



BY-LAW NO. 503-2024

**A BY-LAW RESPECTING
TACTICAL UNITS**

1. PREAMBLE

- 1.1 WHEREAS subsection 37 (1) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA")* provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;
- 1.2 AND WHEREAS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;
- 1.3 AND WHEREAS Section 10 (6) of the CSPA provides that a Board or the Commissioner shall provide policing in respect of all navigable bodies and courses of water in the area for which the Board or the Commissioner has policing responsibility;
- 1.4 AND WHEREAS O. Reg. 392/23: Adequate and Effective Policing (General) ("the Adequacy Regulation") prescribes standards for adequacy and effectiveness of police services;
- 1.5 AND WHEREAS Section 9 of the Adequacy Regulation prescribes, inter alia, the functions and capacity of Tactical Units;
- 1.6 AND WHEREAS subsection 2 (5) 1 of O. Reg. 398/23: Alternative Provision of Policing Functions and Section 14 of the CSPA permit a Police Service to deliver the services of a Tactical Unit by contracting with another Police Service;
- 1.7 AND WHEREAS Section 10 of the Adequacy Regulation provides that every Chief of Police shall establish written procedures in relation to the functions of Tactical Units and Hostage Rescue Teams, authorizing the Tactical Supervisor or Incident Commander to determine deployment needs at an incident;
- 1.8 AND WHEREAS the Board has deemed it appropriate that it establish a policy regarding Tactical Units;
- 1.9 AND WHEREAS the Board has deemed it appropriate and consistent with the principles set out in Section 1 of the CSPA and with its objectives and priorities determined pursuant to Sections 37 and 38 of the CSPA to require the Chief of Police to establish procedures and processes regarding selection, training, equipping and deployment of the Tactical Unit;
- 1.10 AND WHEREAS Part ER-002 of the Policing Standards Manual (2000), a copy of which is attached hereto as Appendix A, contains guidelines directing the Police Service relative to Tactical Units.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD ENACTS AS FOLLOWS:

2. DEFINITIONS

- 2.1 “Act” or “CSPA” means the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*, and amendments thereto;
- 2.2 “Board” means the Regional Municipality of Niagara Police Service Board;
- 2.3 “Chief” means the Chief of the Niagara Regional Police Service;
- 2.4 “Manual” means the Policing Standards Manual published by the Ministry of the Solicitor General;
- 2.5 “Member” means a member of the Niagara Regional Police Service;
- 2.6 “Ministry” means the Ministry of the Solicitor General; and
- 2.7 “Service” means the Niagara Regional Police Service.

3 BOARD POLICY

- 3.1 The Board recognizes that Tactical Units are an important part of policing, and it is therefore the policy of this Board that the deployment of Tactical Units be conducted professionally and thoroughly, and in accordance with procedures established by the Chief as directed in this By-law and in accordance with any protocol in force between the Service and an outside police service.

4 PROVISION OF A TACTICAL UNIT

- 4.1 The Service will provide, within a reasonable response time, access to the services of a Tactical Unit.
- 4.2 The services of the Tactical Unit will be available 24 hours a day.
- 4.3 The Tactical Unit will consist of a minimum of 12 full-time tactical officers, including a supervisor, who are dedicated to the Tactical Unit but who, when not training or undertaking tactical activities, may undertake community patrol.

5 DIRECTION TO THE CHIEF

5.1 PROCEDURES

- 5.1.1 The Chief shall establish procedures in accordance with the Adequacy Regulation and Appendix A that set out the circumstances in which a Tactical Unit will be deployed, including the process for obtaining the service of the Tactical Unit and reporting relationships.

5.2 MANUAL

- 5.2.1 The Chief shall develop and maintain a manual, in accordance with the Adequacy Regulation and Appendix A, on Tactical Unit services that is available to each Member providing the service.

5.2.2 The Chief shall ensure that the Manual referred to in section 5.2.1 above is reviewed on an annual basis and amended as required.

5.3 MEMBERSHIP AND TRAINING

5.3.1 The Chief shall establish a selection process for Members of the Unit, ensuring that Members who provide the service meet the requirements of the Adequacy Regulation.

5.3.2 The Chief shall ensure that no person becomes a Member of a Tactical Unit unless that person has successfully completed the required Ministry accredited training or acquired the Ministry approved equivalent competencies.

5.3.3 The Chief shall ensure that Members who provide services of Tactical Units have the requisite knowledge, skills and abilities and receive training on an ongoing basis.

5.4 EQUIPMENT

5.4.1 The Chief shall ensure that appropriate equipment and resources, in accordance with Section 4 of Schedule 1 to the Adequacy Regulation and the Ministry's designated equipment and facilities list, is used/available to Members who provide tactical services.

6 REPORT TO THE BOARD

6.1 The Chief shall make a written report to the Board on or before August 30 of each year in respect of the Tactical Unit. The report shall include:

- (a) a summary of the procedures as required by this By-law;
- (b) the status of Service compliance with the said procedures;
- (c) confirmation of the development and maintenance of the Manual on Tactical Unit services;
- (d) a summary of the circumstances in which the Tactical Unit has been deployed; and
- (e) confirmation that Members have been trained in accordance with Section 5.3.

7. IMPLEMENTATION

7.1 By-law No. 242-2000 and all other By-laws, sections of By-laws and procedural policies of the Board inconsistent with the provisions of this By-law are hereby repealed effective March 31, 2024.

7.2 This By-law shall come into force on April 1, 2024.

7.3 The Chief shall implement this By-law, where applicable, through General Order.

ENACTED AND PASSED this 25th day of April, 2024.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD



Jen Lawson, Chair



Deb Reid, Executive Director

Attachment (1)

Legislative/Regulatory Requirements

Section 21 of the Adequacy Standards Regulation requires a police service to provide, within a reasonable response time, the services of a tactical unit.

Additionally, Section 21 of the regulation permits a police service to deliver the services of a tactical unit by contracting with another police service, or entering into arrangements to provide this service on a combined, regional or cooperative basis.

Section 23 requires every tactical unit to consist of a minimum of twelve full-time tactical officers, including the tactical supervisor and that a tactical unit shall be able to perform the following functions:

- containment;
- apprehension of an armed barricaded person; and
- may be able to perform explosive forced entry if it utilizes the services of a police explosive forced entry technician.

Section 24(1) requires, when a board has entered into an agreement to provide a tactical unit or entered into arrangements to provide this service on a combined, regional or cooperative basis, the police service to:

- enter into agreement with the same police service to obtain the services of its major incident commanders and crisis negotiators who have trained with that tactical unit; or
- require the Chief of Police to ensure that at least one of the police service's major incident commanders and crisis negotiators train with the other police service's tactical unit.

Section 24(2) requires the Chief of Police to ensure that no person is to be a member of a tactical unit unless that person has successfully completed the required Ministry accredited training or acquired the Ministry approved equivalent competencies. Section 29 requires a police services board to have a policy in respect of required accredited training and equivalent competencies for members of a tactical unit.

Section 29 requires a board to have a policy regarding the deployment of a tactical unit. Furthermore, section 25(2)(a) requires the Chief of Police to establish procedures that set out the circumstances in which a tactical unit will be deployed.

Section 29 requires a board to have a policy concerning the delegation of responsibility to the tactical supervisor or major incident commander for determining how many tactical

officers are required to be deployed to an incident. Section 25(2)(b) requires the Chief of Police to establish procedures that delegates to the tactical supervisor or major incident commander the responsibility for determining how many tactical officers are required to be deployed to an incident.

Finally, section 29 requires a board to have a policy requiring that all members of a tactical unit have access to a procedures manual. Section 25(3) requires the Chief of Police to ensure that the police service's procedures for tactical units are contained in a manual that is available to each member providing that service.

Sample Board Policy

Board Policy # _____

Contracted Delivery It is the policy of the _____ Police Services Board with respect to the services of a tactical unit that:

- a) this Board will contract with _____ Police Services Board/OPP to provide the services of a tactical unit (*decision also required on whether to contract for major incident commanders and crisis negotiators from the same police service*) that is available 24 hours a day and within a reasonable response time; and
- b) the Chief of Police, in consultation with the police service providing the service, will:
 - i) establish procedures that set out the circumstances in which the service will be deployed, including the steps for obtaining the services and the reporting relationships; and
 - ii) ensure that the police service's major incident commanders and crisis negotiators train with the other police service's tactical unit.

Direct, or Combined, Regional or Cooperative Delivery It is the policy of the _____ Police Services Board with respect to the services of a tactical unit that:

- a) the police service will provide the services of a tactical unit by (identify service delivery method - using its own members, or by entering into an agreement for a combined, regional or cooperative delivery);
- b) the services will be available 24 hours a day and within a reasonable response time;
- c) the unit will consist of a minimum of 12 full-time tactical officers, including the supervisor, who are dedicated to the tactical unit but who, when not training or undertaking tactical activities, may undertake community patrol; and
- d) the Chief of Police will:

- i) establish procedures that set out the circumstances in which the service will be deployed, including the process for obtaining the service and reporting relationships;
- ii) ensure that the tactical unit can undertake containment, the apprehension of an armed barricaded person, and explosive forced entry if it uses the services of a police explosive forced entry technician;
- iii) develop and maintain a manual on tactical unit services that is available to each member providing this service;
- iv) establish a selection process for members of the unit, including ensuring that members who provide this service meet the requirements of the Adequacy Standards Regulation;
- v) ensure the ongoing (and joint *if applicable*) training of members who provide this service; and
- vi) ensure that appropriate equipment, in accordance with the Ministry's designated equipment and facilities list, is used/available to the members who provide this service.

Police Service Guidelines

- Procedures*
1. Every police service's procedures should address:
 - a) the mandate, functions and reporting relationships of the tactical unit;
 - b) the circumstances in which the services of a tactical unit should be deployed; and
 - c) the process and operational responsibility for authorizing the deployment of a tactical unit.

- Manual*
2. Where a police service has established its own tactical unit, or has officers who are members of joint tactical unit, a manual shall be developed, maintained and made available to the members of the unit that addresses:
 - a) general procedures for the tactical unit, including:
 - i) the tactical unit's mandate, functions, and reporting relationships;
 - ii) call-out procedures;
 - iii) communications with members of the tactical unit;
 - iv) operational procedures, including tactical and negotiating procedures;
 - v) organizational charts for the emergency response function;
 - vi) the operational linkages between the tactical unit, and other emergency response and public order unit services;
 - vii) a selection process for members of a tactical unit, including that officers must meet the minimum requirements set out in the Adequacy Standards Regulation;
 - viii) reporting relationship regarding the tactical unit; and
 - ix) the recording and reporting of incidents involving a tactical unit; and
 - b) procedures specific to members of a tactical unit, including:
 - i) members' responsibilities;



- ii) command and control;
- iii) communications with unit members;
- iv) incident assessment;
- v) provision and use of equipment;
- vi) operational training;
- vii) reporting relationships within the tactical unit;
- viii) hand-off/relief of teams within the tactical unit;
- ix) use of training, operational and equipment logs; and
- x) debriefing process.

Training 3. Where a police service has established its own tactical unit, or has officers who are members of joint tactical unit, the Chief of Police should ensure that the police service's skills development and learning plan includes the following requirements:

- a) maintenance tactical training occurring on average 1 day/week;
- b) maintenance training for forced entry techniques occurring on average 1 day/month, if the tactical unit performs forced entry functions;
- c) maintenance general tactical team training, 5 consecutive days, twice a year (or in lieu thereof 80 hours);
- d) annual participation, wherever possible, in a joint training exercise involving crisis negotiators, major incident commanders, public order units, tactical units, hostage rescue teams, other police personnel, or outside emergency services deemed appropriate or subject of service delivery agreements;
- e) annual re-qualification to an approved task-specific fitness standard, including reasonable assistance in facilitating members' compliance with the standard;
- f) rappel master training and in addition to regular team training requirements, 8 hours of equipment maintenance training per month;
- g) sharpshooter observer training and re-qualification on a quarterly basis in the specialty firearm(s) used for those members designated;
- h) for those tactical units that use medical personnel as part of their immediate emergency medical support, that the medical personnel attend regular team training;
- i) that the training plan be reviewed annually, and revised when necessary; and
- j) in jurisdictions utilizing the tactical services of another agency, designated officers may be trained to act as liaison officers between the service and the tactical unit.

Equipment 4. Where a police service has established its own tactical unit, or has officers who are members of joint tactical unit, the Chief of Police should ensure that the members are provided, at minimum, with the equipment and facilities set out in the Ministry's designated equipment and facilities list.

MINISTRY'S DESIGNATED EQUIPMENT LIST

Tactical Units/Hostage Rescue Teams - Equipment and Facilities List

The equipment listed here is for the exclusive use of tactical units / hostage rescue teams. All equipment used by tactical/hostage rescue officers shall be approved by the Canadian Standards Council (CSA), where appropriate. The following list is the minimum kit with which a tactical/hostage rescue officer or unit/team shall have available in order to respond to a tactical or hostage rescue situation:

BALLISTIC PROTECTION
Heavy Body Armour (<i>personal issue</i>)
<ul style="list-style-type: none"> • threat level IIIA (National Institute of Justice Standard (NIJ)) • situationally and environmentally appropriate • "police" identification markers on front and rear
Helmets (<i>personal issue</i>)
<ul style="list-style-type: none"> • threat level II (NIJ) • subdued colour • impact protection • designed not to impair peripheral vision and quick movement
Body Shields
<ul style="list-style-type: none"> • threat level IIIA (NIJ) • require 2 per tactical team
Fragmentation Shields (<i>for explosive entry or hostage rescue purposes only</i>)
<ul style="list-style-type: none"> • fragmentation shields designed specifically for explosive entry and hostage rescue • require 2 per tactical unit
FOREIGN AGENT PROTECTION (<i>personal issue</i>)
Chemical Masks
<ul style="list-style-type: none"> • CS chemical agent protection • filter system for ambidextrous shoulder-firing of weapon

DISTRACTION DEVICE PROTECTION
Hearing Protection
<ul style="list-style-type: none"> • does not inhibit radio and voice communications input • designed to be worn in conjunction with ballistic helmet • sufficient quantity to supply unit members at the scene
COMBUSTION PROTECTION
Flame Resistance Protection
<ul style="list-style-type: none"> • flame resistant hood/balaclava and gloves
Fire Extinguishers
<ul style="list-style-type: none"> • portable
CLOTHING (<i>personal issue</i>)
Tactical Uniforms
<ul style="list-style-type: none"> • two-piece fatigues in heavy-duty material • situationally and environmentally appropriate • police affiliation shoulder flashes
Foot Wear
<ul style="list-style-type: none"> • situationally and environmentally appropriate
Gloves and Headgear
<ul style="list-style-type: none"> • shall not impair use of weapons or safety equipment • situationally and environmentally appropriate
Elbow and Knee Pads
<ul style="list-style-type: none"> • adjustable with tear resistant covering
OTHER SAFETY EQUIPMENT (<i>personal issue</i>)
Holsters
<ul style="list-style-type: none"> • ease of weapon removal when heavy body armour worn or when rappelling
Goggles
<ul style="list-style-type: none"> • effective eye protection against fragmentation • designed not to impair peripheral vision • clear, anti-fogging lenses

OTHER SAFETY EQUIPMENT
<p style="text-align: center;">First Aid</p> <ul style="list-style-type: none"> • multi-purpose kit with wide assortment of bandages, disinfectant, etc.
<p style="text-align: center;">Chemical Munitions Decontamination</p> <ul style="list-style-type: none"> • water eyewash gear for OC decontamination • water and specifically-prepared neutralizing solution for CS agent relief
<p style="text-align: center;">Multi-purpose Provisional Tools (<i>personal issue</i>)</p> <ul style="list-style-type: none"> • capable of being carried easily • used to cut ropes and other utility uses
<p style="text-align: center;">Arrest or Restraint Devices (<i>personal issue</i>)</p> <ul style="list-style-type: none"> • handcuffs • specifically designed, disposable temporary hand and foot restraints
<p style="text-align: center;">Tire Deflation Devices</p> <ul style="list-style-type: none"> • specifically designed to deflate pneumatic tires on moving or stationary vehicles
OPTICS INTENSIFICATION
<ul style="list-style-type: none"> • binoculars • spotting scopes
ILLUMINATION
<ul style="list-style-type: none"> • flashlight with coloured lens capabilities • light sticks, spotlights or equivalent remote lighting equipment • weapon-mounted flashlights • tritium sights or equivalent aiming system • night vision – minimum two per team
RADIO EQUIPMENT
<p style="text-align: center;">Portable Radios</p> <ul style="list-style-type: none"> • dedicated tactical channel capability (or access to OPC common tactical channel) • with ear-pieces or similar devices to eliminate noise • capable of use with chemical or OC agent
<p style="text-align: center;">Monitoring Radio Equipment</p> <ul style="list-style-type: none"> • equipment capable of monitoring tactical and other police communications • recording equipment

Power Sources
<ul style="list-style-type: none"> • extra batteries
OTHER COMMUNICATIONS
<ul style="list-style-type: none"> • Cellular Telephones with charging equipment or vehicle power source, or both
Loud Hailing System
<ul style="list-style-type: none"> • portable
TRANSPORTING
Central Tactical Vehicle
<ul style="list-style-type: none"> • dedicated to the tactical team • capable of transporting team members efficiently to incident locations • marked police van or truck • capacity to house tactical operations centre • housing communications equipment • if storing chemical agents, heated vehicle storage • storing other tactical equipment
Operational Vehicles
<ul style="list-style-type: none"> • unmarked vehicles • capable of securely housing officers' personal tactical gear and weapons
ENTRY: DIRECT (<i>use the best available equipment</i>)
Entry Rams
<ul style="list-style-type: none"> • allow for multiple entry tactics • capable of being used by one or more officers
Pry Bars
<ul style="list-style-type: none"> • allow for multiple entry tactics • long handles for maximum leverage
Break-Rake Tools
<ul style="list-style-type: none"> • allow for multiple entry tactics • devices designed to quickly breach windows and remove glass from frames
Sledge Hammers
<ul style="list-style-type: none"> • allow for multiple entry tactics
Bolt Cutters
<ul style="list-style-type: none"> • allow for multiple entry tactics

SUPPORT
Ladders
<ul style="list-style-type: none"> • matte black finish • capable of multi-officer use • padded for silent deployment
Mirrors
<ul style="list-style-type: none"> • light enough to be easily carried and used with one hand (e.g., mirror stick/pole)
<i>RAPPEL (use the best available equipment)</i>
<ul style="list-style-type: none"> • sufficient rappel equipment for training and operational use
FIREARMS
Semi-automatic Rifle and 12 Gauge Shotgun
<ul style="list-style-type: none"> • one per member immediately available of either type of weapon • spare available • rifles of 5.56 mm caliber (minimum specification) and a magazine capacity of 20 rounds • shotguns with magazine capacity of four rounds (minimum specification)
Submachine Guns
<ul style="list-style-type: none"> • magazine capacity of 25 rounds (minimum specification) • four ammunition magazines per weapon • weapon mounted flashlight • immediately available to each entry team member, as per operational requirements
Marksman/Observer Rifles
<ul style="list-style-type: none"> • 7.62 mm calibre (minimum specification) • high quality magnifying optical sight with night vision capability - a minimum of 2 night vision devices per unit • personal issue to a marksman/observer
LESS LETHAL WEAPONS
Chemical Agent and OC and their Delivery Systems
<ul style="list-style-type: none"> • canister system designed to be launched or hand delivered, containing CS and OC minimum available • projectile or muzzle-blast delivery system

Distraction Devices
<ul style="list-style-type: none"> • flash-bang canisters • smoke canisters
Impact Weapons
<ul style="list-style-type: none"> • collapsible baton (personal issue) • extended range impact weapons
Conducted Energy Weapons (July 2002 - Optional)
<ul style="list-style-type: none"> • TASER
RANGES
Firearms
<ul style="list-style-type: none"> • must have reasonable access to small & long arms range (indoor or outdoor) • access to a CQB range for hostage rescue qualified members
Chemical Munitions
<ul style="list-style-type: none"> • access to area for training with chemical agents
Impact Weapons
<ul style="list-style-type: none"> • access to area for training with impact weapons
ADMINISTRATION
Records
<ul style="list-style-type: none"> • administrative area for storing training and operational records