

# TORONTO TRANSIT COMMISSION REPORT NO.

**MEETING DATE:** MARCH 1, 2011

**SUBJECT:** OLEORESIN CAPSICUM SPRAY 2010  
YEAR END REPORT

## **INFORMATION ITEM**

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### **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;
- to prevent a person from being taken from their custody or from escaping custody;
- to disarm an apparently dangerous person armed with an offensive weapon;
- to 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 following table, there were seven (7) incidents involving usage of Oleoresin Capsicum (OC) foam between January 1 and December 31, 2010. Each incident was reported to the Toronto Police Service, and has been reviewed by Special Constable Services' management and training personnel. In all cases of OC foam usage by Transit Special Constables, the review determined each use was appropriate, fully justified and in compliance with all established policies and procedures governing the use of OC foam by Transit Special Constables.

OC INCIDENTS					
	1 <sup>ST</sup> QUARTER	2 <sup>ND</sup> QUARTER	3 <sup>RD</sup> QUARTER	4 <sup>TH</sup> QUARTER	TOTAL
2010	3	1	0	3	7
2009	4	2	0	1	7
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

During 2010, Transit Special Constables continued to exercise discretion and good judgement in their use of force options including Oleoresin Capsicum foam. The use of Oleoresin Capsicum foam as a force option has in the past reduced the risk of injury to patrons, Transit Special Constables and persons being arrested.

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January 31, 2011  
28-03