

FREQUENTLY ASKED QUESTIONS

Use of Force Report Completion and Submission to Ministry of the Solicitor General

	Question	Answer
Completion of Report		
1	<i>Our service receives a large number of reports relating to animal dispatches. How should our members complete the report for those events?</i>	<p>When an officer is submitting a use of force report in relation to the dispatching of an animal, the officer should select “Animal/No Subject” under “Number of Subjects Involved in Incident”.</p> <p>The remaining data fields relating to a subject will become <i>unfillable</i>, including:</p> <ul style="list-style-type: none"> • Perceived Subject Race • Weapons Carried by Subject • Location of Subject’s Weapon • Person Injured: Subject 1, 2 or 3
2	<i>The descriptions of firearms under “Type of Firearm Used” and “Weapons Carried by Subject” are either incomplete or inaccurate (e.g., semi-automatic refers to the action of a firearm and not the type of firearm). For example, how would a member indicate a subject was carrying a pistol?</i>	<p>The firearm options in the report are the same as in the current Form 1. The ministry recognizes the information is outdated, but the intention was to try and keep this report as close to the current one as possible to minimize the need for additional training for officers.</p> <p>The reporting officer has the option of identifying “handgun” or “pistol” in the “Other” category.</p> <p>Similarly, officers should select the “Other” category to report on their use of a conducted energy weapon. The ministry has been working on a modernized version of the use of force report that will address these and other issues.</p>
3	<i>The report asks for the number of subjects and allows for the officer to identify a number beyond 3. However, the report only asks for additional information on a maximum of 3 subjects. How should the officer provide information about the remaining subjects?</i>	<p>If an officer used reportable force on more than 3 subjects during a reportable force event (e.g., pointed a firearm at a group of people), the officer should choose the 3 principal or most predominant subjects in the interaction and complete the specific subject-related fields on those individuals.</p>

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4	<i>Do police services have the authority to collect race data?</i>	<p>Members of police services who are required to fill out a use of force report will be required by law to collect their perceived race of individuals in respect of whom the use of force report is prepared as of January 1, 2020. This obligation arises from subsection 14.5 (2) the Equipment and Use of Force Regulation (RRO 1990, Reg 926) under the <i>Police Services Act</i>, which requires members of police services to use the revised Use of Force Report form containing the new perceived race question. It is also a legal requirement to submit use of force reports to the chief of police pursuant to subsection 14.5 (1.1). Police services' collection of perceived race data will therefore become a necessary part of use of force reporting. Subsection 28 (2) of the <i>Municipal Freedom of Information and Protection of Privacy Act</i> and subsection 38 (2) of the <i>Freedom of Information and Protection of Privacy Act</i> permit the collection of personal information that is necessary to the administration of a lawfully authorized activity, such as use of force reporting.</p>
5	<i>How should officers interpret the race categories in response to the question: what race category best describes the subject(s)?</i>	<p>The Anti-Racism Data Standards (ARDS) require that Participant Observer Information (POI) is collected using only the race categories, as stipulated in "Standard 40: Race Question and Categories". POI is used for the purposes of identifying and monitoring potential racial bias or profiling in a specific service, program or function.</p> <p>The officer should provide his/her best assessment of the subject's race, honestly and in good faith.</p> <p>POI collected in the manner that is described in Standard 40, is used to assess whether conclusions are being made and acted on based on stereotypes. Under "Standard 41. Quality Assurance", accuracy or validity of POI means the extent to which the POI reflects the honest perception of the respondent (police officer) during the interaction in question. It does not matter whether the perception reflects the "actual" race of the individual who was assessed.</p>

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		<p>Please see the ARDS at: https://www.ontario.ca/page/anti-racism-data-standards-order-council-8972018</p>
6	<p><i>What if the officer is unsure of the subject’s race?</i></p>	<p>To support data integrity, the Anti-Racism Data Standards do not allow for an unsure/don’t know option. As such, this is a mandatory field and the officer will be required to choose a race category.</p> <p>As noted in “Standard 40: Race Question and Categories”, a service provider’s perception of another person’s race is based on information that can be readily observed, such as skin colour, hair texture, facial features, and other information that may be used to inform assumptions about a person’s racial background such as accent, dress, surname, etc.</p> <p>If a person is perceived to be of mixed race, the respondent should choose the race category that, in their view, the person most resembles.</p> <p>Officers are expected to give their best assessment of an individual, honestly and in good faith.</p>
Submission Process		
7	<p><i>Can someone other than the Training Analyst submit the report to the ministry? If the reporting officer submits the report, the Training Analyst will not know a report was submitted.</i></p>	<p>The report should only be submitted to the ministry by the Training Analyst.</p> <p>While it won’t be possible to eliminate the ability for an officer other than the Training Analyst to submit the report, the report contains these mitigating features:</p> <ul style="list-style-type: none"> • the “Submit to Solicitor General button” specifically indicates it is for the “Training Analyst Only”; • once the submit button is selected, a prompt appears warning the user that the report will be locked and no further changes can be made; and • before the report is submitted, an additional field appears requesting the Training Analyst’s e-mail address; the individual whose e-mail address is provided will receive the confirmation e-mail that the report has been received by the ministry. <p>Police services are strongly encouraged to ensure their members are aware of these requirements.</p>

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8	<i>Will there be a registry of emails that limit the submission to a specific set of officers?</i>	<p>No, there will not be a registry of e-mail addresses from police services to limit uploads to specific individuals.</p> <p>Police services will have to establish internal processes to ensure the report is transmitted from the reporting officer to his/her supervisor and other designated reviewers, followed by the training analyst.</p> <p>As per the Use of Force Guideline, “30. Every police service’s procedures on use of force reporting should...g) set out the supervisory levels, if any, beyond the front-line supervisors, who will review the use of force reports, prior to review by the training analyst.”</p>
9	<i>Can completed pdf reports be emailed directly to the ministry?</i>	It is necessary that reports be submitted to the ministry electronically using the “Training Analyst Only – Submit to Solicitor General” button to ensure data integrity and the protection of privacy.
10	<i>Our service currently uses a paper-based system. Can we submit hard copy reports to the ministry?</i>	<p>It is preferable that reports be submitted to the ministry electronically using the “Training Analyst Only – Submit to Solicitor General” button to ensure data integrity and the protection of privacy.</p> <p>If your service requires assistance with the implementation of the electronic use of force report, please contact Jeanette Gorzkowski, Manager of the Analytics Unit, at Jeanette.Gorzkowski@ontario.ca.</p>
11	<i>Is there a requirement as to when the reports must be submitted to the ministry?</i>	Whenever possible, the reports should be submitted as soon as they are reviewed and finalized by the police service’s Training Analyst.
12	<i>Can the report be changed to meet local needs?</i>	<p>The content of the report cannot be changed by police services.</p> <p>Amendments to the Equipment and Use of Force Regulation (RRO 1990, Reg 926) filed on November 28, 2019 require use of the report entitled “Use of Force Report”, dated 2019/10, that is available on the website of the Government of Ontario Central Forms</p>

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		<p>Repository. This requirement will go into effect on January 1, 2020.</p> <p>It should be noted that police services should only use the reports provided through the All Chiefs/Chairs Memo for operational purposes as the reports available on the Central Forms Repository and ministry website are not fillable and cannot be submitted to the ministry.</p> <p>Certain allowances may be made for the collection of use of force data through a different mechanism (e.g., directly from a police's service's own database). Please contact Jeanette Gorzkowski, Manager of the Analytics Unit, at Jeanette.Gorzkowski@ontario.ca.</p>
13	<p><i>Can a police service use their own electronic use of force report?</i></p>	<p>For those police services that currently utilize an electronic use of force reporting system, the ministry may be able to work with you on a process for submitting required use of force data directly from your internal databases/systems without using the electronic pdf versions provided by the ministry.</p> <p>Please contact Jeanette Gorzkowski, Manager of the Analytics Unit, at Jeanette.Gorzkowski@ontario.ca.</p>
14	<p><i>How should the new use of force report be managed internally before it is submitted to the ministry?</i></p>	<p>Police services should continue to manage the report internally using existing systems. For example, the report can be emailed from officer to supervisor, Training Analyst, etc. or can be accessed, saved and retrieved on the service's intranet.</p> <p>Regardless of how the report is managed internally, it should still be sent to the ministry via the submit button (See <i>Submission Process Guide</i> for more information).</p>
15	<p><i>How do I know the report has been submitted to the ministry?</i></p>	<p>Unless a confirmation e-mail is received indicating that the report was received by the ministry, members should not assume the report was submitted successfully.</p> <p>The individual whose name is in the Training Analyst Email Address field will receive the confirmation e-mail.</p>

	Question	Answer
		<p>Only Training Analysts should use the submit button and only their e-mail address should be entered into the Training Analyst Email Address field.</p> <p>It may take a moment for the report to be saved and submitted and to generate the field for the Training Analyst's email address.</p> <p>Members should not close the report until the Training Analyst Email Address field appears and is filled after which time a confirmation email will be sent.</p> <p>For more information on the submission process, please refer to the Submission Process Guide.</p>
16	<i>How do I delete Part B of the report?</i>	<p>Once the Training Analyst submits the report to the Ministry of the Solicitor General, a "Delete Part B" button will appear on the report that the analyst can use to delete Part B in accordance with the Regulation and police service policy.</p> <p>The version of the report that no longer contains Part B should be saved as the final and only remaining version of the report. The original version of the report should be overwritten when the version without Part B is saved.</p> <p>The police service's data retention policy should then apply to this version of the report.</p>