# 2021 UOF Statistical Report

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A statistical summary of reported Use of Force Incidents by the Hamilton Police Service

POLICE

Training Branch Use of Force Section

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# 2021 Use of Force Statistical Report

# Introduction

Police officers may be required to use force to protect the public and themselves. Under the Criminal Code of Canada, police officers are granted authority to use reasonable force when necessary to carry out their duties.

This report provides a statistical summary of the 2021 Use of Force (UOF) reports, where Hamilton Police Service (HPS) members used a particular UOF option. This report also compares a number of factors, such as:

- a) The number of 2021 UOF reports compared to the number of incidents from 2017-2021.
- b) The total number of UOF in 2021 compared to the total UOF from 2017-2021.
- c) UOF incidents by Unit/Branch and years of service

The data used to prepare this report is compiled from UOF data submitted to the Ministry of the Solicitor General. Beginning January 1, 2020, the Ministry introduced new reporting requirements that include the addition of Conductive Energy Weapon (CEW) displays, race-based data as well as the way UOF report data is counted. Officers must now submit a full UOF report anytime a CEW is removed from its holster in public.

Based on direction from the Ministry of the Solicitor General, data from previous UOF reports has been adjusted to include the CEW display category.

As identified in the Police Services Act and Hamilton Police Service policy and procedure, HPS members shall complete and submit the Ministry's UOF report prior to the completion of their shift under the following circumstances:

- A. Draws a handgun in the presence of a member of the public, excluding a Member of the Police Service while on duty, points a firearm at a person, or discharges a firearm other than on a Police Range; in the course of a training exercise, target practice or ordinary firearm maintenance, in accordance with Service Policies and Procedures
- B. Uses a weapon other than a firearm on another person, with the exception of a weapon other than a firearm used on another Member of a Police Service in the course of a training exercise in accordance with Service Policies and Procedures
- C. Uses physical force on another person that results in an injury requiring medical attention, with the exception of physical force used on another Member of a Police Service in the course of a training exercise in accordance with Service Policies and Procedures
- D. Handles a Police Service Dog where the dog bites a suspect or any member of the public as the result of the involvement of the Canine Branch
- E. While operational as a Mounted Unit Officer, uses the equine to apply force to a member of the public that results in an injury requiring medical attention
- F. Draws or deploys a Conducted Energy Weapon (CEW) in the presence of a member of the public

This report summarizes those incidents in which a UOF report was submitted.

The UOF options tracked by UOF reports are as follows:

- Firearm Discharged
- Firearm Pointed
- Handgun Drawn
- Aerosol Weapon (Oleo capsicum (O/C) spray or foam)
- Impact Weapon Hard (ASP Baton)
- Impact Weapon Soft (ASP Baton)
- Empty Hands Hard
- Empty Hands Soft



- Other (K9 bites, Mounted Patrol Unit, weapons of opportunity)
- CEW display
- CEW deployed

# **Relevant Training**

De-escalation remains a cornerstone for police interactions. As such, de-escalation training is heavily emphasized throughout the 3 months of training Police receive at the Ontario Police College. It is a component in each of the core subjects they receive, including: Officer Safety, Firearms, Defensive Tactics and Communication. De-escalation and articulation are incorporated in annual training and requalification.

In 2021, the Training Unit continued to teach de-escalation techniques, which emphasized communication skills, rapport building, and emotional intelligence in practical skills scenarios. The Training Unit utilizes scenario-based training for all officers which requires them to demonstrate the de-escalation techniques taught.

While this model is referred to as the Use of Force Model, it governs all interventions with members of our community and includes officer responses, which are present in all interactions, such as "Officer Presence" and "Communication". These two responses, by officers, form the foundation of de-escalation intervention, and are valid response options throughout the entire Model as circumstances dictate.

# Methodology

The data used for analysis is derived from the Use of Force reports submitted to the Ministry of the Solicitor General (Appendix A). The Sergeants under the Training and Use of Force branch transfer select data points from the PDF reports into a spreadsheet for analytical purposes. It is important to note that each officer is responsible for submitting their own report following their shift. Occurrences involving an incident where force is used are complex and officers may complete the report differently depending on the context of the situation and individual perceptions. For example, officers may use force on separate individuals and vary in categorizing elements of the occurrence like the call type, weapons carried by subject, etc. Tactical units such as HPS' Emergency Response Unit are able to submit Team Reports, which summarizes the force used on behalf of all tactical members present.

Readers are encouraged to exercise caution when drawing conclusions on Use of Force trends due to the reporting requirements. The presence of Team and Individual submissions and Use of Force on animals presents challenges to concluding whether Use of Force is increasing or decreasing.

The analysis below is limited to a cross tabulation of select Use of Force Report attributes: Total Use of Force Submissions, Total Involved Subjects, Total Incidents, Total Use of Force Options Used, Total Use of Force by Call Types, Total Use of Force by Branch, Total Use of Force by Years of Service, Weapons Carried by Subject, and Perceived Race. Officers have the ability to select multiple categories for some attributes within the report and not for others. This can limit the context of the report. Each section will denote whether the officer can only select one or more than one option. Animal related Use of Force and Use of Force where no subject was present have been removed from some metrics to refine the analytical context and are denoted within the below sections.

# **Statistical Summary of Incidents**

During the five year period from 2017–2021, the average number of incidents reported was **405** incidents per year, with **410** incidents in 2017 and a high of 431 incidents in 2020. The total number of UOF incidents in 2021 is **361**, which is below the 5-year average.





In 2021, there were 275 occurrences where officers submitted a UOF report. In total, HPS officers completed 368 UOF reports; however, seven reports were excluded due to a duplicate submission error. The report analyzes the 361 reports. Out of the 361 reports, 19 involved using force on an animal. In total 314 distinct subjects were involved in the Use of Force reports.

#### **Total Use of Force Options**

Officers are required to indicate all the use of force options used during the encounter. The application of use of force is progressive and multiple instances of force can be applied to a subject. The below table tabulates all the use of force options reported on the use of force reports for both team and individual reports.

	Firearm	Firearm	Handgun	Aerosol	Impact	Impact		Empty Hands	K9 Bite /	CE14/ *
2017	Discharge	Pointed	Drawn	Weapon	Hard	Soft	Hard	Soft	Misc	CEW *
2017	24	125	19	3	3	0	22	44	1	169
2018	28	125	39	2	3	1	23	36	2	164
2019	28	128	29	2	4	1	16	23	1	166
2020	27	185	42	1	3	0	17	14	3	139
2021	19**	132	91	0	3	1	22	37	0	145
vg	25	139	44	1.6	3.2	.6	20	30.8	1.4	156.6

# **Total Options Used, 5 Year Trend**

Avg

\*Based on direction from the Ministry of the Solicitor General, data from previous UOF reports has been adjusted to include the new CEW display category.

\*\* All Firearm Discharges involved an animal and not a person



# 2020 vs 2021 Options Used / Total Incidents

Option	2020	2021	Percentage increase or decrease
Firearm Discharged	27	19	-30%
Firearm Pointed	185	132	-29%
Handgun Drawn	42	91	117%
Aerosol Weapon	1	0	-
Impact Hard	3	3	0%
Impact Soft	0	1	-
Empty Hand Hard	17	22	29%
Empty Hand Soft	14	37	164%
K9 Bite/Other	3	0	-
CEW (both modes)*	139	145	4.3%
Total Options	431	450	4%

Based on direction from the Ministry of the Solicitor General, data from previous UOF reports has been adjusted to include the new CEW display category.

# **Firearm Discharged**

The discharging of a service pistol, carbine, or one of the tactical firearms is a serious but uncommon use of force. Officers are taught through the Ontario UOF Model and Police Services Act Regulation 926, Sections 9 and 10: "that they shall not draw a handgun, point a firearm or discharge a firearm unless he or she believes, on reasonable grounds, that to do so is necessary to protect against loss of life or serious bodily harm," or "to call for assistance in a critical situation, if there is no reasonable alternative; or to destroy an animal that is potentially dangerous or is so badly injured that humanity dictates that its suffering be ended."

There were **19** incidents in 2021 where Hamilton officers discharged a firearm. This is a 30% decrease compared to the **27** incidents in 2020. The five-year average for discharge firearms is **25** incidents per year. The most common use of service firearms is to euthanize injured animals. In 2021, all 19 firearm discharge incidents were for this purpose. In these instances, carbines were used 18 times and pistol was used 1 time.

# **Firearm Pointed**

The five-year average for firearm pointed is **139** incidents per year. In 2021, there were **132** firearm pointed incidents. Of the 132 incidents, 56 were as a result of a high-risk search warrant or arrest conducted by the Emergency Response Unit (ERU). In 2020, there were **185** incidents indicating a 29% decrease.

# Handgun Drawn

The drawing of a member's handgun from its holster is different than the pointing of a firearm. As per Regulation 926 s. 14.5(1)(a), a UOF Report is only submitted when a handgun is drawn in the presence of a member of the public. Officers are taught they can only draw their handgun if "he or she believes, on reasonable grounds, that to do so is necessary to protect against loss of life or serious bodily harm." There were **91** incidents in 2021 where an officer drew their handgun in front of a member of the public. This is above the five-year average of **44** incidents per year and a 117% increase from 42 incidents in 2020. Increases in the handgun drawn and firearm pointed categories are in part a result of increased UOF incidents where subjects carried weapons (p. 12).



#### Aerosol Weapon (Oleo Capsicum – (O/C)

O/C is classified as an "intermediate weapon" and a subject/threat must exhibit at minimum, "actively resistant"<sup>1</sup> behavior before its use can be considered. There was **zero** O/C incidents in 2021, which is below the five-year average of **two** incidents per year and a 100% decrease from **one** incident in 2020.

The use of O/C has continued to decrease since the introduction of the CEW in 2005. In 2004, O/C was deployed 68 times but its use plummeted to 39 incidents in 2005 when CEWs were introduced. It was anticipated that O/C use would continue to decline or plateau as CEW use became more widespread. Overall, O/C use has generally declined since 2005.

#### Impact Weapon Soft

Impact weapons "soft" refers to using the ASP Baton as a point of leverage while depressing a pressure point on a subject. This option would generally be applied to suspects displaying passive resistant to active resistant behavior and historically this option is rarely utilized. There was **one** reported incident of Impact Weapon Soft in 2021, a 100% increase from zero incidents in 2020 and the same as the five-year average of one incident per year.

#### **Impact Weapon Hard**

Impact weapons "hard" refers to using the ASP Baton to strike an "assaultive" subject. The ASP Baton was used **three** times in 2021 to strike a subject displaying assaultive behavior, which is the same as the five year average of **three** incidents per year and a zero % increase/decrease from the **three** incidents in 2020.

#### **Empty Hands Hard**

The use of empty hands "hard" refers to the striking of an assaultive person. This would include punches, kicks, elbow strikes, knee strikes and grounding techniques. As per Reg. 926 s.14(c), an officer is only required to submit a report for Empty Hands Hard if they "use physical force on another person that results in an injury requiring medical attention." However, an officer is also required to submit a report if they use another force option that requires a report in conjunction with Empty Hands Hard even though medical attention was not required.

There were **22** reported incidents in 2021 of Empty Hands Hard. This is slightly higher than the five-year average of **20** incidents per year and an increase of 29% when compared to 17 incidents in 2020.

#### **Empty Hands Soft**

The use of empty hands "soft" refers to the application of joint locks, some grounding techniques and/or pressure points to a person. As per Reg. 926 s.14(c), an officer is only required to submit a report for Empty Hands Soft if they "use physical force on another person that results in an injury requiring medical attention" or if they use this option in conjunction with another option that requires mandatory reporting. In 2021, there were **37** reported incidents of Empty Hands Soft. Of the 37 Empty Hand Soft incidents, 33 incidents were used in conjunction with other force and 4 were used alone. 10 injuries were reported to be sustained all minor in nature and medical attention was received. A breakdown of these injuries is as follows: 5 were for CEW probe removal, 4 minor, and 1 pre-existing injury not as a result of force. This is on par with the five-year average of **31** incidents per year and an increase of 164% compared to 14 incidents in 2020.

<sup>&</sup>lt;sup>1</sup> The subject uses non-assaultive physical action to resist, or while resisting an officer's lawful direction.



#### **Conducted Energy Weapon (CEW)**

CEWs, also known as TASERs, were authorized for limited police use in Ontario in late 2004. The program was expanded in 2014 to include all active police officers. Currently, there are approximately **852** HPS officers qualified in CEW. Beginning January 2020, all officers must now submit a full UOF report anytime a CEW is removed from its holster in public.

As identified in the Ontario UOF Model, the CEW is an "intermediate weapon" which police can consider to use when a subject exhibits assaultive behavior and/or imminent need to take control of a person before CEW use can be considered. This is a reflection of current national and provincial best practices.

The CEW was used **145** times in 2021. This is an increase of 4.3% from the **139** incidents in 2020. In **65** incidents, the CEW was deployed meaning probes were fired from the cartridge. In **80** incidents, the CEW was used in display mode meaning it was a show of force/de-escalation tool and no probes were fired from the cartridge. As per the below chart, the majority of CEW use is in the display mode.



# **CEW by Use**

#### Use of Force by Incident Type

On the 2021 UOF Reports, UOF incidents were grouped into the following call types:

- 1. Alarm (Robbery or Home Security)
- 2. Break and Enter
- 3. Domestic Disturbance
- 4. Homicide
- 5. Other Disturbance
- 6. Robbery
- 7. Serious Injury

- 8. Suspicious Person
- 9. Traffic
- 10. Weapons Call
- 11. Search warrants/Criminal Code investigations
- 12. Persons in Crisis
- 13. Tactical (Are all in relation to Search Warrant executions)





The below chart excludes all animal related Use of Force Reports (n=19).

NOTE \*these chart totals do not equal the number of UOF Reports submitted, as officers have the option of identifying more than one call type. For example, Officers could respond to a disturbance which could also be a weapons call. "Other" can denote multiple types of calls, as it is the responsibility of the officers on scene to determine the call type. Disturbance can be any number of types of calls. The column marked as Tactical are reports submitted by the ERU and include high risk search warrants, vehicle stops and arrests.

# Use of Force by Branch

Under the new UOF report, the Ministry of the Solicitor General has identified seven separate types of assignments, which include Drugs, Foot Patrol, General Patrol (Uniform Patrol), Investigation, Off Duty, Traffic, and Other (such as Coast, ACTION, Mounted, Marine). For the purposes of this report, ERU has been captured under Tactical. This portion is filled out by the officers at the time of the incident.





# Use of Force by Years of Service

If a UOF report is required as a result of the actions of several officers in a common incident, each officer shall submit their own UOF report. The ERU shall be the only unit permitted to submit a 'team' report.

For statistical purposes officers were grouped into the following Years of Service categories: 0-5 years, 6-10 years, 11-15 years, 16-20 years, >20 years, Tactical (team report), and No Years indicated.



Uniform Patrol is responsible for the majority of the 2021 UOF submissions (75%). The 0-10 Years of Service group accounts for approximately 61% of the officers who completed the Years of Service section. Approximately 37% of officers assigned to Uniform Patrol have less than 10 years of service.

NOTE \*Uniform Patrol and Years of Service data supplied by Human Resources.

#### Suspects/Police Officers Injured/Require Medical Attention

In 2021, there were **71** occurrences in which a subject, a police officer, or both, were reportedly injured.

Within the UOF reporting system, officers are unable to identify causes of the injury and can include incidents in which the subject was injured prior to police arrival. Of the 71 incidents, 68 were identified in which an injury occurred and medical attention was required. Of these 68 incidents that were identified as medical attention required, 44 incidents were for strictly CEW probe removal, 9 incidents where officers were injured, 6 incidents were self-inflicted by the subject, 5 incidents were for possible Excited Delirium, 3 incidents for a third party injured as a result of the subject and 1 incident was for a pre-existing injury. Even though an individual is not injured, if they are apprehended under the Mental Health Act this would also be counted as medical attention.

#### **Use of Force Incidents and Suspect Weapons**

In 2021, 72% of Use of Force reports involving a human subject reported that the subject had access to, or was carrying, or had information that the subject may have a weapon. Each use of force report was categorized with the most serious weapon and analyzed to summarize the most serious weapon involved. Firearms were reported as the most serious weapon in 32% UOF reports.





#### **Use of Force By Subject Race**

In 2020, a new way of tracking UOF encounters was introduced by the Ministry of the Solicitor General. In response to the Ontario Anti-Racism Act, police services are now required to track the race of individuals involved in UOF encounters with police. The information is based on the perception of the officer involved in an encounter. Officers do not ask the race of the individual or find alternate ways to determine the race of the individual or individuals involved. The determination is based solely on the officer's perception of race at the time of the UOF incident.

The Ministry of the Solicitor General has identified the following race groups for officers to select from; Black, East/Southeast Asian, Indigenous, Latino, Middle Eastern, South Asian, White. There is no option for officers to select unknown. Members are unable to select multiple categories per subject. Officers must identify a race unless the incident involves an animal.

The below chart summarizes the perceived races of 318 unique subjects identified from the 342 non-animal UOF reports. Distributional comparisons between the UOF race categories and Hamilton's racial distributions is discouraged due to small sample size. It is important to note that not all subjects are from Hamilton.



In 2021, HPS members submitted **342** UOF reports where force was used on a person, in which a total of **314** subjects were identified. In **four** occurrences, officers reported conflicting racial categories for the same subject. In order to provide a clear accounting, and for the purposes of this report, when multiple officers responded to a scene and identified the subject as a particular race, this statistic was captured once. For example, if eight officers conducted a high-risk arrest on a single subject in which firearms were drawn and pointed, and all the officers identified the subject as the same race, this was captured as one individual and not eight. If multiple officers responded to a call and officers identified the subject's race differently, this report captures each race identified,



therefore resulting in the appearance of multiple subjects for a single incident. In eight UOF reports, officers identified four subjects as different perceived races.

The numbers in this report are based on UOF reports and do not represent the number of people police officers interacted with in 2021. For example, if four officers respond to an incident and force is used by all the officers, this event would count as four separate incidents. This would be reported to the Ministry that the police used force on four separate subjects despite it being a single incident. As this statistic is captured from the police officer's perception of the individual's race, it could impact the accuracy of the statistic, as two officers at the same call could identify the same individual as two different races.

#### **Use of Force by Occurrence Locations**

Upon removing duplicate reports (where multiple officers submitted a report for the same occurrence) it resulted in 275 unique occurrences. Of these 275 occurrences, 256 were non-animal related. HPS has included a map by the occurrence and subject's forward sortation area (FSA). The FSA corresponds to an occurrence and subject's first three characters of a postal code. In 2021, there were 256 unique occurrences in Hamilton that involved an incident where force was used. The below map highlights the distribution of the occurrences where force was used. Nearly all occurrences took place in Hamilton (n=96%). Due to StatCan 2016 FSA shapefile L8B was omitted from mapping.





While most occurrences occurred in Hamilton, only 64% of subjects had a Hamilton FSA available for mapping. 51 (16%) of subjects had no fixed address to report. These records were omitted from the mapping.



# Use of Force by Subject Location, Hamilton Only

# **Use of Force in Relation to Public Contacts**

In 2021, HPS members submitted 361 UOF Reports, which includes 19 animals that were euthanized. This ultimately means that there were 342 incidents where force was used in relation to a member of the public. Compared to the total number of contacts police had with the public, **0.11%** of contacts resulted in a UOF incident.

In comparison, UOF incidents vs. public contacts decreased in 2021 (0.11%) compared to 2020 (0.18%) and 2019 (0.12%).





NOTE \*Public Contact data supplied by the Crime Information Analysis Unit and the Traffic Unit.

# **Conclusions / Trends**

With the inclusion of CEW displays, the five-year average is **407** UOF incidents per year. There was a high of **431** incidents reported in 2020 and a low of **361** incidents in 2021. This information is based on the number of UOF Reports submitted by HPS members.

In 2021, officers discharged a firearm 19 times, which is less than the 27 incidents in 2020. Since 2017, HPS has averaged 25 discharges per year. The majority of discharges are for euthanizing injured animals. Zero officers discharged their firearm at an individual in the past two years.

Uniform Patrol is most likely to encounter incidents requiring an application of force and therefore submit the most UOF reports.

Police are most likely to encounter suspects who carry or have access to firearms. This trend is concerning and most likely a contributing factor to the increase in the number of times police pointed or drew a firearm.

This year's report captures the second year of tracking race in UOF encounters. At this time, it is too early to identify trends as there is not enough data to analyze.

The UOF incident rate for 2021 remains low at, **0.11% (361/318,993)** when compared to the number of times police came into contact with the public. In 2021, HPS members had approximately **318,993** public contacts and used force **342** times (361 incidents minus the 19 animals euthanized).



#### **Appendix – Use of Force Form**

Ontario	¥
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Ministry of the Solicitor General

Use of Force Report

Police Services Act

Fields marked with an asterisk (\*) are mandatory. Check more than one box in each section, where appropriate. Police Service \* Location Code (if applicable) Part A Date (yyyy/mm/dd) \* Time Incident Commenced (24 hour) \* Time Incident Terminated (24 hour) \* Report Type \* Length of Service (years completed) Individual Rank Team Type of Team Number of Police Officers Involved Type of Assignment \* Drugs Foot Patrol General Patrol Investigation Off-duty Traffic Other (specify) Type of Incident <sup>1</sup> Alarm Break and Enter Domestic Disturbance Homicide Other Disturbance Robbery Serious Injury Suspicious Person Traffic Weapons Call Other (specify) Police Presence at Time of Incident \* Attire \* Number of Subject(s) Involved in Incident \* Alone Civilian Clothes Animal/No subject (e.g., unintentional discharge) Uniform Police Assisted (specify #) One Two Three Other (specify #) Perceived Subject Race \* Type of Force Used \* What race category best describes the subject(s)? (include all options used during incident and rank in sequence of use) (Select only one per subject) Rank Was Force Effective? 2 3 1 Yes No Black Aerosol Weapon East/Southeast Asian  $\square$  $\square$ Empty Hand Techniques - Hard Indigenous  $\Box$ Empty Hand Techniques - Soft П Latino 1 Firearm – discharged  $\Box$ Π Middle Eastern Firearm - pointed at person  $\Box$ South Asian Handgun – drawn White Impact Weapon - Hard  $\Box$ П Impact Weapon - Soft Other (e.g., conducted energy weapon, less lethal shotgun, "ARWEN") (specify)▼ Reason for Use of Force \* Accidental Destroy an Animal Effect Arrest Prevent Commission of Offence Prevent Escape Protect Public Protect Self Other (specify) Type of Firearm Used (if applicable) Distance \* (between you and subject/animal at the time the decision was made to use force) Number of Rounds Discharged Animal 1 2 3 Revolver Less than 2 metres Rifle 2 to 3 metres Semi-automatic 3 to 5 metres Shotgun 5 to 7 metres Other (specify)▼ 7 to 10 metres Greater than 10 metres 0270E (2019/10) © Queen's Printer for Ontario, 2019 Disponible en français Page 1 of 3

Alternative Strategies Used (if applicable)							
Concealment Cover Verbal Interaction Other (specify)							
	Total Number of Rounds Fired by Subject(s) (if applicable)						
1 2 3 1 2 3	ioubic)						
Baseball Bat/Club At hand							
Knife/Edged Weapon Concealed on person							
Revolver In-hand							
Rifle Location of Incident *							
Semi-automatic Outdoors Laneway Motor Vehicle	Park						
Shotgun Roadway Rural	Yard						
None Other (specify)							
Unknown Indoors							
Other (specify) ▼ Private Property Apartment Hallway	House						
Public Property Commercial Site Financial Institu	tion Public Institution						
Other (specify)							
Weather Conditions *							
Clear Cloudy Fog Rain Snow/Sleet Sunny							
Other (specify)							
Lighting Conditions *							
Dark Daylight Dusk Good Artificial Light Poor Artificial Light							
Other (specify)							
Person Injured							
Medical Attention Required? Nature of Injuries							
Yes No Minor Serious Fatal	Unknown						
Self	_						
Other Police Officer							
Third Party							
Subject 1							
Subject 2							
Subject 2							
Subject 3							
Subject 3							
Subject 3							
Subject 3							
Subject 3							
Subject 3							
Subject 3							
Subject 3							
Subject 3							
Subject 3							
Subject 3							
Subject 3							
Subject 3 Narrative: (If no occurrence report) – Do not include personal names or information.							
Subject 3	Reviewed by Yes Training						

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Part B						
Incident Number	Officer Involved (name, rank and badge number) *					
Date of last use of force refresh	er training (yyyy/mm/dd)	Would you like to participate in an interview with a training sergeant/ analyst to discuss this incident and/or use of force training?				
		Yes No				
Additional Training Recommended By: Training	ng Analyst Supervisor	Type of Training Recommended				
Save Form Check for	Incomplete Fields	Print Form	Clear Form			
		ing Analyst Only to Solicitor General				

