

OF USE OF FORCE

OF 40 USE OF FORCE REVIEW

NEW: Revision # 9, January 16, 2017

1.0 STATEMENT OF PRINCIPLES:

The integrity of police services and public trust and confidence in policing will be ensured and maintained through an internal system that objectively and impartially reviews all incidents where members use force in discharging their duties and in their dealings with the public. It is essential that a consistent standard of review be applied by all police services in the province, although the process will, of necessity, vary from service to service dependent upon each service's size and structure.

An appropriate use of force review process achieves a number of important objectives. While it enables the service to identify and address incidents where force used exceeds the limits imposed by law, it also enables the Chief of Police to ensure the maintenance of discipline and policy compliance within the service. It also enables the service to establish an early intervention process to assist members in understanding all use of force options, de-escalation processes and non-force options to address situations they may encounter and when each can and should be utilized. Additionally it provides a vehicle by which appropriate conduct by members of the service can be recognized and acknowledged. Where effective review processes are in place, use of force incidents become an option of last resort and the number of such incidents will be reduced without increasing the risk to members or the public.

2.0 STANDARD OF REVIEW – INCIDENT CLASSIFICATION:

An effective use of force review process should facilitate the ability of the service, and in particular the Chief of Police, to determine and implement an appropriate action/response, if any, to each force incident. Use of force review will therefore classify each incident in accordance with the four level classification matrix set out below which has been adopted and approved by the Saskatchewan Police Commission:

- Level I:** Use of force appropriate and fully compliant with policy
- Level II:** Use of force appropriate but less than fully compliant with policy – Coaching/training provided
- Level III:** Use of force inappropriate but no criminal charges laid – Remedial/disciplinary action undertaken
- Level IV:** Use of force inappropriate and criminal charges laid

3.0 STANDARDS:

The Chief of Police will ensure that local policies and procedures related to use of force review are developed, implemented and utilized in a consistent manner and that all police service staff are made aware of the policy and its requirements. At a minimum those policies and procedures will include:

- 3.01** The establishment of reporting requirements and procedures to ensure all members involved in or present during a use of force incident report in writing their actions and observations in a timely manner following the incident. Where the service is of a size that it is practicable to do so, the members' reports will be accompanied by a critique prepared by a supervisor who has conducted a preliminary investigation of the incident;
- 3.02** A requirement that every incident involving use of force by a member of the service is reviewed, in accordance with the following process standards, to determine if the force used was legally justified and in compliance with the Police Commission and the service use of force policy;
 - 3.02(a)** Large and medium sized services will establish a use of force review committee of a size and composition appropriate to the size and structure of the service to conduct the review of use of force incidents;
 - 3.02(b)** Small services of a size where it is practicable to do so will designate a member of senior rank other than the Chief to conduct the review of use of force incidents;
 - 3.02(c)** Services of a size which makes it impracticable to conduct review of use of force incidents internally will enter into mutual assistance arrangements with another police service in the province to conduct the review of use of force incidents;
- 3.03** Establishing a requirement that the person(s) conducting the review of use of force incidents will monitor the incidents to determine if there are observable trends in the use of force by members of the service;
- 3.04** Establishing a requirement that observed trends in use of force by members of the service will be reported regularly to the Chief of Police;
- 3.05** Establishing an early intervention process by which informal guidance can be provided to members involved in use of force incidents where appropriate but where the incident and the member's conduct does not warrant formal coaching/training, discipline or criminal charges.
- 3.06** Quarterly reporting of use of force incidents to the Saskatchewan Police Commission in the format established by the Commission.

3.07 Establishing a retention period for use of force review process files that shall not be less than five years.

AUTHORITIES:

Criminal Code
National Use of Force Model