

In the Matter of the British Columbia Public Inquiry Act

The Thomas R. Braidwood, QC, Study Commission

On the use of conducted energy weapons by
constables of police forces of British Columbia,
other than the RCMP.

Submissions on behalf of the Royal Canadian Mounted Police

Opening statement of Assistant Commissioner Alistair Macintyre

Good afternoon.

My name is Alistair Donald Macintyre and I am an Assistant Commissioner with the Royal Canadian Mounted Police.

On behalf of the RCMP, I would like to express our sincere condolences to the Dziekanski family, and specifically Zofia Cisowski, on the loss of their loved one, Robert. The unfortunate and tragic events that occurred last October 14 were not what anyone would have ever wished. They cannot be undone, but the RCMP is determined to learn what we can from this tragedy and to make improvements for the future.

I have served with the RCMP for 35 years in a host of duties and also served as a member of the Delta Police Department for two years.

My areas of responsibility include all RCMP operations in British Columbia. I report directly to Deputy Commissioner Gary Bass, who is the Regional Deputy Commissioner for the Pacific Region. He reports directly to Commissioner William Elliott.

As you know, the terms of reference for this Inquiry specifically excluded the RCMP. However, from the outset we indicated that we wanted to and would participate voluntarily in this Inquiry and we are grateful for the opportunity to do so.

The RCMP recognizes that to assist the Inquiry we need to be as open and transparent as possible. However, there are other processes underway, including an ongoing criminal investigation relating to the death of Mr. Dziekanski, which is being conducted by the Integrated Homicide Investigation team or "IHIT". Therefore, there may be matters we will not be able to discuss here. We regret that this may be the case. However, it is important for the RCMP to meet our legal obligations and to respect the integrity of other processes.

We are confident that all of the information about this tragic event and the policies and practices of the RCMP with respect to Conducted Energy Weapons, or CEWs, will be thoroughly reviewed, including by the independent investigation being carried out by the Commission for Public Complaints against the RCMP.

There have already been a number of recent changes in RCMP policies, practices and reporting requirements relating to CEWs. We are also engaged in ongoing efforts to clarify situations in which the CEW may be used, and to enhance reporting on, and analysis of, all use of force by Members of the RCMP. You will hear more about this from my colleagues shortly.

Like the British Columbia Association of Municipal Chiefs of Police from whom you have already heard, the RCMP looks forward to the results of this inquiry. We are committed to using those results to make further improvements to our CEW policies, training and practices. The core responsibility of the RCMP is to provide for the safety and security of Canada and the communities we serve. We are, therefore, anxious to make improvements that will enhance and safeguard both public and officer safety.

The inquiry has already heard concerns that have been raised that CEW usage is increasing. It is important to understand why this is the case. There are a number of contributing factors. For example, the Province of BC is growing considerably, and with that growth come more societal and criminal issues. The RCMP has also grown, as have the number of encounters between the police and persons suspected of being involved in crime or in distress.

In 2000 when the CEW was first introduced to the RCMP here in BC, we had 4,392 police officers working in BC under our provincial and municipal contracts. By 2006 that number had increased to 5,105 and today, we have closer to 5,400 police officers engaged in this work.

In 2000 the RCMP in BC arrested and incarcerated approximately 72,000 people. By 2007 that number had increased to nearly 82,000 people. It is also increasingly common for us to be called upon to deal with violent individuals or situations where violence is threatened.

Since 2000, more Members across the RCMP have been trained in the use of CEWs, and more of the devices have been acquired and distributed to our officers.

Based on the information available to date and the experiences thousands of our Members have drawn from in the field, the RCMP continues to believe that the CEW is a valuable tool that, when used properly and in appropriate circumstances, can actually save lives and reduce injuries to police officers and to the public. We recognize, however, that CEW deployment, as is the case with any use of force, carries certain risks.

I am not trained to deploy the Conducted Energy Weapon; nor am I a Use of Force subject matter expert. Therefore, I am joined here today by Inspector Troy Lightfoot from our Community, Contract and Aboriginal Policing Services in Ottawa and by Corporal Gregg Gillis of Richmond Detachment, both of whom have a great deal of knowledge and experience in these areas.

Corporal Gregg GILLIS is a Use of Force Instructor and Trainer. He will provide a PowerPoint presentation covering the following topics:

- An overview of the National Use of Force Framework and the RCMP Incident Management Intervention Model
- Video segments from the USA and Canada on, CEW deployments, incidents where a CEW may have been beneficial and where the availability of the CEW alone significantly contributed to resolving situations without actually deploying the weapon or resorting to other use of force options.
- Research studies surrounding CEW's and reviews underway nationally.
- The RCMP's CEW training course.

Insp. Troy LIGHTFOOT will then provide

- An overview of policy guidelines and compliance and accountability in relation to CEW usage.
- Information regarding the Interim Report by Mr. Paul Kennedy, the Chair of the Commission for Public Complaints Against the RCMP on the use of CEWs and actions taken by the RCMP following the release of that report.

Before we go into the presentations, let me repeat that the RCMP is anxious to learn as much as we can and to make changes to improve both public and officer safety.

We are actively engaged in working to further refine our policies, training and practices relating to CEWs. This includes work we are pursuing with the Commissioner for Public Complaints Against the RCMP and others. We are also adjusting both our training and our reporting requirements to emphasize that there are risks associated with deploying the CEW and it should not be deployed unless it is necessary and appropriate to do so. We need to more clearly define circumstances where deploying the weapon may be appropriate and where it may not. We must, however, strike an appropriate balance, so that our officers do not put themselves and others at an unacceptable level of risk because of hesitation or reluctance to use the CEW where such use is warranted.

We are certainly open to making further changes to our policies and practices and to the National Use of Force Framework and Incident Management Intervention Model, about which you will hear more in a moment.

We also support more and better research. We are committed to contributing to that research by more stringent collection, analysis and reporting of information concerning the deployment of CEWs by the RCMP.

I would now like to refer to the following prepared slides.

Slide 3:

The RCMP provides general policing services on contract to municipal and provincial areas serving a total of 3.1 million British Columbians

Slide 4:

The RCMP in British Columbia provides police service with 53 detachments serving over 390 communities including 190 First Nations communities

Slide 5:

The BC RCMP has 9,100 employees.

With 6,500 sworn police officers (members).

At present there are 3,153 members who have been trained in the use of the CEW.

The RCMP have 1,154 CEW devices in service and available to those members who are trained and current in its use.

I will now turn the presentation over to Cpl. Gillis and then finally to Inspector Lightfoot.

All of us will remain available for questions once the presentation has been completed.

Thank you.

Conducted Energy Weapons and Use of Force



Braidwood Inquiry Vancouver B.C.

PRESENTED BY:

- **Assistant Commissioner Al MacIntyre**
 - Officer In Charge, Criminal Operations
- **Inspector Troy Lightfoot**
 - Officer In Charge, Use of Force and Operational Programs
- **Corporal Gregg Gillis**
 - Use of Force Subject Matter Expert

R.C.M.P. serving British Columbia



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Royal Canadian Mounted Police
Gendarmes Royaux du Canada



Canada



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R.C.M.P. serving British Columbia

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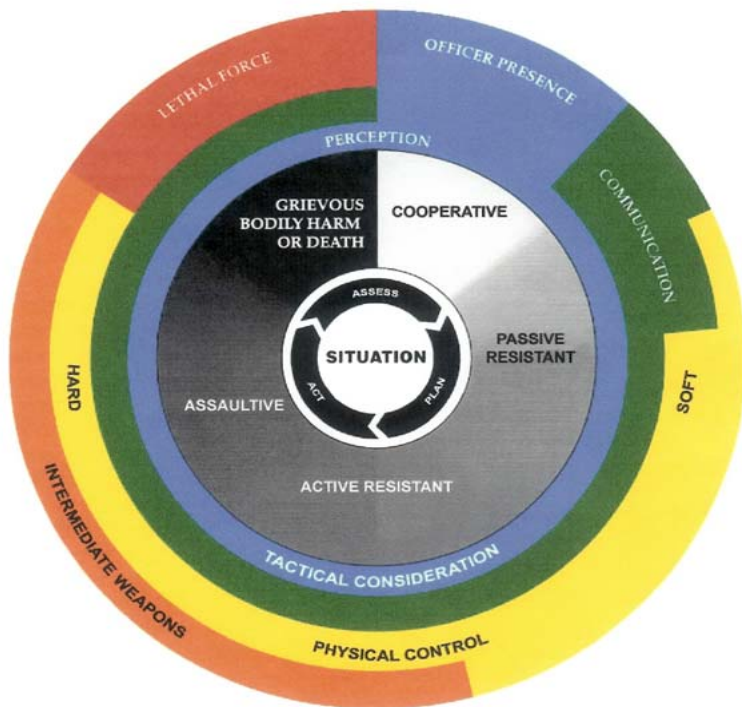
Probe Deployment – X26



National Use of Force Framework

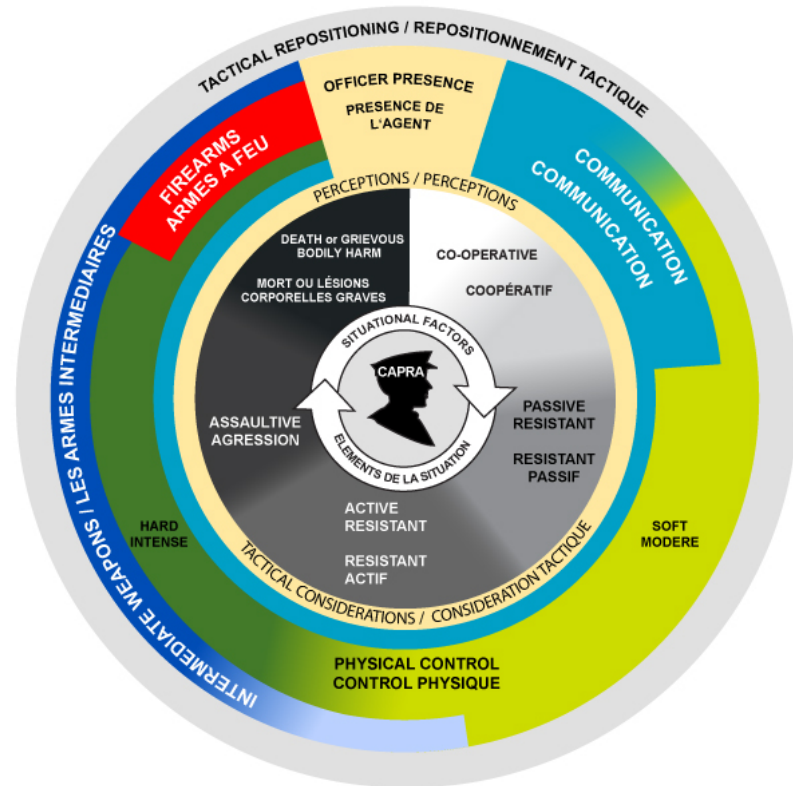
RCMP Incident Management Intervention Model

National Use of Force Framework



The officer continuously assesses the situation and acts in a reasonable manner to ensure officer and public safety.

Incident Management Intervention Model Modèle d'intervention pour la gestion d'incidents



The officer continuously assesses risk and applies the necessary intervention to ensure public and policy safety.

L'officier évalue continuellement les risques et applique la forme d'intervention convenable afin d'assurer la sécurité du public et des services policiers.

version 11/03/08

Intervening with people in crisis



CEW as an Intermediate Option

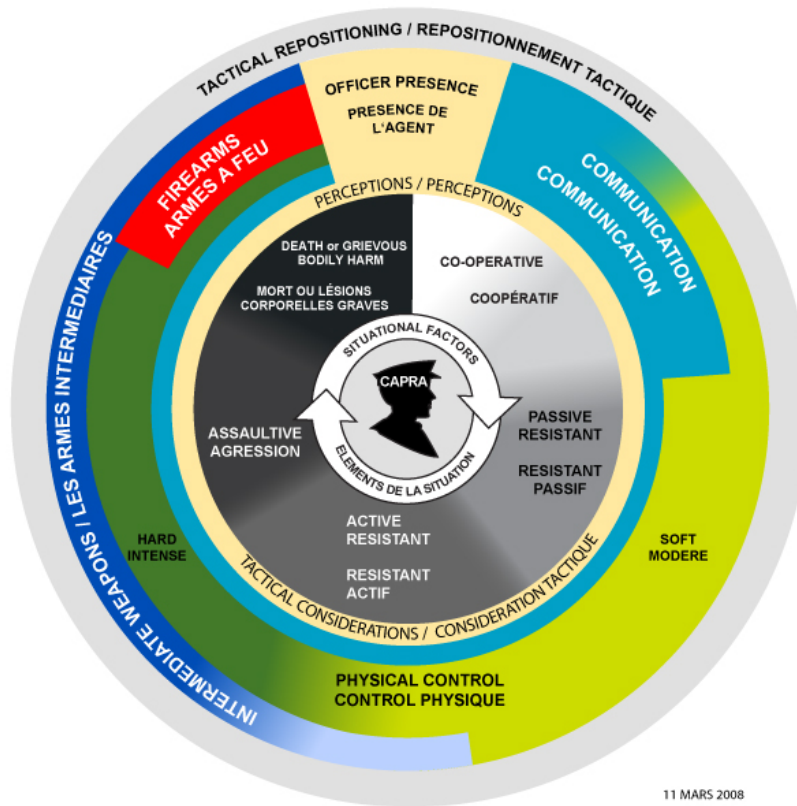
- The Oppal Commission “Closing the Gap’ called on police to investigate less injurious means to control confrontations.
- Tools like OC (Pepper) Spray, and the C.E.W. (TASER) are generally less injurious and often more effective then traditional options.
- Proper training, supervision and accountability.

The need is a balance



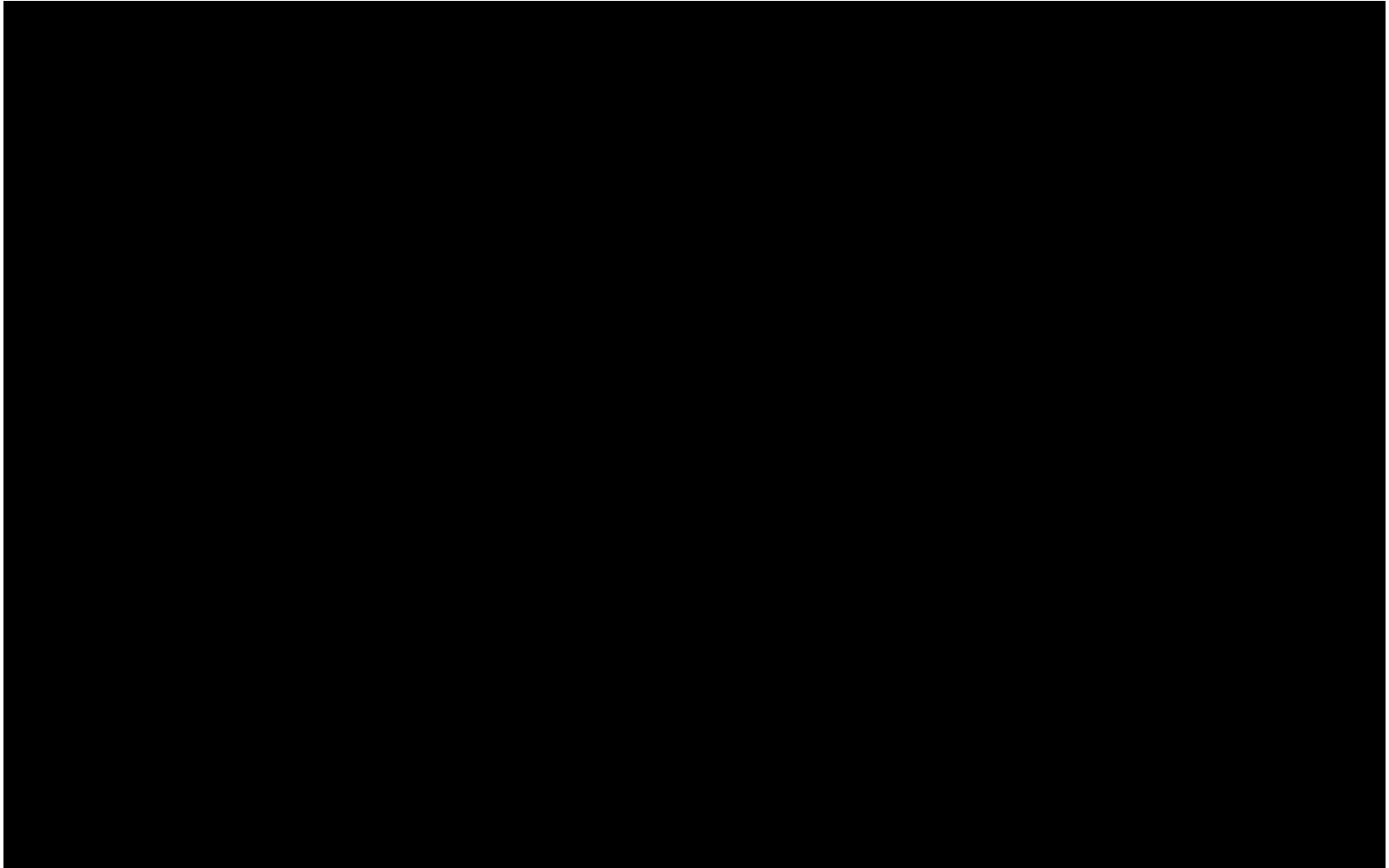
Incident Management Intervention Model

Incident Analysis



- Situational factors
- Subject behaviours
- Officer perceptions
- Tactical considerations
- Officer response options

The Brutal Realities of Policing



Injury Profile

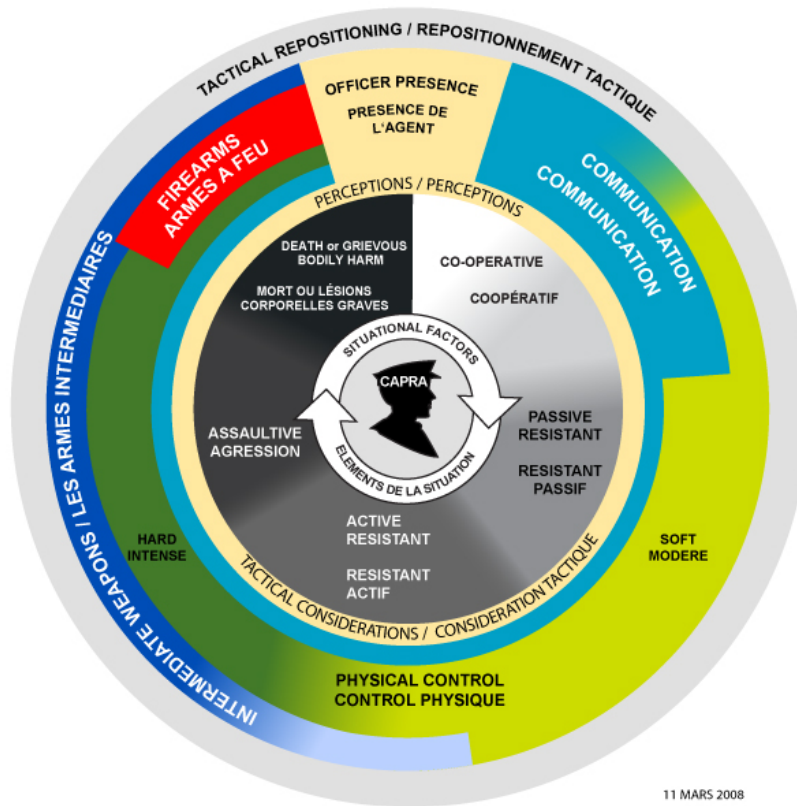
Wake Forest Medical Center – August 2007

Injury Level (962 <i>PHYSICIAN REVIEWED</i> CASES)	Percentages
None	77.2%
Mild	22.5%
Moderate	0.2%
Severe	0.1%
Total	100%

Wake Forest University Baptist Medical Center – study conducted between July 2005 and June 2007.

Incident Management Intervention Model

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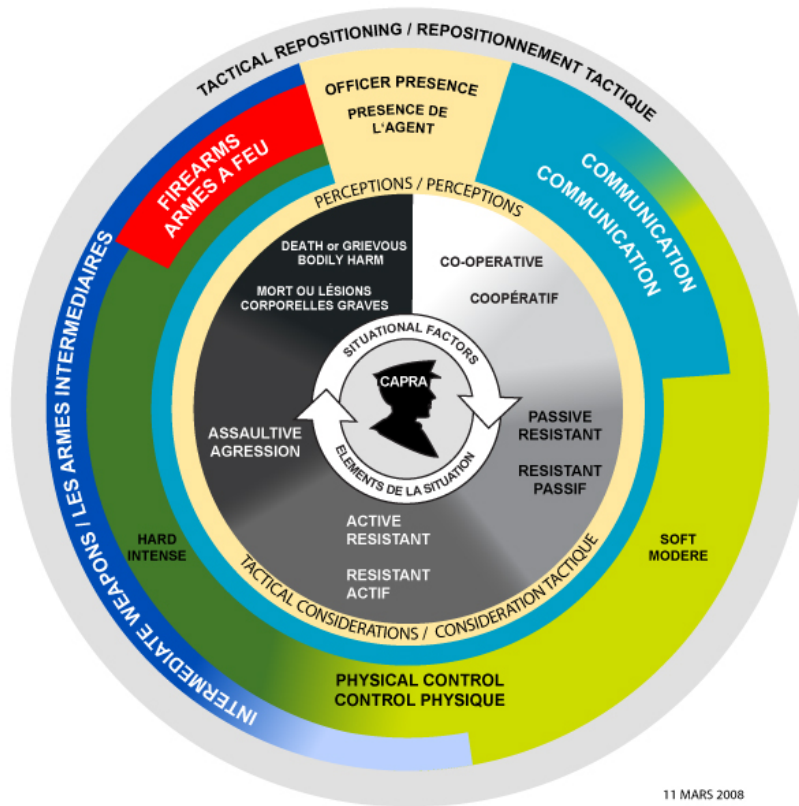
Research Underway

- **2008 CPRC CEW project**
 - UK Home Office – Scientific Development Branch (HOSDB)
 - National Institute of Justice (NIJ)
- **CPRC R.E.S.T.R.A.I.N.T. study**
 - One centre currently (Calgary)
 - Three centres pending (Victoria, San Francisco, San Diego)
 - International scope
- **Multiple CEW reviews underway nationally**

West Palm Beach Incident



Incident Management Intervention Model



- Situational factors
- Subject behaviours
- Officer perceptions
- Tactical considerations
- Officer response options

11 MARS 2008

R.C.M.P. Training Programs

- Serving members are recommended for training
- Four day Instructor Course
- Two day User Course
- Scenario based Judgmental Training
- One day Re-Certification

Policy Guidelines

Extensive National Policy Based on Comprehensive Policy Development Process:

- NEED ANALYSIS & RISK ASSESSMENT
- ENVIRONMENTAL SCANS
- EXAMINATION OF INDUSTRY STANDARDS – BEST PRACTICES
- COMPREHENSIVE CONSULTATION

RESPONSE TO CPC INTERIM REPORT UPDATE

Compliance & Accountability

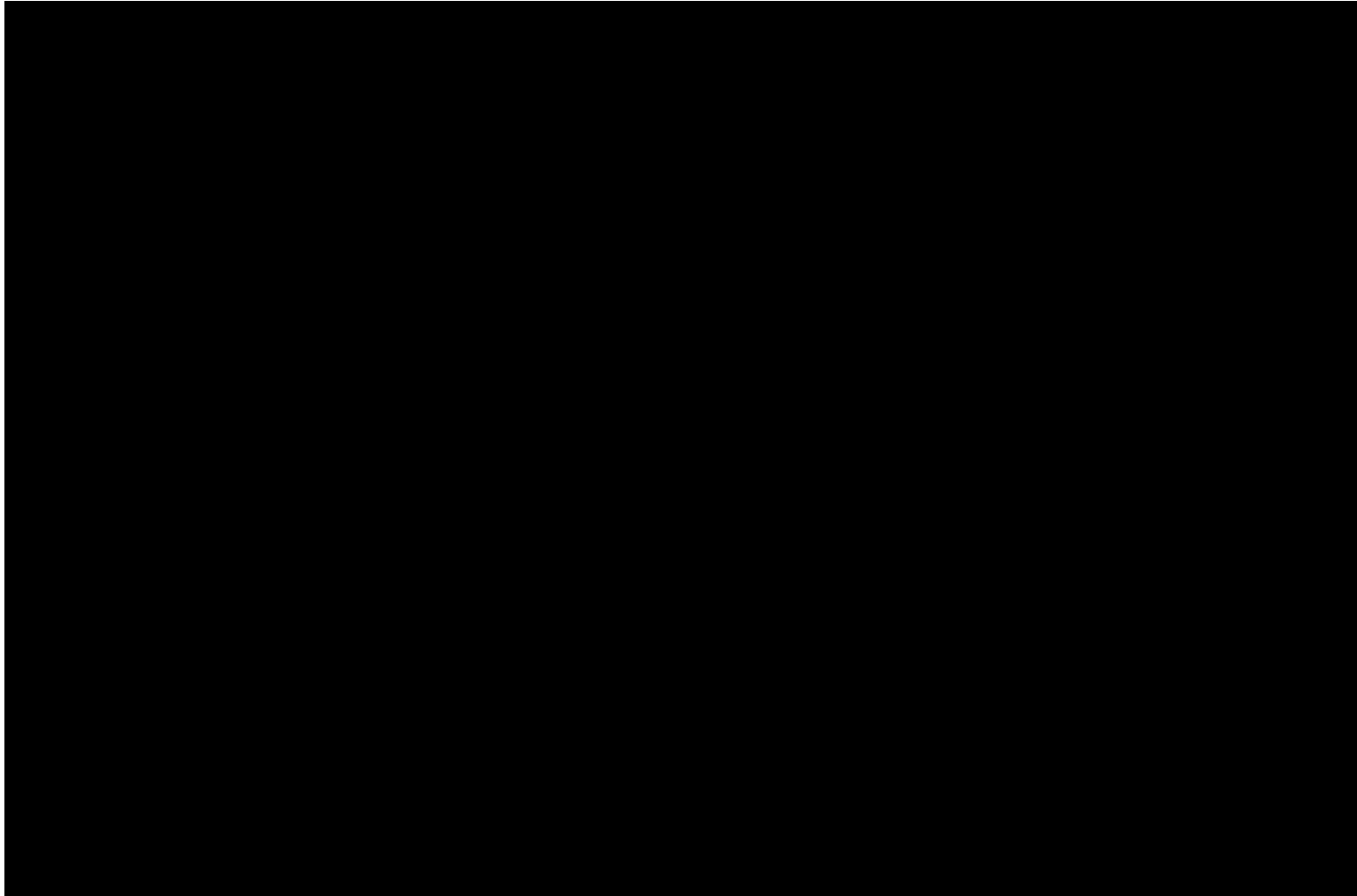
Internal

- Reporting
- Policy
- RCMP Act /AOR
- RCMP Statistical Reports
- Subject Matter Experts
- Environmental Scanning
- IOR (internal & external)

External

- Parliamentary Committee
- Public Inquiries, Inquests, and the Commission for Public Complaints Against the RCMP
- Provincial Oversight bodies and Independent Investigative Teams.
- Legislation – Criminal Code of Canada, Civil Torts, ATIP, Human Rights, Canada Labour Code, Provincial Legislation
- F/P/T and CACP

Manitoba Interlake Incident



The goal is safe homes and safe communities

- There are a potential conflicts in our communities each day and it is the duty of peace officers to maintain the safety of our communities.
- The Peace Officers in Interlake Manitoba had a CEW as a Intermediate Intervention to control that event.
- There needs to be cautious approach to focusing on quick solutions such as looking at a specific tool as the complete answer to complex problems.