

# RESPONSE TO ACTIVE ATTACKER INCIDENTS

## Summary for ORR Posting: Response to Active Attacker Incidents Regulation under the *Community Safety and Policing Act, 2019*

In 2021, the SolGen posted a draft regulation, “Response to Active Attacker Incidents”, under the CSPA. The draft regulation establishes requirements for the response to, and management of, incidents involving an active attacker. These incidents, such as school shootings, have the potential for significant injury and loss of life.

Considering the Mass Casualty Commission Report Recommendations (Nova Scotia) and stakeholder feedback, the ministry is proposing to make amendments to the regulation (see attached Summary of Changes) that address the feedback and establish required equipment and necessary training.

### Equipment:

1. Every police officer who performs patrol functions shall be issued at least one tourniquet and at least one pressure bandage or trauma dressing (*police services will have one year to comply with this requirement*).
2. Every police officer who performs patrol functions, and who may be required to respond to an incident involving an active attacker, shall have ready access to:
  - a) a battering ram, bolt cutters and Halligan tool (*police services will have 1 year to comply with this requirement*);
  - b) a semi-automatic rifle, and a minimum of two full magazines (*police services will have 2 years to comply with this requirement*).
3. An officer is considered to have ready access to the equipment listed in section 2. a) and b) if the equipment is in a vehicle that can be reasonably expected to arrive promptly at the location of the active attacker incident.
4. The following must be stored in every motor vehicle that is being used by police officers performing patrol functions:
  - a) a minimum of one manually operated tool that can be used to gain entry into a locked or barricaded structure where an active attack is occurring, such as a battering ram, bolt cutters, an axe, a pry bar, a sledgehammer, or a Halligan tool (*police services will have 1 year to comply with this requirement*); and
  - b) hard body armour, for each officer performing patrol functions using the vehicle while it is in use, that the National Institute of Justice of the United States Department of Justice has classified as Type III or Type IV using its methodology for assessing ballistic performance (*police services will have 1*

*year to comply with this requirement).*

Assistance to victims:

5. If necessary and operationally feasible, an area shall be established away from the incident location to allow victims and family members to obtain information on survivors, and for providing death notifications.
  - a) To the extent possible, any such area shall be established in a location not accessible to persons other than victims and family members.
  - b) A separate area shall be established for the media.
  
6. Every chief of police shall take reasonable steps to conclude arrangements with external service providers to facilitate the provision of assistance to victims following an incident involving an active attacker, including arrangements to facilitate the provision of appropriate referrals to health care professionals, victim support agencies, social service agencies and other appropriate governmental, non-governmental or community organizations.
  - a) The arrangements must provide that, whenever possible, assistance shall be provided from a centralized location or from a common virtual platform.
  - b) If such services are being provided, the chief of police shall publicize how victims of the incident can access these services.

Joint training:

7. Every chief of police shall take reasonable steps to ensure the delivery, at least every year, of scenario based joint active attacker response training and exercises, involving relevant police service, emergency medical services and fire department personnel, including police service communications personnel.
  - a) The training and exercises shall incorporate lessons learned from reports prepared following an incident and best practices.

Communications:

8. Every chief of police shall ensure that the police service has a phone line, website or other means of communication that can be used by community members to request and receive non-urgent information in the event of an active attacker incident.
  - a) Every chief of police shall ensure the public is made aware of the means they should use to request and receive non-urgent information.

Report following incident:

9. Following an incident the chief of police shall prepare a report reviewing and evaluating the police service's response to the incident, which must include the following:
  - a) General information regarding the incident, including the nature of the incident, the date, time, duration, and location of the incident, including whether the attack began in one location and moved to another, and the environment in which the incident occurred.
  - b) Specific information regarding the active attacker including information regarding any weapons, ammunition, or explosives owned or used by the attacker; criminal history; whether the attacker shared information about the attack or plans for the attack; and tactics used during the attack.
  - c) The type of personnel from the police service and other agencies involved in responding to the incident and their role in the response.
  - d) Details on the response to the incident, including the use of communication, intelligence, tactics, and equipment.
  - e) An analysis of the outcome of the incident, including elements of the response that were effective and recommendations for improvements, including matters to be addressed through changes to procedures and training elements that were not effective.
  - f) As applicable, the impact of the active attacker incident and the police service's response to the incident as it related to victims; the community; the police service and other first responder agencies; and individual members of the police service.
  
10. If the response to an active attacker incident involves the members of more than one police service, the chief of police of the police service with policing responsibility for the area in which the incident occurred shall prepare a report in consultation with the chiefs of police of the other involved police services.
  
11. The chief of police shall prepare the report within 120 days after,
  - a) the day of the incident, if there is no Special Investigations Unit investigation into the incident; or
  - b) if there is a Special Investigations Unit investigation into the incident, the day on which public notice in respect of the incident is given under section 33 of the Special Investigations Unit Act, 2019 or a report is published in respect of the incident under section 34 of that Act, as the case may be.
  
12. If the chief of police is unable to complete the report within 120 days, the chief of police shall notify the police service board, or the minister in the case of the Commissioner, of the status of the report 30 every days until the report is complete.
  
13. The chief of police shall provide the police service board, or the minister in the case of the Commissioner, with the report within 30 days of the completion of the report.

14. After consulting with the chief of police regarding redacting the report, and, after making any redactions, the police service board or minister shall publish the report on the internet.

15. The board or the minister shall not redact from the report any information that could not be redacted if access to the report were requested under the *Municipal Freedom of Information Act* or the *Freedom of Information Act*, as applicable.

16. In the case of a joint report, the chief of police shall consult with the chiefs of the other involved police services before advising the board or minister regarding redacting the report.

Note: the ministry's proposed regulation will address response priorities; the provision of equipment; arrangements to ensure coordinated responses; public alerts; response procedures including roles and responsibilities of individuals and units; and reviews/reports following incidents.