

TORONTO TRANSIT COMMISSION REPORT NO.

MEETING DATE: April 27, 2009

SUBJECT: OLEORESIN CAPSICUM SPRAY 2008 YEAR END REPORT

INFORMATION ITEM

RECOMMENDATION

It is recommended that the Commission receive this report for information.

FUNDING

No funding implications.

BACKGROUND

On August 19, 1998, the Commission approved Oleoresin Capsicum spray as a use of force option for TTC Transit Special Constables on a one-year trial basis. The Commission authorized permanent issuance on May 8, 2000. To reduce the risk of cross contamination associated with the enclosed environment and air flow issues, Transit Special Constables were issued an oleoresin capsicum product that emits a foam stream rather than an aerosol. Consistent with Toronto Police Service policy and the Provincial Use of Force Model, TTC policy authorizes Transit Special Constables to use Oleoresin Capsicum foam as a use of a force option to:

- prevent being overpowered when violently attacked;
- prevent a person from being taken from their custody or from escaping custody;
- disarm an apparently dangerous person armed with an offensive weapon;
- control a violent situation when other use of force alternatives are not viable;
- for any other lawful and justifiable purpose.

DISCUSSION

As reflected in the table below, there were ten (10) incidents involving usage of Oleoresin Capsicum (OC) spray between January 1 and December 31, 2008. Each incident was reported to the Toronto Police Service, and has been reviewed by Special Constable Services' management and training personnel to ensure all policies and procedures have been complied with, and the usage was justified.

A review of a reported incident in the second quarter of 2008 has resulted in an adjustment to the OC Incident chart from four (4) previously reported incidents to three (3). The review has established OC Foam was on hand, however not used by Transit Special Constables in this incident.

OC INCIDENTS					
	1ST QUARTER	2ND QUARTER	3RD QUARTER	4TH QUARTER	TOTAL
2008	2	3	2	3	10
2007	1	0	2	2	5
2006	3	2	6	4	15
2005	1	2	3	3	9
2004	3	3	1	2	9
2003	2	3	0	5	10
2002	1	2	3	1	7
2001	3	1	0	1	5
2000	2	4	2	1	9
1999	N/A	N/A	6	4	10

JUSTIFICATION

Transit Special Constables continue to exercise discretion and good judgement in their use of force options. The use of Oleoresin Capsicum spray as a force option will continue to reduce the risk of injury to patrons, Transit Special Constables and suspects.

February 10, 2009
28-03