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**Wednesday, February 27, 2008**

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**Chair**

**Mr. Garry Breitkreuz**

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## Standing Committee on Public Safety and National Security

Wednesday, February 27, 2008

• (1535)

[English]

**The Chair (Mr. Garry Breitkreuz (Yorkton—Melville, CPC)):** I'd like to bring this meeting to order. This is the Standing Committee on Public Safety and National Security, meeting number 19. We are continuing today our study of the taser.

We would like to welcome our witnesses to this committee. We look forward to your information and to your answers to our questions.

From the Toronto Police Services Board, we have Mr. Mukherjee. I don't know if I'm pronouncing it quite right. We welcome you here. I got it ninety percent right? I won't ask you to pronounce my name and then we'll be even.

From the Metropolitan Toronto Police Services Board, we have Mr. Federico.

Welcome, gentlemen. The usual practice at this committee is to allow you to have an opening statement. I'm sure the clerk has probably given you a bit of an idea of how we do this. You will have approximately 10 minutes. I'll let both of you present. That will take 20 minutes or so, and then we'll open it up for questions and comments, if that's okay with you.

Mr. Mukherjee, perhaps you'd like to explain your position and then go ahead and make your presentation.

**Mr. Alok Mukherjee (Chair, Toronto Police Services Board):** Thank you, Mr. Chair, and good afternoon, members.

My name is Alok Mukherjee and I'm the chair of the Toronto Police Services Board. I have with me Staff Superintendent Mike Federico, who is uniquely qualified to speak to the operational side of the deployment of tasers by police services.

As the first unit commander of our Toronto anti-violence intervention strategy, or TAVIS, Staff Superintendent Federico was tasked with overseeing the use of tasers by our emergency task force. Currently his responsibilities include oversight of the service's training and education unit. He is also the senior officer responsible for our innovative mobile crisis intervention teams, a police-hospital partnership that works to assist people undergoing a mental health crisis.

I appreciate this opportunity to share our experiences and learnings related to the use of tasers as less than lethal devices. The use of tasers by the Toronto Police Service has long been an issue of debate for members of the Toronto Police Services Board, members of the Toronto Police Service, and members of the

community at large. The decision to equip certain officers with this device was one that was entered into by my board with much scrutiny and forethought. Once the board decided to approve limited deployment of tasers by the Toronto Police Service, it, as well as the service, stressed the importance of placing adequate controls around the device, providing comprehensive training and ensuring that accountability and oversight mechanisms were firmly in place.

First I will discuss tasers in the Toronto Police Service.

In July 2002, following a successful four-month pilot project conducted by the Toronto Police Service emergency task force, or ETF, what was then the Ontario Ministry of the Solicitor General approved the M26 advanced taser for use by police tactical teams and hostage rescue units in Ontario. The ministry had authorized the Toronto Police Service and the Ottawa Police Service to do a preliminary pilot project. In February 2004 the ministry authorized the use of the M26 advanced taser by front-line supervisors. However, our board did not immediately agree to provide the equipment to all of the service's front-line officers, embarking instead on a methodical decision-making process.

At its November 18, 2004, meeting the board requested information regarding the status of de-escalation training and taser medical safety risks, including copies of reports and research studies that had been conducted. The board also requested a taser protocol and an implementation plan for the possible second pilot project.

On March 30, 2006, the Toronto Police Service commenced this pilot project in 31, 42, and 52 Divisions. It involved the use of tasers by front-line uniformed supervisors. Only after receiving the results of the pilot project did the board approve the continuation of taser implementation on an interim basis.

As part of its consideration, the Toronto Police Services Board heard deputations from members of the public and requested additional reports from the chief, the Toronto medical officer of health, and board staff regarding any medical and operational research that had been conducted. The board endorsed a draft protocol for taser use and required that it be notified of any changes to this protocol. The board also put in place regular reporting requirements on taser use.

●(1540)

At the conclusion of the pilot project in September 2006, satisfied with the procedures and methods of accountability that had been established, the board approved expansion to all front-line supervisors. The board also noted that in a report to the board, the Toronto medical officer of health indicated that there did not appear to be any studies evaluating long-term health effects, if any, on individuals who had been exposed to tasers.

This has been a long-standing concern of board members, who have voiced an interest in seeing independent studies conducted regarding taser use and long-term effects.

The board has consistently focused on the importance of training when equipping officers with tasers. While the taser is a powerful tool—like the many others a police officer may carry—it is important to focus not just on the device but on the controls that have been placed around it, which very much include the provision of appropriate and regular training in its use. Staff Superintendent Federico will provide further details in this area.

With regard to annual reporting to the board, at the meeting of March 8, 2005, the board directed the chief of police to provide an annual report on the use of tasers within the Toronto Police Service. The report, which is placed on the public agenda, is required to include information on complaints and investigations related to taser use; officer training; availability of tasers to front-line officers; incidents of taser deployment, including diversions, circumstances, numbers of persons involved, and reasons for deployment; and any injuries sustained, deaths, and civil actions. Board members have been able to analyze this information, note trends, and ask questions arising from the reports.

With regard to injuries and deaths attributable to the use of tasers by Toronto Police Service officers in 2005, of the 73 total taser deployments in 2005, injuries were reported in only five cases. In three of the five cases of reported injury, the injuries were self-inflicted. In the remaining two cases of reported injury, it is believed the injuries were sustained when the officers attempted to subdue the individual and were not as a result of the taser deployment. In 2005 there were no deaths attributed to the deployment of the taser by members of the service.

In 2006 the taser was used 174 times during 156 incidents within the defined categories of taser deployment. In 2006 there were no injuries sustained, other than minor skin punctures, as a result of taser deployment by members of the service. In 2006 there were no deaths attributed to the deployment of tasers by members of the service.

The board has not yet received the 2007 annual report on tasers. However, between January 1, 2007, and July 31, 2007, the service had 215 taser incidents, and there were no injuries or deaths resulting from taser deployment.

In conclusion, the Toronto Police Service board views the taser as an important tool to be used by a police officer in certain limited and clearly articulated situations—that is, where an individual is acting in an assaultive manner—rather than simply as a tool of compliance. The board supports the philosophy of Chief Blair that the tasers can be a valuable tool for police officers as long as the proper parameters

for use are outlined, the necessary training is provided, and the relevant structures of accountability are established.

I look forward to our discussion and will now pass this over to Staff Superintendent Federico.

Thank you.

●(1545)

**The Chair:** Thank you, Mr. Mukherjee.

You may go ahead, Mr. Federico.

**Staff Superintendent Michael Federico (Senior Officer, Staff Planning and Community Mobilization, Metropolitan Toronto Police Service):** Thank you, ladies and gentlemen. I appreciate the invitation to be before you.

I propose to provide you with the position and the statement of the chief of police of the Toronto Police Service, William Blair, and then indicate to you the topics and the areas upon which I can comment or explore with you and invite you to ask me questions. I'll be guided by your questions.

Chief Blair has gone on record saying:

There has been considerable comment in the media on TASERS and whether or not they are appropriate for police use. TASERS have an important role to play in protecting the public and our officers from violent people, as well as protecting violent people from injuring themselves....

Organizations that use TASERS must have the proper policies and procedures, the training and the supervision, to ensure they are used in the right circumstances, for the right reasons. Within those policies and procedures, there must be clear accountability and transparency. In Ontario there are many examples of police officers exercising good judgment in the use of TASERS to resolve tense and dangerous situations. These examples exist because the use of TASERS has been implemented with proper procedures, training, supervision, and transparent accountability.

In Toronto, we have devoted considerable time and resources to canvassing North American police practice, to ensure we provide those using TASERS with the best training and supervision, and the policies and procedures that provide clear guidance on when and how they are to be used.

The work that has been done cannot and should not be overlooked in the public debate about the place of TASERS in our use-of-force continuum. Police officers across Ontario are professional and dedicated to the safety and security of their communities. Let there never be any doubt about that. With clear policies and procedures, a well trained officer with a TASER, properly supervised and fully accountable for all use-of-force decisions, can save lives. They have done so in the past and will continue to do so in the future.

The record of TASER use by the Toronto Police Service shows that officers are using good judgement under difficult circumstances and making appropriate decisions to use the minimum force necessary to resolve often tense and dangerous situations. The TASER has proven to be effective in reducing injuries to the public and the officer, particularly when other force options such as the baton or firearm might otherwise have been deployed. Consequently, the Service believes that with proper policy, procedures, training, and accountability, the TASER is an appropriate police force option that can help improve public safety.

I can provide information to the committee on the nature of the device and its deployment in Toronto; how the device might be used; the accountability, policy, and governance of the use of the device; the training that surrounds the deployment of the device to our officers; legal issues we've had to consider and respond to; and medical and safety issues we have researched and that may have arisen.

I am at your disposal.

**The Chair:** Thank you very much. I appreciate that. I don't know if we'll get into all those areas, but we'll do our best.

We will begin with the official opposition, the Liberal Party.

Mr. Cullen, you have indicated you have some questions.

**Hon. Roy Cullen (Etobicoke North, Lib.):** Thank you, Mr. Chair. Thank you, Mr. Mukherjee and Mr. Federico.

Mr. Federico, are there any areas you are not mandated to speak on today or answer questions on?

**S/Supt Michael Federico:** I'll let you know if the question arises.

**Hon. Roy Cullen:** Thank you. I thought it might be easier to do it that way.

How many tasers are in use in the field right now in the Toronto Police Service and how many are on order or in the queue to train officers? Do you have those sorts of stats for us?

**S/Supt Michael Federico:** Currently we have about 454 devices in the field, and they are issued to our front-line supervisors. Those are generally uniform sergeants who are in charge of a platoon of officers. We have a number, I think less than 50, who are dedicated to high-risk units, which are squads such as our holdup squad, the intelligence bureau, the drug squad, special investigative services, the fugitive squad, and the ROPE squad. Once again, these devices are issued to the supervisors of those squads.

There are almost 500 tasers currently in our inventory. We order new devices as the old ones need to be replaced. It's a life cycle process.

• (1550)

**Hon. Roy Cullen:** So those are the ones that are in the field; there are no big orders out there for the time being.

**S/Supt Michael Federico:** Not at this time. The board and the chief are discussing whether or not the program should be expanded.

**Hon. Roy Cullen:** Okay.

Mr. Mukherjee.

**Mr. Alok Mukherjee:** As Staff Superintendent Federico said, the chief of police thinks the taser can be a useful alternative to lethal force. He had a report before the board in July, recommending that the board consider a wider deployment of tasers. We did not deal with it at that time. We requested the chief to come back with more information and a business case. Particularly, as I have mentioned, there are concerns among board members about medical effects and long-term effects, and we wanted the chief to be able to report back with further information from international research that has been done.

Then last month we had a public forum, where we invited the chairman of Taser International, Mr. Tom Smith, to come and answer questions publicly about the device; however, somehow the impression got around that we were very close to ordering thousands of the device—I believe it even had a positive impact on Taser's share price in New York—but we had no such intention. The situation is that the chief needs to come back to the board with a more detailed report, at which time the board will have to discuss his recommendations in public and make a decision.

So there is no plan right now to buy millions of dollars' worth of tasers.

**Hon. Roy Cullen:** Okay, thank you.

Actually, at an earlier meeting of this committee I was asked to follow up with Chief Blair about perhaps a tour of the training at the C.O. Bick training centre, and he put me in touch with Inspector Eley. I can report to the committee that they're happy to organize a tour. I gather plans might have changed in the interim, but they will be very helpful in organizing a tour if we want to do that.

I'd like to come back to the question of—if I can call them this—the rules of engagement, or when tasers are to be deployed. I presume the Toronto Police Service, in addition to training, has some manuals, has some definitions of when tasers should and shouldn't be used. I don't want to read that into the record today or anything, but could you make that available to the committee at some point, the rules of engagement or the policy rules that define when the taser should be used and when it shouldn't?

**S/Supt Michael Federico:** Yes, absolutely.

In terms of providing you with the instructions, the protocols, and the procedures that apply to the Toronto Police Service, I can make those available.

I would like to say, though, that the Toronto Police Service, in accordance with the Police Services Act of Ontario—which does dictate when a police officer can use force, along with the Criminal Code—uses the devices to gain control of a subject who is assaultive, as defined by the Criminal Code. This can include threatening behaviour, in which the officer believes the subject intends and has the ability to carry out the threat. So the device is used strictly to gain control of a subject who is at risk of causing harm, not to secure compliance of a subject who is passively resisting.

**Hon. Roy Cullen:** Now, we've heard from some witnesses that the taser is recommended to be used in many situations where the person to be arrested is in a state of excited delirium. There's a lot of discussion and debate about what exactly that is, but what you're saying is that if the Toronto Police Service officer came upon a person who is in a state of excited delirium, if they were not exhibiting these assaultive—that's the term you use—characteristics, they would not necessarily use the taser. Is that what you're saying?

**S/Supt Michael Federico:** Correct.

The person—the subject—has to be a threat to somebody's security and safety. Just simply acting out in behaviour that might be causing a disturbance or bringing attention upon themselves would not justify the deployment of the taser at that point.

• (1555)

**Hon. Roy Cullen:** In terms of using other methods, like pepper spray or the baton and the use of physical force, does it come into play at all that the person might expose officers to bodily fluids or secretions that might put the officers at risk? In other words, is it better to use the taser because we can subdue quickly, handcuff them, and deal with them that way? If we get into some physical altercation, there could be officers put at risk if people are bleeding or spitting or whatever.

**S/Supt Michael Federico:** Once again, any choice to use force is predicated on the threat the person presents. And the threat has to be a threat against somebody's safety—the police officer's, the individual's, or a member of the public's—before really any force option can be used. So the choice of the taser is then determined by the specific threat. If somebody is simply acting in a bizarre and curious manner and not posing an immediate threat, force is probably not justified, regardless of the instrument of force used. Now, if the police officer is required to make an arrest and must take physical control of somebody, and the person reacts in an assaultive manner, that would justify the application of some use of force. And that could very well be the taser.

The benefit of the taser, of course, is that, unlike pepper spray or the baton, you have that distance. There's a tactical advantage to using the taser. But once again, as the chair has pointed out and as my chief has said, if the situation is not threatening to anybody, no application of force is warranted. The police officer has to move in and make the arrest, but if the person is simply passive, an application of force, beyond taking control of them physically and putting the handcuffs on, isn't justified.

**The Chair:** Your time is up. Do you have a brief follow-up?

**Hon. Roy Cullen:** I have just a quick follow-up in the sense that you said you've done some benchmarking against other law enforcement agencies in North America, and perhaps indeed around the world. Would you say that your rules of engagement, if I can call them that, are similar? Or is it quite a mixed bag if you look just across Canada? Do different police forces have different rules of engagement for the use of tasers?

**S/Supt Michael Federico:** There are two points I'd like to make. To answer your question generally, our practices are similar across the country. There may be variations, depending on some circumstances, but I'd need to hear what they would be specifically.

For example, ours is based on the generally agreed upon principle in policing that the behaviour of the subject has to be assaultive in nature. There may be some services that have defined “assaultive” perhaps more liberally. I'm not in a position to comment on that because I haven't seen some of that material.

I was just reminded of this by the chair, and I'd like to pick up on it. In the deployment of the taser, there are three modes. One of the modes is called force demonstration. That's just activating the device in front of the subject to demonstrate that we have such a tool and

that we can use it if necessary. The taser has two signals on it. One is a laser sight that lights up. The other is that we can spark the electrodes so you can just see and hear a little crackle of electricity. So we may demonstrate that we have the capability to apply this instrument. That is considered an exercise of the use of force, but obviously it doesn't come in contact with the individual. That's just force demonstration.

There may be a situation when we have yet to move in to take control of the individual, but just to make sure there's no misunderstanding about how seriously we're taking this situation and the fact that the person is subject to a lawful arrest, we might spark the device just to let the person know we have it. In many cases, that is the mode of deployment the Toronto police have used.

The second mode of deployment is touching the device to the individual, and that's called “drive stun”. It's just a technical term. You actually apply the device, but you don't let go of it or discharge the darts. The third mode is when you actually discharge the darts, and you do that from a distance.

So those are the three modes. What we're hoping for is the minimum use of force, or the least intrusive use of force.

• (1600)

**The Chair:** Thank you.

Mr. Mukherjee.

**Mr. Alok Mukherjee:** Perhaps I could just add that in 2006, in 44% of the uses of tasers it was the first mode, which is demonstrated force presence; in 19% of the cases it was the drive-stun mode; and in 37% of the cases it was the full deployment. So in fact in the majority of the cases the taser was not fully deployed.

**The Chair:** Okay.

**Mr. Alok Mukherjee:** But they'll all be added up when we say we used the taser  $x$  number of times.

**The Chair:** Thank you.

Monsieur Ménard, you may go ahead.

[*Translation*]

**Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ):** Please excuse my tardiness. I really had another commitment and I was not able to get away sooner.

From your explanations of Taser use by the Toronto police, I gather that your protocol is different from the RCMP's. Is that correct?

[*English*]

**S/Supt Michael Federico:** There are some variations in the RCMP's protocol, depending on the details and the assignment that the RCMP is required to undertake, and that may dictate a different protocol.

For example, I understand—

[*Translation*]

**Mr. Serge Ménard:** Since you recognize that there are differences, I would like to focus on one of them that seems to me to be very important, and to read you this:

Current RCMP policy classifies the Conducted Energy Weapon as an “intermediate” device placing it in the same category as oleoresin capicum spray. This classification permits use of the weapon for those situations where an individual is exhibiting behaviours that are deemed “resistant”, and not just “combative” or posing a risk of “death or grievous bodily harm” to the officer, themselves or the general public.

It was my understanding that you were more in the “combative” category.

[English]

**S/Supt Michael Federico:** The term that we rely on to characterize the time when the taser can be used is the term “assaultive”. “Assaultive” is derived from the Criminal Code definition, where the person applies force intentionally without the permission, or threatens to do so and has the ability, the capability.

[Translation]

**Mr. Serge Ménard:** I do not know how the word is translated, but it seems to correspond to the word “combatif” which unfortunately is not the one used in French in the Criminal Code or in the report I read.

[English]

**S/Supt Michael Federico:** I have to say, I haven't seen the RCMP use the term “combative”. I think that might be a colloquial term. The term the police services have agreed to use is the term “assaultive”.

A person who threatens assault may not actually be physically carrying out an assault, but they've adopted a posture or they've somehow signalled an intent to assault. That would constitute a threat, and that may very well justify the use of force—in this case, the use of a taser. That's different from somebody who's just standing there and not following orders.

[Translation]

**Mr. Serge Ménard:** You know, I would have expected the proper words to be used in a report from the person investigating the RCMP Commissioner. But it is still the case that a distinction is made between that kind of behaviour and behaviour that is just “résistant”. I do not know yet how that will be translated.

• (1605)

[English]

**S/Supt Michael Federico:** If we understand, in kind of layman's terms, resistance to be just not responding to the officer's instructions and posing no threat, in our service that would not constitute grounds to apply force. If I moved in to make an arrest and the person pulled their arm away or raised their fists or adopted a stance that indicated they were about to engage in a fight, those are assaultive characteristics, in our interpretation.

[Translation]

**Mr. Serge Ménard:** [Editor's note: technical difficulties] difference from the RCMP that I feel is greater in your case.

How many people have complained about inappropriate Taser use?

[English]

**S/Supt Michael Federico:** We've had no public complaints by a person who has been the subject of the application of a taser, but I'm vaguely aware that there might be a civil suit pending.

[Translation]

**Mr. Serge Ménard:** No complaints at all? Never?

[English]

**S/Supt Michael Federico:** No, none.

[Translation]

**Mr. Serge Ménard:** Do you inform people who have been tasered that they have the right to register a complaint with the Toronto Police Services Board?

[English]

**S/Supt Michael Federico:** After the taser has been used in the “drive stun” or the actual dart discharge, the subject is immediately seen by emergency service personnel to make sure there are no medical complications. It is the medical service personnel who actually remove the darts from the individual if they've penetrated the skin.

[Translation]

**Mr. Serge Ménard:** That is not what I was asking. I asked you if you inform people of their right to register a complaint.

[English]

**S/Supt Michael Federico:** If the person is expressing a desire to make a complaint, regardless of whether it's about the use of taser or not, we advise the person on how to make a complaint and that they're entitled to do so.

I want to explain a typical situation where that conversation might come up. After the individual has been assessed medically and been secured, if the individual is complaining about the conduct of a police officer, we are required by our service procedures and protocols to advise the person on how to make a public complaint.

In Ontario, a complaint can be made at any police station. The public complaint will initially be reviewed and investigated by the police, but then it is overseen by a civilian body. The Ontario Civilian Commission on Police Services reviews those public complaints.

[Translation]

**Mr. Serge Ménard:** Do you know whether people have complained publicly about Taser use by your police force but have not registered a formal complaint?

[English]

**S/Supt Michael Federico:** People have come to our public police services board meeting to complain about the acquisition of tasers and to express concern about the policies behind the deployment of tasers. I'm not aware of any individual, who has been the subject of taser use, who has registered a complaint against the police.

**The Chair:** We'll have to wrap it up.

Ms. Priddy, from the NDP, it's your turn now, if you wish.

**Ms. Penny Priddy (Surrey North, NDP):** Thank you, Mr. Chair.

Chair Mukherjee and Staff Superintendent Federico, thank you both for being here.

Chair Mukherjee, your good reputation precedes you, even on the west coast, where I come from.

I'm sorry, I came in a few minutes late, but I listened to you talk about investigating each time a taser is either indicated or actually used. I heard you talk about the numbers of investigations and so on.

Can I ask you two things about those investigations? One, have you found, in any of them, inappropriate use of the taser on the part of an officer? I'm not asking for circumstances or names—I don't mean that. I'm asking whether it has been seen as appropriate every single time.

• (1610)

**S/Supt Michael Federico:** The simple answer is yes, and I can tell you why we are confident that in every single case where we have deployed a taser, it has been deployed appropriately.

**Mr. Alok Mukherjee:** If I may add to that, it certainly is a question that concerns the board very much. When the annual reports are provided by the chief on the use of tasers, the chief is required to describe or list each use of the taser: what the incident was, who deployed it—was it them, the task force, or some other unit—what the reason was for which the taser was deployed, and what type of deployment happened.

If we see any anomalies, or if something doesn't look like.... For example, if the taser was used and there were a number of what is called EDPs, emotionally disturbed persons, the board is bound to probe for further information on those incidents in order to understand what the circumstances were in which the taser was being used. This is done in a public meeting. We make sure all those community organizations that have appeared before the board to speak on the issue of tasers are advised, so that they are able to be there. The reports are posted ahead of time and provided to them, and they are also able to raise questions. In fact, at least once a year, if not more, we have that kind of conversation in public about the uses of tasers.

**Ms. Penny Priddy:** Thank you.

What I understand both of you to say is, first, there has never been an inappropriate use, and second, there has never been an individual complaint.

**Mr. Alok Mukherjee:** That is correct.

**Ms. Penny Priddy:** I'm not doubting your word. It's quite amazing and not necessarily consistent with other parts and places in the country. I'm not questioning what you said.

I'd like to actually move on to a different question, if I might.

Staff Superintendent, you said they are immediately seen by medical personnel. Can you describe what "immediately" means? Does that mean the medical personnel are there when it is discharged or that the person is transferred? How does that occur?

**S/Supt Michael Federico:** Thank you.

Typically after the discharge we will call the ambulance to the scene, if we haven't been able to bring the ambulance in advance. In some circumstances, and I'll use this word advisedly, we've been lucky enough to have a situation that's somewhat "contained". We've been able to bring the medical support in advance of any attempt to make contact with the individual. You can think of hostage or barricaded-suspect situations. The tasers have been deployed under those circumstances. But if it's an unanticipated event in the

community where the taser has been deployed, the situation is contained at the scene and we'll bring an ambulance to the scene.

We're fortunate in Toronto that the ambulance service is prompt and well equipped.

**Ms. Penny Priddy:** Yes, it's an urban area. I understand that, but that's not the same as what might happen in a small community.

**S/Supt Michael Federico:** That's correct.

**Ms. Penny Priddy:** I'm more than aware of that, thank you.

In the information that is gathered about an incident, is there ever a narrative gathered from other people who are present when the incident occurs, other than the officer or the officer's partner?

**S/Supt Michael Federico:** In Ontario, if the use of any force results in a serious injury, an independent civilian agency conducts the investigation. That's the special investigations unit—you may have heard of that—and it will conduct a reasonably comprehensive investigation that would include speaking to a number of bystanders. If the circumstances are that the taser, in this case, was deployed and the injuries were no more than what we anticipated—a puncture of the probes or a mark because of the dry stun—a police officer has to report, on a proper form, the use of force. It's unlikely we would launch into as big an investigation as there might be if there were serious injury. However, obviously the input of the person who was the subject is captured. We have that information.

• (1615)

**Ms. Penny Priddy:** Can I just finish off that question, because it was just a tail end to this one? Thank you.

If it's a later inquiry and you had a pair of officers on the site, how would people know later who the bystanders were? How would you gather that information? Are other officers or staff support called to the site to gather the names and contacts of those people?

**S/Supt Michael Federico:** It might very well be. For example, if the individual was charged criminally as a result of some behaviour and the use of force was simply to gain control, there's a whole investigation that surrounds the event; there would be witnesses to that.

**Ms. Penny Priddy:** Thank you.

How am I doing for time?

**The Chair:** You have 15 seconds.

**Ms. Penny Priddy:** I have 15 seconds. Well, in that case I will think carefully about my next question and I will gracefully give up seven seconds to whoever is next.

**The Chair:** Okay, you have one second left. Time's up.

We'll go to Mr. MacKenzie, from the government side.

**Mr. Dave MacKenzie (Oxford, CPC):** Thank you, Chair.



Thank you to both individuals for being here. I think you've brought some light to a subject that is a little different from what we've heard in the past, simply because it's from a board chair and a staff superintendent.

We've focused purely on tasers. Would you tell us what the process is when somebody uses a baton or some other type of force, maybe oleoresin capicum spray? Do you go through the same process in the use-of-force reports and reviews?

**S/Supt Michael Federico:** Essentially it is. Any application of use of force in Toronto must be reported. There are specific forms that capture the type of information both the service and the board would be concerned about. It's incidental that we might be using the taser.

The report gets filed because a use of force occurred, which could be just simply the laying on of the hands, a wrestling match, the application of some empty-handed technique. If we use any of the devices—pepper spray, the baton, tasers—a report gets submitted.

**Mr. Dave MacKenzie:** Will someone who is pepper sprayed receive treatment afterwards?

**S/Supt Michael Federico:** Yes, right after the application of pepper spray we are required to provide water to rinse the eyes. Emergency services will respond. It is not unlike the situation with taser use; we try to provide immediate medical assessment and relief if necessary.

**Mr. Dave MacKenzie:** When the baton has been used, are we likely or not likely to see some injury?

**S/Supt Michael Federico:** When a baton is used you are likely to see some injury. The baton can be used in a passive restraining manner, but if it's used as a striking instrument to gain control using pain compliance and force, inevitably there will be injuries. If there are injuries, the person is taken to the hospital after the arrest is made.

**Mr. Dave MacKenzie:** In Ontario, use-of-force reporting has been mandated for some number of years by the Ontario police services. Is it a fairly standard form used across the province?

**S/Supt Michael Federico:** Yes. In fact, the use-of-force form is a provincial form, and that's the form all police services have to use.

**Mr. Dave MacKenzie:** Is it used whenever there's use of force as we've just discussed here?

**S/Supt Michael Federico:** Right. I would just add that in the case of a firearm and in the case of a taser, simply the demonstration of the weapon requires a use-of-force report, even if it wasn't applied. If I draw my firearm and point it at somebody, I am required to submit a report. If I draw the taser to get somebody's attention, I have to file a report, even though I actually didn't use the device.

**Mr. Dave MacKenzie:** Board Chair, do you see those same annual reports from the chief of police, no matter whether it's a taser, a baton, or a firearm?

• (1620)

**Mr. Alok Mukherjee:** As a matter of fact, no. The only report we get is a report on the use of tasers, because we specifically asked for that one. It was simply because of the nature of the debate that took place and the recognition of the public concern around the taser. We

haven't historically asked for reports on the other use-of-force devices.

**Mr. Dave MacKenzie:** Would I be wrong in suggesting that if you asked for them, the chief would also provide you with those same general reports as we're talking about with the taser?

**Mr. Alok Mukherjee:** That is correct. Yes.

**Mr. Dave MacKenzie:** Staff Sergeant, I think you indicated you had some documentation concerning accountability and a training précis.

**S/Supt Michael Federico:** Yes. I didn't bring them with me, but we have the protocols, the procedures, and samples of the report. There's a training syllabus that outlines the training to be received by each officer who is issued a weapon.

**Mr. Dave MacKenzie:** I'm just wondering if they could be provided to our researchers for their information. Would the department provide them?

**S/Supt Michael Federico:** If the service gets a request... I'm not at liberty to automatically disclose, but we routinely entertain requests like that. I don't see any reason why not.

**Mr. Dave MacKenzie:** Okay.

I think you indicated in answer to a question that the taser has been used to save lives, or it has that potential. Just so that everybody understands, we're not just talking about the lives of police officers and we're not just talking about the lives of other innocent people; we're also talking about the lives of the individuals who are tasered.

**S/Supt Michael Federico:** Yes, absolutely. In some cases, the choice between force options might have resulted in the use of deadly force—the choice of the firearm—had the taser not been available.

**Mr. Alok Mukherjee:** If I may add to that, that is one of the dilemmas we are faced with, because there are a couple of jury recommendations from coroners' inquests—for example, the recently concluded case of Otto Vass and then the case of another gentleman, Christopher-Reid. In both cases the jury wanted to know why tasers were not available, because chances are that if the taser had been available, these men would be alive.

But in order for that to happen, we would have had to agree to or approve the deployment of tasers to our front-line officers. In one case, the officers at the scene called for the emergency task force whose members are authorized to use tasers, but they were occupied elsewhere and there was a delay of 15 to 20 minutes. We had not yet approved the deployment of tasers to our supervisors, so nobody could come. And in that situation the individual died.

So it's a dilemma for the board that on the one hand the board does not want to allow access to tasers by every front-line officer. That is not our policy right now. We have restricted it to emergency task force and front-line supervisors. At the same time, the juries are saying there are circumstances where you might have saved lives.

The debate around the pros and cons of that is very much a debate for us.

**The Chair:** Just a quick wrap-up.

**Mr. Dave MacKenzie:** My thinking is that we issue a handgun to every police officer, so you're caught in that grey area. I'm sure you're hearing from some families that if the police officer had had a taser, it might have saved a life.

**Mr. Alok Mukherjee:** I am one of the members of the board who was strongly opposed to allowing tasers in the Toronto Police Service when the debates first began. That was based on my research into the medical studies that had been done.

There seemed to be a number of unresolved questions. There still are some questions in terms of the impact of tasers on people with certain medical conditions, and I don't believe there is enough conclusive research in those areas yet.

For example, a pregnant woman.... When Tom Smith came to our public forum he said the taser would have the same effect as a sudden pregnancy and the result could be an abortion. But there is no research on that yet.

When police officers go to a scene, full information may not always be available as to the medical condition of the individual they are facing. So there are still unresolved questions.

With the firearm, the gun, there is a history of use, so we know what the consequences could be.

We are only now beginning to learn about the nature of the device. That, I think, makes us more cautious and makes us ask for more information after it is used.

That's the difference between firearms and tasers.

•(1625)

**The Chair:** Thank you. That's very interesting.

Ms. Barnes.

**Hon. Sue Barnes (London West, Lib.):** To both of you, I appreciate your testimony and I appreciate you answering our questions.

You gave us some statistics earlier, and you said there had been no taser-related deaths. Have there been any incidents where deaths occurred within a number of days after the people were tasered, according to your reports?

**S/Supt Michael Federico:** There haven't been any in Toronto. There have been some nationally and internationally. Those cases were the subject of discussion and presentation, and the board considered them. In the cases we are aware of that were reviewed by Dr. Cairns of the Ontario coroner's office, the conclusion was that there was no direct evidence that the deaths were the result of the taser.

**Hon. Sue Barnes:** Is there recertification every year of the officers in your board?

**S/Supt Michael Federico:** Yes. I'm glad you asked me that because I wanted to elaborate slightly on the training. Before a device is issued, there is a full eight hours of training, emphasizing policy, procedure, and judgment. Then there is the skill and technical

knowledge. All of that is tested in both a practical exercise and a written format. Then every 12 months a person has to recertify on that use-of-force device.

**Hon. Sue Barnes:** It's every three years with the RCMP, as opposed to your every twelve months. I'm pleased to hear that.

In your training do you either encourage or require someone to be tasered themselves?

**S/Supt Michael Federico:** It's not mandatory. We've demonstrated that if properly used it can be effective, and we've demonstrated that on our own staff, with their compliance.

**Hon. Sue Barnes:** When you demonstrate that do you use the probe, or do you tape the electrical current to someone's back?

**S/Supt Michael Federico:** We've actually done both. It makes me smile why anybody would want to volunteer.

**Mr. Alok Mukherjee:** It reminds me of a conversation I had with our chief one day. He said that he does not recommend that, because he doesn't have to be shot by a gun to know what the effect of the gun will be.

**Hon. Sue Barnes:** I've heard that line before. Unfortunately, the only training I've seen where people are tasered has it taped to the back as opposed to a probe going in. So I'm surprised that you say people are being probed.

**S/Supt Michael Federico:** It's with their full, informed consent. The device has been demonstrated to do two things. It lets the members know about its effectiveness and it imparts to the member that this is not some trifling toy of convenience. This is a very serious device to be used only in more serious circumstances.

**Hon. Sue Barnes:** On the use of tasers, is there repeated application of the current or just one?

**S/Supt Michael Federico:** Typically, in our experience, it's been applied once. In the data I have, I'd have to research to find out if we've had to apply it twice. The only justification for applying the current twice is to get control.

•(1630)

**Hon. Sue Barnes:** In your record-keeping, do you note exactly how many times someone is tasered?

**S/Supt Michael Federico:** Yes. I'm glad you asked that because the device we've acquired has several redundancies, so we can capture quite categorically when it was used, how it was used, and what motive was used. A couple of features on the device we have are worth noting. I'm pretty sure they're common, and you may have heard this.

First of all, in Toronto the device is issued individually to the member, so the member is responsible for the device. The air cartridges that project the darts are serial numbered. The taser has a computer memory in it that records the exact time, the exact duration, the amperage, and the conditions under which it was fired or activated. When the darts are discharged, confetti or little markers are distributed at the scene. They can be traced, so we know exactly what device was used. So there are those redundancies.

The officer is required to immediately, or soon thereafter, report the activation to their officer in charge. The device memory is then taken and downloaded. We randomly check the devices that have been issued, using the downloaded data to scan the device for use. Then a mandatory use-of-force report is required.

**Hon. Sue Barnes:** One of my concerns from listening to this, and especially to Mr. Smith when he came here, was the lack of research, from my perspective, done here in Canada on this device. To my knowledge, there's never been any follow-up research on what happens to somebody psychologically after they've been tasered once. There was no known research available on that.

I'm surprised we're using this device in Canada when there's no made-in-Canada research. We wouldn't do that with many, many other pieces of equipment or medications, or any number of things.

I would like to hear the chair of the board's comments on this, because it sounds like he did go looking for the research.

**Mr. Alok Mukherjee:** I did, and I was disappointed by the dearth of research. When Mr. Smith came to Toronto, he agreed that a lot more research is needed. We don't know enough about the long-term physiological, neurological, or the other psychological effects of taser use, especially for persons with certain conditions.

We had asked our Toronto medical officer of health for a report when the board was in the process of discussing whether or not to approve taser use. That was his finding also.

We had talked about the idea of having, probably, a cross-disciplinary team that could monitor use of the taser, take the data, and create a database they could look at. The proposal did not get too far. But very recently I met the medical officer of health again, and he remains interested in participating in any such work.

There is some work being done, for example, at the trauma centre at Sunnybrook Hospital, which has developed good expertise in dealing with the use of tasers. There's some work being done there, but it's not yet enough and it's not reported publicly, so we don't know what their findings are.

That remains an area of concern to me and my board members.

**The Chair:** Your time is up, I'm sorry.

We'll now go over to the Bloc.

Mr. Vincent.

[Translation]

**Mr. Robert Vincent (Shefford, BQ):** Thank you.

Good afternoon. It was the Taser use in your presentation that caught my attention. For 2005, you said 73 times; for 2006, it was

174 times; and from January to July 2007, it was 217 times. Its use is doubling annually.

Could you tell me what is the best way to use this weapon, how it is used during an arrest, and why it is used so often?

[English]

**S/Supt Michael Federico:** It's a function of two factors. One is that we have expanded the use to our front-line supervisors, so that encounters in the past that might have prompted another use-of-force option, typically the baton, or perhaps even the firearm, have been replaced by the use of a taser. But it's a function of the number of officers now who have the device and the circumstances they're presented with. So the increase in use, in our opinion, is reflecting the fact that it's the encounter that's driving the choice—but we also now have more officers equipped with it. The result is that the taser is being deployed when another force option might have been chosen in the past. As the doctor indicated, that choice in the past might have been to use the firearm.

•(1635)

[Translation]

**Mr. Robert Vincent:** Do you not think that officers are going to take the easy way out? Let us say, for example, that someone is arrested and charged, and takes exception to that. You said that as soon as the person raises his fist, or does something similar, you could use the weapon to give him a shock. Is that not the easy way out for the officer? Instead of discussing the matter and taking concrete steps to ensure an arrest with no problem, the officer uses the Taser when the suspect does not want to cooperate. He shocks him, he handcuffs him, and Bob's your uncle.

You said that you have to call the ambulance. I was wondering if the municipality pays every time someone is taken to hospital by ambulance. If the Taser was used 215 times between January and July, we can say 500 times. If the municipality has to pay for 500 ambulance trips because of Taser use, it may want to stop paying ancillary costs because they are getting too high.

[English]

**Mr. Alok Mukherjee:** First of all, the situation you described of somebody driving and getting into an altercation with a police officer is unlikely to happen, for the simple reason that we have restricted the deployment of tasers. In Toronto, members of certain units, called emergency task forces, and front-line supervisors are the only ones who have tasers.

Front-line ordinary police constables do not have tasers. So if a constable stopped a driver and got into an altercation, he or she would not have a taser to use on that individual.

Secondly, these front-line supervisors and ETF members are called to attend a scene when it escalates and gets to a certain point that requires more use-of-force options.

As to the availability of medical services, that was one of the issues that the board dealt with, namely that given the lack of knowledge about the effects of tasers, we wanted to make sure that whenever a taser was used by somebody from the Toronto Police Service, there was access to medical attention immediately.

As you've said, it's a cost on the taxpayer. Well, policing is a cost on the taxpayer. It's paid for by the property taxpayer. If somebody dies because there was not a taser available and the people attending the scene used a gun, the costs are even higher. All kinds of investigations take place—there are criminal cases; there are coroner's inquests. So one way or another, doing a cost-benefit analysis might be very interesting, but there is a public cost involved whenever force is used.

If the taser can be demonstrated to be beneficial in terms of saving lives in particular situations, we have to consider that as perhaps more important than some of the costs that may be associated with or attendant upon the saving of that life. So it's a balancing act, basically, that from a policy perspective we have to look at and then try to fit the best possible framework, the best possible resources, so that we can deal with any after-effects of the use of a taser.

• (1640)

**The Chair:** Okay. Thank you very much.

There are no more questions on this side. The next person on my list would be Ms. Brown.

**Ms. Bonnie Brown (Oakville, Lib.):** Thank you very much, Mr. Chair.

Some of us have been kind of shocked at the way some of this use has been described, particularly by the seller of the taser. Certainly your presentation has put a lot of my fears to rest, because I think I sense in it very strong civilian oversight for the use of this rather new device. So I congratulate you on that, particularly on the fact that every use of force has to be reported on paper.

You can understand our...not exactly confusion, but we're getting a dichotomy here from what we observed happen at the Vancouver airport. My conclusion, from what you have said about it, is that those people wouldn't be allowed to operate that way in your force. Would you agree with me?

**Mr. Alok Mukherjee:** I would, and without commenting on the Vancouver situation, I found it very enlightening to read the report of the RCMP public complaints commissioner, Mr. Kennedy. What he talks about in the report as the things the RCMP needs to put in place are very much the kinds of practices and governance frameworks that we have talked about that we did put in place before we allowed the use of tasers.

**Ms. Bonnie Brown:** Yes, and your slowness in moving forward... in other words, having 50 tasers or so, and having these pilot projects and so on to establish this idea of a reticence on the part of the people who are carrying these tasers to actually use them.

**Mr. Alok Mukherjee:** That is correct.

**Ms. Bonnie Brown:** Just so I can continue to feel comfortable about this—and being from the Toronto area, it makes me feel very good—how about the use of firearms? If, in 2007, you had 215 uses of tasers, some of which may have only been demonstrations, how many times did officers draw their handgun?

**S/Supt Michael Federico:** I don't have an exact number, but it would be extremely small. Literally every time a police officer in Toronto uses his gun, there is such public scrutiny around that, including an SIU investigation, that we'd be very familiar with it.

As to 2007, I'd be at a loss to give you a number now. It's extremely rare.

**Ms. Bonnie Brown:** Maybe you could just drop a note to the clerk later and tell us that. I'm sure it's written somewhere. With all these reports, somebody must be summarizing.

**S/Supt Michael Federico:** Oh, absolutely.

**Ms. Bonnie Brown:** That's good, because I wondered if the fact that every officer has one might mean that in actual fact there were more guns drawn than tasers used, simply from the point of view of availability.

**S/Supt Michael Federico:** No. Again, it's not so much the device that is of concern but the judgment the officer exercises in using a force option. The same controls apply to firearms. I'm happy to say that the instances where police officers have to make that ultimate decision to discharge firearms are, thankfully, rare.

The taser is not a replacement for the firearm—there's still a need to have firearms—but it's within that continuum where the options available to a police officer to control the situation may be such that, in our opinion, the taser is an appropriate and effective tool. But there's not a direct correlation between the choice of a taser and a firearm. There's a big distinction between the two.

**Ms. Bonnie Brown:** I just wanted to see the comparison. I wanted to see whether something that everybody has gets used more, even though it's more serious. But that obviously isn't the case.

**S/Supt Michael Federico:** If you wouldn't mind, I would like to pick up on that, because that is really at the essence of what the doctor and I are saying today: the protocols, the supervision, and the monitoring are so important. If the board and the chief did distribute the devices throughout the service generally, the same protocols that we've discussed would apply. The device would still have to be used responsibly and justifiably, just like the other force options we have.

A few questions are at the crux of the issue—are there good policies, is there good training, is there supervision, monitoring, and accountability—and they have to be there no matter how many devices you have, one or hundreds.

•(1645)

**Ms. Bonnie Brown:** I sense, Mr. Chair, that if there are about 500 tasers out there in the Toronto police force, and in 2007 they were used only 215 times, that is a very good statistic. It means that more than half the people who carried tasers never used them. I'm sure that's the case with handguns too, although it would be more than that; probably three-quarters, or more, never used them.

**S/Supt Michael Federico:** And many of the taser uses were just as part of a demonstration, as the doctor emphasized. So the actual application of the charge, the actual electric shock, occurred minimally.

**Ms. Bonnie Brown:** Maybe we should get them to give some lessons to some other people—who shall go nameless.

**The Chair:** All right, thank you very much.

**Mr. Alok Mukherjee:** I have a comment, actually.

**The Chair:** Go ahead.

**Mr. Alok Mukherjee:** It is true that the number of times firearms were drawn was much less than the number of times tasers were drawn. Now, there was a previous question about whether we receive a report on the use of firearms. The way we get a report on firearms is that each time a firearm is drawn or used, there is an investigation by the special investigations unit. Those reports are brought to the board—not in public but confidentially, because they involve conduct issues—and they give us a sense of the number of times firearms have been used in the city.

So there's no question that the rate is much lower for firearms than tasers in terms of deployment, but the majority of the time, the taser is simply demonstrated and not used.

**The Chair:** Thank you.

One more person has indicated that they have a question.

Ms. Barnes.

**Hon. Sue Barnes:** Thank you very much.

I'm just wondering, as chair of a police board, whether other police boards in Ontario do a similar protocol of using this not as an intermediate device but further down the scale. Are you the norm or are you uncommon?

**Mr. Alok Mukherjee:** I believe we are the only ones who have a public reporting requirement. As the staff superintendent mentioned, the use-of-force reporting is required by the province, so all of them would be doing that. I believe our training is double the minimum number of hours of training required. So we give double the amount of training; that's different. And we have public reporting; that's very different.

**Hon. Sue Barnes:** You're telling me that your criterion is to use it more as a last resort than an immediate one. Is that normal throughout, say, Ontario with other police boards?

**S/Supt Michael Federico:** Yes, the circumstances under which it's to be used across the province are that it has to be used only for a subject who's assaultive. I'm not certain what the committee has heard in other jurisdictions—

**Hon. Sue Barnes:** At the RCMP it's an intermediate device.

**Mr. Alok Mukherjee:** I think the staff superintendent mentioned earlier that how people interpret “assaultive” may differ from place to place. We have a very fairly restrictive definition of what constitutes assaultive. We have had some discussions during coroners' inquests about the difference between assaultive and combative. In our mind, assaultive is more extreme than combative. Some people have said that tasers should be used if the only other alternative is drawing the firearm.

**Hon. Sue Barnes:** One of the other areas I don't think I understand is this “excited delirium”. Part of the reason I don't understand it is that I don't believe the medical profession has made it a condition that they say exists. Could you give me your thoughts on that?

**Mr. Alok Mukherjee:** I think the medical profession is now beginning to question whether excited delirium is indeed a diagnosis. Finally, after a recent coroner's inquest, there is a decision by the coroner to review excited delirium as a condition. So we may see some revisions happening to people's understanding and the use of excited delirium as a category.

•(1650)

**Hon. Sue Barnes:** Thank you.

Staff Superintendent, in your protocols about use, is there any consideration given to the physical appearance of, for instance, an elderly person, a visibly pregnant person, or a very young person? Mr. Smith has told us that you could use the weapon on any person over 60 pounds, which literally would involve children.

**S/Supt Michael Federico:** I just return to the circumstances under which we can deploy it. If the person is a public safety risk because they're assaultive, whether or not they display any kind of physical characteristics or attributes is not the primary judgment issue for the officer; it's whether or not they're assaultive.

The officer may say, “The person's assaultive, but I can deal with it using an alternative use of force; I may simply be able to apply sufficient pressure with my hands to bring the person under control—even though they would fit the definition of assaultive.”

The choice of using any force is based on the behaviour of the individual, not their condition. A police officer may in fact, notwithstanding the assaultive nature, decide, “I can deal with this; I can handle it using my own devices, without resorting to a weapon.” Those are always discretionary options available to the police officer.

We generally advise that use-of-force options are to be avoided against children. I can tell you, there might be circumstances when you would have to put the handcuffs on a child simply to maintain control, but it wouldn't be considered the first way of dealing with the situation.

This allows me to expand a little bit upon what we teach our police officers about exercising judgment. De-escalation and containment are the primary tools of a police officer to be employed in the first instance. If we can de-escalate the situation and not use any force option, that's preferable. Once again, we need to put the emphasis on the choice to use force rather than a particular device to be used; that's the first consideration a police officer has to take.

Then, if the device appears to be such that it will have the most effect with the least harm to anybody or the least intrusion, that's the choice of option.

I'm sure you've heard of the use-of-force model. This is taught consistently in Ontario; I'm certain it's nationwide. It requires the officer to continually assess the situation. While I might initially choose a particular force option, I am not now cemented to that choice option. The situation may change such that I can put that force option away and go back to perhaps just talking.

We teach our officers—and that's why the training is as long as it is, and that's why we do training every year—about the use-of-force options given.

I'm glad you asked that question. Thanks.

**Hon. Sue Barnes:** I really appreciate your input here today. I think it puts things in a different perspective for us. Thank you.

**The Chair:** I now have two more people who have indicated they have some questions.

We'll go to Mr. Cullen and then to Ms. Priddy.

**Hon. Roy Cullen:** Thank you, Mr. Chair.

Staff Superintendent Federico, in your statistics for 2006, both of you talked about the three levels: the first mode, the drive stun, and full deployment. I'm wondering if those are cumulative. In other words, you could have a situation where the gun is shown to someone and that might just end it. They might say, "My goodness, there's one of those nasty things; I give up." Or they might look at it and recognize it, but it might not be sufficient. Do these numbers show when you're using, let's say, the first mode and that resolves the situation, or are they cumulative through to, let's say, an incident?

**S/Supt Michael Federico:** No, we didn't double count if the situation was resolved by the last use of the device. So it might have been displayed, but if it was fired, that's what we count, not the fact that it was also displayed previously. These are singular, discrete events, not totals. We're not double counting or triple counting.

**Hon. Roy Cullen:** I have another question.

This might be anecdotal. One of the ironic results of seeing a lot of this taser activity on television is that one of the unintended consequences might be that more people might recognize the taser. You could pull out a taser and someone might look at it and say that it's a plastic thing and they won't care. Have you noticed any difference? Are people becoming more aware of the taser and how it's a very powerful tool and backing off more? Do you have any sort of anecdotal comments or statistics on that?

• (1655)

**S/Supt Michael Federico:** I would say that it would not be unreasonable to suspect that this is occurring, given that the number

of incidents resolved simply by displaying the device are at the rate they are. There is no question that this is a pop culture phenomenon now. There is rap music about the device. I'm pretty confident, at least in Toronto, that more people are aware of them and the circumstances in which police have deployed them. That may in fact influence the number of successful resolutions in cases where we don't actually have to apply the device, we simply present it.

**The Chair:** Okay.

The Bloc Quebecois doesn't have a question.

Go ahead, Ms. Priddy.

**Ms. Penny Priddy:** Thank you, Mr. Chair.

I have found today very useful. I'm not sure I feel better, but I certainly am impressed with the information you've given us and with the approach you've taken to taser use in the city of Toronto.

Because I'm from Toronto, I actually say it correctly, as opposed to the rest of my family, which is not; they still say "Toronna".

Obviously, officers have had handguns available to them for many years, so there have been many years to refine protocols for reporting, training, and so on, although I realize that they would have evolved in sophistication over the years.

This is a two-part question. We've heard about some differences in taser training, follow-up, and so on from people who have come. There are a variety of reasons for that, but there are significant differences. Do you know whether we would see the same thing with respect to the use of handguns in police forces across the country? Would there be significant differences in either protocols or reporting protocols?

**S/Supt Michael Federico:** It's not been my experience that there are significant differences in the protocols. That probably is in part due to the fact that we've had service-issued firearms for hundreds of years. The use-of-force model we use in Ontario and the protocols we've used to govern the deployment of firearms are quite common across the country. So it's not been my experience that there is a marked departure.

**Ms. Penny Priddy:** Right.

Without asking you to do our work for us, let me ask you to do our work for us.

Recognizing that you could perhaps never have exactly the same protocol in downtown Toronto or Vancouver as you would have in Osoyoos or New Glasgow or in small communities where an ambulance service might be 40 minutes away, and I realize there are some things you cannot do, do you think it is possible or wise—maybe possible first, or wise first, and then possible—that we should be looking at more standardized protocols across the country in terms of the use of tasers, or should that still be left to individual police forces?

I realize that in Ontario there are some provincial requirements as well.

**S/Supt Michael Federico:** I can't speak for policing across the nation, but my experience in Ontario is that the services generally welcome an adequacy standard that gives some basic guidelines, flexible enough that we can adapt it to local conditions and local circumstances. I think that's pretty common in the institution of policing right across the country.

Our research often takes us to other jurisdictions to see what other jurisdictions are doing, and from that we gain best practices, and there's an accumulation of wisdom. I think it's probably a principle that would be welcome by most police services and police executives.

• (1700)

**Ms. Penny Priddy:** Is there a best practices website?

**S/Supt Michael Federico:** There are a few: the CACP—Canadian Association of Chiefs of Police—and the Ontario Association of Chiefs of Police are excellent resources. Then there are the Ontario Association of Police Services Boards; the Canadian Association of Police Boards; and the Police Sector Council, which is a national organization of police researchers and police authorities. I'd recommend any one of those.

**Ms. Penny Priddy:** I know there's a variety of research out there and organizations doing it. I just didn't know if there was a website of best practices.

Thank you.

Thank you, Mr. Chair.

**The Chair:** Thank you very much.

Are there any further comments or questions?

Oh yes, regarding the first draft, we're going to be looking at the report on Monday, so I would just remind committee members to look for that in your mailboxes on Friday.

Do you have a closing comment, Mr. Mukherjee?

**Mr. Alok Mukherjee:** I would simply like to say that I brought copies of the board's reports for 2005 and 2006—

**The Chair:** Is that for our research analysts?

**Mr. Alok Mukherjee:** —and copies of a short article in which I talked about how we got to where we did and in which there are some questions.

**The Chair:** Okay. You can deliver that to the table here and we can take a look at it. That's a very large report. Do you want that copied and distributed to everybody?

**A voice:** Just the article.

**The Chair:** I didn't get that, Ms. Barnes.

**Hon. Sue Barnes:** They're just small.

**Mr. Alok Mukherjee:** It's a one-pager.

**Hon. Sue Barnes:** He has copies for all of us.

**The Chair:** It's in both official languages? Okay. He wants it distributed. All right, no problem. We'll just translate the one page. I think that's understood.

I would like to thank the witnesses very much. We appreciate your contribution to our study. I'm sure it'll be a very valuable contribution, so thank you very much.

This meeting stands adjourned.

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