

*OPP Emergency Response Services:
A Comparison of 1995 to 2006*



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*Research prepared jointly through
Field Support Bureau, Provincial Police Academy, and
Operational Research and Development Bureau*

~ OPP Emergency Response Services ~

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“When we began this inquiry, our focus was on whether or not Ontario should have police tactical units at all. We quickly became convinced, however, that these units are necessary and do save lives. The record speaks for itself. ... The major contribution of these units is not their skill with sniper rifles or their ability to assault a building, but their ability to contain and defuse dangerous situations without the use of firearms.”

~ Ontario Police Commission, Review of Tactical Units, 1989.

“In personal reviews of over one thousand occurrence reports involving tactical support we agree that tactical response is a life saving support system that benefits the public, the police and even those who choose to be the focus of tactical response.”

~ Drinkwater et al., Inquiry into Ontario Police Tactical Units, Volume III, submitted to the Ontario Police Commission, April 1989.

EXECUTIVE SUMMARY

In the 1970s, the majority of police services, including the OPP, had no special capacity to respond to major incidents other than through mass deployment of their members. With the introduction of Incident Command (IC), Crisis Negotiators (CN), Emergency Response Teams (ERT, which includes a public order capability) and Tactics and Rescue Units (TRU) the OPP now provides a wide range of professional emergency response services.

Mass deployment has been replaced by contemporary approaches, such as:

- integrated response strategies employed during high risk incidents,
- gradual levels of force displayed during civil incidents, and
- a myriad of search and rescue endeavours.

For TRU, although it originated as a response to potential terrorism at the 1976 Olympics, its mandate has long since shifted to focusing on providing police tactical response to domestic high-risk situations that threaten public safety.

Since the 1970s, there have been a number of key events that influenced the evolution of emergency response services in the OPP, and generally in police services across Ontario. These include the 1976 Olympics, Coroner's Jury Verdicts in the province, the Ontario Police Commission's Inquiry into tactical units (Drinkwalter), the introduction of Provincial Adequacy Standards, and events around and following the Ipperwash incident.

Integrated Response Strategies

The OPP's integrated response to high-risk incidents has evolved over many years, driven largely by best practices established through lessons learned from experiences at high-risk incidents. Other factors include the OPP's adoption of best practices used by other police services, and action taken on recommendations from internal reviews of OPP emergency response service programs. The current OPP Integrated Response approach reflects recognized best practices in law enforcement, which will no doubt continue to evolve.

Gradual Levels of Force

Early crowd control and crowd management methods and theories have evolved such that the visibility of a police uniform can be now understood as a display of force through the Gradual Application of Force (GAF) continuum. The application of GAF is designed to ensure that the minimum use-of-force necessary is used, and allows officers to continuously assess a situation and select the most reasonable option, given the circumstances as perceived at the time. GAF also provides consideration for which officers will be present and visible at an event (general patrol or ERT), as well as what types of uniforms and equipment will be worn (regular blue working uniform, tactical blues or coveralls).

The GAF approach to crowd management/public order enables the police to respond appropriately to protestors as graduated levels of minimum force are used as determined by individual behaviours. Prior to GAF and the availability of less lethal equipment, police had limited options when confronted with threats of serious bodily harm or death.

Other Endeavours

With the introduction of ERT in 1992, crowd management/public order and emergency response training partnerships have been created both within the OPP and with external agencies. ERT training partnerships exist with other police services, the National Association of Search and Rescue (NASAR), the National Search and Rescue Secretariat (NSS), the military, Emergency Management Ontario (EMO), Ontario Search and Rescue Volunteer Association (OSARVA), the Civilian Air Search and Rescue Association (CASARA), and the Alzheimer Society.

Within the OPP, ERT training in both public order and the initial containment of high-risk situations continues to undergo development through various enhancements to training practical scenarios. Technological advancements, particularly in the last decade, have also played a role in shaping emergency response approaches, training and techniques. These range from new and changing information technologies, to the research and development of equipment and less lethal options, such as OC spray, ARWEN and Tasers.

Public order has evolved into a distinct category in emergency response. In 2001, the OPP entered into a public order partnership with the Toronto Police Service and developed a joint training model that has since become the only Public Order Unit Commander course of its kind in Canada. It is currently a recognized standard for all police services in Ontario, and the OPP and TPS have taught the course to numerous police services across Canada.

Changing societal trends have also introduced new concepts into the policing milieu. The early para-militaristic model of policing has evolved into a contemporary human rights oriented system of values. More than ever, good character and provable competency to meet the job requirements play key roles in the selection and training of emergency response personnel.

In sum, the key triggering events and other contributing factors that have influenced the evolution of emergency response services in the OPP have provided unique opportunities for thoughtful review and organizational introspection. The OPP has strived to use these opportunities as catalysts for positive change and the development of new best practices.

INTRODUCTORY OVERVIEW

The following report outlines the evolution of emergency response services as provided by the OPP. While the early years of emergency response began with the creation of the Tactics and Rescue Units (TRU) in 1975, and evolved as a result of various incidents and reviews, this report focuses primarily on a comparison of OPP emergency response services as they existed in 1995 with the current status of these programs in 2006.

Historical Context

In 1988, the shooting of Bernard Bastien during a high-risk response represented a watershed for tactical emergency response. In April 1989, there were 17 recommendations made by the Bastien Inquest Coroner's Jury.¹ In 1989, the Ontario Police Commission directed that public hearings be held to "inquire into tactical units in the Province of Ontario" (Order in Council 84-89).² The recommendations of both the Coroner's Jury and the Inquiry (Drinkwater Report) influenced the delivery of police emergency response services across the province.

Of note, the original concept for containment teams also emerged through the Drinkwater Report, and was adopted by the OPP in 1992 (OPP ERT).

The Drinkwater Report also led to a review of tactical services by the Ministry of the Solicitor General's Policing Services Division, and influenced the development of the Provincial Adequacy Standards that were introduced in 2000.

Since the 1990s, the OPP has worked towards making sure the recommended standards are met. The OPP's emergency response policies have also been scrutinized and carefully reviewed and revised. At the time of this writing, further draft revisions to OPP Police Orders are under consideration for approval.

Approval for policies that are ultimately contained in OPP Police Orders is a last step in policy development. The time required for development and approval of policies, however, does not preclude the early implementation of best practices. On the contrary, positive changes have been approved by Managers and implemented prior to policies being finalized.

¹ Bastien Inquest Verdict of the Coroner's Jury, April 13, 1989. (17 recommendations)

² *Inquiry into Ontario Police Tactical Units*, Volume 1, April 1989. Under the auspices of Mr. W. Douglas Drinkwater, Q.C., the *Inquiry into Ontario Police Tactical Units* was mandated to review the history, selection, training, equipment and utilization of tactical units of all police services in Ontario. The first report (Volume 1) reported on the status of tactical units in the various police organizations. The second report (Volume 2) compared mandates and made suggestions for minimum standards. The third report (Volume 3) examined recent critical incidents involving tactical units, including Bastien. A total of 48 recommendations were made. The Inquiry also supported 15 of the 17 Coroner's Jury recommendations.

The events that unfolded at Ipperwash Provincial Park in 1995 have led the OPP to look closer at its practices, and to find ways of improving the delivery of emergency response services, particularly within Aboriginal communities. Over the last decade, several OPP reviews have resulted in positive change.

In 2000, the Provincial Adequacy Standards and Guidelines for policing³ came into effect. These state the minimum requirements of police services that use their own members to provide emergency response services, and include components such as skills development, learning plans, participation in joint training exercises, and minimum equipment and facilities requirements to ensure their effectiveness and safety (e.g., database access, clothing, communications and equipment).

Since the goal of this paper is to show how OPP emergency response services have changed, the status of these programs is captured in two segments of time: 1995 and 2006.

Prior to comparing the OPP emergency response services in the two timeframes, it is important to provide relevant definitions and descriptions of specialized programs that contribute to emergency response services to facilitate a common understanding of what they are and what expectations they place on officers.

Major Incident

In 1997, the *Police Services Act* (PSA) was amended to provide a definition of core police services. Emergency response to major incidents was included as one of the five core services that must be provided by police.

The OPP defines a major incident (or occurrence) as “any incident that requires the mobilization of OPP human resources and assets beyond routine policing duties.”⁴

Incidents of such magnitude include:

- ✧ major crimes or traffic collisions,
- ✧ drug raids,
- ✧ search and rescue operations,
- ✧ strike actions,
- ✧ demonstrations or concerts,
- ✧ air crashes,
- ✧ hijackings,
- ✧ hostage incidents,
- ✧ kidnappings,

³ Provincial Adequacy Standards made under O.Reg. 3/99, *Adequacy and Effectiveness of Police Services Regulation*, under the *Police Services Act*. These include Ministry Accredited Standards for emergency response member core competencies and training.

⁴ OPP Police Orders, Chapter 5.

- ✧ bomb threats where explosives may be present,
- ✧ bombings,
- ✧ chemical fuel or material spills,
- ✧ radiation leaks or fires,
- ✧ floods,
- ✧ severe weather conditions,
- ✧ epidemics, or
- ✧ threats to commit an act of disastrous capabilities.

Critical Incident

The *Framework for Police Preparedness for Aboriginal Critical Incidents* applies to all incidents on a First Nation's territory, or involving an Aboriginal person, and where the potential for violence requires the activation of the OPP integrated response (L2 IC, ERT, TRU and Crisis Negotiators); or any incident where the source of conflict may stem from assertions associated with Aboriginal, inherent or treaty rights.

Incident Command

All major incidents require an incident commander. In the OPP there are two levels of incident commanders. (Incident command for Public Order Unit events is reported on separately in a "companion" Part Two submission.)

Incident Command is a vital part of providing emergency response. In the OPP, incident commanders provide leadership at all major incidents, and can be the single most important persons because of their role in directing specialized teams and ensuring that appropriate resources are available. They rely on the advice of a variety of highly trained specialists, but are ultimately responsible for making the final decisions.

Level One Incident Commanders (L1 ICs) are of either staff sergeant or inspector rank. All OPP detachment commanders are trained as L1 ICs, which allows them to take command of a major incident that does not pose a high risk to public safety or of potential violence, and does not require a public order response.

Level Two Incident Commanders (L2 ICs) must be of a commissioned officer rank (inspector and above). Once designated as L2 IC, the member may take command of any and all major and critical incidents under the OPP's jurisdiction, with the exception of public order (reported on separately). L2 ICs are expected to ensure their skills remain current.

Scribes

Scribing for OPP major incidents became a formalized OPP program in 1999 with the creation of a one-week OPP scribe course.

During a major incident, scribes are responsible for recording the Incident Commander's notes, and must record his or her decisions, directions and communications.

Currently, there are approximately 60 OPP civilian members trained as scribes for major incidents. Approximately 20 of those have been trained for Level Two incidents.

The method of scribing at Public Order Unit (POU) events differs, given the nature of those events (i.e., POU Incident Commanders are engaged on the site rather than in a command post). At POU events, the scribe is a uniform member who ensures the POU Incident Commander's decisions/communications are recorded on audiotape.

Crisis Negotiations During Emergency Response

Crisis negotiations became a formalized OPP program in 1998. Organizationally, this program ensures consistency in the way in which crisis negotiators are deployed, and how their skills are utilized.

OPP crisis negotiators (CNs) are responsible for providing assistance at emergency calls that include: barricaded person; hostage taking; high risk warrant; suicidal person; or any other situation where an L2 IC believes their skills would be beneficial.

There are currently 59 uniform crisis negotiators, 7 (12%) of whom are Aboriginal OPP members.

In addition, another resource that is sometimes used by the OPP is the Third Party Intermediary (TPI). A TPI is usually a family member or friend, but may also be another individual who is in a position to offer tangible help.

Crisis Liaison

Other forms of crisis liaison also exist in the OPP that do not necessarily involve negotiations. These unique liaisons help to mitigate concerns and promote communications during major incidents, as detailed below.

In January 2006, the *Framework for Police Preparedness for Aboriginal Critical Incidents* was introduced in the OPP as published in OPP Police Orders. This framework applies to the negotiation and mediation of police-related issues that could surround a

dispute involving Aboriginal matters. It provides an overview of what signs, behaviours and cues to be aware of, and suggests techniques to help avoid, de-escalate or appropriately manage situations and/or resolve conflicts.

The Framework directs employees to four OPP resources that could be used to resolve issues during disputes involving an Aboriginal component;

- ✧ Aboriginal Liaison Operations Officer
- ✧ Critical Incident Mediator
- ✧ Aboriginal Relations Teams (ART), and
- ✧ Major Event Liaison Team (MELT).

Aboriginal Liaison Operations Officer:

The OPP Aboriginal Liaison Operations Officer helps foster trusting relationships between the OPP and Aboriginal communities, maintains contacts and remains current on Aboriginal issues. This person also assists in facilitation communications during Aboriginal related disputes, and provides operational advice to both the Incident Commander and the OPP Executive.

Critical Incident Mediator:

During a major incident, the Critical Incident Mediator will meet with Aboriginal representatives and communicate the police-related issues. This person is also responsible for listening to Aboriginal representatives in order to identify their interests and communicate these back to the Incident Commander (IC). Together, the IC and Critical Incident Mediator develop a mutually acceptable resolution strategy.

Aboriginal Relations Teams (ART):

ART is a resource that provides an important proactive liaison that is part of the everyday working world in the OPP. ART provides “specialized support and assistance in the spirit of partnership with all nations in building respectful relations between police services and Aboriginal peoples and communities while honouring each one’s uniqueness and the creators gifts with dignity and respect.”⁵

Major Event Liaison Teams (MELT):

MELT was first introduced in the OPP in 2004, created to provide assistance at any major incident occurring anywhere in Ontario, involving any type of community. These teams consist of members from around the province who have been trained in advanced dispute resolution. They are not necessarily deployed as part of the integrated response to a critical incident, but are deployed as needed.

⁵ OPP Field Support Bureau, ART Mission Statement. 2004

Emergency Response Teams (ERT)

The Bastien Inquest Coroner's Jury⁶ recommended that the OPP establish emergency response containment teams throughout the province. The need for containment was further detailed in the Drinkwater Report.⁷ As a result, the first OPP Emergency Response Team (ERT) officially came into being in 1992 in North Western Ontario.

In the OPP, approximately 250 uniform patrol officers regularly assigned to detachments throughout the province are also designated as ERT members. These members receive specific training to deal with situations that would not normally fall under general patrol duties.

ERT duties include: search and rescue, search for physical evidence, crowd management and public order (e.g., at civil disturbances, riots, strikes, demonstrations), VIP security, and the initial containment of potentially violent situations (e.g., hostage takings, barricaded persons, possible suicides and high-risk arrests).

The function of the OPP ERT at public events is to ensure crowds are managed so that peace can be maintained, and that any unlawful activities can be resolved to avoid further disruption, injury and/or any escalation of violence. (Note: a separate "companion" Part Two submission has been prepared for Public Order Units.)

Provincial Emergency Response Team (PERT)

Following the terrorist events of September 11th, 2001, PERT was created as a government funded initiative to ensure the province could respond appropriately to emerging terrorist threats involving chemical, biological, radiological and nuclear (CBRN) agents/devices, as well as the consequences of a major structural collapse due to an explosion or natural disaster.

When PERT members are not engaged in their primary functions of CBRN and Urban Search and Rescue Unit (USAR) operations and/or training, they are available to supplement ERT teams at major incidents or operations that have the potential to exhaust ERT resources. (Note: PERT is not a primary component of integrated response.)

Tactics and Rescue Units (TRU)

TRU exist to provide expert tactical support to high-risk incidents. TRU are an integral part of the OPP Integrated response to high-risk/level two incidents.

⁶ *Bastien Inquest Verdict of the Coroner's Jury*, April 13, 1989.

⁷ *Inquiry into Ontario Police Tactical Units*, Volumes 1, 2 and 3. April 1989.

The TRU members play a crucial role in ensuring the safe resolution of high-risk situations. They are activated as part of the integrated response only after deliberation by a Level Two Incident Commander (L2 IC) to confirm that that the incident is *bona fide* high-risk.

TRU include three 12-person teams strategically located in Southern and Central Ontario (London, Odessa (Kingston) and Orillia). Members are selected, trained and equipped to perform the function on a full time basis.

In the OPP, the TRU mandate involves the legislated requirements set out in the Adequacy and Effectiveness of Police Services Regulation (O.Reg. 3/99 under the *Police Services Act*), and the Provincial Adequacy Standards made under that regulation (i.e., Ministry Accredited Standards for tactical member core competencies and training, Policing Standards Manual).

The OPP TRU mandate involves:

- ✧ resolution of hostage rescue (HRT)
- ✧ responding to barricaded subjects
- ✧ canine backup for armed fugitives
- ✧ high-risk witness protection and VIP security
- ✧ high-risk prisoner escorts and court details
- ✧ rappelling
- ✧ high-risk warrant
- ✧ static surveillance where a high risk of violence exists
- ✧ explosive disposal services, and
- ✧ incidents deemed appropriate.

Emergency Medical Technician – Tactical (EMTT)

In 1995, the EMTT program was formally adopted in the OPP. The concept of EMTT originated when a need for on-site medical assistance at high-risk emergencies was identified, and came into being when a local medical practitioner familiar with the TRU program expressed interest in providing this assistance.

The program is comprised of three members (one Registered Nurse and two Medical Doctors). These members, when available, respond to Level 2 incidents and provide medical support to OPP members and the public, as needed. EMTTs receive Auxiliary training but are not sworn in as Auxiliary members. They receive remuneration based on time spent at calls. They also assist with monitoring emergency response member selection and training.

Currently, the EMTT program is under review to ensure that it reflects contemporary best practices and continues to meet the needs of the integrated response approach. One enhancement now under consideration by the Commissioner's Committee is the

contracting for, and training of, a limited number of full-time critical-care paramedics for high-risk and Public Order events.

Regardless of whether an EMTT is available to attend a high-risk incident, the incident commander is responsible for contacting the local ambulance service to ensure that resources are available if required.

Integrated Response

Response to high-risk incidents involves the combined efforts of a number of specialized units, each having their own specific mandate. The units train and work together on a regular basis. The integration of these units is referred to as the integrated response.

All calls for police assistance, whether minor or major, are normally first responded to by general patrol officers. On their arrival, if the call appears to be high risk, the officer(s) immediately notify the Provincial Communications Centre (PCC). The PCC immediately dispatches back-up officers, including any locally available on-duty ERT members, as required. The PCC duty officer also immediately contacts the region's on-call Level 2 Incident Commander (L2 IC).

The L2 IC takes steps to confirm whether the incident is, in fact, a Level Two call (i.e., high risk). Once confirmed, the L2 IC activates all the primary elements of the integrated response. For an armed and dangerous barricaded person or a hostage rescue incident, the integrated response includes a L2 IC, scribe, ERT, TRU, crisis negotiators, criminal investigators.

In most cases, due to their proximity to the scene, ERT members are the first to arrive in support of the general patrol officers. On their arrival, the ERT members contain the scene by establishing an inner perimeter around the incident. The ERT members move into position utilizing invisible deployment (not seen or heard).

The inner perimeter is established as close as possible to the subject's location, but without endangering the safety of ERT members or causing alarm to the subject(s). By establishing an inner perimeter, the ERT members are able to safely contain and observe all four sides/360 degrees of the subject's location.

At a safe distance back from the inner perimeter, general patrol officers establish an outer perimeter. The outer perimeter is established to restrict public access to the scene in order to ensure public safety.

The area in between the inner and outer perimeters is referred to as the frozen zone. All activity occurring within the frozen zone is carefully controlled by police. The frozen zone is the area in which the command post, tactical operations centre and staging area are normally set up. (Also see Appendix A for information related to the recording and retention of recorded communications during Level Two or critical incidents.)

Once the L2 IC is activated, he or she assumes control of the incident, and is in command of and responsible for all police resources involved in the incident.

Once TRU members arrive at the scene, they relieve the ERT members on the inner perimeter and assume operational control of the inner perimeter. Once relieved, typically, the ERT members relieve the general patrol officers on the outer perimeter and assume operational control of the outer perimeter.

Although the L2 IC is ultimately responsible for the decisions made at a major incident, OPP policy calls for a partnership in the decision making process. This partnership is referred to as the Major Incident Command (MIC) triangle. It involves the L2 IC, the TRU unit commander and the crisis negotiation team leader.

The MIC triangle ensures that the commanders of the two key disciplines (TRU and crisis negotiation) are actively involved in the decision making process, providing the L2 IC with the benefit of their expertise and advice to enable the best possible decisions.

COMPARISON OF PROGRAMS – 1995 TO 2006

Incident Command

- **Historical Overview: 1995**

In 1995, the policy on Incident Command contained in OPP Police Orders reflected previous revisions made in November 1983 and July 1987, with no new amendments made in the interim. This policy was not amended again until 1997.

From the early 1980s until 1994, incident commanders attended a 2-week OPP IC course that combined civil disasters and high-risk incidents. In 1995, a distinction between the levels of incident command was made and training was changed to create two different course levels. The first piloted courses were run in March/April 1995, and continued through to 1999, as follows: Level 1 training (civil/natural disasters) consisted of a 2-week course and Level 2 training (high risk incidents) consisted of a one-week course.

- **Contemporary Overview: 2006**

Level 1 Incident Command:

MANDATE

- All major incidents with the exception of high-risk and public order

LOCATIONS

- Detachments and Regional Headquarters

NUMBERS

- In excess of 100

Level 2 Incident Command:

MANDATE

- All major incidents including high-risk but excluding public order

LOCATIONS

- Regional Headquarters in Western, Central, Eastern and North East Regions, General Headquarters

NUMBERS

- 13

Public Order Incident Command:

MANDATE

- Proactively manage crowds at any and all levels of order

LOCATIONS

- Regional Headquarters in Western, Central, Eastern and North East Regions, General Headquarters

NUMBERS

- 8

Background:

In 2000, the Provincial Adequacy Standards introduced the following requirements:

“Where a police service provides major incident command services using its own members, the Chief of Police should ensure that members are provided, at minimum, with the equipment and facilities set out in the Ministry’s designated equipment and facilities list.

- a) command post facilities and equipment;
- b) media liaison;
- c) police liaison officer(s);
- d) communications advisor; and
- e) scribe.”⁸

From March 1998 through October 1999, there was an OPP review of the Incident Command training. As a result, the L1 IC course and program remained much the same, but with these few exceptions:

- ✧ L1 IC of commissioned officer rank could be trained as POU commanders to allow for POU commanders in North West Region where there are no L2 ICs,
- ✧ the course was to be reviewed on an ongoing basis to ensure sharing of appropriate information and skills development, and
- ✧ all detachment commanders and RHQ inspectors would be required to complete the L1 IC course and maintenance training.

The purpose of the L1 IC course is to provide “skills and knowledge to successfully coordinate the operational and administrative functions at a major incident (with the exception of barricaded persons, hostage-takings, POU or other high-risk occurrences).”⁹

The L1 IC course has some formal evaluation through a written test and feedback to the candidate’s supervisor on any concerns identified in the individual scenarios.

⁸ Provincial Adequacy Standards made under O.Reg. 3/99, *Adequacy and Effectiveness of Police Services Regulation*, under the *Police Services Act*.

⁹ Level 1 Incident Commander Course Training Standard.

Today, to become qualified as a L1 IC, the member must attend a two-week course on taking command of Level One major incidents. During a Level One major incident, a L1 IC would attend the scene, as appropriate (e.g., natural disasters) and make decisions in regard to logistics, coordination of resources, etc.

As a result of a 1998 Incident Command Review, the L2 IC course was radically changed with the first new course run in December 1999. The course duration was expanded from one to four weeks in order to provide greater instruction and live scenarios, and requirements were added to include structured and mandatory maintenance of skills deemed to be perishable if not routinely used.

When taking the Level Two course, L2 ICs also receive a half-day seminar on Aboriginal issues and a half-day seminar on the *Framework for Police Preparedness to Aboriginal Critical Incidents*. This includes an overview of the history of the development of First Nations issues (e.g., legal, historical treaty rights, role of policing) and discussion around operational issues. In addition, all L2 ICs are required to take the one-week OPP Native Awareness Course.

L2 ICs must attend both the L1 IC training (as a prerequisite course) and successfully complete the four weeks of specialized L2 IC training.

Choosing candidates for the L2 IC course is also more selective than the open process that is used for L1 IC participants. This course involves a pass/fail assessment. The participants have 2 full scenario assessments during the 4th week of the course, one of which must involve the application of the Framework. Four senior L2 ICs assess each participant in 14 different categories, 7 of which are mandatory. One of the mandatory fields is Aboriginal Issues Management. Participants who do not meet the standard in any of the 7 mandatory fields, are not recommended and do not command Level 2 Incidents.

Maintenance training for L2 ICs includes:

- 4 mandatory maintenance training days annually,
- an L2 IC seminar annually,
- a 3 day crisis negotiator conference every 3 years
- the final week of TRU Level 3 Training (Hostage Rescue) within one year of completing the L2 IC course.

In 2005, the OPP Emergency Response Review recommended the following amendments to the L2 IC course which have been implemented:

- ✧ Add a component focused on court preparation of testimony and evidence.
- ✧ Add a component focused on Freedom of Information (FOI).
- ✧ Include an overview of the intelligence functions, and the use of intelligence resources in practical scenarios.

In regard to court preparation of testimony and evidence, the OPP recognizes that “it is vital that the Incident Command is diligent in documenting and articulating his/her actions and decision-making process at all stages of an incident.”¹⁰ A session on court preparation, followed by a scenario exercise, provides OPP L2 ICs with an awareness of the various factors involved in court preparation and testimony.

Teaching points include understanding:

- ✧ priorities related to tactical incidents,
- ✧ key issues such as peaceful resolution and safety of life,
- ✧ other issues related to criminal and civil litigation,
- ✧ note-taking considerations, ethics and integrity,
- ✧ articulating the decision making process,
- ✧ modes and details regarding communications,
- ✧ disclosure issues,
- ✧ responsibilities, and
- ✧ media-related issues.

The OPP also recognizes that Incident Commanders need to consider the impact of access and privacy legislation (i.e., *Freedom of Information and Protection of Privacy Act* (FIPPA)). To this end, Incident Commanders “must always be cognizant that communications may be open to public scrutiny.”¹¹ The FOI component added to the L2 IC course consists of a lecture and scenario, which are provided to help Incident Commanders understand FIPPA as it would relate to the communications before, during and after a major incident.

L2 ICs are provided with an overview of intelligence in recognition that incident commanders may encounter situations where they will need to consult with the OPP’s Intelligence Bureau. The purpose is to ensure that incident commanders understand the functions of intelligence and how to use these resources appropriately. Teaching points cover:

- ✧ Intelligence resources that are available.
- ✧ The use of these resources prior to and during an incident.
- ✧ Differences between information and intelligence, including classifications of intelligence.

Of note, in November 2004, the L2 IC course achieved national recognition, and a 3-week modified version of the OPP course has been adopted as the National Incident Commander Course for police personnel across the country.

¹⁰ Current OPP Level Two Incident Commanders Course Training Standards.

¹¹ Current OPP Level Two Incident Commanders Course Training Standards.

Scribes

- **Contemporary Overview: 2006**

MANDATE

- Accurately record the Incident Commander's notes

LOCATIONS

- Level 1 – Detachments, Regional Headquarters, General Headquarters
- Level 2 – Detachments, Regional Headquarters
- POU – ERT members, deployed with the POU Commander at the site of the event

NUMBERS

- Level 1 – approx 40 civilian members
- Level 2 – 20 civilian members
- POU – ERT members, trained as required for each detail

Background:

Although scribes have historically participated in the integrated response, the scribe program did not become a formalized OPP program until 1999. Prior to that however, a 4-day scribe course was available through the Canadian Emergency Preparedness College (CEPC), with two of the days dovetailing scenario exercises held for a concurrently run Emergency Site Management (ESM) course.

With the formalization of the program in 1999, the OPP scribe course delivered through CEPC became as follows:

- ✧ Day 1: position and role of Incident Command, OPP resources, mandates, structure, complete mechanics of a tactical incident, containment video.
- ✧ Day 2: lecture on hostage rescue and call signs, terminology and glossary of terms, CEPC ESM orientation and briefing, participation in ESM Scenario #1, debrief notes.
- ✧ Day 3: participate in ESM Scenario #2, participate in Scenario #3, debrief notes.
- ✧ Day 4: debriefing session and course evaluation, lecture on ESM.

In 2004, the L2 IC Scribe Course Training Standard (CTS) was revised, and as of February 2005, a 5-day scribe course began being delivered at the OPP Provincial Police Academy.

The current OPP L2 IC Scribe course includes the following curriculum:

- ✧ Day 1: lecture on position and role of scribe, containment video and incident debriefing.
- ✧ Day 2: note taking, OPP resources, role-playing scenario, view Mobile Command Unit, lecture on tactics and hostage rescue

- ✧ Day 3: table-top scenario, note-taking analysis
- ✧ Day 4: practical scenarios all day
- ✧ Day 5: debriefing scenarios and course evaluation.

In addition, the L2 IC course contains a session on the scribe program, which includes a lecture and practical exercises covering the role of scribes, their importance, the relationship between scribes and Incident Commanders, the needs of scribes, what they will record and the types of calls where scribes will be present. During the session, it is stressed that the scribe is taking the “incident commander notes”, which must be reviewed, corrected if necessary and adopted by the incident commander.

Crisis Negotiations During Emergency Response

- **Historical Overview: 1995**

In 1995, crisis negotiations existed as regional programs, with training provided by either the OPP Academy or Canadian Police College (CPC), depending on the timing/availability of courses and local need. Selection and the provision of training were at the discretion of the individual Regional Commander. In some cases, crisis negotiators attended training courses at both the OPP Academy and CPC.

Regardless of where crisis negotiators received their training, all attended at least one intensive one-week course. Through practical exercises, the course covered the principles of the crisis negotiations process, communications skills, how to recognize psychological profiles and recommend approaches and strategies for negotiating with despondent persons.

- **Contemporary Overview: 2006**

In 2006, crisis negotiations in the OPP exist, as follows:

MANDATE

- Negotiate the release of hostages and the peaceful surrender of hostage takers or barricaded persons using crisis management and intervention techniques.

LOCATIONS

- Detachments and Regional Headquarters

NUMBERS

- 59 officers, 7 of whom are Aboriginal OPP officers

Background:

In 1996, an incident involving the Thunder Bay Police Service (Nathan Brown) became a turning point for the use of crisis negotiation in tactical situations in the province. The Coroner's Jury recommendations (rendered in December 1997) called for police to ensure the use of trained crisis negotiators on-site during incidents.

In 1998, the OPP conducted a crisis negotiation program review to resolve inconsistencies between regional crisis negotiator programs and address the large number of crisis negotiators who seldom used their skills. As a result of that OPP review, the program was formalized at an organizational level and the position of provincial crisis negotiation coordinator was created.

Also as a result of the Lambert Inquiry in 1998, the one-week OPP course was discontinued. Crisis negotiators who required training attended at CPC for 8 days of basic training. All crisis negotiators were equipped with personal recording devices and by the end of 1998, all crisis negotiators were provided with standard equipment kits, as well as training on their appropriate use.

By 1999, the number of trained negotiators was realigned to meet organizational needs. This ensured that perishable skills could be regularly used and maintained. The OPP also implemented one full day of Native Awareness training for its negotiators. Annually, the OPP had implemented a 3-day crisis negotiators seminar and established four days of mandatory maintenance training conducted in the spring and fall (2 days each).

Maintenance training is conducted on a regional basis as provided by the Provincial Police Academy. Maintenance training consists of updates and seminars provided by guest speakers with a variety of expertise (e.g., psychologists). Combined training with TRU or ERT is also conducted, dependent on their availability.

In June 2001, the OPP created its own 10-day crisis negotiator course based on the 8-day CPC course, with the addition of one-day Native Awareness training, additional scenario training and a component on the Special Investigations Unit (SIU). Communications training was also broadened to include suicide, crisis intervention, listening skills and cultural awareness.

By 2003, crisis negotiators began receiving 5 days of refresher training every 6 years in addition to basic and maintenance training. By 2004, the entire selection process for crisis negotiators became competency based (behavioural).¹² At present, the OPP has 59 crisis negotiators.

¹² These behavioural competencies include: commitment to organizational learning; communicating effectively; flexibility; impact and influence; learning from experience; problem solving; self control; and team work.

Today, crisis negotiators also attend semi-annual seminars to help enhance skills. These seminars include input from the OPP's Behavioural Sciences Section, which helps negotiators understand what a barricaded or suicidal person may be thinking. In addition, all crisis negotiators are required to take the one-week OPP Native Awareness Course.

Third Party Intermediaries (TPIs):

As mentioned previously, a TPI is generally a family member or friend of a person at the centre of a high-risk incident (e.g., armed barricaded person). The decision to engage a TPI is not made lightly, however, as crisis negotiations evolved, the OPP has learned that TPI participation can be very beneficial.

In considering the feasibility of involving a TPI, the crisis negotiator will provide the Incident Commander with input relating to the possibility of success, but the final decision on whether to use a TPI rests with the Incident Commander.

Before using a family member or other significant person as a negotiator, the OPP crisis negotiators at a scene provide the TPI with advice on guiding discussions with a distraught individual. Discussions are carried out over the telephone, and TPIs are never placed within close proximity of an armed and dangerous individual. The OPP crisis negotiators stay with the TPI to assist and coach throughout the discussions.

Crisis Liaison

- **Contemporary Overview: 2006**

As mentioned previously, several emergency response resources exist in the form of crisis liaison. In addition to the Aboriginal Liaison Operations Officers and Critical Incident Mediator referred to under the Introductory Overview, the OPP has developed two supportive programs: Aboriginal Relations Teams (ART) and Major Event Liaison Teams (MELT).

Aboriginal Relations Teams (ART)

MANDATE

- Providing support and assistance in the spirit of partnership in building respectful relations between police services and Aboriginal peoples and communities while honouring each one's uniqueness and the Creators gifts with dignity and respect, including:
 - ✧ Fostering trusting relationships between the OPP and Aboriginal communities;
 - ✧ Maintaining contacts within local and regional Aboriginal communities;

- ✧ Remaining current on issues related to local Aboriginal communities;
- ✧ Sharing information with each other;
- ✧ Assisting in facilitating communications during any Aboriginal related dispute, conflict or critical incident; and
- ✧ Providing informed advice to the Aboriginal Liaison, Operations Officer, OPP regional command staff and incident commanders regarding Aboriginal issues.

LOCATION

- composed of local and regional OPP officers

NUMBERS

- 40

Background:

In May 2004, the OPP Western Region Aboriginal Strategy Committee proposed the development of ART to enhance the service delivery to Aboriginal communities. The concept of ART, based on the Western Region model, began being utilized elsewhere across the OPP in August 2004.

Since September 2004, OPP ART members have been receiving training in Aboriginal history, culture, and socio-economic issues. They also receive training in alternative dispute resolution, including components on understanding conflict, persons of interest in negotiations, and practical use of skills during scenarios. In addition, all ART members are required to take the one-week OPP Native Awareness Course. ART members remain neutral throughout a major incident focusing on liaison. They do not function as intelligence gatherers and are not used for enforcement purposes.

During a major incident, the success of ART is dependent on the relationships that have already been developed and maintained in the communities.

ART can provide a significant resource to an Incident Commander (IC) during a major event. For example, ART liaisons can provide the IC with community background and profile information, as well as information about who represents community leadership, such as elders. They can serve as a liaison between the IC and the community members, and help assist with the selection of Third Party Intermediaries. They also work in conjunction with Major Event Liaison Teams (MELT).

During non-critical times, ART liaison officers foster and maintain relationships at all levels within Aboriginal communities, and work with community members and elders to create and build relationships built on trust and mutual respect.

Major Event Liaison Teams (MELT)

MANDATE

- A Major Event Liaison Team will work to establish and maintain open and transparent lines of communications with all stakeholders who may be affected, directly or indirectly, by major events. A Major Event Liaison Team will work towards building a relationship of trust, mutual understanding, and respect between police and stakeholders

LOCATION

- Detachments and General Headquarters

NUMBERS

- 12 officers

Background:

MELT was first introduced in the OPP in 2004, created to provide assistance at any major incident occurring anywhere in Ontario, involving any type of community. These teams consist of members from around the province, but are only deployed as a team on an *ad hoc* basis, as needed. MELT members attend the Native Awareness Course, and receive two additional days of native socio-political awareness during one-week of MELT training. Also during that week, three days of dispute resolution training cover the knowledge, skills and abilities that MELT officers are expected to have competency in, delivered through scenarios attended by subject matter experts.

MELT members remain neutral throughout a major incident, focusing on liaison, and are not used for enforcement purposes.

The purpose of MELT officers is to build and maintain rapport and trust, and ensure communications are open and transparent. Their goals are to:

- ✧ decrease the potential for violence, personal injury and property damage during major events;
- ✧ minimize the impact of major events on others in the area who are not participating in the event; increase cooperation and respectful relationships; and
- ✧ help clarify the roles of police during the events.

Emergency Response Teams (ERT)

• Historical Overview: 1995

The ERT program emerged as a result of the Bastien Inquest and 1989 inquiry¹³ by Mr. W. Douglas Drinkwater, Q.C., on behalf of the Ontario Police Commission. Among the recommendations identified in the Drinkwater report was the need for police to have localized emergency response service capability in order to effectively deal with containment situations until tactical team arrival. As a result, in 1991 the OPP approved the establishment of ERT.

Implementation of ERT began in October 1992 in the North West OPP districts and was completed in 1994 with 256 members province-wide. The OPP's Crowd Management and Search and Rescue functions were amalgamated by ERT. Under the district command structure at the time, each of the 16 districts had one team of 15 members and one Sergeant team leader. When the OPP reorganized in 1995, with the 16 districts being restructured into 6 regions, ERT was brought under the command of each region.

In 1991, the Toronto Police Service (TPS) brought the current model for Public Order Units (POU) to Canada from England. The OPP adopted this model in 1994 and began to train ERT members as Crowd Management Officers. From 1992 through 1997, during an incident, a CMU leader (staff sergeant) would be designated as being in charge of the OPP CMU officers deployed at scene. An incident commander, however, would be responsible for the event. POU will be reported on separately in a "companion" Part Two submission.

In June 1994, OPP ERT members began to be trained in the Gradual Application of Force (GAF) approach. Recognizing that people have a constitutional right to freedom of assembly and that about 95% of CMU events are non-violent, the GAF approach provides police with a means to proactively manage crowds at all levels of order. The level of force displayed by police is dictated by the behaviour of the crowd. By May 1995, all OPP ERT members were trained in the use of GAF.

• Contemporary Overview: 2006

MANDATE

- Search and Rescue
- Containment
- Public Order
- Canine backup
- Executive protection
- Witness protection

¹³ *Inquiry into Ontario Police Tactical Units*, Volumes 1, 2 and 3. April 1989. Also see *Bastien Inquest Verdict of the Coroner's Jury*, April 13, 1989.

LOCATION

- Deployed at detachments throughout the province

NUMBERS

- 250 ERT members

Background:

The Provincial Adequacy Standards that came into effect in 2000 included standards for the core competencies, training and equipment related to emergency response perimeter control and containment teams, which is the responsibility of OPP ERT.

The OPP, through ERT, is responsible for search and rescue (SAR) programs in the province, and is responsible for ground search and rescue for lost persons within OPP jurisdiction. As well, the OPP ERT program coordinator chairs the Ontario Search and Rescue Advisory, the National Ground Search and Rescue Council of Canada, and is a member of the National SAR working group.

• **Selection of ERT Members**

As noted, OPP ERT members were first selected in 1992. The requirements of the initial selection process included:

1. Application with positive footnote from member's detachment commander.
2. A minimum of 75% score on the OPC Fitness Pin Test.
3. Panel interview (panel consisted of Regional ERT Coordinator, Provincial ERT Coordinator, Regional Commissioned Officer).
4. Psychological assessment.
5. Written test.
6. Final interview.

Following the first selection, this was changed to a more condensed four-step process (plus firearms testing), as follows:

- ✧ Application with positive footnote from detachment commander and team leader.
- ✧ Ontario Police College fitness pin
- ✧ Interview.
- ✧ Psychological assessment.

The four-step selection process for ERT has remained consistent since 1992 with the exception that, early in the program's history, the pass rate for the fitness pin was increased to 85% (date of change unknown).

OPP members interested in joining ERT submit applications to the Regional ERT coordinator. If positive support is given by the applicant's detachment commander, and the member achieves a minimum of 85% on the fitness test, then he or she is interviewed

by the ERT Program Coordinator and Regional ERT Coordinator. Following the interview, the applicant undergoes psychological assessment and firearms testing to determine suitability and skill level. Once successful, the member attends an eight-week basic ERT course.

The member's detachment commander or supervisor maintains the right to recommend continued support or removal from ERT at a later time.

From 1997 to 2004, the OPP Emergency Response Services Manual (Police Orders) described ERT selection criteria and process, as follows:

"Selection Criteria:

"36.1 A member wishing to be on a regional ERT is required to:

- a) be a provincial constable with a minimum of three years service,
- b) be in above average physical condition and meet the requirements of the Ontario Fitness Award,
- c) be highly motivated,
- d) be in a lifestyle conducive to the member's general availability and physical ability to respond to call outs at unusual hours,
- e) be highly mature, patient, emotionally stable and self-confident,
- f) demonstrate sound judgment and speaking ability under stress,
- g) have good oral and written communications skills,
- h) be proficient in the use of firearms,
- i) be decisive, innovative and in possession of leadership attributes, and
- j) be willing to make a 3-year commitment.

"36.2 These criteria are desired, however, they may not always be possible to achieve. In those instances a regional commander may identify to the Commander, candidates possessing other exceptional qualities for consideration. Memorandum to the detachment commander who shall append comments and forward the application to the regional commander.

"37.2 A regional selection committee shall be comprised of:

- .1 a RHQ incident commander;
- .2 regional emergency response coordinator or designate; and
- .3 the provincial coordinator;

shall periodically interview applicants and determine their suitability for placement on the regional ERT."¹⁴

- **ERT Training**

In 1995, basic training for ERT members consisted of six weeks:

- ◇ 2 weeks of containment
- ◇ 2 weeks of SAR

¹⁴ *Emergency Response Services Manual*. 1997.

- ✧ one week of canine back-up, combined with VIP security, witness protection and prisoner escort
- ✧ one week of crowd management

Since 2000, ERT training has followed the Ministry of Community Safety and Correctional Services (MCSCS) accredited standards in respect to the required rationale, teaching points and learning objectives related to each of the following core competency areas:

- ✧ Concepts and principles of perimeter control and containment
- ✧ Command, control and structure
- ✧ Intelligence gathering
- ✧ Operational planning
- ✧ Communications (hand, verbal, radio, telephone)
- ✧ Tactical rifle proficiency
- ✧ Tactical shotgun proficiency
- ✧ Team movement
- ✧ Evacuation
- ✧ Arrest techniques
- ✧ Less lethal and chemical munitions
- ✧ Ongoing training and professional development

As of 2005, ERT basic training has been extended to 9 weeks in order to address training concerns raised through an OPP needs assessment and the Fobister Inquest (2004) Coroner's Jury recommendations. This includes one week of Native Awareness training incorporated as a mandatory requirement for all new candidates prior to starting the ERT basic course. All existing ERT members will have the Native Awareness training by the end of 2007. Other changes allow an increase in practical scenarios and additional training with equipment. The structure for the remaining 8 weeks is:

- ✧ 4 weeks: containment
- ✧ 2 weeks: SAR
- ✧ one week: VIP security, witness protection, canine back-up
- ✧ one week: public order

Noteworthy changes to the ERT training also include:

- ✧ Ballistic first aid training
- ✧ Alzheimer's and Urban SAR
- ✧ Civilian Volunteer Search Agencies
- ✧ Additional global positioning system (GPS) training
- ✧ Ethics
- ✧ Scouting tactics
- ✧ Enhanced building clearing tactics
- ✧ Enhanced team and individual movement tactics
- ✧ Additional evidence search and practical sessions
- ✧ Elimination of "shield chatter" techniques
- ✧ Grow operations and officer safety

- ✧ Taser X26 training
- ✧ Enhanced equipment training
- ✧ Reformatted and enhanced witness protection and VIP training

ERT training also includes partnerships with TRU, canine handlers, Security Section and Intelligence Bureau. Externally, training partnerships exist with other police agencies, National Association of Search and Rescue (NASAR), National Search and Rescue Secretariat (NSS), military, Emergency Management Ontario (EMO), Ontario Search and Rescue Volunteer Association (OSARVA), Civilian Air Search and Rescue Association (CASARA), and the Alzheimer Society.

A review of shield chatter as a public order technique took place between 1999 and 2001. Discussions about the pros and cons of its usefulness centered on whether shield chatter escalates or de-escalates tensions, and whether there is value added. The final result was that the OPP eliminated the use of shield chatter.

Beginning in 2006, maintenance training for ERT has increased from 12 to 14 days annually.

- **ERT Equipment**

The equipment originally allocated to ERT in 1992 remained the same through to the late 1990s. The one exception during that time was that the Sig Sauer pistols were introduced within the OPP in 1994. By extension, this changed the equipment being used by ERT.

The introduction of the Provincial Adequacy Standards in 2000¹⁵ resulted in equipment requirements for containment teams (i.e., OPP ERT). These Ministry designated requirements were updated in 2004. ERT has remained in compliance with these standards and upgrades.

Specific additions to OPP ERT equipment during this time frame include both less lethal and lethal options, such as the addition of ARWEN in 1999, C8 CQB assault rifle in 2005, and X26 Tasers in 2005.

ERT uniforms now display OPP, police and officer name or badge number identification, consistent with OPP-wide policy.

¹⁵ *Adequacy and Effectiveness of Police Services Regulation* (O.Reg. 3/99 under the *Police Services Act*), and the Provincial Adequacy Standards made under that regulation (i.e., Ministry Accredited Standards for tactical member core competencies and training, Policing Standards Manual).

Provincial Emergency Response Team (PERT)

- **Contemporary Overview: 2006**

MANDATE

- The primary mandate of PERT is to respond anywhere in the province to incidents involving:
 - ✧ CBRN agents/devices
 - ✧ Explosives detection/disposal, and
 - ✧ Urban Search and Rescue (USAR) (i.e., search of collapsed structures caused by explosives or natural disaster).

LOCATION

- Discreet location in GTA

NUMBERS

- PERT consists of 32 full-time OPP members specifically trained as Hazardous Materials technicians and USAR technicians.

Background:

Following the terrorist events of September 11th, 2001, PERT was created as a government funded initiative to ensure the province could respond appropriately to emerging terrorist threats involving chemical, biological, radiological and nuclear (CBRN) agents/devices, as well as the consequences of a major structural collapse due to an explosion or natural disaster.

Tactics and Rescue Units (TRU)

- **Historical Overview: 1995**

On June 10, 1975, at the direction of Commissioner Harold H. Graham, the OPP approved the creation of the Tactics and Rescue Unit (TRU) program.

As noted by the Ontario Police Commission (1989), “[t]he OPP units had been created primarily to combat terrorism, but their utilization tended to be in the same area as the other police forces: incidents involving firearms and barricaded, armed persons.

In October 1984, Constable Jack Ross was fatally shot during a high-risk incident. This prompted the OPP to review the TRU program mandate, composition and practices in 1985, which included consultation with the FBI. Another influence on this review was the creation, at that time, of the RCMP’s Special Emergency Response Team (SERT) to deal with anti-terrorist situations. As a result, the OPP changed the mandate of TRU from anti-terrorism, and placed its focus wholly on maintaining a tactical capability to respond to high-risk situations.

Over the history of the OPP TRU program there have been several administrative reviews of its operations. All of these have supported the work of TRU, and resulted in recommended enhancements.

The most crucial review for tactical operations in the province, however, was conducted in 1989 by Mr. W. Douglas Drinkwalter, Q.C., on behalf of the Ontario Police Commission.¹⁶ This review looked at the tactical response practices of all police services in Ontario, including the OPP TRU program and a number of shooting incidents including the Bernard Bastien incident that took place in August of 1988.

The Bastien Coroner's Jury recommendations and the Drinkwalter Report in 1989 were largely adopted by the OPP and led to several changes (see Appendices C and D). Of significance, after the release of the Drinkwalter Report, a change was made to the status of TRU members. The TRU function switched from being part time to a full time function.

From 1989, OPP TRU selection, training and program did not undergo any significant change until the Emergency Response Review began to propose changes that were evaluated through pilots conducted in 2004 and 2005.

In 1998, the OPP created the Emergency Management Bureau as an entity under which all of the emergency response special services could be housed together. As a result, in 1999, the management of TRU changed from being a Regional responsibility to becoming centralized under the management of OPP GHQ. All 3 TRU Unit Commanders now report to the same Inspector/Program Manager at GHQ (rather than to 3 different Regional Inspectors/Managers). This has resulted in greater consistency and accountability in the TRU Program.

In 2000, the Provincial Adequacy Standards came into effect through the Adequacy and Effectiveness of Police Services Regulation (O.Reg. 3/99 under the *Police Services Act*). Standards for core competencies and training related to tactical units are contained in the Policing Standards Manual.

- **Contemporary Overview: 2006**

- MANDATE

- Resolution of hostage rescue (HRT)
 - Responding to barricaded subjects
 - Canine backup for armed fugitives
 - High-risk witness protection and VIP security
 - High-risk prisoner escorts and court details
 - Rappelling
 - High-risk warrant

¹⁶ *Inquiry into Ontario Police Tactical Units*, Volumes 1, 2 and 3. April 1989.

- Static surveillance where a high risk of violence exists
- Explosive disposal services, and
- Incidents deemed appropriate.

LOCATIONS

- The three TRU Teams are strategically deployed across Southern and Central Ontario (London, Odessa (Kingston) and Orillia).

NUMBERS

- The TRU program has a complement of 36 members.

Background:

On the 11th of January 2004, members of the Barrie TRU team were involved in a high-risk incident on a First Nations Territory. Following the incident there was an allegation that police had damaged a photograph (depicting the OKA crisis) within the subject's residence. The OPP took the allegation seriously and immediately initiated a Professional Standards Bureau (PSB) investigation. It was eventually determined that a Barrie TRU member had, in fact, done the damage and that other Barrie TRU members had been aware of, and covered up his actions.

During the investigation, the cover up continued with the majority of Barrie TRU members giving false statements to the investigators. Ultimately, investigators determined that 13 Barrie TRU members would face discipline of varying degrees of severity. Three of the members have since resigned from the OPP.

Following the investigation, due to the fact that the Commissioner had lost confidence in ability of the Barrie TRU members to provide professional service to the public, a decision was made to disband the Barrie TRU team. As well, the Commissioner ordered a comprehensive review focused initially on the TRU program, but ultimately on all of the OPP emergency services. The Emergency Response Review was conducted over a two-year period and has resulted in significant positive changes to OPP emergency response services.

• **Selection of TRU Members**

From 1975 through 1988, selected OPP detachment members were assigned to TRU on a part-time basis as the need arose.

An OPP report, called *The Ontario Provincial Police and Tactical Response to Violent Confrontations*, was prepared in 1975 as the basis for proposing the creation of TRU.¹⁷ The report contained a proposed set of selection criteria, which was later adopted once TRU was created.

¹⁷ *The Ontario Provincial Police and Tactical Response to Violent Confrontations*. OPP Internal Report. April 4, 1975.

By 1979/80, the first orientation course for TRU combined elements of selection and training. Selection was granted on condition that the member successfully passed the orientation course. The orientation course, which was 2 weeks in length, occurred following the interview process.

Up until 1985, members interested in joining the TRU team were screened for suitability for training according to their skills, and physical and psychological well-being.

By 1987, the selection of TRU members began to occur as a separate process from training.

The Bastien and Drinkwalter recommendations validated the existing OPP practices for selecting members for TRU.

Since the release of the Bastien Coroner's Jury recommendations and the Drinkwalter Report,¹⁸ the selection of TRU members had remained unchanged until 2004. Throughout that time, the selection process has been consistent in terms of criteria for selection, administration of psychological tests, oral interviews before a board, physical and medical tests, and successful completion of a two-week selection course designed to test the candidate's "commitment through physical and psychological stressors."

In 2001, a job-specific fitness test was introduced at the start of the selection course. By 2004, the basic criteria for applying to TRU required members to:

- ✧ be first class constables;
- ✧ be in above average physical condition and able to meet the requirements of the TRU fitness standard;
- ✧ be highly motivated;
- ✧ be in a lifestyle conducive with the member's general availability and physical ability to respond to call outs at unusual hours;
- ✧ be highly mature, patient, emotionally stable and self-confident;
- ✧ demonstrate sound judgement and speaking ability under stress;
- ✧ have good oral and written communication skills;
- ✧ be proficient in the use of firearms;
- ✧ be decisive, innovative and in possession of leadership attributes;
- ✧ be willing to make a five year commitment;
- ✧ be willing and able to work well in a team environment; and
- ✧ be willing to provide a current PCS066 (Performance Evaluation).

In the fall of 2004, as part of the Emergency Response Review, a pilot selection process was planned and tested. On further review, some elements of the process were revised and tested again in another pilot selection process held in the fall of 2005.

¹⁸ *Bastien Inquest Verdict of the Coroner's Jury*, April 13, 1989. Also, *Inquiry into Ontario Police Tactical Units*, Volumes 1, 2 and 3. April 1989.

Of note, the revisions to the selection exercises were intended to ensure that the way members are selected is consistent with human rights expectations, and that they are selected on the basis of the knowledge, skills and abilities required to do the job.

- **TRU Training**

Training for TRU members began to be more formalized in 1987 when a distinction was first made between selection and training. The OPP's Systems Approach to Training (SAT) unit developed a Course Training Standard (CTS) with structured modules and levels of basic training to be required of TRU members. This included Level One (containment and movement) and Level Two (stealth clearing tactics).

The Drinkwater Report concluded that:

*The OPP "have a very significant commitment to training T.R.U. [sic] members and to maintaining members standards of professionalism."*¹⁹

As was the case with selection processes, the Drinkwater Report also validated the training received by OPP TRU members. At the time, the Inquiry found that:

*The OPP was "second to none in their commitment to professionally training tactical officers."*²⁰

Drinkwater went on to say:

*"[d]espite the tragedies of constable Jack Ross and citizen Bernard Bastien, the Ontario Provincial Police demonstrate a commitment to well trained units which are dedicated to the safe resolution of dangerous situations."*²¹

Training of TRU members also remained essentially the same from 1989 right through to 2005. In 1992, however, hostage rescue training was introduced as a standard job requirement, and new technologies and techniques helped improve TRU's response capabilities.

In 1995/1996 after the events of September 1995, all TRU members attended a one-day Native Awareness seminar to improve understanding of Aboriginal issues.

¹⁹ *Inquiry into Ontario Police Tactical Units*, Vol. 1, Ontario Police Commission, April 1989, p. 65.

²⁰ *Ibid.* Vol. 2, p. 13.

²¹ *Ibid.* , Vol. 1, p. 87.

The Provincial Adequacy Standards introduced in 2000²² are now followed and adhered to by the OPP to the best possible ability. In many respects, the OPP exceeds these standards by completing more than the basic requirements (e.g., basic training, maintenance training).

In regard to the structure of basic TRU training, in 2000 the phased levels existed as they did in 1992, as follows:

- ✧ Level I consisted of 5 weeks of containment training,
- ✧ Level II consisted of 5 weeks of stealth clearance, canine backup, witness protection and VIP security, and rappelling, and
- ✧ Level III consisted of 4 weeks hostage rescue and explosive forced entry.

From 2000 to present key changes to the OPP TRU training program include:

- ✧ In 1996, formal introduction of explosive forced entry (EFE) into the TRU training program
- ✧ In 2000, the Ministry of Community Safety and Correctional Services (MCSCS) validated the OPP TRU Training Program as meeting the requirements of the Provincial Adequacy Standards.
- ✧ In 2000, aircraft assault was re-introduced in TRU training.
- ✧ In 2001, the Task Specific Fitness Test was first introduced for use in TRU selection and training. This test remains in use.
- ✧ In 2001, the minimum number of days for maintenance training changed from 18 to 15 days per quarter because of difficulties in meeting the OPP imposed requirement (i.e., exceeded Provincial Adequacy Standard).
- ✧ In 2002, the advanced sniper course was changed from 3 to 4 weeks, and the use of the M26 Taser was introduced into the unit. Identified members were trained as instructors who then trained and qualified all TRU members in the use of Tasers.
- ✧ By 2005, the participation of TRU members in the one-week Native Awareness Course was mandatory. TRU also began participating in diversity training and an ethics module was introduced as part of the first phase of TRU training (Level I).

Leadership and professionalism also continue to be stressed throughout TRU training.

In December 2002, another key change was the introduction of training modules on note-taking and testifying as part of TRU training. These subjects were included in the Course Training Standards (CTS) for both the first and second levels of TRU training, and originally included one full day for note-taking and one full day for testifying and cross-examination.

²² *Adequacy and Effectiveness of Police Services Regulation* (O.Reg. 3/99 under the *Police Services Act*), and the Provincial Adequacy Standards made under that regulation (i.e., Ministry Accredited Standards for tactical member core competencies and training, Policing Standards Manual).

Late in 2005, when both the ERT and TRU mandates were reviewed for the Emergency Response Review, their respective roles regarding Public Order Unit (POU) response was clarified. As a result, it has been decided that it is no longer necessary for TRU to receive full POU training as it is an ERT function. However, TRU will continue to receive familiarization in POU operations and provide support at high-risk incidents, as may be necessary.

- **TRU Equipment**

The original proposal²³ for the creation of TRU also made recommendations for the equipment that TRU should be provided.

Upon the approval of TRU, the following equipment was put into place:

- ✧ Smith and Wesson .38 calibre revolver
- ✧ Rifles
- ✧ Coverall uniforms
- ✧ Less lethal options (tear gas)

In 1980, the revolver was replaced with the Browning high-power pistol, and TRU acquired carbine rifles (semi-automatic).

In 1989, the Bastien Coroner's Inquest recommendations that were supported by the Drinkwater Report²⁴ resulted in the following changes affecting TRU equipment:

- ✧ The common tactical uniform (grey for urban and green for rural deployments) was adopted
- ✧ The word "Police" was prominently displayed on the tactical uniform
- ✧ All communications relayed to and from the Tactical Operations Centre (TOC) were taped
- ✧ All response team vehicles such as mobile command post, TRU TOC van and TRU equipment van were painted in a manner that is highly visible, including the word "Police" prominently displayed.

In 1992, pepper spray (oleo-capsicum resin or OC spray) was introduced as a less-lethal use-of-force option for OPP TRU. In 1994, the use of ARWEN was also introduced as a less-lethal option.

The key change affecting TRU equipment from 1996-2006 was the approval in 2002 for TRU's use of the M26 Taser as a less-lethal option.

²³ *The Ontario Provincial Police and Tactical Response to Violent Confrontations*. OPP Internal Report. April 4, 1975.

²⁴ *Bastien Inquest Verdict of the Coroner's Jury*, April 13, 1989. Also, *Inquiry into Ontario Police Tactical Units*, Volumes 1, 2 and 3. April 1989.

TRU uniforms now display OPP, police and officer name or badge number identification, consistent with OPP-wide policy. No personal identifiers are worn on the TRU protective outerwear known as load bearing vests (LBV). However, OPP shoulder flashes are worn on the LBV shoulder pads and the word police is displayed on the back.

Integrated Response

• Historical Overview: 1995

In 1992, ERT became part of the OPP's integrated response. The integrated response procedures for high-risk occurrences in the districts involved notification of the on-duty L2 IC who would then immediately and simultaneously activate ERT and TRU. The L2 IC would also be responsible for calling out other required resources, such as:

- ✧ Crisis Negotiators (CN)
- ✧ Canine tracking
- ✧ Incident Command resources
- ✧ Radio communications advisor (police to police)
- ✧ Technical installers
- ✧ EMTT
- ✧ Logistics personnel, etc.

Although the integrated response approach existed in the OPP in 1995, it was not adequately supported by policy or training. As a result, it was not consistently utilized and as previously noted, the Aboriginal Liaison Operations Officer, ART and MELT did not exist.

• Contemporary Overview: 2006

As a result of the implementation of recommendations from program reviews and changes to training, the integrated response is employed with greater consistency than in the past. (A summary of changes to integrated response 1995 – 2006 is attached here as Appendix B.)

The *Framework for Police Preparedness for Aboriginal Critical Incidents*²⁵ is strictly adhered to by members of the integrated response responding to L2 incidents on First Nations Territories and its application is reviewed post incident by the L2 Assessment Committee and the Provincial ART Strategy Committee.

New units have been added to the integrated response to First Nations Territories- specifically the Aboriginal Relations Team (ART) and the Major Event Liaison Teams (MELT)

²⁵ Critical Policy contained in OPP *Police Orders*, 2006.

The Emergency Services Bound initiative has been an ongoing inreach initiative to increase the number of officers from under-represented groups, including Aboriginal, within OPP emergency response services.

The Crisis Negotiation Program has changed significantly:

- As a result of a program review in 1999, the number of crisis negotiators was reduced from over 100 to 59 to ensure all are participating in regular training and calls and maintaining their skills at a high level
- The use of a minimum of three crisis negotiators (primary, secondary and team leader) has been formalized
- Due to a number of inreach initiatives the number of Aboriginal officers trained as crisis negotiators has increased to seven which represents approximately 12% of all negotiators (only 2% of OPP officers are Aboriginal)
- The use of third party intermediaries (TPI) is considered, particularly during L2 incidents on First Nations Territories
- There is a one-day First Nations component on the OPP crisis negotiators course
- The one-week Native Awareness Course is mandatory for all crisis negotiators

The Incident Command Program has changed significantly:

- As a result of a program review in 1999, the number of L 2 ICs was reduced from 50 to 13 to ensure all designated L2 ICs are participating in regular training and calls and maintaining their skills at a high level
- The training has been expanded from a one-week “has attended” to a four-week “pass-fail” course
- Following L2 incidents, there now exists a structured mandatory review of the performance of L2 Incident Commanders. In the case of a critical incident, the review specifically looks at how the L2 IC applied the Framework
- The L2 IC training now includes sessions on Aboriginal socio-economic, legal and cultural teachings, the Framework, ART, MELT, and Intelligence
- One of the seven mandatory assessment areas is Aboriginal issues management
- One of two final evaluation scenarios involves a response to a L2 incident on a First Nations Territory or involving Aboriginal persons
- The one-week Native Awareness Course is mandatory for all L2 ICs

The TRU program has changed significantly:

- As a result of the Emergency Response Review (2004/05), TRU selection and training has changed.
- The Native Awareness Course is mandatory for all TRU members.
- TRU receive an annual one-day session on Aboriginal issues.

The ERT program has changed significantly:

- Also as a result of the Emergency Response Review, ERT selection and training has changed.
- The Native Awareness Course is now built into ERT basic training.

A Scribe program has been created:

- A one-week OPP scribe course was created in 1999. To date, approximately 60 OPP members have been trained.
- L1 scribes are in locations across the province and available to perform the function at Level One incidents.
- A select group of 20 members have been selected as L2 scribes. All L2 scribes are civilian members who record the L2 incident commanders notes. The incident commander notes are reviewed, corrected if necessary and adopted by the incident commander.
- POU scribes are uniform officers work on site with the POU Commander (as opposed to being in a command post).

Communications capabilities have also improved through the implementation of a new radio system, computer aided dispatch, digital mapping, digital recording, and improved access to historical incident data through an automated Records Management System (RMS).

APPENDICES

- A. Summary of OPP Level Two/Critical Incidents – Recording and Retention of Recordings
- B. Summary of Changes to Integrated Response 1995 – 2006

APPENDIX A: OPP Level Two/Critical Incidents – Recording and Retention of Recordings

Provincial Communications Centers (PCCs)

The OPP has policy that all radio and phone communication coming into and going out of the new Provincial Communications Centres are recorded and stored digitally on DVDs.

Policy requires that all recordings be retained for a minimum of two years. The retention period is under review and will likely be increased to five years in the near future. If there is any indication/possibility that a particular recording may be required at any time in the future, it is retained indefinitely or for as long as necessary.

Level Two/Critical Incidents

At level two incidents involving the integrated response, all radio communications are recorded.

All frequencies with the exception of the TRU frequency are monitored, recorded and the recordings retained by the PCC as per above.

The PCC do not have the capability of receiving the TRU frequency, so it is monitored and recorded in the tactical operations center. All recordings of TRU radio communications are stored digitally and retained indefinitely.

All crisis negotiations with the subject(s) of the incident are recorded. The recordings are stored digitally and retained indefinitely.

OPP policy does not require the recording of phone lines in the command post. This is mainly because, given the normal working environment and short duration of incidents, adherence to any such policy would be difficult if not impossible. When recording does take place, the recordings are stored digitally and retained indefinitely.

The practices and policies of the majority of police services across Ontario and Canada (including RCMP) are similar to the OPP in that phone lines in command posts are not taped for the same reasons cited above.

APPENDIX B:
Summary of Changes to Integrated Response 1995 – 2006

<i>Component</i>	<i>1995</i>	<i>2006</i>
Framework	Did not exist	The Framework is part of OPP policy
ART, MELT, Aboriginal Liaison Officer- Operations	Did not exist	The new units have been added to the integrated response.
Emergency Services Bound	Did not exist	Emergency Services Bound was implemented in 2005 and is ongoing
Crisis Negotiators Program	<p>Over 100 crisis negotiators existed with varying levels of currency/ expertise</p> <p>The practice of using a minimum of 3 crisis negotiators was not formalized- depending on the situation, it did not always occur</p> <p>There were only 2 Aboriginal officers trained as crisis negotiators (less than 2% of crisis negotiators)</p> <p>The use of third party intermediaries (TPI) was discouraged</p> <p>OPP Crisis Negotiators attended the 1-week Canadian Police College (CPC) course</p> <p>There was no Aboriginal component on the CPC course</p> <p>The 1-week Native Awareness course was not available to crisis negotiators</p>	<p>As a result of a program review in 1999, the number of crisis negotiators was reduced to 59 to ensure all are participating in regular training and calls and maintaining their skills at a high level</p> <p>The use of a minimum of 3 crisis negotiators (primary, secondary and team leader) has been formalized</p> <p>Due to inreach initiatives the number of Aboriginal officers trained as crisis negotiators has increased to 7 which represents 12% of all crisis negotiators (2% of OPP officers are Aboriginal)</p> <p>The use of TPIs is considered, particularly during critical incidents under the Framework</p> <p>The OPP Crisis Negotiators course is 2 weeks (which exceeds Provincial Adequacy Standards)</p> <p>There is a 1-day Aboriginal component on the OPP Crisis Negotiators course</p> <p>The 1-week Native Awareness course is mandatory for all crisis negotiators</p>

<i>Component</i>	<i>1995</i>	<i>2006</i>
Incident Command	<p>Approximately 50 L2 ICs existed with varying levels of currency/expertise</p> <p>OPP incident command training included a 2-week L1 IC course and a 1-week L2 IC course with no assessment</p> <p>The L2 IC course did not include any information on Aboriginal teachings, the Framework, ART, MELT, and Intelligence</p> <p>The L2 IC course had no Aboriginal component/assessment</p> <p>The 1-week Native Awareness course was not available to L2 ICs</p> <p>There was no review of the performance of L2 ICs</p>	<p>As a result of a program review in 1999, the number of L 2 ICs was reduced to 13 to ensure all designated L2 ICs are participating in regular training and calls and maintaining their skills at a high level</p> <p>OPP incident command training now includes a 2-week L1 IC course and an expanded 4-week “pass-fail” L2 IC course (which exceeds Provincial Adequacy Standards)</p> <p>The L 2 IC course now includes sessions on Aboriginal socio-economic, legal and cultural teachings, the Framework, ART, MELT, and Intelligence</p> <p>One of the 7 mandatory assessment areas on the L2 IC course is Aboriginal issues management</p> <p>One of 2 final evaluation scenarios on the L2 IC course involves a response to a critical incident under the Framework</p> <p>The 1-week Native Awareness course is mandatory for all L2 ICs</p> <p>There now exists a structured mandatory review of the performance of L 2 Incident Commanders. The review specifically examines how the L2 IC applied the Framework</p>

<i>Component</i>	<i>1995</i>	<i>2006</i>
TRU	<p>TRU selection was unchanged from the late 1980s</p> <p>TRU training was unchanged from the early 1990s (when hostage rescue training was introduced)</p> <p>TRU training was a total of 13 weeks</p> <p>The 1-week Native Awareness course was not available to TRU members</p> <p>TRU had no Aboriginal teachings</p> <p>TRU members did not participate in presentations/simulations in Aboriginal communities</p>	<p>As a result of an internal review, (04/05), TRU selection has changed. The selection process is now more rigorous including a 360-degree review and a PSB check. Members are now selected on the basis of occupational <i>bona fide</i> job requirements, including behavioural competencies</p> <p>As a result of an internal review (04/05), TRU training has changed. TRU members now participate in an ethics module as part of the first phase (level 1) of TRU training</p> <p>TRU training is now a total of 14 weeks (which exceeds Provincial Adequacy Standards)</p> <p>The 1-week Native Awareness course is mandatory for all TRU members</p> <p>TRU members receive an annual one-day session on Aboriginal issues</p> <p>TRU members participate in integrated response presentations/simulations in Aboriginal communities. For example Fort William 2004 and Rat Portage 2005</p>
ERT	<p>ERT selection and training was unchanged from 1991</p> <p>The 1-week Native Awareness course was not available to ERT members</p> <p>ERT training was 6 weeks</p>	<p>As a result of an internal review (04/05), ERT selection and training has changed</p> <p>The 1-week Native Awareness course is now built into ERT basic training</p> <p>ERT training is 9 weeks including the Native Awareness course (which exceeds Provincial Adequacy Standards)</p>

<i>Component</i>	<i>1995</i>	<i>2006</i>
Communications (continued)	<p>The OPP did not have a mapping capability</p> <p>The OPP did not have digital recording</p> <p>Historical information was difficult to retrieve in the OPP legacy</p>	<p>All incident numbers & dispatched units are automatically plotted on the digital mapping component, and displayed on the screen to a dispatcher.</p> <p>The OPP now deploys and uses digital logging recording equipment in OPP communications centres and for the Tactics and Rescue Units (TRU). TRU teams now have this equipment installed in their TOC vans making it easier to record their communications.</p> <p>A more robust automated Records Management System (RMS) provides better access to historical incident data for persons or locations system.</p>