



Royal Newfoundland Constabulary Use of Force Report

JURISDICTION WEA		COLLATOR CODE		FILE NUMBER 07-40247	
PART A					
DATE 2007-08-14		TIME INCIDENT COMMENCED 0250		TIME INCIDENT TERMINATED 0350	
LENGTH OF SERVICE 6 yrs		RANK CS1		TEAM REPORT <input type="checkbox"/>	# OF POLICE OFFICERS 1
TYPE OF ASSIGNMENT <input checked="" type="checkbox"/> GENERAL PATROL <input type="checkbox"/> FOOT PATROL <input type="checkbox"/> TRAFFIC <input type="checkbox"/> INVESTIGATION <input type="checkbox"/> DRUGS <input type="checkbox"/> OFF - DUTY <input type="checkbox"/> OTHER		TYPE OF INCIDENT <input type="checkbox"/> SUSPICIOUS PERSON <input checked="" type="checkbox"/> BREAK & ENTER <input type="checkbox"/> DOMESTIC DISTURBANCE <input type="checkbox"/> OTHER DISTURBANCE <input type="checkbox"/> TRAFFIC		TYPE OF INCIDENT <input type="checkbox"/> ROBBERY <input type="checkbox"/> SERIOUS INJURY <input type="checkbox"/> HOMICIDE <input type="checkbox"/> WEAPONS CALL <input type="checkbox"/> ALARM <input type="checkbox"/> OTHER	
TYPE OF FORCE USED FIREARM - DISCHARGED <input type="checkbox"/> FIREARM - POINTED AT PERSON <input type="checkbox"/> HANDGUN - DRAWN <input checked="" type="checkbox"/> AEROSOL WEAPON <input checked="" type="checkbox"/> HANDCUFFS <input type="checkbox"/> IMPACT WEAPON - HARD <input type="checkbox"/> IMPACT WEAPON - SOFT <input type="checkbox"/> EMPTY HAND - HARD <input type="checkbox"/> EMPTY HAND - SOFT <input checked="" type="checkbox"/>		REASON FOR USE OF FORCE <input checked="" type="checkbox"/> PROTECT SELF <input checked="" type="checkbox"/> PROTECT PUBLIC <input checked="" type="checkbox"/> EFFECT ARREST <input checked="" type="checkbox"/> PREVENT OFFENCE <input checked="" type="checkbox"/> PREVENT ESCAPE <input type="checkbox"/> ACCIDENTAL <input type="checkbox"/> DESTROY ANIMAL <input type="checkbox"/> OTHER		POLICE PRESENCE AT TIME OF INCIDENT <input checked="" type="checkbox"/> ALONE <input type="checkbox"/> POLICE ASSISTED (SPECIFY #) _____	
WAS FORCE EFFECTIVE? YES NO <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>		ALTERNATIVE STRATEGIES USED <input checked="" type="checkbox"/> VERBAL INTERACTION <input type="checkbox"/> CONCEALMENT <input type="checkbox"/> COVER <input type="checkbox"/> OTHER		ATTIRE <input checked="" type="checkbox"/> UNIFORM <input type="checkbox"/> CIVILIAN CLOTHES	
DISTANCE TO SUSPECT AT TIME FORCE WAS APPLIED <input checked="" type="checkbox"/> LESS THAN 2 M <input type="checkbox"/> 2 TO 3 M <input type="checkbox"/> 3 TO 5 M <input type="checkbox"/> 5 TO 7 M <input type="checkbox"/> 7 TO 10 M <input type="checkbox"/> MORE THAN 10 METERS		WEAPONS CARRIED BY SUSPECT 1 2 3 <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> UNKNOWN <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> NONE <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> REVOLVER <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> SEMI-AUTO RIFLE <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> SHOTGUN <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> KNIFE / EDGED WEAPON <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> CLUB <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> OTHER		LOCATION OF SUBJECT'S WEAPON 1 2 3 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> IN - HAND <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> AT HAND <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> CONCEALED ON PERSON	
LOCATION OF INCIDENT OUTDOORS <input checked="" type="checkbox"/> ROADWAY <input checked="" type="checkbox"/> LAWEWAY <input type="checkbox"/> YARD <input type="checkbox"/> PARK <input type="checkbox"/> RURAL <input type="checkbox"/> MOTOR VEHICLE <input type="checkbox"/> OTHER		PRIVATE PROPERTY <input type="checkbox"/> HOUSE <input type="checkbox"/> APARTMENT <input type="checkbox"/> HALLWAY		PUBLIC PROPERTY <input type="checkbox"/> FINANCIAL INSTITUTION <input type="checkbox"/> COMMERCIAL SITE <input type="checkbox"/> PUBLIC SITE <input type="checkbox"/> OTHER	
PERSON INJURED 1. SELF 2. OTHER POLICE OFFICER 3. SUBJECT 4. THIRD PARTY		MEDICAL ATTENTION REQUIRED YES NO <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>		NATURE OF INJURIES MINOR SERIOUS FATAL UNKNOWN <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	

NARRATIVE: (IF NO OCCURRENCE REPORT ATTACHED)

USE REVERSE FOR ADDITIONAL SPACE

See attached occurrence report

CONSTABLE'S SIGNATURE <i>[Signature]</i>		SUPERVISOR'S SIGNATURE #918 <i>[Signature]</i>		DIVISIONAL COMMANDER'S SIGNATURE <i>[Signature]</i>	
REVIEWED BY SUPERVISOR	YES NO	REVIEWED BY TRAINING SEC	YES NO	RECOMMENDED EAP COUNSELING	YES NO
	<input type="checkbox"/> <input type="checkbox"/>		<input type="checkbox"/> <input type="checkbox"/>		<input type="checkbox"/> <input type="checkbox"/>
				RECOMMENDED OTHER TRAINING	YES NO
					<input type="checkbox"/> <input type="checkbox"/>

PART B

OFFICER INVOLVED: (NAME, BADGE, ETC...)	
DATE OF LAST USE OF FORCE TRAINING	
ADDITIONAL TRAINING RECOMMENDED BY:	TYPE OF TRAINING SUGGESTED



R9

CROWN ATTORNEY'S
CASE REPORT

FILE # 2007-40247

Page 3 of 3

1/2

CASE SUMMARY

2007-08-14 (0240)

[redacted] of [redacted] St Johns, NL reported that she had caught a male whom had broken into her home. she provided a physical description of the male and stated that he fled from the residence on foot.

Cor J. SMYTH proceeded to the area of Spencer St, as the description of the male and the method of operation was similar to that of [redacted] who was bound by an 11:00 curfew. Cor B. COOK attended the Montstown Rd residence

Smyth parked his vehicle, exited and remained in an alleyway in the area of [redacted] Spencer St. Moments later and male matching the physical description of the suspect began walking down Spencer from Merry Meeting Rd. Once the male got close, Smyth recognized him as [redacted]. Smyth identified himself, told [redacted] he was under arrest and commanded to get on the ground. [redacted] failed to comply and started to back away. [redacted] placed his hands in his pockets and Smyth commanded he remove them and lie on the ground, [redacted] again failed to comply and Smyth drew his Service Airarm and held it towards the ground. [redacted] continued to back away and sidestep, Smyth told him if he didn't get on the ground he would be pepper sprayed; [redacted] stated "For what, Breaching my curfew?" and continued to back away. Smyth attempted to grab onto him but he shook away. Smyth administered a short burst of OC spray but [redacted] plucked away from it. [redacted] then ran between # [redacted] and [redacted] Spencer St, when he removed his hands from his pockets a quantity of currency fell to the ground. Smyth gave chase a short distance and notified other RNC units. Multiple police vehicles arrived quickly and contained the area. The RN / K9

Investigating Officer <i>Cor J. Smyth</i>	Reg. No. 610	Organizational Unit: (eg. Platoon 4)	Date 07/08	YY 07	MM 08	DD 14
--	-----------------	--------------------------------------	---------------	----------	----------	----------



R5

CROWN CONTINUATION

Page 2 of 2

FILE #

YEAR

07

4024

CASE HEADING

Sumame	G1	G2
--------	----	----

(1) CW Civilian Witness Statement NS Narrative Summary CS Cautioned Statement

unit was notified and CSI Russ Moores arrived shortly after. CSI Moores began a truck with PSD Rocky which led the officers through several backyards and eventually towards Field st.

RNC communications received a call from an area resident who advised she heard somebody on the roof of # [redacted] and Fieldst and further stated the person jumped to # [redacted]. CSI Moores Smyth and PSD Rocky trucked to the area. Several other officers were in the area and CSI Rose spoke to the resident of [redacted] who advised there shouldn't be anybody in the residence.

CSI Smyth and Moores went to the roof of the house and confirmed there was nobody up there. The resident of [redacted] allowed CSI Rose inside after Smyth and Moores found an open window at the rear.

once inside CSI Rose and Sgt Dause found the bathroom door locked and determined there was somebody hiding inside. The male eventually came out and was identified as [redacted]. CSI Rose [redacted] into custody and placed in handcuffs. He was brought outside and placed in RNC unit #226 where CSI Pittman where he was read rights and caution at 0346 hrs when [redacted] was taken into custody, he was not wearing any footwear. CSI Moores checked the area behind Field st again and located a pair of black sneakers abandoned in the middle of a yard next to a quantity of corn and a watch.

[redacted] was conveyed to the st. what lock-up to be held for court. CSI Cook spoke to the complainant who confirmed a quantity of very rare Chinese currency had been stolen; the same which [redacted] was found in possession of.

Time Statement Concluded: _____ Signature: _____

Taken by <i>[Signature]</i>	Reg. No 610	Date 07 08 14
--------------------------------	----------------	------------------