



IC10

USE OF FORCE

IC10

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POLICY

1. In accordance with law, members of the Delta Police Department (Department):
 - a) are required and authorized to preserve the peace, prevent crime and offences against the law, enforce the law, and protect life and property;
 - b) may use reasonably necessary force in carrying out their obligations and authorities; and
 - c) may be found criminally responsible for any excess use of force according to the nature and quality of the act that constitutes the excess.

2. Members may only use issued firearms, weapons and other means of force in accordance with:
 - a) the legal requirements of the *Criminal Code*;
 - b) the British Columbia Provincial Policing Standards (BCPPS);
 - c) the National Use of Force Framework (NUFF); and
 - d) the member’s relevant training and experience.



3. Members may only use force against another person for the purposes of establishing and maintaining lawful physical control of the person, or to protect the person, the member or anyone else from harm.
4. Prior to graduating from the police academy, and every three years thereafter, members must successfully complete crisis intervention and de-escalation (CID) training, in accordance with B.C. Provincial Policing Standards (BCPPS).
5. Only firearms, intermediate weapons, CEWs and restraint devices approved by the Director of Police Services, and authorized by the Chief Constable or by the head of a law enforcement agency to which a member is seconded, may be issued to and deployed by members of the Department in the performance of their duties, and the Department will maintain a list of firearms, intermediate weapons, CEWs currently authorized for use by members.
6. Only members qualified, as per BCPPS and Department training, in the use of authorized weapons and restraint devices may be issued and authorized to carry and use the same.

REASON FOR POLICY

7. To provide requirements pertaining to the use of force by members, and to seek to ensure that members' use of force is legally compliant, as well as consistent with BCPPS.

RELATED B.C. PROVINCIAL POLICING STANDARDS

BCPPS 1.1.2 Firearms Training and Qualification
BCPPS 1.2.2 Intermediate Weapons
BCPPS 3.2.1 CEW Training
BCPPS 3.2.2 CID Training
BCPPS 3.2.3 Use-of-Force Instructor Training

RELATED POLICIES

DP51 – Weapons Issuance and Management
EA30 – Reportable Incidents of Injuries and Death (B.C. Police Act)
EM62 – Critical Incident Stress Management Team
IC30 – Detention, Arrest & Post-Arrest Processing
IC40 – Transportation of Persons in Custody



IE21 – Crime Scene
IR20 – Notetaking & Notes Management
IR30 – Mental Health & Crisis Response

DEFINITIONS

8. For the purposes of this Policy, the following definitions will apply:

Munition, Ammunition and Cartridge: a projectile intended for use with a firearm or other thing intended to be fired or forcefully released by a firearm or other weapon during operational use.

Special Munitions: munitions that require specialized training and certification by officers and may include extended range impact munitions, impact rounds containing chemical agents, breaching munitions, Noise Flash Diversionary Devices, and munitions designed specifically for crowd dispersal.

Bodily Harm: any injury or hurt to a person that interferes with the health or comfort of the person and is more than merely transient or trifling in nature.

Crisis Intervention and De-Escalation (CID) Techniques: verbal and non-verbal communication techniques applied to seek to prevent the requirement to use force.

Conducted Energy Weapon (CEW): a weapon designed to use a conducted electrical current in order to incapacitate a person, or to generate compliance through pain.

Display: the act of pointing, aiming or showing an intermediate weapon or a firearm at or to a person without discharging it, for the purpose of generating compliance from a person.

Duty NCO: the Patrol Staff Sergeant on duty at any given time.

Extended Range Impact Weapon: a device firing a special projectile designed to gain compliance, overcome resistance, or prevent serious injury or death.

Intermediate Weapon (also referred to as 'less lethal weapon'): a weapon whose normal use is not intended or likely to cause serious injury or death,



including extended range impact weapons, aerosols, and conducted energy weapons.

Less Lethal Force: a degree of force, including the use of intermediate weapons, which is not intended or likely to cause serious injury or death.

Lethal Force: a degree of force and any force option that is likely or has a high probability to cause serious physical injury or death.

NCO: non-commissioned officer and includes the rank of Sergeant and Staff Sergeant.

Physical (Hard And Soft) Control Tactics: techniques of applying force to control a person without use of a weapon, with soft tactics (e.g., restraint techniques, joint locks, non-resistant handcuffing) intended to control a person's behavior with a lower probability of causing injury, and hard tactics (e.g., empty hand strikes/punches, kicks, vascular neck restraint) intended to stop a person's behavior and having a higher probability of causing injury.

Restraint Device: any device or system designed or used to restrict an individual's normal physical range of motion or activity, and applying a restraint to a person constitutes a use of force (examples of restraint devices include: handcuffs, disposable restraint devices (a.k.a. zip-ties), leg restraints, and devices of opportunity necessary to use in exceptional circumstances, such as rope or a trouser belt).

Supervisor: a Sergeant or Staff Sergeant.

SBOR: a Subject Behavior Officer Response, for which a report template is provided in the PRIME records management system;

Training Cartridge: anything intended to be fired or forcefully released by a firearm or other weapon during training use, and by design intended to be less lethal or inert, including blue simulation air cartridges for scenario-based training;

Vascular Neck Restraint: a physical control technique which applies compression of the vascular tissue along the lateral aspects of the neck, which results in temporary decreased cerebral blood flow, and may result in temporary loss of consciousness;

Weapon: anything designed, intended or used for inflicting physical bodily damage or harm and includes firearm and the following intermediate weapons:



- oleoresin capsicum (OC) spray,
- impact weapons, specifically batons,
- extended range impact weapons, and
- conducted energy weapons.

Weapon of Opportunity: an ordinary object that in its regular use is not intended as a weapon, but in a specific encounter is at hand for improvised use as a weapon (e.g., flashlight).

PROCEDURES

REQUIREMENTS IN ALL USE OF FORCE SITUATIONS

9. A member's use of force, including the use of a restraint device, must be reasonable and necessary in the circumstances, and members must be able to fully and accurately report and articulate the reasons for the force, as used.
10. Members should not draw or display a weapon, except oleoresin capsicum (OC) spray, unless satisfied on reasonable grounds that the situation has some potential for bodily harm.
11. Members are to issue a verbal warning prior to using or discharging a weapon against a person, unless such a warning would place any person at further or imminent risk of bodily harm.
12. Members are prohibited from using or discharging an intermediate weapon against a person, except oleoresin capsicum (OC) spray, unless the member has reasonable grounds to believe that:
 - a) the person is causing bodily harm to either themselves, the member, or a third party;
 - b) the person's behavior will imminently cause bodily harm either to themselves, the member, or a third party;
 - c) crisis intervention and de-escalation techniques have not been or will not be effective in eliminating the risk of bodily harm;
 - d) no lesser force option has been, or will be, effective in eliminating the risk of bodily harm; or



- e) the subject will cause death or grievous bodily harm to the member or another person.
13. Members may only draw and display authorized intermediate weapons:
- a) to protect the member, the public or the subject from bodily harm;
 - b) as a tactical consideration for the purpose of gaining a subject's compliance; or
 - c) to assist in establishing lawful physical control of a subject.
14. Members shall not discharge their firearms in the performance of their duties unless:
- a) they have reasonable grounds to believe that they or another person is in imminent or immediate danger of death or grievous bodily harm, i.e., serious physical injury, and the member's purpose in discharging their firearm is to preserve their own life or the life of another person;
 - b) it is necessary to destroy an animal that poses an immediate and serious threat to a member or another person or is badly injured and requires release from further suffering; or
 - c) during range practice or Department sanctioned competitive sporting events.
15. The Administration Bureau is responsible for:
- a) ensuring that members complete required CID, use of force and weapons training; and
 - b) maintaining a record of the training completed by each member.

Member Identification Requirements

16. Members must identify themselves as a police officer before applying force against a person, unless it is:
- a) not immediately possible due to the exigency of the situation; or
 - b) inappropriate based on the totality of circumstances and the tactical considerations of the member at the moment.



17. If a member does not identify themselves before using force, identification must take place as soon as reasonably practicable thereafter.

Crisis Intervention & De-Escalation (CID) Requirements

18. Whenever reasonably appropriate based on the totality of circumstances, members are to consider using verbal and non-verbal communication CID techniques to de-escalate a situation, prior to the application of any force response option or in conjunction with the application of any force response option, as a means to diffuse a hostile situation or to negate the need to use higher levels of force to establish control.

Use of Force & 'SBOR' Reporting Requirements

19. A member who performs any of the following actions must record and report the same in a SBOR report:
- a) use of a soft physical control tactic, if an injury occurred to either the person or the officer from the application of that force;
 - b) use of a hard physical control tactic;
 - c) application of vascular neck restraint;
 - d) intermediate weapon display, discharge or application;
 - e) firearm display or discharge;
 - f) while in charge of a police dog, the dog bites a person's body or clothing (intentionally and unintentionally);
 - g) use of specialty munitions; and
 - h) use of a weapon of opportunity.
20. A member who has performed any of the actions as directly above must further:
- a) request a supervisor attend on scene, if no supervisor was present;
 - b) verbally provide the supervisor with the details of the incident, including but not limited to:
 - i) the members who were involved,



- ii) the member's authority for engaging,
 - iii) the CID techniques used or the reasons for not doing so,
 - iv) the tactical communications engaged in,
 - v) the tactical considerations,
 - vi) the force option used,
 - vii) the environmental, subject and officer factors,
 - viii) if a verbal warning was not given before using force, the reasons for not doing so, and
 - ix) identify anyone else present; and
- c) within 48 hours following the incident, complete:
- i) contemporaneous 'notebook' notes documenting the details listed in b) specific to the incident, and
 - ii) a SBOR template report.
21. Members are to use plain language in their notes and reporting to describe their perception of and response to the subject's behaviour.
22. If a member's supervisor determines that exceptional circumstances apply to prevent completion of the required notebook notes within 48 hours, the supervisor may extend the reporting period to a time in which it is practicable for the member to report, and shall advise the Duty NCO of the extension granted.
23. Members involved in a use of force incident resulting in death or serious physical injury to a subject will be afforded an adequate rest period (48-72 hours recommended) before being required to submit their notebook notes.
24. Completion of SBOR reports within 48 hours is a BCPPS requirement, and if a member involved in a use of force incident is injured or requires a subsequent rest period, such that the member cannot reasonably complete the report within the time period, the report is to be completed by the member's supervisor or an extension may be requested from the Chief Constable.



25. A weapon drawn where no subject is encountered (e.g., a building search with firearm drawn) does not require a SBOR report or other report specific just to the draw.
26. In support of an investigation under the jurisdiction of the Independent Investigations Office (IIO), members must submit copies of their notes, reports, records and data concerning a use of force event, in accordance with Department Policy EA30 – *Reportable Incidents of Injuries or Death (B.C. Police Act)*.
27. The Operational Skills Unit will review all SBOR reports for completeness and compliance with policy, and, as well, create, maintain and provide Departmental reports specific to the use of force by members, including the number, frequency and types of force used, the number of uses of force by individual officer, injury outcomes, and any other measures, as directed by the Chief Constable or the Provincial Director, Police Services.
28. The Chief Constable must submit to the Director of Police Services, at the end of each calendar year and at any time on the request of the Director, a statistical report containing the information requested by the Director about the use of force in the Department.

Notification & Reporting Uses of Force or Weapons Use Resulting in Injuries or Fatalities

29. The Chief Constable must ensure that if a member uses or discharges a weapon and a person is injured or killed as a result, the officer immediately surrenders the weapon for investigative purposes and the following agencies are notified:
 - a) the Independent Investigations Office (IIO);
 - b) Office of the Police Complaint Commissioner (OPCC);
 - c) Director of Police Services;
 - d) Department of Justice (Director); and
 - e) the Chair of the Police Board.
30. The Chair of the Police Board may, on receiving a notification above, make further inquiries into the incident that the Chair considers necessary. See related Policy EA30 – *Reportable Incidents of Injuries or Death (B.C. Police Act)*.



31. If a person is injured or killed as a result of a member's use of a weapon or other use of force, the Chief Constable must promptly initiate an investigation into the incident and submit a report of the investigation to the Chair of the Police Board.
32. In every case where a member's use of a weapon or other use of force results in death, serious harm or reportable injury, the member must immediately notify their supervisor who will inform the Duty NCO, Duty Officer and the Officer i/c Professional Standards, and the Duty Officer will also:
 - a) contact the IIO Liaison Officer (Superintendent or Inspector i/c Investigative Services) who will notify the IIO;
 - b) attend the incident scene;
 - c) ensure the incident scene is preserved and secured to the highest standards;
 - d) call out Forensic Identification Services (FIS) to the scene to conduct a comprehensive investigation, unless the IIO has taken precedence and control of the incident scene;
 - e) ensure the Coroner's Office is notified as per section 3(2) of the Coroner's Act;
 - f) immediately notify the Chief Constable and Deputy Chief of the incident; and
 - g) ensure the collection and securing of any weapon, munitions, ammunition, restraints, or equipment used, deployed or otherwise relevant to the investigation in accordance with related Policy IR21 – *Crime Scene*.
33. The IIO has statutory authority to investigate officer involved shootings and other use of force resulting in serious harm or death, and must take over and conduct the investigation of the incident.
34. Prior to the arrival of the IIO, the Liaison Officer or senior member at the scene who was not involved in or present during the incident, or another member as directed by the IIO investigator, shall seize or direct the seizure of any firearm that was discharged and any intermediate weapons, restraints, or related equipment that were used, deployed or are otherwise relevant to the investigation.



35. Where practicable, the seizure of a member's firearm or other weapon is to be discreet and the member may be given a replacement firearm or weapon, as approved by the Chief Constable.
36. The Liaison Officer will, as soon as practicable, contact the OIC RCMP Major Crime Unit to make arrangements to have them assume conduct of the Department's officer involved shooting investigation.
37. The Lead Agency conducting a concurrent investigation will coordinate with the IIO through the Department's Liaison Officer.
38. For follow up action after a critical incident refer to related Policy EM62 – *Critical Incident Stress Management Team*.

Supervisor Requirements

39. A supervisor present at, or responding to the scene of reportable use of force shall determine the details of the incident and provide a synopsis to the Duty NCO or Duty Officer, including any follow-up actions taken and, if applicable, why the supervisor or another supervisor was not present.
40. If a supervisor was present during, or involved in a reportable use of force event by providing planning, guidance or direction specific to the use of force or participated in the use of force, an uninvolved supervisor shall attend to conduct an incident review.
41. The responsible supervisor shall ensure that each member involved in a reportable use of force event completes all required reports, including SBOR, notes and attachments, in accordance with above.
42. Supervisors are to:
 - a) ensure members submit a SBOR report whenever the member has engaged in a reportable use of force;
 - b) review reports for adherence to applicable policies as soon as practicable; and
 - c) ensure the incident is properly documented and the applicable WorkSafeBC forms are completed, if an injury to any member occurs as a result of a reportable use of force.



Duty NCO or S/Sgt. Requirements

43. The Duty NCO or the section S/Sgt. in charge of the of the member(s) involved is responsible for reviewing and approving the reports required to be submitted, including the SBOR report, and assessing whether the:
 - a) applied force option(s) was as reported;
 - b) use of force was in accordance with law, BCPPS, policy and training; and
 - c) actions of supervisors involved or subsequently attending the scene meet requirements.
44. When the Duty NCO's or S/Sgt.'s review identifies any concerns about the use of force, or the use of force requires mandatory reporting in accordance with *Police Act* s. 89, the Duty NCO or S/Sgt. shall set out the concerns in writing to the attention of the Officer i/c Professional Standards and the Section Inspector(s) of the member(s) involved.

Reporting Discharge of a Firearm – No Injuries or Death to Person

45. Where a member discharges a firearm that does not result in injury or death, the member must, as soon as practicable:
 - a) notify their immediate supervisor; and
 - b) turn over their firearm and ammunition to their supervisor, as well as any used casings if those are not part of the scene to be investigated. If the casings are part of the scene, they shall be treated as evidence and gathered in the appropriate manner.
46. In the event a member discharges a firearm in a situation involving a dangerous or injured animal, the supervisor will decide if it is necessary for the member to turn over their firearm.
47. The firearm will be returned or replaced if and as directed by the Chief Constable.
48. The member must document the incident and the supervisor must conduct an investigation in accordance with the BCPPS.
49. This section does not apply to intentional discharge during training or for the purpose of maintenance.



Chief Constable – Firearm Discharge

50. In the event of a firearm discharge by the Chief Constable, other than in training or for the purpose of maintenance:
- a) the Chair of the Police Board must be notified, assume the role of the Chief Constable for accountability purposes, and make inquiries into the incident that the Chair considers necessary; and
 - b) the Chief Constable will be subject to the same processes and procedures as any other member, in the event a person is killed or injured as a result of a discharge.

Reporting Unintentional Discharges of Weapons

51. A member who unintentionally discharges a weapon, i.e., does not deliberately cause the discharge, whether or not damage or injury results, is required as soon as possible to:
- a) notify their immediate supervisor and provide the circumstances surrounding the discharge; and
 - b) turn over the weapon, casings, projectiles, cartridges, and any other munition parts, if those items are not part of the scene to be investigated.
52. The responsible supervisor shall:
- a) notify and provide circumstances to the following:
 - i) Duty Officer,
 - ii) Inspector i/c Professional Standards Section, where damage or injury occurs, and
 - iii) Inspector i/c Operational Skills Unit;
 - b) submit the member's weapon to the Operational Skills Unit for inspection and, in the case of a CEW, data download;
 - c) complete an 'Incident / Accident Report' (Form 75) indicating that an investigation is required (any unintentional discharge is deemed a 'Near Miss' for purposes of the Form); and



- d) if required, conduct an investigation and submit a report and recommendations to the Deputy Chief or delegate.
53. A member is not required to complete a report of the incident or turn over the weapon, if the unintentional discharge occurred during sanctioned supervised training and no damage or injury is caused.

Reporting Excessive Use of Force

54. A member who has reasonable grounds to believe that they have witnessed excessive use of force by another member must report the incident to their own supervisor as soon as reasonably practicable.
55. A report of possible excessive use of force must be reported, as soon as practicable, through the chain of command to the Deputy Chief Constable and Chief Constable, and the Chief Constable shall cause the reported incident to be investigated and any required further action to be taken.

Use of Force Factors to Consider

56. In deciding on the level of force that is reasonable and appropriate in a given circumstance, a member is to consider whether:
- a) lawful authority exists for the degree of force intended to be used;
 - b) the member has reasonable grounds to believe that the amount of force to be used is reasonable; and
 - c) a reasonable person (standing in the officer's place) would believe that the level of force used was reasonable.
57. Members are to follow the National Use of Force Framework (NUFF) as a transactional use of force decision making model, in which subject behaviours and corresponding levels of force response are set out as follows:
- a) cooperative - member presence;
 - b) passive resistance - communication;
 - c) active resistance - physical control (hard and soft);
 - d) assaultive - intermediate weapons; and



- e) grievous bodily harm or death - lethal force.

Medical Assistance & Assessment Requirements

58. A member who used a weapon or force against a subject, or the supervisor if the member is not able to, is required to obtain medical assistance for the subject, by requesting the attendance of BC Ambulance Service as soon as practicable post incident, if:

- a) the subject has any apparent medical issues or physical injuries;
- b) the subject is in distress; or
- c) the subject requests medical assistance, and

if a vascular neck restraint was applied, the member or a supervisor must request B.C. Ambulance Service to attend, as soon as possible after application, regardless of factors a) to c).

59. A member having reason to believe that medical reasons require a faster response than BC Ambulance Service can provide, is to seek assistance from Delta Fire & Emergency Services and may, in exigent circumstances and with supervisor approval, transport a person to hospital themselves.

60. If a medical issue or physical injury or affliction is claimed or observed, the member who used a weapon or force, or the supervisor if the member is not able, is required to make note on the investigative file of any injury they observe as well as any injury or medical issue described by the subject and, where practicable, photograph the injury.

61. If practicable, a member who plans or anticipates use of a weapon, or their supervisor, is to request BC Ambulance Service attendance at the perimeter of the scene; however, unavailability or delay in attendance must not compromise the operational response required in the circumstances.

62. When a subject has been sprayed with oleoresin capsicum (OC), the member who sprayed the subject, or supervisor, must ensure that the subject receives medical assistance.

Automated External Defibrillators (AEDs)

63. Patrol Sergeants must ensure that their vehicle is equipped with a Department issued AED.



64. In accordance with the BCPPS, all members who are authorized to use an AED must receive and maintain training in accordance with Emergency and Health Services Commission consent requirements for police use of an AED.
65. Any member who uses an AED on a person must, as soon as possible, subsequently seek emergency medical assistance, either from paramedics or a hospital.

HANDCUFFS AND RESTRAIN DEVICES USAGE

Note on handcuff use:

As detailed below, the arrest of a person does not always provide the grounds to handcuff. As well, being placed in handcuffs can be a deeply stressful event. Members should, where practicable and safe, seek to maintain the dignity of the person to be handcuffed through, for example: advising them that handcuffs are going to be applied to them; verbally describing each step of the process; escorting the person in custody in a manner that minimizes visibility to the public, and any other step the member deems appropriate in the circumstances.

66. Restraining a person by applying handcuffs or other restraint device is a use of force and members must be able to articulate the specific circumstance necessitating their use, with relevant considerations provided by statute and common law, including the objectively reasonable need to:
 - a) protect the member(s), the public, or the person from harm;
 - b) reduce the risk of the person attempting to leave;
 - c) locate and preserve evidence related to the reason for the person's arrest; or
 - d) where the law permits the search of a detained or apprehended person, enhancing the member's safety in conducting the search.
67. In the absence of s.66 (a) through (d) above, the following alone are not sufficient to justify handcuffing or applying any other restraint device to a person:
 - a) a member's knowledge of the person's past behavior; or
 - b) detaining a person solely for an investigative detention.



68. In determining whether to handcuff or apply any other restraint device to a person detained or arrested, a member must consider (in conjunction with s. 66 above) factors relevant to their lawful exercise of discretion, such as:
- a) the seriousness of the offence or reason for the detention (e.g., an impaired investigation) or apprehension (e.g., pursuant to the *Mental Health Act*);
 - b) factors unique to the person, including their:
 - i) age, e.g., youth or elderly,
 - ii) disabilities (physical or mental),
 - iii) medical condition, e.g., pregnancy,
 - iv) injury,
 - v) size, e.g., extreme obesity, and
 - vi) Indigenous, racialized, and other equity deserving groups;
 - c) factors that make it appropriate, or necessary to apply the restraint in a particular manner, e.g., to apply handcuffs in front; and
 - d) any other factors the member believes are subjectively relevant and objectively reasonable in relation to their decision to apply handcuffs or other restraint device.
69. Members shall not handcuff or apply any other restraint device to a child who is apparently under the age of 12 unless:
- a) all other options have been exhausted or assessed by the member as inappropriate (e.g., verbal communication, de-escalation strategies); and
 - b) the member reasonably believes that the child must be restrained in order to prevent immediate harm to the child or others.
70. Members are responsible for an ongoing assessment of whether it is necessary or appropriate to continue a person's restraint with handcuffs or other restraint device.



71. A member who has lawfully applied handcuffs or other restraint device to a person and then determines that it is no longer necessary and/or appropriate to continue to do so, shall promptly remove the same and advise their supervisor in the following circumstances:
- a) instances of an apparent mistaken identity;
 - b) a mistaken belief about the restrained person's involvement in an offence; or
 - c) a mistaken belief as to the commission of an offence (e.g., no offence was committed).
72. A member applying handcuffs or other restraint device to a person must:
- a) ensure the device is not dangerously restricting the person's blood circulation or ability to breath;
 - b) not leave the person unsupervised, unless required by exigent circumstances, and assess their wellbeing at regular intervals;
 - c) be aware of the length of time the device remains applied and be responsive to the potential need to remove it when appropriate;
 - d) if a disposable restraint device was applied, ensure that at least one member present has a tool available suitable for cutting the device free;
 - e) engage a double lock mechanism, if a feature of the device, immediately after establishing sufficient control over the person to do so; and
 - f) not use leg restraints as a sole restraint and not in any manner join leg restraints to handcuffs.
73. Separate from or in addition to required SBOR reporting, members shall record the use of handcuffs or other restraint device, to restrain a person, in a General Occurrence Report (GO), or their issued notebook, including:
- a) the reason for the handcuff or other restraint device use;
 - b) notation that the handcuffs or other restraint device were checked for tightness and double locked; and



- c) the member's response, if a complaint was made that the handcuffs or other restraint device were too tight, i.e., that a visual and physical inspection were performed in response or the reason why such an inspection was not conducted.
74. Members may not carry or use handcuffs or other restraint device unless qualified every three years by way of Department provided or approved training, including training regarding the above safety requirements.

Use of Spit Hoods

75. A member may only apply a 'TranZport' brand spit protection hood, or other Department approved and issued spit-hood, to a person, after having received Department training specific to hood use and that training having been renewed as required.
76. A member may only apply an issued hood to a person under arrest, and only if there is a possible risk of exposure to infectious disease, to the member or others, by the person's actions of spitting, attempting to bite, coughing or sneezing.
77. A member may not apply an issued hood to any person who is unconscious, vomiting, appears to be having difficulty breathing, bleeding profusely from the mouth or nose area, or in obvious need of medical attention, and must remove an applied hood as quickly as possible, if any of these conditions occur.
78. A member applying an issued hood to a person must:
- a) only use the same in accordance with their training;
 - b) first ensure the person is restrained and under control through the use of an approved restraint device;
 - c) ensure the person's airway, nose, and mouth are unobstructed at all times
 - d) advise dispatch that a hood is in use and request a five minute timer until the hood has been removed;
 - e) visually check and seek the person's verbal confirmation of their wellbeing, at five minute intervals, and ensure the status of their welfare is recorded in the CAD;



- f) not leave the person unattended, and keep them constantly supervised and monitored;
 - g) not transport the person in the prisoner wagon; and
 - h) ensure the hood is taken off when the person's destination is reached, the person is handed to another agency, or the person is to be left unattended.
79. When applying an issued hood a member shall:
- a) first remove any eyewear and, if practicable, jewelry that may hook the hood;
 - b) discontinue attempted use, if there is difficulty applying due to a large head;
 - c) adjust the hood so that the non-mesh barrier does not descend below the person's nose;
 - d) check fit over the person's face to allow for vision; and
 - e) only use an individual hood once per person and thereafter safely discard it.

LESS LETHAL FORCE

80. Authorized less lethal force options include the following:
- a) physical control (hard and soft) tactics;
 - b) batons;
 - c) oleoresin capsicum spray;
 - d) CEWs;
 - e) approved extended range impact weapons and associated munitions; and
 - f) weapons of opportunity, if use of issued weapons is not practicable.



81. Members must be qualified in the use of physical control (soft and hard) tactics in accordance with the BCPPS and as directed by the Chief Constable.
82. A member must assess a given situation and may subsequently apply the less lethal force option reasonably necessary to establish control of the person, stop the person's behavior, or prevent harm to the member or any other persons.

Vascular Neck Restraint (VNR)

83. Members must complete Department provided training and be qualified to use the VNR technique before doing so, and must requalify annually in order to remain authorized to use the technique.
84. A member must assess a given situation and may subsequently apply the VNR technique as a less lethal force option, where the member has reasonable grounds to believe that:
 - a) the person is causing bodily harm to either themselves, the member, or a third party;
 - b) the person's behavior will imminently cause bodily harm either to themselves, the member, or a third party;
 - c) crisis intervention and de-escalation techniques have not been or will not be effective in eliminating the risk of bodily harm;
 - d) no lesser force option has been, or will be, effective in eliminating the risk of bodily harm; or
 - e) the subject will cause death or grievous bodily harm to the member or another person.
85. Members are prohibited from the intentional use of chokeholds, unless the officer has reasonable grounds to believe that lethal force is justified.

INTERMEDIATE WEAPONS

86. Intermediate weapons in the following categories, as issued, are authorized to be used by members who are trained and qualified in their use:
 - a) batons;



- b) oleoresin capsicum (OC) spray;
- c) conducted energy weapons; and
- d) extended range impact weapons.

Qualification & Records for All Intermediate Weapons

87. The Operational Skills Unit is responsible for ensuring training and that every member authorized to carry and use a specific intermediate weapon has successfully qualified to do so.
88. Any member authorized to begin training as a CEW operator must:
- a) successfully complete provincially-approved training in crisis intervention and de-escalation within the previous three years; and
 - b) meet the selection criteria established by the CEW operator training.
89. Members may only carry and use the following, if qualified every three (3) years or as otherwise required by the BCPPS:
- a) oleoresin capsicum (OC) spray;
 - b) extended range impact weapons; and
 - c) impact weapons.
90. The Operational Skills Unit must maintain an up-to-date inventory of all Department authorized extended range impact weapons, CEW and CEW probe cartridges.
91. Any member authorized to carry and use a CEW is required to annually recertify, by reviewing the topics contained in BC's *CEW Operator Training course*, or other provincially-approved training for CEW operators, and passing the final assessment or a provincially-approved equivalent at least once each year or any time that the Deputy Chief Constable, Administration Bureau, determines the member has not operated a CEW in accordance with any of the *BC Provincial Policing Standards*.
92. Members whose CEW certification has lapsed must not use the CEW operationally until the recertification training has been completed.



93. WorkSafeBC regulations prohibit employees voluntarily being subject to application of the CEW, oleoresin capsicum (OC) spray or impact weapons, and no Department volunteer or member of the public is to be permitted to participate in voluntary exposure to the same, except when inert application of the weapons is authorized for training purposes.

Training Delivery & Records Keeping

94. An extended range impact weapon operator training course may only be taught by a certified instructor, certified by a recognized training institution approved by the Deputy Chief Constable.
95. CEW operator training courses may only be taught by a certified Police Academy use-of-force instructor or equivalent, as per the BCPPS.
96. The Operational Skills Unit will ensure that written records are maintained, documenting the training, requalification courses completed and certification status of each member of the Department for extended range impact weapon and other intermediate weapons, including CEWs.

Oleoresin Capsicum (OC) Spray

97. Oleoresin capsicum (OC) spray may be deployed as an intermediate force option to:
- a) control active resisters as defined by the Canadian National Use of Force Framework;
 - b) control assailants as defined by the Canadian National Use of Force Framework;
 - c) control a person or crowd when lesser means have failed and higher levels of force are not yet require; or
 - d) control attacks or threats of attacks from assailants or animals.

Impact Weapons

98. The use of an impact weapon is consistent with that of hard physical control (striking) on the National Use of Force Framework and delivers impact pressure (blunt force) in the form of kinetic energy.



99. The use of an impact weapon is typically a dynamic event with many variables and members may not always be able to specifically target certain areas of the subject while avoiding others.

Baton Target Areas

100. If practicable, when using a baton members are to avoid targeting the following areas, unless the member has reasonable grounds to believe that the subject presents an imminent or immediate risk of death or grievous bodily harm to themselves, the member, or another person:
- a) head;
 - b) neck;
 - c) spine;
 - d) clavicle;
 - e) testicles; and
 - f) abdomen on visibly pregnant women.

Extended Range Impact Weapons

101. Members should take a team tactics, layered force response options approach to resolving high risk situations, and when an extended range impact weapon is deployed operationally, consideration should be given to having a cover member paired up to provide lethal force over-watch.

Post Discharge Requirements

102. After an operational extended range impact weapon discharge, the Duty NCO will ensure that:
- a) the component pieces (expended casing and projectile) of the discharged munition are recovered and entered as an exhibit;
 - b) any injuries observed on the subject are photographed; and
 - c) if serious injury or if death occurred proximate to the discharge, the weapon is seized for investigative purposes and secured as an exhibit.



Bodily Target Areas

103. Before discharging an extended range impact weapon, proper sighting must be attempted by the member, and acquired as best as possible, to avoid the possibility of strikes to areas where there is a risk of death or grievous bodily harm.
104. When discharging an extended range impact weapon, a member should continually evaluate the effectiveness of each round delivered.
105. In order to only incapacitate, and seek to avoid the potential for serious injury, the preferred target areas for members using extended range impact weapons are:
 - a) the front and back of the subject's legs; or
 - b) the front and back of the subject's arms (below the elbow).
106. Extended range impact weapon higher risk target areas, having a higher injury potential are:
 - a) the upper arms (because of close proximity to the chest);
 - b) the abdomen;
 - c) the groin;
 - d) the chest;
 - e) the lower or upper back; and
 - f) the head or neck.
107. If practicable, members discharging an extended range impact weapon are to avoid targeting higher risk target areas, unless the member has reasonable grounds to believe that the subject presents an imminent or immediate threat of death or grievous bodily harm to themselves, the member, or a third party.

Conducted Energy Weapons

108. Members are prohibited from discharging an electrical current from a CEW on a person for longer than five (5) seconds, unless the member is satisfied, on reasonable grounds, that:



- a) the initial five second discharge was not effective in eliminating the risk of bodily harm; and
- b) a further discharge will be effective in eliminating the risk of bodily harm.

CEW Records

109. The Administration Bureau will maintain a record of testing for each CEW showing:
- a) the dates testing occurred; and
 - b) the results.

CEW Responsibility for Member

110. At the start of each shift, members shall examine the CEW and probe cartridges for any damage and, in accordance with their training, conduct a CEW spark-test, of either their issued CEW or a signed-out CEW.
111. Members must sign out/sign in CEW using Equipment Tracker and record the serial number of the CEW in their notebook.

CEW Discharge

112. Members are not to discharge a CEW near flammable, combustible or explosive material, including alcohol-based oleoresin capsicum (OC) spray, where there is a risk of these igniting.
113. Members are required to:
- a) make every effort to take control of the subject as soon as possible following the deployment of a CEW and if possible during the CEW deployment;
 - b) not discharge a CEW against a person where the person is at risk of a fall from an elevated height, unless the member has reasonable grounds to believe that the potential for death or grievous bodily harm is justified;
 - c) not discharge a CEW against a person in water where there is a danger of the person drowning due to incapacitation from the CEW,



unless the member has reasonable grounds to believe that the potential for death or grievous bodily harm is justified;

- d) not discharge a CEW against a person operating a vehicle or machinery in motion, unless the member has reasonable grounds to believe that the potential for death or grievous bodily harm is justified; and
- e) not to discharge more than one CEW simultaneously against a person unless the member has reasonable grounds to believe that the potential for death or grievous bodily harm is justified.

CEW Target Areas

114. The preferred target zones for the CEW are the lower centre of mass (below the chest) for the front of the body, and below the neck for the back, for the following reasons:

- a) consistency in targeting for all CEWs; and
- b) shots to the chest, particularly at close range are frequently ineffective because of the lack of major muscle groups in the chest area.

115. Members are to avoid a person's head, neck or genitalia as target zones for discharge of the CEW, unless the member has reasonable grounds to believe that the potential for death or grievous bodily harm is justified.

Post CEW Discharge Requirements

116. The CEW probe cartridge component pieces include:

- a) the expended CEW probe cartridge with the attached wires and probes;
- b) a sample of the Anti-Felon Identification (AFID) markers which have the serial number of the CEW probe cartridge printed on them;
- c) the CEW probe cartridge blast doors; and
- d) the plastic retaining clips from the CEW probe cartridge which secures the insulated wire.

117. After an operational CEW discharge, the Duty NCO will ensure that:



- a) the CEW is removed from service and secured in exhibits;
 - b) the available component pieces of the CEW probe cartridge are entered as an exhibit;
 - c) the Department Operational Skills Unit is advised of the CEW discharge and the location of the CEW;
 - d) the Department Operational Skills Unit retrieves the CEW and conducts a data download of the CEW;
 - e) a copy of the data download is forwarded to the involved member for inclusion in the file; and
 - f) cartridges no longer required for criminal, civil, or Police Act investigations are to be disposed of. Where possible, probes are to be disposed of in a sharps container.
118. If serious injury or death occurred proximate to the discharge, the CEW is not to be returned to service until it is tested, repaired and re-tested, if required.

Medical Assistance & Probe Removal

119. In addition to the requirements for ensuring medical assistance and assessment previously set out in these Procedures, a member discharging a CEW, or their supervisor, must request B.C. Ambulance Service personnel attendance, if practicable before or as soon as possible after a discharge in:
- a) probe mode across the person's chest;
 - b) probe mode for longer than five seconds;
 - c) any mode against:
 - i) an emotionally disturbed person,
 - ii) an elderly person,
 - iii) a person who the member has reason to believe is pregnant,
 - iv) a child, or



- v) a person who the member has reason to believe has a medical condition (e.g., heart disease, implanted pacemaker or defibrillator); and
 - d) any discharge that has caused a subject apparent, or asserted, injury or medical issues.
120. Probes located in sensitive areas such as the head, face, neck, groin or breast are to be removed by medical personnel.
121. Removal of probes in other areas may be done by members, at the direction of the Supervisor.
122. Members shall exercise caution when removing probes and do so in a safe manner.
123. Members shall ensure:
- a) the subject is appropriately restrained; and
 - b) a cover member is present.
124. Probes should be removed in the manner prescribed in the member's CEW operator training course.
125. After the probe is inspected, it is to be secured inside the expended cartridge, and if probes have been removed from skin they shall be treated as Bio-Hazards 'sharps' and wrapped in the member's nitrile gloves as means of bio-hazard protection, and then secured in the cartridges.
126. A member shall take photographs of probe impact sites and any other related injuries.

CEW Functional Maintenance

127. The Operational Skills Unit will ensure that each CEW in use by the Department is tested in accordance with the following schedule:
- a) two years after the CEW was acquired;
 - b) every year thereafter; and
 - c) immediately after a CEW is used in an incident where either serious injury or death occurs proximate to its use.



128. The Operational Skills Unit will ensure that:
- a) testing is conducted in accordance with the protocols described in the BCPPS Test Procedure for CEWs;
 - b) testing is conducted independent of the manufacturer; and
 - c) the test procedure has been verified to meet the Test Procedure for CEWs by a professional engineer.
129. If, after testing, a CEW does not meet all the manufacturer's testing and safety specifications, the CEW is required to be either destroyed, or repaired and retested, before being put back into service.

CEW Reporting & Monitoring

130. The Operational Skills Unit is responsible for internal CEW incident monitoring that includes:
- a) ensuring that, for every CEW use of force incident there is both an operational CEW download report and a use of force report;
 - b) accounting for any discrepancies between the operational CEW download report and the use of force report;
 - c) ensuring that for each CEW there is, at minimum, an annual administrative download conducted and that a record of that downloaded data is maintained on file;
 - d) on at least a quarterly basis conducting an internal review of CEW controls and the use of CEWs by members to determine compliance with the BCPPS and the Department's policies and procedures, and to identify potential training or policy development issues; and
 - e) examining and documenting, both at the member level and for the police force overall:
 - i) the circumstances and manner in which CEWs are being used (e.g., imminent bodily harm threshold, number and duration of cycles); and
 - ii) the reporting of CEW use by members.



131. The Operational Skills Unit will submit an annual written report to the Minister of Justice and the Delta Police Board that will include:
- a) aggregate counts of CEW displays and operational discharges; and
 - b) a summary of the quarterly reviews conducted as per Monitoring and Review above.

FIREARMS & LETHAL FORCE

132. Members may use lethal force when they have reasonable grounds to believe that they or another person is in imminent or immediate danger of death or grievous bodily harm, i.e., serious physical injury, and the member's purpose in using lethal level of force is to preserve their own life or the life of another person.

Drawing of Firearm

133. A member's decision to draw a firearm should be based on the totality of circumstances in any given situation, including the member's reasonable grounds that they are entering into a potentially dangerous situation, such as entering premises where there may be armed criminals. Drawing the firearm and having it at the ready in these circumstances is proper and recommended. Members will not draw their firearm unless they believe on reasonable grounds that:
- a) it may be necessary for the protection of the member's life or the life of another person; or
 - b) it is necessary for the apprehension or detention of a person believed to be dangerous.

Discharge of Firearms

134. A member who discharges a firearm as a response option shall shoot with the intent to stop the threat of death or grievous bodily harm as effectively as possible.
135. The discharge of a warning shot is not permitted.
136. Members are justified in discharge of a firearm against an occupant of a moving vehicle, if seeking to prevent grievous bodily harm or death to themselves or another person, and it is the most reasonable use of force in



the circumstances and given potential risks posed by continued vehicle travel.

Qualification & Records

137. Only members who have been trained in the use of a Department authorized firearm, and assessed to be proficient, i.e., qualified, in its use by a firearms instructor approved by the Chief Constable, are authorized to carry and use that firearm.
138. A member not meeting qualification / requalification standards required by the BCPPS or this Policy and its Procedures is not permitted to carry and use that firearm, and the firearms instructor is required to report the failure to qualify to the Deputy Chief Constable, Administration Bureau, as soon as practicable.
139. The Deputy Chief Constable, Administration Bureau will have a member who fails to requalify reassigned to duties not requiring the use of that firearm until the qualification is achieved.
140. The Deputy Chief Constable, Administration Bureau, shall:
 - a) have the qualification of firearms instructors determined;
 - b) recommend approval of instructors to the Chief Constable; and
 - c) cause to have a list of approved instructors maintained
141. All other types and makes of firearms are prohibited from being carried or used by members unless authorized by the Chief Constable.
142. Members are required to maintain their Department firearm qualifications when on secondment to integrated policing units and are also required to qualify and maintain their qualifications on any firearms issued by the integrated policing unit.
143. Only ammunition issued by the Operational Skills Unit is to be used in Department issued and approved firearms.
144. The Operational Skills Unit will ensure that written records are maintained of the firearms qualification test completed by each officer in the police force including:
 - a) the date;



- b) the identity of the officer;
 - c) the testing conducted and the testing results; and
 - d) the name of the qualifying instructor.
145. The Operational Skills Unit will maintain a current record of:
- a) firearms including respective serial numbers;
 - b) to whom the firearm is issued;
 - c) firearms currently stored and available for issue to new members or as temporary replacements for firearms needing repair or seized for investigative reasons; and
 - d) all temporarily issued firearms.

Re-Qualification

146. Any officer authorized to carry and use a firearm must be in compliance with BCPPS CID Training.
147. Members are required to qualify annually with their firearms. The Operational Skills Unit will ensure that written records are maintained documenting the requalification date and status, and the type of firearm, including make and model.
148. Any officer authorized to carry and use a firearm is required, every three years at a minimum, to:
- a) articulate to the satisfaction of a use-of-force instructor as to when lethal force is justified; and
 - b) complete practice training, as determined by the Department, regarding firearms tactics and use-of-force decision making, as well as shooting at distances of 25 meters and greater.
149. The Operational Skills Units will ensure that written records are maintained of the firearms training completed by each officer in the police force including:
- a) the date;



- b) the identity of the officer;
 - c) the type of training conducted, including the purpose and learning objectives for the session; and
 - d) the name of the instructor.
150. Members will at all times and without exception abide by the instructions of the Firearm Instructors while at a firearms range, including the instructions on the use of safety equipment.
151. At the discretion of the Firearm Instructors, members may discharge previously issued ammunition during qualification, and new ammunition may be issued to members immediately following qualification.

USE-OF-FORCE INSTRUCTOR TRAINING

152. The Deputy Chief Constable, Administration Bureau, shall ensure that, as required by and in accordance with B.C. Provincial Policing Standard 3.2.3: *Use-of-Force Instructor Training*, anyone authorized to instruct members of the Department in the use of force:
- a) has received the necessary training;
 - b) is fully qualified to instruct; and
 - c) has a record of their training and qualification kept by the Administration Bureau.

*Revised Dates:
10 October 2012
09 March 2017
22 January 2019
17 June 2020