Traffic Safety: Licensing, Registration, Insurance & Plates							
TUESDAY	Group 2 Firearms Day 1				Group 1: FMS + PT Traffic Safety: Licensing, Registration, Insurance & Plates							
WEDNESDAY	SCT Day 7 (Strategic Communications)											
THURSDAY	Group 2: SCT Day 8 Drill (Both groups)				Group 1: FMS + PT Traffic Safety: Quiz 1 & Statutes & Authorities					Drill		
FRIDAY	Group 1: SCT Day 8			Group 2: FMS + PT					ADS Exam Review			

	Drill (Both groups)	Traffic Safety: Quiz 1 & Statutes & Authorities		
WEEK 8	MAY 7 - 11, 2018			
MONDAY	Group 1 Firearms Day 2	Group 2: FMS + PT Traffic Safety: Common Offences Traffic Safety: Traffic Court		
TUESDAY	Group 2 SCT Day 9	Group 1: FMS + PT Traffic Safety: Common Offences Traffic Safety: Traffic Court		
WEDNESDAY	Group 2 Firearms Day 2		Group 1: FMS + PT Traffic Safety: Quiz 2 & Prohibited Driver Bylaw 1: Offences Traffic Safety Exam Prep	
THURSDAY	Group 1: SCT Day 9		Group 2: FMS + PT Traffic Safety: Quiz 2 & Prohibited Driver Bylaw 1: Offences Traffic Safety Exam Prep	
FRIDAY	Drill (Inspection)	Exam: Traffic Safety	Bylaws 2: Offences & Case Studies	Keeping the Peace: Dispute Resolution: Provincial Acts
WEEK 9	MAY 14 - 18, 2018			
MONDAY	Group 1 Firearms Day 3	Group 2: FMS + PT Children at Risk eLearning DECA & PCHad Dispute Resolution: Property & Tenancy Domestic Conflict 1: Investigations (eLearning) Evidence on Q		
TUESDAY	Group 2 Firearms Day 3	Group 1: FMS + PT Children at Risk eLearning DECA & PCHad Dispute Resolution: Property & Tenancy Domestic Conflict 1: Investigations (eLearning) Evidence on Q		
WEDNESDAY	Leadership & Professionalism: Diversity Issues		GLA & Public Health Act	
THURSDAY	Drug Identification: Drugs CDSA	Keeping the Peace: Drug Identifications 2: Procedures & Property		Keeping the Peace: Domestic Conflict 1: Investigation
FRIDAY	Drill	Keeping the Peace: Children & Youth At Risk		FMS + PT
WEEK 10	MAY 21 - 25, 2018			
MONDAY	STATUTORY HOLIDAY			
TUESDAY	Group 1: Firearms Day 4 SENTRY #1	Group 2: FMS + PT Knives & Weapons Patrol Fundamentals: Understanding Victims & Witnesses SENTRY #1		
WEDNESDAY	Group 2: Firearms Day 4 Keeping the Peace: Dealing with EDP Traffic Safety Exam Review		Group 1: SCT Day 10 Keeping the Peace: Dealing with EDP Traffic Safety Exam Review	
THURSDAY	Group 2: SCT Day 10 Drill (Both groups)		Group 1: FMS + PT Knives & Weapons Patrol Fundamentals: Understanding Victims & Witnesses Drill (Both groups)	

FRIDAY	SCT Day 11 Strategic Communications 2		
WEEK 11	MAY 28 – JUNE 1, 2018		
MONDAY	Group 1: Firearms Day 5	Group 2: Police Vehicle Operations (Day 2)	
TUESDAY	Group 2: Firearms Day 5	Group 1: Police Vehicle Operations (Day 2)	
WEDNESDAY	Group 2: Police Vehicle Operations (Day 3)	Group 1: FMS + PT Patrol Scenario 1 Prep Report Writing 5 Prep Paperwork	
THURSDAY	Group 1: Police Vehicle Operations (Day 3)	Group 2: FMS + PT Patrol Scenario 1 Prep Report Writing 5 Prep Paperwork	
FRIDAY	Patrol Scenario 1: Arrest, Detention & Search	Patrol Scenario 1: Report Writing	FMS + PT
WEEK 12	JUNE 4 - 8, 2018		
MONDAY	Group 1: Firearms (EL) Firearms Day 6	Group 2: FMS + PT Arrest Procedures Care/Transport Persons in Custody Arrest Processing & Show Cause eLearning/Brain Story	
TUESDAY	Group 2: Firearms (EL) Firearms Day 6	Group 1: FMS + PT Arrest Procedures Care/Transport Persons in Custody Arrest Processing & Show Cause eLearning/Brain Story	
WEDNESDAY	SCT Day 12		
THURSDAY	Group 2: SCT Day 13	Group 1: FMS + PT Breaches & Court Documents Keeping the Peace: Exam Prep	
FRIDAY	Group 1: SCT Day 13	Group 2: FMS + PT Breaches & Court Documents Keeping the Peace: Exam Prep	
WEEK 13	JUNE 11-15, 2018		
MONDAY	Group 1: FMS + PT Investigation Fundamentals: The Investigation Process Dealing with EDP: PACT Suicide Intervention	Group 2: SCT Day 14	
TUESDAY	Group 2: FMS + PT Investigation Fundamentals: The Investigation Process Dealing with EDP: PACT Suicide Intervention	Group 1: SCT Day 14	
WEDNESDAY	Group 2: SCT Day 15	Group 1: Investigative Procedures: Mini-scenarios 3 Mini-scenarios 3 Debrief FMS + PT	
THURSDAY	Group 1: SCT Day 15	Group 2: Investigative Procedures: Mini-scenarios 3 Mini-scenarios 3 Debrief FMS + PT	
FRIDAY	Drill	Internal Consults CYSS	Keeping the Peace: Domestic Conflict Patrol Procedures

WEEK 14	JUNE 18-22, 2018			
MONDAY	FMS + PT	EXAM: Keeping the Peace	Investigation Fundamentals: Legal Principles	
TUESDAY	Drill	Cyber/Technical Operation	Community Policing Quiz	FMS + PT
WEDNESDAY	Group 1: SFST		Group 2: EL	
THURSDAY	Group 1: SFST		Group 2: EL	
FRIDAY	Group 1: SFST		Group 2: Day Off	
WEEK 15	JUNE 25 - 29, 2018			
MONDAY	FMS + PT	Report Writing 6	Investigation Fundamentals: Common Offences 4	Drill
TUESDAY	Statements & Interviews 2: Procedures		Keeping the Peace: Exam Review	FMS + PT
WEDNESDAY	Group 2: SFST		Group 1: EL	
THURSDAY	Group 2: SFST		Group 1: EL	
FRIDAY	Group 2: SFST		Group 1: Day Off	
WEEK 16	JULY 2 - 6, 2018			
MONDAY	Statutory Holiday			
TUESDAY	Group 2: Firearms Day 7 Leadership 4: Art of Dialogue		Group 1: SCT Day 16 Leadership 4: Art of Dialogue	
WEDNESDAY	Group 1: FMS + PT Crime Scene Management Day 1		Group 2: SCT Day 16 eLearning/Brain Story	
THURSDAY	Group 2: SCT Day 17 Drill		Group 1: Firearms Day 7 Drill	
FRIDAY	Group 1: SCT Day 17 eLearning/Brain Story		Group 1: FMS + PT Crime Scene Management Day 1	
WEEK 17	JULY 9 - 13, 2018			
MONDAY	Group 1: Firearms Day 8		Group 2: SCT Day 18	
TUESDAY	Group 2: Firearms Day 8		Group 1: SCT Day 18	
WEDNESDAY	FMS + PT	Group 2: SENTRY #2 Report Writing Corroborative Evidence: Photo line-ups eLearning Eyewitness ID & Photo Line-up	Group 2: Corroborative Evidence: Photo line-ups eLearning Eyewitness ID & Photo Line-up SENTRY #2 Report Writing	
THURSDAY	Group 2: SCT Day 19		Group 1: FMS + PT Evidence from the Scene: Collision Investigations & Procedures Collision Report	
FRIDAY	Group 1: SCT Day 19		Group 2: FMS + PT Evidence from the Scene: Collision Investigations & Procedures Collision Report	
WEEK 18	JULY 16 - 20, 2018			
MONDAY	Group 1: Firearms Day 9		Group 2: SCT Day 20	
TUESDAY	Group 2: Firearms Day 9		Group 1: SCT Day 20	
WEDNESDAY	FMS + PT	Corporate Clothing Recruit Mid-Term Assessments: eLearning: Police Vehicle Operations, Pursuits – Code 600, Media Relations, Arrest Procedures – Excited Delirium		
THURSDAY	Statements & Interviews 3: Diversity: ESL Interviews		Evidence from the Scene: Collision Simulation	
FRIDAY	Evidence from the Scene: Scenario 30		Evidence from the Scene: Report Writing 8 RPU Call-in: RPU	

WEEK 19	JULY 23 - 27, 2018			
MONDAY	Group 1: Firearms Day 10		Group 2: Police Vehicle Operations Day 4	
TUESDAY	Group 2: Firearms Day 10		Group 1: Police Vehicle Operations Day 4	
WEDNESDAY	Group 2: FMS + PT CPIC Training SENTRY #3		Group 1: Police Vehicle Operations Day 5	
THURSDAY	Group 1: FMS + PT CPIC Training SENTRY #3		Group 2: Police Vehicle Operations Day 5	
FRIDAY	FMS + PT	PT Wellness Lecture	Drill	Grad 220
WEEK 20	JULY 30 – AUGUST 3, 2018			
MONDAY	Group 1: Firearms Day 11		Group 2: SCT Day 21	
TUESDAY	Group 2: Firearms Day 11		Group 1: SCT Day 21	
WEDNESDAY	SCT Day 22			
THURSDAY	Group 1: Hit and Run Scenario Securing Grow Ops/Labs FMS + PT		Group 2: SCT Day 23	
FRIDAY	Group 2: Hit and Run Scenario Securing Grow Ops/Labs FMS + PT		Group 1: SCT Day 23	
WEEK 21	AUGUST 6 - 10, 2018			
MONDAY	Statutory Holiday			
TUESDAY	Group 1: Firearms Day 12 Drill		Group 2: SCT Day 24 Drill	
WEDNESDAY	Group 2: Firearms Day 12 Drill		Group 1: SCT Day 24 Drill	
THURSDAY	Group 1: FMS + PT Domestic Conflict 3: Investigations SENTRY #4 Report Writing		Group 2: SCT Day 25 SENTRY #4 Report Writing	
FRIDAY	Group 1: FMS + PT Domestic Conflict 3: Investigations eLearning/Brain Story		Group 1: SCT Day 25 eLearning/Brain Story	
WEEK 22	AUGUST 13 - 17, 2018			
MONDAY	Group 1: Firearms EL and Day 13		Group 2: SCT Day 26	
TUESDAY	Group 2: Firearms EL and Day 13		Group 1: SCT Day 26	
WEDNESDAY	FMS + PT	R2MR: Mental Health Resources		Code Procedures
THURSDAY	FMS + PT	Search Premises: Search Theory & Warrants	Search Premises: Warrantless Searches	
FRIDAY	Advanced Investigation: Patrol Scenario 9		Advanced Investigation: Report Writing 9	
WEEK 23	AUGUST 20 - 24, 2018			
MONDAY	Group 1: Firearms Day 14		Group 2: FMS + PT Contact Information Form eLearning/Brain Story	
TUESDAY	Group 2: Firearms Day 14		Group 1: FMS + PT Contact Information Form eLearning/Brain Story	
WEDNESDAY	FMS + PT	Advanced Investigation: Impaired Driving	Advanced Investigation: Driving over .08	

THURSDAY	Drill	Advanced Investigation: Approved Screening Device	Advanced Investigation: Impaired Driving – Provincial Offences	Advanced Investigation: Drug Evaluation & Classification	
FRIDAY	FMS + PT	Advanced Investigation: Impaired Driving Simulation			
WEEK 24	AUGUST 27 - 31, 2018				
MONDAY	Group 1: Day Off		Group 2: Officer Safety (Track)		
TUES TO FRI	Group 1: Officer Safety (CCLC)		Group 2: Officer Safety (Track)		
WEEK 25	SEPTEMBER 3 - 7, 2018				
MONDAY	Statutory Holiday				
TUES TO FRI	Group 2: Officer Safety (CCLC)		Group 1: Officer Safety (Track)		
WEEK 26	SEPTEMBER 10 - 14, 2018				
MONDAY	Rapid Intervention				
TUESDAY	Criminal Justice Procedures: Testimony & Trial Procedure	Group 1: Testimony: Mock Court Group 2: eLearning/Brain Story FMS Final Evaluation		Drill	
WEDNESDAY	PVOC: Driving Response Review	CJ Investigation: Exam Prep	Unfounded Reports	Group 2: Testimony: Mock Court Group 1: eLearning/Brain Story FMS Final Evaluation	Drill
THURSDAY	Group 2 : Advanced Investigation: Domestic Conflict 4: CPS Investigative Procedures		Group 1: In Car Digital Cameras SENTRY #5 Direct Data Entry		
FRIDAY	Group 1 : Advanced Investigation: Domestic Conflict 4: CPS Investigative Procedures		Group 2: In Car Digital Cameras SENTRY #5 Direct Data Entry		
WEEK 27	SEPTEMBER 17 - 21, 2018				
MONDAY	OC Spray Distribution	Criminal Justice Procedure: Exam- Investigations	Admin/eLearning	Drill	Class Photo
TUESDAY	Traffic Tactics: Speed Detection – Theory		Leadership & Professionalism: Civil Liability		
WEDNESDAY	Group 1: Firearms Distribution Traffic Tactics: Speed Detection – Practical Leadership & Professionalism: Professional Standards		Group 2: Consolidation – Investigation Scenario (Investigation, Evidence on Q & Report Writing)		
THURSDAY	Group 1: Firearms Distribution Traffic Tactics: Speed Detection – Practical Leadership & Professionalism: Professional Standards		Group 1: Consolidation – Investigation Scenario (Investigation, Evidence on Q & Report Writing)		
FRIDAY	Traffic Tactics: Traffic Direction		PT Wellness Lecture 3	Drill	
WEEK 28	SEPTEMBER 24 - 28, 2018				
MONDAY	Consolidation: Community Policing 9	Field Prep: PTO Briefing Future Development	Field Prep: Congratulations & Street Expectations	Drill	
TUESDAY	Consolidation: Articulation Panel Program Evaluation/Recruit Assessments				
WEDNESDAY	PT Debrief	First Aid: Practical Training	Recruit Assessments	Drill with Pipe Band	
THURSDAY	District Orientation		Program Evaluation & CDU	Graduation Dress Rehearsal	
FRIDAY	Graduation Prep		Graduation		

APPENDIX F

Overview of Police Training Officer (PTO) Course

Day 1	Day 2	Day 3	Day 4
PTO Coach Introduction and discussion 0800 - 1000	Review Learning Styles Paperwork timetable, 15 core competencies 0800 - 0830	Review Note Taking, CTR 0800 - 0830	Review LAPS 0800 - 0830
E Learning documentation Course Outline, Presenters, Paperwork 15/8 Week PTO Program Introduce PBLE Presentation 1015 - 1030	"Note Taking" 0830-1030	Discussion: "What is wrong with recruits" Group Work LAP 0830 - 0945	Guest Speaker "Respect Matters" 0830 - 1000
Group Exercise "What's wrong w/ recruits today" 1030 - 1100	Guest Speaker "Use of Force, SBOR & DTO's" 1030 - 1100	Guest Speaker "Legal Advisor HR" 1000-1130	Sphere of Influence 1000-1030
Millennial Video (Table top exercise) 1115 - 1130	Leadership Discussion 1115-1145	PBLE 1130-1200	Class Discussion "Sphere of Influences" 1030 - 1130
Learning Styles Multiple Intelligences, Spatial Drawing MI Test 1130-1145			Class Discussion "What is wrong with recruits" 1130 - 1200
PBL Video PBL Discussion Handout 1300-1315	Video – Bill Martin 1315-1330	Work on PBLE	Prep time for Presentations 1300 - 1330
PBL research 1315-1400	PTO Paper work and Matrix (Computer Lab) 1330 - 1400		Presentations "PBLE" 1330 - 1500
Guest Speaker "Peer Support" 1400 - 1600	Citizen Complaint Unit Stay in the Game 1400-1500		Class Discussion "Role Model" 1500 - 1530
	EAIP 1500-1600	1300-1600	Class Critique 1530 - 1600

APPENDIX G

CCLC Course Catalogue (2016)

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APPENDIX H

Overview of Reclassification Training, York Regional Police Service

CRISIS INTERVENTION TRAINING, 2015				
MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
0800 – 0900 Welcome & Overview	0800 – 0900 Group Work	Visit to Ontario Shores Psychiatric facility	0800 – 0900 Group Work	0900 – 1030 Inquest presentations
0900-1200 CALM de-Escalation	0900-1200 Suicide Intervention		0900 – 1000 MBSR	1030 – 1200 Exam & Critique
1300-1500 CALM de-Escalation	1300-1500 Children’s mental health		1000 – 1200 Case Study	Consumer presentation
1500 – 1600 Review of mental illness	1500-1600 PTSD		1300-1400 Military	
Video “Madness on the motorway”			1400-1600 De-escalation techniques Role play scenarios	

IMPAIRED DRIVING & COLLISION INVESTIGATION TRAINING 2015					
TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
0800 0930	Course Overview	Witness/Accused Statements	Versadex / Forms Building an Impaired Case Start to Finish	Courtroom Sessions	Note Taking & Evidence
1000 1130	Collision Management / Physical Evidence	Basic Accident Scene Measurement Taking	Impaired by Drug DRE / SFST Program	Courtroom Sessions (Impaired trials)	Impaired Driving Impaired Law & Authorities Indicia of Impairment
1230 1400	Collision & the Impaired/Dealing with Hospital Staff	M.A.D.D. York Region Chapter	Approved Screening Device (ASD’s)	Meet with Assistant Crown	Court Preparation Case Laws/Legal Issues
1430 1600	Case Study Impaired	Impaired Toxicology	Qualified Breath Technician Tow Authorities ADLS / Warns Ignition Interlock	Meet with Assistant Crown	Knowledge Check Course Evaluation

COURT INTENSIVE TRAINING 2016					
TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
0800 0930	Course Overview Forensic Identification Court Issues	Orientation to Criminal Courts	Provincial Offences Court	Show Cause Reports	Court Debrief Knowledge Check
1000 1130	Managing Victims and Witnesses	Orientation to 202 Triage	Provincial Offences Court	Notebooks Regulations & Procedures	Court Debrief Knowledge Check
1230 1400	Crowns Perspective Crown	Courtroom Observation and Testimony	Provincial Offences Court	Youth Referral Program RCIP and Community Engagements Assignments	Time in lieu of Judges Seminar
1430 1600	Crowns Perspective Crown	Judges Seminar	Provincial Offences Court		Time in lieu of Judges Seminar

INVESTIGATION COURSE 2016					
TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
0800 0930	Course Overview Forensic Identification Court Issues	Drugs & Vice-Street Team	Group A Practical scenarios Group B IMS 200 Training	Group B Practical scenarios Group A IMS 200 Training	IM presentation Go Reader
1000 1130	Legal Law Group work & presentations	Drugs & Vice-Street Team Uniform Investigations	Group A Scenarios Group B IMS 200 Training	Group B Scenarios Group A IMS 200 Training	IM presentation GO Reader
1230 1400	1230-1330 Proceeds of Crime/offence related property	Clandestine Laboratory First Responder	Group A Scenarios Group B IMS 200 Training	Group B Scenarios Group A IMS 200 Training	Crown Folder Preparation
1430 1600	1400-1600 YRP Traffic Management Strategy/expectations of DRE /Investigative note taking	Clandestine Laboratory First Responder	Group A Scenarios Group B IMS 200 Training	Group B Scenarios Group A IMS 200 Training	Crown Folder Preparation

APPENDIX I

Provincial Guidelines for the Use of Force (Excerpt)

AUTHORITY TO USE FORCE

6) When force is used by any person (including police officers) in Canada it shall be used in accordance with the *Charter of Rights and Freedoms (Charter)* and the *Criminal Code of Canada (CCC)*.

7) Section 25 of the *CCC* provides the legal framework for interpreting the authority and justification for the use of force. Section 25 of the *CCC* supersedes these standards.

APPLICATION

8) The *Provincial Guidelines for the Use of Force* apply to all sworn police officers in Alberta.

APPROVAL OF FORCE OPTIONS (TACTICS, WEAPONS) AND RESTRAINT EQUIPMENT

9) Only approved force options shall be used by police in Alberta. The Minister will work with Alberta's Chiefs of Police (Chiefs) to identify a range of force options that are approved for use by Alberta's law enforcement officers.

10) Approved force options are listed in Appendix 3. Any new (unlisted) options or currently approved options that have been modified must be subjected to review in accordance with the Less Lethal Technology Approval process that includes at minimum:

- a) Assess the severity of and probability of injury (including death) related to the effects of the force option being considered;
- b) Determine if identified risks are acceptable within the Canadian legal framework;
- c) Evaluate the performance of the force option being considered including reliability, accuracy and effectiveness;
- d) Determine how and when the force option will be used by police and the level (general or restricted to specialists) of deployment within the police service;

-
- e) Develop policies and procedures to manage identified risks related to deployment and use of the force option; and
 - f) Develop and provide training to police including: basic user and recertification training; and training for technology maintainers (armourer) as required.

11) The results of this process shall be documented and a detailed report submitted to the Minister for review before a force option may be deployed for operational use.

OPERATIONAL RISK MANAGEMENT

12) Managing risk demands that individuals and organizations are aware of risks they are exposed to and how those risks will be managed. Awareness requires that information on the use of force be collected, analyzed and shared at the individual and organization level and that the results be used to develop and improve risk management practices.

REPORTING

13) All police agencies shall adhere to the force reporting requirements outlined in these Guidelines.

14) A reportable use of force constitutes, at a minimum:

- a) Any use of force other than cooperative handcuffing and escort techniques
- b) Any use of force ending in injury to the officer; subject; or bystander that requires emergency treatment or medical intervention beyond mere assessment
- c) Any display of a firearm or CEW to gain compliance
- d) Unintentional discharge of a firearm or CEW, other than into a designated loading station.

15) Police agencies shall require their members to submit a force report as soon as practicable after a reportable use of force occurs.

16) Police agencies shall identify a position (or positions) responsible for managing the agency's force report system including:

- a) Mandatory review of all force reports for completeness and accuracy
- b) Identify any concerns related to a specific incident involving force and address any findings as soon as possible
- c) Analyze pooled data to identify and respond to manageable trends at the individual, unit and organization levels

d) Monitor agency and individual force reporting practices to ensure members are complying with force reporting requirements.

17) Police agencies shall submit an annual summary force report to the Standards and Audits Section of the Ministry. The summary report format is outlined in appendix 2.

RISK CONTROLS

18) Police agencies shall develop standardized procedures for pre-shift checks and regular maintenance required to facilitate optimal performance of all force options and restraint equipment.

19) Police agencies shall direct their members and/or other responsible person to perform any required pre-shift checks and maintenance required to facilitate optimal performance of all weapons and force related equipment.

20) Police agencies shall have formal procedures to eliminate, reduce or mitigate the risk of injury to a subject, bystander, or police officer from the use of a force option including, at a minimum:

a) Procedures to manage the foreseeable consequences of the effects of certain types of force options such as chemical sprays and/or conducted energy weapons (CEW). These procedures would include but are not limited to:

- i) Consequences of multiple uses on a single individual of an option in an incident
- ii) Risks linked to targeting specific areas of the body
- iii) Subject and area decontamination and ventilation procedures
- iv) Procedures to remove and dispose projectiles such as CEW probes
- v) Procedures to monitor / treat subjects exposed to certain force options
- vi) Procedures to collect or seize evidence related to the use of a force option and possible injuries

b) Ensure call evaluation and dispatch staff makes all reasonable efforts to collect relevant subject and environmental risk information prior to and / or after dispatching members and make responding members aware of that information as quickly as possible.

c) Actions to be taken when a subject's behavior or police information indicates that a subject or bystander may have an increased risk of serious injury if exposed to a force option including:

- i) Subject emotional or psychological illnesses;
- ii) Physical health risks such as disease, pregnancy; drug or alcohol intoxication; and environmental risks such as the presence of flammable substances, or likelihood of falls

d) Procedures to quickly obtain emergency medical aid for subjects, police officers and bystanders.

MAINTENANCE AND RECORD MANAGEMENT SYSTEMS

21) Agencies shall have administrative structures, such as a maintenance program and record system, in place to ensure the optimal performance of all weapons and force related equipment.

22) Agencies shall identify a position responsible for managing maintenance programs and records systems for force related equipment. The position shall ensure the following occur in a timely manner:

- a) Regular servicing including required warranty work and equipment recalls directed or required by the product manufacturer, legislation or oversight body
- b) Regular inspections of weapon and equipment function are performed
- c) Collect and address member requests for maintenance and repairs
- d) Notify members of required maintenance work or force option performance issues.

23) Agencies shall have auditable records system in place that include:

- a) Accurate inventory of all weapons and force related equipment including the current location of all weapons and force related equipment and its operational status
- b) A record of regular service work performed; warranty and repairs
- c) A record of the outcome of maintenance work and results of any required weapons or equipment performance testing
- d) A record of weapons and equipment inspections
- e) A record of member observations or concerns with the performance of weapons and force related equipment
- f) A record of supervisor and operator review and actions relating to any changes to police agency policy or updated manufacturer product information that would directly affect maintenance or use of the weapon or equipment
- g) Notify supervisors and operators of changes to agency policy and manufacturer product information that would directly affect maintenance or use of the weapon or equipment.

24) The maintenance program and record systems should be capable of tracking a serial number specific record of maintenance activities when required.

SUPERVISION

25) Effective supervision at both the unit and organization level is necessary to ensure the standards of behaviour set by policies and procedures are achieved and maintained.

DUTIES OF SUPERVISOR

26) Police agencies shall have policies and procedures describing supervisory duties with regard to force option use, maintenance of weapons and other force related equipment including:

- a) Monitor use of force related training status of the members they supervise
- b) Monitor care and maintenance of personal issue and unit issue weapons and force related equipment
- c) Actions a supervisor shall take when a reportable use of force occurs include:
 - i) Ensuring the correct and timely completion of force report
 - ii) Ensuring all known or alleged injuries suffered in incidents involving the use of force are documented
 - iii) Conduct preliminary review of member performance in force related incidents and;
- d) Actions a supervisor shall take and resources available to address incidents involving the use of force by a member.

INAPPROPRIATE USE OF FORCE

27) The police agency shall have policies and procedures that guide the supervisor and agency response to correcting issues related to the inappropriate use of force including:

- a) Lapsed qualification and / or failure to qualify as required
- b) Improper use of force and/or abuse of force (see definitions Appendix 1)

TRAINING

28) Training provides police with the knowledge and skills necessary to meet the behavioural expectations necessary for effective policing. Changes in society and technology prompt changes in the knowledge and skills required for policing. These changes require that members receive ongoing training to keep their skills and knowledge current.

29) Police agencies shall be afforded the right to exempt certain police officers and supervisors on a case-by-case basis from the following training requirements for documented employment or medical reasons.

POLICE OFFICERS

30) Police agencies shall ensure all use of force related training received by their members is documented and in compliance with current standards.

31) Police agencies shall ensure police officers are competent in:

- a) Requirements of the *Charter, CCC* and case law as it applies to the use of force;
- b) Agency use of force policies and procedures and related provincial guidelines;
- c) Agency and manufacturer's recommended safe handling and use procedures for individual weapons and force related equipment and any unit issue weapons and equipment for which they are responsible; and
- d) Recognizing subject behaviors and environmental cues that may increase a subject/bystander risk of injury and may require advanced medical monitoring and/or treatment (e.g. excited delirium, pregnancy, cardio-pulmonary risk, flammable substances, and risk from fall).

32) Police agencies shall ensure that police officers receive documented recertification in accordance with current provincial policing guidelines.

SUPERVISORS

33) Supervisors of police officers shall be competent (see definition section) in the force training requirements noted above in paragraphs 31-32 as well as the following:

- a) Supervisory duties in relation to agency force related policies and procedures and relevant provincial guidelines.
- b) Accessing agency resources to address concerns related to the use of force.

34) Supervisors shall receive training on their force related duties including:

- a) Duties required by agency force policies and procedures and relevant provincial guidelines
- b) Agency policy and processes in relation to addressing force use concerns.

35) Police agencies shall ensure that supervisor training is documented in accordance with current provincial policing guidelines.

TRAINERS / INSTRUCTORS

36) Police agencies shall ensure that trainers and instructors receive documented certification and recertification in accordance with current provincial policing guidelines.

37) Police agencies shall regularly review and analyze all aspects of the use of force and training in the use of force including basic training, re-certification, remedial training and instructor training, to ensure it is current, relevant and consistent with these guidelines.

APPENDIX J

Overview of Crisis Intervention Training, Hamilton Police Service

MONDAY	TUESDAY	WEDNESDAY	THURSDAY
08:00 - 08:15 Welcome	08:00 – 11:00 Mood Disorders	08:00 – 10:15 Substance Abuse	08:00 – 09:30 COAST and MCRRT
08:15 – 08:30 Pre-Test			
08:30 – 12:00 Ontario Mental Health Act COAST, Overview of CIT	11:00 – 12:00 Forensic Services	10:45 – 12:00 Forensic Program Tour	09:45 – 10:30 ER and PES 10:30 – 12:00 Anxiety Disorders
Lunch			
13:00 – 16:00 Psychosis and Schizophrenia	13:00 – 14:45 Child and Youth	13:00 – 14:30 Dementia	13:00– 15:30 Simulated Patients
16:15 – 17:00 Family Member Presentation	15:00 – 16:00 Mental Health Court Support Services	14:45 – 16:00 Personality Disorders	15:30 – 16:15 Post-Test and Course Evaluation
	16:15 – 17:00 Lived Experience	16:15 – 17:00 Barrett Centre	16:15 Graduation
17:00 – 18:00 Questions and Wrap Up	17:00 – 18:00 Questions and Wrap- up	17:00 – 18:00 Questions and Wrap- up	

APPENDIX K

Overview of CPS Patrol Officer Re-Integration Course

Course Overview:

With the introduction of Chief Chaffin's tenure policy, the Calgary Police Service (CPS) has initiated a Service wide organisational restructuring. An important piece of this restructuring is the enhancement of Investigative Development for frontline patrol. To support officers transitioning back to frontline patrol, the CPS Chief Crowfoot Learning Centre (CCLC) has developed the six-hour Patrol Officer Re-Integration Course. The training is specifically focused on providing awareness of the current skills and procedures, for officers who have spent a significant period of time away from frontline patrol.

Course Objectives:

At the end of training, the learner will be able to:

- Demonstrate the knowledge, skills and decision-making ability to ensure Officer Safety and to maintain control of a subject or a situation by employing reasonable Use of Force.
- Apply appropriate CPS policy and procedures when responding to Code Calls.
- Apply inside/outside Rapid Intervention Tactics (RIT) as a first responder to an active assailant incident, with the ability to form up as a contact team or rescue team as required
- Apply effective Building Clearing tactics while working in a team environment to clear a building and search for suspects.
- Differentiate between the tactics used in Traffic Stops, High Risk Vehicle Stops (HRVS) and Increased Risk Vehicle Stops (IRVS).