	Abbotsford Police Department Policy and Procedure	
	Operations	Use of Force
	II.H.010	Use of Force

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PURPOSE

- (1) The purpose of this policy is to provide Abbotsford Police Department (“AbbyPD”) Officers with direction regarding the use of force during the lawful execution of their duties.

DEFINITIONS

- (2) **Administrative CEW Download** – the process that occurs when technical data is downloaded from a Conducted Energy Weapon (CEW). Download data includes date, time, and duration of the weapon’s discharge(s).
- (3) **Ammunition**- a projectile intended for use with a Firearm.
- (4) **Bodily Harm** – hurt or injury to a person that interferes with the health or comfort of the person and is more than merely transient or trifling in nature.
- (5) **CEW Probe Cartridge** – an encasement that contains blast doors, probes, wires, anti-felon identification tags (“AFIDs”) and other components that is attached to and required for probe deployment of a CEW. Cartridges vary in length of wire, probe type, and distance probes will travel to embed in a person to deliver an electrical charge from the CEW.
- (6) **Chokehold** – a physical-control technique that applies pressure to the front of the neck and trachea/windpipe and restricts a person’s ability to breathe.
- (7) **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.

- (8) **Crisis Intervention and De-escalation Techniques (CID Techniques)** – techniques that include verbal and nonverbal communications that are designed to de-escalate crises.
- (9) **Director** - the director of Police Services referred to in section 39 (1) of the *Police Act*.
- (10) **Display** – the act of pointing, aiming, or showing an Intermediate Weapon or Firearm at or to a person, without discharging it, for the purpose of generating compliance from a person.
- (11) **Draw** – the act of unholstering or removing the Intermediate Weapon or Firearm from the holster without discharging it, as a preparatory step so that it is ready for use should it become necessary (i.e., not used to generate compliance).
- (12) **Firearm** - a barreled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person and includes any frame or receiver of such a barreled weapon and anything that can be adapted for use as a Firearm. A conducted energy weapon is not considered a Firearm for the purposes of this policy.
- (13) **Firearm Discharge** – the act of discharging a Firearm against a person, whether the discharge was intentional or not, and situations where the Firearm is discharged but malfunctions or is unsuccessful in reaching the intended person.
- (14) **Intermediate Weapon** – a weapon whose normal use is not intended or likely to cause serious injury or death. Impact weapons, aerosols, and Conducted Energy Weapons fall within this category. Intermediate Weapons may also be referred to as less-lethal weapons.
- (15) **Intermediate Weapon Discharge/Application** – the act of firing or applying an Intermediate Weapon against a person. This includes situations where the discharge was intentional or not, and situations where the Intermediate Weapon is discharged but malfunctions or is unsuccessful in reaching the intended person.
- (16) **Kinetic Energy Impact Projectiles (KEIP)** – a projectile that does not contain an explosive or any other kind of charge containing a chemical agent. KEIPs may be flexible (e.g., bean bag), or non-flexible (e.g., rubber projectile).
- (17) **National Use of Force Model** – a framework tool to facilitate understanding of the various elements involved in the process by which a police officer assesses a situation and acts in a reasonable manner to ensure officer and public safety. The framework helps officers and the public understand how and why an officer may respond with force.

- (18) **Officer** – a constable appointed under the *Police Act* or an enforcement officer appointed under s. 18.1 of the *Police Act*.
- (19) **Operational CEW Discharge** – the act of firing a CEW in any mode against a person, whether intentional or not, and including when the CEW is discharged but malfunctions or is unsuccessful in reaching the intended person.
- (20) **Operational CEW Download** – the process that occurs when technical data is downloaded from the CEW after an operational discharge of the CEW involving a subject. Operational CEW Download data includes date, time, and duration of the weapon's discharge(s).
- (21) **Physical Control** – physical techniques used to control a person that do not involve the use of a weapon.
- (a) **Physical Control - Hard** – physical techniques that are intended to impede a person's behaviour or to allow application of a control technique and have a higher probability of causing injury. They may include empty hand strikes such as punches and kicks.
- (b) **Physical Control - Soft** – soft techniques are control-oriented and have a lower probability of causing injury. They may include restraining techniques, joint locks and handcuffing.
- (22) **Pistol** - a handgun; a Firearm designed to be held in one hand.
- (23) **Police Dog Bite** – a police dog's use of mouth and teeth to grab or hold a person's body or clothes. Does not include bites in training on training equipment, such as a padded sleeve or suit.
- (24) **Reasonable Grounds** – includes both a subjective and an objective component and means that the Officer must personally believe that the decision or action is necessary, and in addition, the decision or action must be able to stand the test of whether an objective third person, who is acting reasonably—and is informed of the Officer's training, experience and the factual circumstances known at the time—would also reach the same conclusion.
- (25) **Restraint** – any mechanical device or system of mechanical devices that when used in their ordinary and intended manner restricts the normal physical activity or range of motion of an individual in part or in whole.
- (26) **Specialty Munitions** - munitions that require specialized training and certification by Officers and may include extended range impact munitions, impact rounds containing chemical agents, breaching munitions, Flash Sound Distraction Device (FSDD), and munitions designed specifically for crowd dispersal.

- (27) **Use of Force Report (“Report”)**– the information that must be provided, in a provincially-approved format, when an Officer applies force against a person. Commonly referred to as an “**SBOR**” (Subject Behaviour Officer Response) report.
- (28) **Vascular Neck Restraint** – 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.
- (29) **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).

POLICY

- (30) Consistent with Section 25 of the *Criminal Code*, an Officer:
- (a) may only use force if there exists a lawful authority for the action being taken;
 - (b) must act on Reasonable Grounds; and
 - (c) may only use as much force as is reasonably necessary.
- (31) Section 26 of the *Criminal Code* holds each Officer criminally responsible for excessive use of force. Each Officer must be able to justify the level of force used against an individual.
- (32) AbbyPD and its Officers will comply with British Columbia Provincial Policing standards with respect to use of force.

Paragraphs (30) through (32) constitute Policy approved by the Police Board on September 29, 2021.

PROCEDURES

GENERAL

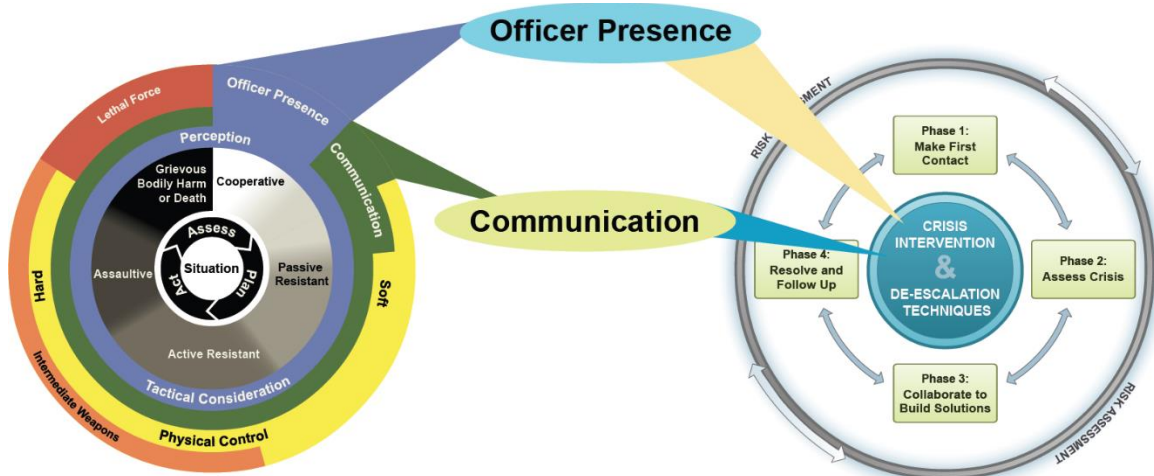
- (33) Supervisors will be notified of use of force events as soon as practicable. The supervisor will assess whether supervisor attendance is required.
- (34) Injuries received as a result of, or proximate to, the application of force against a person, will be photographed by an Officer.
- (35) Where appropriate, EHS will be called as soon as practicable to render medical assistance, either in anticipation of, or after, the application of force.

- (36) Where a force event results in an in-custody injury requiring medical attention, the supervisor or Jail NCO must ensure that the injury and outcome of treatment are documented in compliance with [021-008 Documentation of In-custody Illness or Injury](#) and [II.I.030 Jail - Care and Control of Prisoners](#).
- (37) Where the Independent Investigations Office (IIO) asserts jurisdiction, the IIO may immediately seize police weapons or tools involved in the incident. Relinquishment of such weapons or tools to the IIO is required and takes precedence over other requirements in this document (e.g. requirement to test CEW pursuant to paragraph (115)(c)).

USE OF FORCE MODEL AND TECHNIQUES

- (38) The AbbyPD uses the National Use of Force Model when assessing situations and deploying use-of-force options. Force options may include:¹
 - (a) presence (manner of arrival, number of Officers, physical appearance, rank insignia, uniform, equipment);
 - (b) communication (volume, tone, pace, pitch, modulation, facial expressions, gestures, body postures, distance, use of CID Techniques);
 - (c) Physical Control – Soft (restraining techniques);
 - (d) Physical Control – Hard (impact techniques; Vascular Neck Restraint);
 - (e) Intermediate Weapons (including KEIPs, chemical sprays, CEWs, batons, police service dogs); and
 - (f) lethal force.

National Use of Force Model



¹ BCPPS 1.9.1 (1) and (5)

- (39) Qualification and requalification for use of certain techniques is completed as required in compliance with BC Provincial Policing Standards.²
- (40) The AbbyPD maintains written records of the training and requalification courses completed by each AbbyPD Officer³.

CONDITIONS FOR USE OF FORCE

- (41) Force options may be considered when the following conditions are present:
- (a) the situation demands control over an individual;
 - (b) communication (including CID Techniques) and lower force options were ineffective or were inappropriate, given all the circumstances; and
 - (c) the Officer has been trained in, and if applicable qualified in, the force option applied.
- (42) Prior to the application of force against a person, Officers will assess the subject's condition (e.g. age, health, emotional state), environment (risk to public safety, Officers or hazards) and other situational and risk factors that may contribute to the totality of the circumstances
- (43) Paragraph (41)(c) notwithstanding, in exigent circumstances, an Officer may use a force option for which they have not been trained or qualified.

PHYSICAL CONTROL

Restraints

- (44) Only Restraints approved by the Director are carried or used by AbbyPD Officers.⁴ Unless authorized by the Chief Constable in writing, Restraints may only be carried by Officers while on assigned duty.⁵ The following Restraints are approved for use by AbbyPD Officers:
- (a) Handcuffs
 - (b) Leg restraints
 - (c) Disposable restraints ("zip ties" or "PlastiCuffs")
 - (d) the WRAP

² BCPPS 1.9.1 (2)

³ BCPPS 1.9.1 (3)

⁴ BCPPS 1.2.3 (1)

⁵ BCPPS 1.2.3 (7)

- (45) Restraints are maintained in good working order and are securely stored when not in use.⁶
- (46) Only Officers trained in the use of Restraint may use such devices. The training program is approved by the Chief Constable and meets the standard set by BC PPS 1.2.3 (4)⁷.
- (47) Officers must requalify at least once every three years to use Restraints. Written records of Officer Restraint training and requalification are maintained for each Officer.⁸
- (48) The following alone are not sufficient to justify using a Restraint on a person:
- (a) an Officer's knowledge of the person's past behavior; or
 - (b) detaining a person solely for an investigative detention
- (49) The use of a Restraint is a use of force and Officers 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 Officer(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 Officer's safety in conducting the search.
- (50) In determining whether to use a Restraint on an arrested, detained, or apprehended person, Officers should consider (in conjunction with paragraph (49)) 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, RSBC*);
 - (b) factors unique to the person, having regard to principals of equity, diversity and inclusion, including:
 - (i) age (e.g., older adults),
 - (ii) disability (physical or mental),

⁶ BCPPS 1.2.3 (2) and (3)

⁷ BCPPS 1.2.3 (4)

⁸ BCPPS 1.2.3 (5) and (6)

- (iii) medical condition (e.g., pregnancy),
 - (iv) injury,
 - (v) size (e.g., extreme obesity), and
 - (vi) whether the person is Indigenous, racialized, or belonging to any other equity deserving groups; and
 - (c) any other consideration the Officer believes is subjectively relevant and objectively reasonable in relation to their decision to use a Restraint (e.g., such as a decision to handcuff the person with their hands in front).
- (51) Members must not handcuff a child who is apparently under the age of 12 unless:
- (a) all other options have been exhausted or assessed by the Officer as inappropriate (e.g., verbal communication, de-escalation strategies); and
 - (b) the Officer reasonably believes that the child must be restrained to prevent immediate harm to the child or others,
- (52) Officers 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.
- (53) An Officer who has lawfully restrained a person and then determines that it is no longer necessary and/or appropriate to continue to apply the Restraint, must promptly remove the Restraint(s), document the incident in PRIME and consider notifying their supervisor immediately 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).
- (54) An Officer applying a Restraint to a person must:
- (a) ensure the device is not dangerously restricting the person's blood circulation or ability to breathe;
 - (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 was applied, ensure that at least one Officer present has a tool available suitable for cutting the device free;
 - (e) engage a double lock mechanism, if a feature of the Restraint, immediately after establishing sufficient control over the person to do so; and
 - (f) if using leg restraints in conjunction with handcuffs, not join the two devices to create a behind-the-back maximal restraint (also referred to as a “hog tie”).
- (55) Separate from or in addition to required Use of Force Reporting, Officers must record the use of Restraints in a General Occurrence Report (GO), or their issued notebook, including:
- (a) the reason for the Restraint use; and
 - (b) notation that the Restraint was checked for tightness and double locked (where supported by the device).

Spit Hood/Mask

- (56) An Officer may only apply a spit hood/mask to person under arrest or an apprehended person, and only if there is a possible risk of physical harm or exposure to infectious disease to the Officer or others due to the person’s actions of spitting, attempting to bite, coughing or sneezing.
- (57) A spit hood/mask may not be applied 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.
- (58) An Officer applying a spit hood/mask to a person must:
- (a) first ensure the person is restrained and under control using an approved Restraint;
 - (b) ensure the person’s airway, nose, and mouth are unobstructed;
 - (c) advise dispatch that a hood is in use and request a five minute timer until the hood has been removed;
 - (d) 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;
 - (e) not leave the person unattended, and keep them constantly supervised and monitored;

- (f) not transport the person in the prisoner wagon; and
 - (g) ensure the hood is taken off when the person's destination is reached, the person is handed to another agency, the person's behaviour has changed and the mask is no longer required, or the person is to be left unattended.
- (59) When applying a spit hood/mask the Officer must:
- (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) check fit over the person's face to allow for vision; and
 - (d) only use an individual hood once per person and thereafter safely discard it.

Neck Restraint

- (60) AbbyPD permits the use of the Vascular Neck Restraint (VNR) in circumstances other than those where there are Reasonable Grounds to believe that lethal force is justified.
- (61) Only Officers trained and demonstrating proficiency in applying a VNR are authorized to apply this technique.⁹
- (62) A Chokehold is NOT the same technique as a VNR. Unless the Officer has Reasonable Grounds to believe that lethal force is justified, intentional use of a Chokehold is prohibited.¹⁰
- (63) Officers authorized to apply the VNR must re-qualify every year, at a minimum, in applying this technique.¹¹ AbbyPD maintains written records of the training and requalification completed by each Officer.¹²
- (64) If a VNR has been applied, the Officer will:
- (a) secure the individual by handcuffing them; and
 - (b) request EHS attendance.

⁹ BCPPS 1.5.1 (1)

¹⁰ BCPPS 1.5.1 (3)

¹¹ BCPPS 1.5.1 (2)(a)

[Note BCPPS 1.5.1 (2)(b) N/A for AbbyPD]

¹² BCPPS 1.5.1 (4)

- (65) If, after the application of a VNR, the individual has been rendered unconscious, the Officer will, to the level they are trained and/or qualified, administer medical intervention.
- (66) A supervisor will attend the incident where a VNR has been applied. The supervisor will:
- (a) ensure appropriate medical care is provided; and
 - (b) photograph any injuries to the individual and photograph the scene.

INTERMEDIATE WEAPONS

Approved Intermediate Weapons

- (67) Intermediate Weapons carried or used by AbbyPD Officers have been approved by the Director.¹³
- (68) Where an Intermediate Weapon is carried on the person, only those holsters, carriers or straps approved by AbbyPD may be used.

Off-Duty Carry of Intermediate Weapons

- (69) Officers will only carry Intermediate Weapons when on assigned duty, unless otherwise authorized in writing¹⁴ by the Chief Constable or designate. If authorized to carry an Intermediate Weapon off-duty, the Officer will also carry their issue pistol.

Training, Qualification and Requalification

- (70) AbbyPD Officers must successfully complete a training course and be qualified to use an Intermediate Weapon before they will be authorized to carry and use that weapon¹⁵.
- (71) AbbyPD Officers authorized to carry and use an Intermediate Weapon are required to requalify in its use, at a minimum, every three years.¹⁶
- (a) EXCEPTION: Officers authorized to carry and use a CEW must requalify in its use annually. See policy I.B.095 Provincially Approved Training.

¹³ BCPPS 1.2.2 (1)
[Note BCPPS 1.2.2 (2) N/A for AbbyPD]

¹⁴ BCPPS 1.2.2 (5.1)

¹⁵ BCPPS 1.2.2 (3)

¹⁶ BCPPS 1.2.2 (4)

- (72) AbbyPD maintains written records of the Intermediate Weapons training and requalification courses completed by each Officer.¹⁷

Maintenance and Storage of Intermediate Weapons

- (73) Intermediate Weapons will be maintained in good working order.¹⁸ Officers will advise their supervisor if an Intermediate Weapon in their care and control is not in good working order.
- (74) When not in use:
- (a) personal-issue Intermediate Weapons will be locked in the Officer's locker, cabinet or desk; and
 - (b) pooled-use Intermediate Weapons will be locked in lockers designated for that purpose.¹⁹

Oleoresin Capsicum Spray ("OCS")

- (75) Where an individual has been sprayed with OCS and the individual is controlled, the Officer will:
- (a) secure the individual by handcuffing them;
 - (b) monitor the individual;
 - (c) tell the individual they have been sprayed with OCS and that the effects of the OCS are short term; and
 - (d) as soon as practicable, allow the individual to de-contaminate using fresh cool water.
- (76) A supervisor will attend the incident where OCS has been deployed. The supervisor will:
- (a) ensure appropriate medical care is provided; and
 - (b) photograph any injuries to the individual and photograph the scene.
- (77) OCS is only permitted on board RCMP Air Services aircraft if it is stowed inside the baggage compartment in the manner prescribed by RCMP standard operating procedure.
- (78) OCS is not permitted on board BC Air Ambulance.

¹⁷ BCPPS 1.2.2 (5)

¹⁸ BCPPS 1.2.2 (2.1)

¹⁹ BCPPS 1.2.2 (2.2)

Baton

- (79) Where an individual has been struck by the baton and the individual is controlled, the Officer will:
- (a) secure the individual by handcuffing;
 - (b) monitor the individual; and
 - (c) tell the individual they have been struck by a baton.
- (80) A supervisor will attend the incident where a baton has been deployed. The supervisor will:
- (a) ensure appropriate medical care is provided; and
 - (b) photograph any injuries to the individual and photograph the scene.

Police Service Dogs

- (81) See policy II.K.060 Police Service Dogs.²⁰

Kinetic Energy Impact Projectiles

- (82) Where the KEIP has been discharged and the individual controlled, the Officer will:
- (a) secure the individual by handcuffing them;
 - (b) monitor the individual;
 - (c) request EHS attendance; and
 - (d) tell the individual that they have been struck with a KEIP.
- (83) A supervisor will attend the incident where a KEIP has been discharged. The supervisor or delegate will:
- (a) ensure appropriate medical care is provided.
 - (b) photograph any injuries to the individual and photograph the scene.

Conducted Energy Weapon ("CEW")

- (84) Officers who deploy with a CEW will carry that CEW in an approved holster, attached on the support side of their body (opposite side to where their firearm is carried). The holster may be attached directly to the duty belt, or to a drop-down leg holster positioned on the support side.

²⁰ BCPPS 1.4

- (85) At the beginning of each shift, the Officer will conduct a spark test and inspect the CEW to ensure that it is operating properly and available for immediate use.
- (86) CEWs may be deployed by either:
- (a) discharging two probes from the device into contact with the body or clothing; or
 - (b) touching an individual directly with the two contacts on the device, a method commonly referred to as "drive stun".
- (87) Once an individual is controlled using the CEW, the Officer will:
- (a) secure the individual by handcuffing them;
 - (b) advise the individual that they have been struck with a CEW and that the effects are short term;
 - (c) monitor the individual; and
 - (d) request EHS attendance.
- (88) A supervisor will attend an incident where the CEW has been discharged. The supervisor will:
- (a) ensure appropriate medical care is provided;
 - (b) photograph any injuries to the individual and photograph the scene; and
 - (c) take custody of the CEW and ensure a CEW data download request is forwarded to the Training Officer.
- (89) CEWs are only permitted on board RCMP Air Services aircraft if they are stowed inside the baggage compartment in the manner prescribed by RCMP standard operating procedure.
- (90) CEWs are not permitted on board BC Air Ambulance.
- (91) See I.B.095 Provincially Approved Training for additional CEW training policy.

Threshold and Circumstances of Use

- (92) In addition to paragraph (41), Officers are prohibited from discharging a CEW against a person unless:
- (a) the person is causing Bodily Harm to either themselves, the Officer, or a third party;²¹ or

²¹ BCPPS 1.3.1 (1)(a)

- (b) the Officer is satisfied, on Reasonable Grounds, that the person's behaviour will imminently cause Bodily Harm to either themselves, the Officer, or a third party.²²
- (93) In addition to paragraph (92), Officers are prohibited from discharging a CEW against a person unless the Officer is satisfied, on Reasonable Grounds, that:
 - (a) CID Techniques have not been or will not be effective in eliminating the risk of Bodily Harm;²³ and
 - (b) no lesser force option has been, or will be, effective in eliminating the risk of Bodily Harm.²⁴
- (94) Officers are prohibited from discharging an electrical current from a CEW on a person for longer than five seconds, unless the Officer is satisfied, on Reasonable Grounds, that:
 - (a) the initial five-second discharge was not effective in eliminating the risk of Bodily Harm;²⁵ and
 - (b) a further discharge will be effective in eliminating the risk of Bodily Harm.²⁶
- (95) Officers will issue a verbal warning prior to discharging a CEW against a person, unless such a warning would place any person at further risk of Bodily Harm or imminent Bodily Harm.²⁷
- (96) Officers will not:
 - (a) discharge a CEW near flammable, combustible, or explosive material, including alcohol-based OCS, where there is a risk of these igniting;²⁸
 - (b) unless the Officer has Reasonable Grounds to believe that the potential for death or grievous Bodily Harm is justified, discharge a CEW against a person:
 - (i) where the person is at risk of a fall from an elevated height;²⁹
 - (ii) in water where there is a danger of the person drowning due to incapacitation from the CEW;³⁰ or
 - (iii) operating a vehicle or machinery in motion;³¹

²² BCPPS 1.3.1 (1)(b)

²³ BCPPS 1.3.1 (2)(a)

²⁴ BCPPS 1.3.1 (2)(b)

²⁵ BCPPS 1.3.1 (3)(a)

²⁶ BCPPS 1.3.1 (3)(b)

²⁷ BCPPS 1.3.1 (4)(a)

²⁸ BCPPS 1.3.1 (4)(b)

²⁹ BCPPS 1.3.1 (4)(c)

³⁰ BCPPS 1.3.1 (4)(d)

³¹ BCPPS 1.3.1 (4)(e)

- (iv) more than one CEW simultaneously,³² and
 - (c) discharge a CEW that targets a person's head, neck, or genitalia.³³
- (97) Paragraphs (94) to (96) apply to discharges in any mode.³⁴
- (98) Officers are prohibited from drawing or displaying a CEW unless the Officer is satisfied on Reasonable Grounds that the situation has some potential to result in Bodily Harm.³⁵

Approved Models

- (99) The only CEW models used by the AbbyPD are those approved by the Director.³⁶

Internal CEW Controls and Monitoring

- (100) The AbbyPD maintains an up-to-date list of CEWs and CEW Probe Cartridges controlled or owned by the AbbyPD.³⁷
- (101) CEWs and CEW Probe Cartridges are securely stored so that only person(s) authorized by the Chief Constable or their delegate have access to CEWs and CEW Probe Cartridges.³⁸
- (102) AbbyPD has a documented sign-in and sign-out process to ensure that CEWs and CEW Probe Cartridges are accounted for. The process identifies the:
- (a) assigned Officer;
 - (b) CEW unique identifier;
 - (c) number of CEW Probe Cartridges; and
 - (d) date and time the CEW and CEW Probe Cartridges were signed out and returned.³⁹
- (103) Inventory Control is responsible for the control process referred to in paragraph (102).⁴⁰
- (104) After an Operational CEW Discharge, the Officer's supervisor ensures that:
- (a) the CEW is removed from service;⁴¹

³² BCPPS 1.3.1 (4)(f)

³³ BCPPS 1.3.1 (4)(g)

³⁴ BCPPS 1.3.1 (5)

³⁵ BCPPS 1.3.1 (6)

³⁶ BCPPS 1.3.2 (1)

³⁷ BCPPS 1.3.3 (1)

³⁸ BCPPS 1.3.3 (2)

³⁹ BCPPS 1.3.3 (3)

⁴⁰ BCPPS 1.3.3 (4)

⁴¹ BCPPS 1.3.3 (5)(a)

- (b) the Training Officer is directed to perform an Operational CEW Download;⁴²
and
 - (c) a copy of the Operational CEW Download report is linked to the associated police file.⁴³
- (105) If serious injury or death occurred proximate to the discharge, the Training Officer will ensure that the CEW is not returned to service until it is tested, and repaired and retested if required.⁴⁴.
- (106) The Training Officer is responsible for internal CEW incident monitoring including:
- (a) ensuring that, for every Operational CEW Download report there is a corresponding Use of Force Report and vice versa;⁴⁵ and
 - (b) accounting for any discrepancies between the Operational CEW Download report and the Use of Force Report.⁴⁶
- (107) An Administrative CEW Download is conducted for each CEW at least annually and a record of the download data is maintained on file.⁴⁷
- (108) An internal review of CEW controls and the use of CEWs by AbbyPD Officers to determine compliance with the BC Provincial Policing Standards and the AbbyPD's policies and procedures, and to identify potential training or policy development issues, is conducted at least quarterly. The review examines and documents, at both the individual Officer and agency levels:
- (a) the circumstances and way CEWs are being used (e.g., imminent Bodily Harm threshold, number and duration of cycles);⁴⁸ and
 - (b) the reporting of CEW use by Officers.⁴⁹
- (109) Annually a written report is provided to the Minister of Public Safety and Solicitor General and the Abbotsford Police Board that includes:
- (a) aggregate counts of CEW Displays and operational discharges;⁵⁰ and
 - (b) a summary of the quarterly reviews conducted as per paragraph (108).⁵¹

⁴² BCPPS 1.3.3 (5)(b)

⁴³ BCPPS 1.3.3 (5)(c)

⁴⁴ BCPPS 1.3.3 (5)(d)

⁴⁵ BCPPS 1.3.3 (6)(a)

⁴⁶ BCPPS 1.3.3 (6)(b)

⁴⁷ BCPPS 1.3.3 (7)

⁴⁸ BCPPS 1.3.3 (8)(a)

⁴⁹ BCPPS 1.3.3 (8)(b)

⁵⁰ BCPPS 1.3.3 (9)(a)

⁵¹ BCPPS 1.3.3 (9)(b)

[Note: BCPPS 1.3.4 (1) N/A for AbbyPD]

Medical Assistance to CEW Discharges

- (110) All Patrol Supervisor vehicles are equipped with an Automated External Defibrillator (AED).⁵²
- (111) All members who are authorized to use an AED receive and maintain training in accordance with Emergency and Health Services Commission consent requirements for police use of an AED.⁵³
- (112) To the extent that AEDs are available, Officers deploying with a CEW will sign out an AED from Inventory Control.
- (113) If an Officer uses an AED on a person, emergency medical assistance, either from EHS or a hospital, is sought as soon as possible.⁵⁴
- (114) Officers will request EHS attendance at all medically high-risk incidents before discharge of the CEW or, if that is not feasible, as soon as possible thereafter. Medically high-risk incidents include when a CEW is discharged in:
- (a) probe mode across the person's chest;⁵⁵
 - (b) probe mode for longer than five seconds;⁵⁶ or
 - (c) any mode against:
 - (i) an emotionally disturbed person;⁵⁷
 - (ii) an elderly person;⁵⁸
 - (iii) a person who the Officer has reason to believe is pregnant;⁵⁹
 - (iv) a child;⁶⁰ or
 - (v) a person who the Officer has reason to believe has a medical condition (e.g., heart disease, implanted pacemaker or defibrillator).⁶¹

CEW Testing

- (115) Each CEW in use by the AbbyPD is tested:
- (a) two years after the CEW was acquired;⁶²

⁵² BCPPS 1.3.4 (2)

⁵³ BCPPS 1.3.4 (3)

⁵⁴ BCPPS 1.3.4 (4)

⁵⁵ BCPPS 1.3.4 (5)(a)

⁵⁶ BCPPS 1.3.4 (5)(b)

⁵⁷ BCPPS 1.3.4 (5)(c)(i)

⁵⁸ BCPPS 1.3.4 (5)(c)(ii)

⁵⁹ BCPPS 1.3.4 (5)(c)(iii)

⁶⁰ BCPPS 1.3.4 (5)(c)(iv)

⁶¹ BCPPS 1.3.4 (5)(c)(v)

⁶² BCPPS 1.3.5 (1)(a)

- (b) every year thereafter;⁶³ and
 - (c) immediately after a CEW is used in an incident where either serious injury or death occurs proximate to its use.⁶⁴
- (116) Testing:
- (a) is conducted in accordance with the protocols described in the *Test Procedure for Conducted Energy Weapons* attached to BCPPS 1.3.5;⁶⁵
 - (b) is conducted independent of the manufacturer;⁶⁶ and
 - (c) uses a procedure that has been verified to meet the *Test Procedure for Conducted Energy Weapons* by a professional engineer.⁶⁷
- (117) If, after testing, a CEW does not meet all the following specifications, the CEW is either destroyed, or repaired and retested before being put back into service. The CEW will:
- (a) not have a monophasic charge higher than 180 μC for any individual pulse;⁶⁸ and
 - (b) meet the manufacturer's specifications for the following:
 - (i) pulse repetition rate⁶⁹;
 - (ii) peak voltage;⁷⁰
 - (iii) peak current;⁷¹
 - (iv) net charge;⁷² and
 - (v) pulse duration.⁷³
- (118) For each CEW used by AbbyPD, a record of testing is maintained showing:
- (a) the dates testing occurred;⁷⁴ and
 - (b) the results.⁷⁵

⁶³ BCPPS 1.3.5 (1)(b)

⁶⁴ BCPPS 1.3.5 (1)(c)

⁶⁵ BCPPS 1.3.5 (2)(a)

⁶⁶ BCPPS 1.3.5 (2)(b)

⁶⁷ BCPPS 1.3.5 (2)(c)

⁶⁸ BCPPS 1.3.5 (3)(a)

⁶⁹ BCPPS 1.3.5 (3)(b)(i)

⁷⁰ BCPPS 1.3.5 (3)(b)(ii)

⁷¹ BCPPS 1.3.5 (3)(b)(iii)

⁷² BCPPS 1.3.5 (3)(b)(iv)

⁷³ BCPPS 1.3.5 (3)(b)(v)

⁷⁴ BCPPS 1.3.5 (4)(a)

⁷⁵ BCPPS 1.3.5 (4)(a)

FIREARMS**General**

- (119) While on duty an Officer will carry their issue Firearm(s) at all times, unless:
- (a) not currently qualified in the use of the issue Firearm;
 - (b) excused due to specific job function;
 - (c) excused due to medical accommodation;
 - (d) participating in physical training/exercise;
 - (e) attending training and conferences; or
 - (f) specifically exempted by the Chief Constable.
- (120) Firearms will be kept loaded when operationally deployed, unless directed otherwise by this or other AbbyPD policy or procedure.
- (121) Refer to I.G.035 Departmental Firearms for policy regarding air travel with Firearms.
- (122) Refer to I.G.035 Departmental Firearms for policy regarding off-duty Firearms carry.

Secondary Force Option

- (123) The following Officers will carry, at minimum, one Intermediate Weapon in addition to their Firearm:
- (a) on-duty uniform Officers; and
 - (b) unless prohibited by operational requirements, plain clothes Officers.
- EXCEPTION: Officers in dress uniform, unless directed by the Chief Constable or their delegate, are not required to carry a Firearm or other force option.

Discharge

- (124) A police Firearm may be discharged when, in addition to those conditions noted in paragraph (41), the action is reasonably required to defend a person from death or grievous Bodily Harm.
- (a) As long as the conditions noted in paragraph (41) are met, paragraph (124) does not apply to a Firearm deployed for the sole purpose of discharging a KEIP.

- (125) In addition to paragraph **Error! Reference source not found.**, an Officer may discharge a police Firearm in the following circumstances:
- (a) during range practice or AbbyPD-sanctioned competitive sporting events;
 - (b) with supervisor authorization, to destroy an animal that represents a threat to public safety, or to destroy an animal that is seriously injured; and
 - (c) by Officers of the Ceremonial Unit during AbbyPD-sanctioned events (blank rounds only).
- (126) Except for maintenance, during training or during AbbyPD-sanctioned demonstration events, an Officer will not Draw or Display their Firearm unless they have deemed it necessary, based on their assessment of the situation and in accordance with the NUFF.

Approved Models and Ammunition

- (127) Only Firearms and Ammunition approved by the Director are carried and used by AbbyPD Officers. Approved Firearms have specifications consistent with BCPPS 1.1.1.⁷⁶
- (128) Paragraph (127) notwithstanding, the Chief Constable may authorize, or designate in writing a person who may authorize, a member to carry for a special purpose a Firearm and Ammunition of a type other than that approved by the Director.⁷⁷
- (129) Officers are prohibited from carrying a Firearm or Ammunition other than those referred to in paragraphs (127) and (128).⁷⁸
- (130) AbbyPD will submit a report, at the request of the Director, on all special Firearms and Ammunition issued and the reason for issuing them if an authorization is made under paragraph (128).⁷⁹

Training, Qualification and Requalification

- (131) Before an Officer is authorized to use and carry a Firearm or Ammunition under paragraphs (127) and (128), the Officer must successfully complete a training course and become qualified for that Firearm.⁸⁰
- (132) Officers authorized to carry and use a Pistol are qualified on the use of the Pistol each year, in accordance with the protocols described in the BC Pistol Qualification attached to BCPPS 1.1.2 as Appendix "A".⁸¹

⁷⁶ BCPPS 1.1.1 (1) and (2)

⁷⁷ BCPPS 1.1.1 (3)

⁷⁸ BCPPS 1.1.1 (4)

⁷⁹ BCPPS 1.1.1 (5)

⁸⁰ BCPPS 1.1.2 (1)

⁸¹ BCPPS 1.1.2 (2)

- (133) Officers authorized to carry and use a Firearm or Ammunition other than a Pistol are qualified on the use of the Firearm each year, in accordance with qualifications approved by the Chief Constable.⁸²
- (134) Any Officer authorized to carry and use a Firearm is required, every three years at a minimum, to articulate to the satisfaction of a use-of-force instructor, as to when lethal force is justified.⁸³
- (135) Officers authorized to carry and use a Firearm have met CID training requirements under policy I.B.095 Provincially Approved Training.⁸⁴
- (136) An Officer not meeting qualification standards under paragraph (132) or (133) is not permitted to carry and use that Firearm. The failure will be reported to the Director of Human Resources as soon as practicable. The Director of Human Resources will reassign the Officer to duties not requiring Firearm carry until the Firearm qualifications are met. The Director of Human Resources will notify the Officer's OIC.
- (137) Prior to returning to operational duties, an Officer who has been on extended leave, or who has suffered an illness, injury or has been exposed to trauma that could affect their ability to use a Firearm, will be assessed by the Director of HR. The Director of HR may direct the Officer to:
- (a) re-qualify on the use of the Firearm; and/or
 - (b) complete AbbyPD's force options reintegration program.
- (138) Officers deemed qualified on KEIP shotgun will be deemed qualified on lethal shotgun for purposes set out within this policy.
- (139) AbbyPD Officers authorized to carry and use a Firearm are required, every three years at a minimum, to complete practice training:
- (a) regarding Firearms tactics and use-of-force decision making⁸⁵; and
 - (b) regarding shooting at distances of 25 metres and greater⁸⁶.
- (140) Written records are maintained of the Firearms qualification test completed by each AbbyPD Officer, and will include:⁸⁷
- (a) the date;
 - (b) the identity of the Officer;

⁸² BCPPS 1.1.2 (3)

⁸³ BCPPS 1.1.2 (4)

⁸⁴ BCPPS 1.1.2 (5)

⁸⁵ BCPPS 1.1.2 (6)(a)

⁸⁶ BCPPS 1.1.2 (6)(b)

⁸⁷ BCPPS 1.1.2 (7)

- (c) the testing conducted and the testing results; and
 - (d) the name of the qualifying instructor.
- (141) Effective January 1, 2017, written records are maintained of the Firearms training completed by each AbbyPD Officer, including:⁸⁸
- (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.

Maintenance

- (142) See policy I.G.035 Departmental Firearms.⁸⁹

Storage and Security

- (143) See policy I.G.035 Departmental Firearms.

USE OF FORCE REPORTING

- (144) A Use of Force Report ("Report") will be completed for the following uses of force on a person:⁹⁰
- (a) use of physical control-soft, if an injury occurred to either the person or the Officer from the application of that force;
 - (b) use of physical control-hard
 - (c) Vascular Neck Restraint
 - (d) Intermediate Weapon Display or Discharge/Application;
 - (e) Firearm Display or discharge;
 - (f) Police Dog Bite (intentional and unintentional);
 - (g) use of Specialty Munitions; and
 - (h) use of weapons of opportunity.
- (145) When a Report is completed, the following applies:
- (a) One Report is completed for each subject to whom force was applied.

⁸⁸ BCPPS 1.1.2 (8)

⁸⁹ BCPPS 1.1.1 (6)

⁹⁰ BCPPS 1.7.2 (1) and (2)

- (b) When one Officer uses multiple levels of force on one subject, only one Report is required.
 - (c) When multiple Officers have Displayed a weapon as a compliance tool or applied reportable force to a subject, each officer must complete their own Report documenting their own use of force or Display of weapon in relation to that subject.
 - (d) When the Display of a weapon is used to gain compliance of multiple subjects, the Officer must complete one Report for one of those subjects, and list additional subjects in the narrative field by age and gender.
- (146) The Officer will submit the Use of Force Report, along with any additional relevant material to their immediate supervisor.
- (a) Exceptional circumstances notwithstanding, the Use of Force Report must be submitted within 48 hours of the incident. Extensions to the 48 hour requirement may be granted by the Chief Constable.⁹¹
- (147) The Use of Force Report must be linked to the relevant PRIME files.⁹²

Use of Force Report - Internal review

- (148) The Chief Constable, any Deputy Chief Constable, or any Inspector may order an investigation or administrative review of any incident of force used against a person.

Supervisor

- (149) The supervisor will:
- (a) ensure a Use of Force Report is submitted by each Officer as required;
 - (b) review each Report to:
 - (i) ensure completeness⁹³;
 - (i) ensure the use of force and justification are articulated within the file narrative;
 - (ii) determine whether the legal authority for use of force was present;
 - (iii) determine whether the force used was justified;
 - (c) “lock” or “approve” the Report, or create a follow up (FU) to address issues;
 - (d) if concerns regarding the use of force exist, notify the following by email:

⁹¹ BCPPS 1.7.2 (3)

⁹² BCPPS 1.7.2 (4)

⁹³ BCPPS 1.7.2 (5a)

- (i) OIC of the Officers who used force; and
- (ii) Patrol Administrative Staff Sergeant.

AbbyPD Training Section

(150) The AbbyPD Training Section will review Reports where force was applied; review of draw/display Reports will not be automatic unless requested by a supervisor. The purpose of the review is to:

- (a) determine whether the force used was justified;
- (b) determine whether further articulation within the file is required;
- (c) determine whether additional Officer training is required; and
- (d) identify trends and/or significant changes within each monthly reporting period.

(151) The AbbyPD Training Section will prepare a report for the Patrol Administrative Staff Sergeant to include in the summary noted in paragraph (159).

(152) The AbbyPD Training Section will add a comment on the "Review Logs" tab of the PRIME SBOR text page indicating the file has been reviewed. Only administrative comments are to be made on the Review Log:

- (a) reviewed CH (concluded here); or
- (b) additional information is required.

Comments regarding the level of force used are not to be noted on the Review Log.

(153) If there is a concern regarding the application of force, the Officer's OIC and the Human Resources Director will be advised by email.

(154) If further training is recommended, the Officer's OIC, supervisor and the Human Resources Director are to be advised by email.

(155) If the IIO has asserted jurisdiction over an incident involving the use of force, the review by the AbbyPD Training Section will be suspended until further direction is received from the IIO Liaison Officer, in consultation with the IIO.

Patrol Administrative NCO

(156) A Patrol Administrative NCO will review all Reports to:

- (a) ensure completeness of the file and verify that the file has been reviewed at the supervisor level;
 - (b) determine whether the legal authority for use of force was present;
 - (c) determine whether the force used was justified;
 - (d) ensure the use of force and justification are articulated within the file narrative; and
 - (e) determine whether the use of force complies with AbbyPD policy⁹⁴.
- (157) The Patrol Administrative Staff Sergeant will add a comment on the “Review Logs” tab on the PRIME SBOR text page. Only administrative comments are to be included on the Review Log:
- (a) reviewed CH; or
 - (b) reviewed and FU sent for correction/completion
- Comments regarding the level of force used are not to be noted on the Review Log.
- (158) If concerns with the application of force exist, an email notification will be sent to the OIC of the Officers who used force.
- (159) On a quarterly basis the Patrol Admin Staff Sergeant or delegate will compile a summary of Use of Force reports for review by the Senior Management Team. The summary will indicate any uses of force which are not compliant with policy.⁹⁵

Discharge of Firearm by Police Officers

- (160) Paragraph (a)(a) and (c) notwithstanding, every time an Officer discharges a Firearm in the course of their duty, whether intentionally or accidentally, and whether or not a person is injured or killed, the Officer will immediately notify their supervisor of the circumstances surrounding the discharge.⁹⁶

Discharge of Firearm by Police Officers Not Resulting in Injury or Death

- (161) The supervisor advised under paragraph (160) will:
- (a) immediately notify the Duty Officer (“DO”); and

⁹⁴ BCPPS 1.7.2 (5b)

⁹⁵ BCPPS 1.7.2 (6)

⁹⁶ BCPPS 1.7.2 (8)

- (b) commence an investigation, reporting the results of that investigation to the DO (as delegated by the Chief Constable).⁹⁷
- (c) (b) does not apply in the case of Discharge of a Firearm to destroy an animal. See policy I.G.035 Departmental Firearms.

(162) Paragraph (161) does not apply to the discharge of a KEIP.

Reporting Excessive Use of Force

- (163) Any Officer who has reasonable grounds to believe that they have witnessed, or have otherwise been made aware of, excessive use of force by another Officer, is to report the incident to a supervisor or senior officer as soon as reasonably practicable.⁹⁸
- (164) If the incident referred to in paragraph (163) is not covered by paragraph (165), the supervisor in paragraph (163) will investigate the incident and submit a report through the chain of command to the Chief Constable or their delegate.⁹⁹

Reporting Use of Force Resulting in Injury or Death

- (165) Any use of force by any Officer that results in death or injury to any person, is reported to the:
- (a) IIO (Refer to policy I.C.170 Independent Investigations Office); and
 - (b) Office of the Police Complaints Commissioner (OPCC)¹⁰⁰.

Monitoring of Data Trends

- (166) Data trends regarding the following, at a minimum, are monitored by AbbyPD:
- (a) frequencies of different types of force being used;¹⁰¹
 - (b) number of force reports submitted by individual officers;¹⁰²
 - (c) injury outcomes;¹⁰³ and
 - (d) other measures as may be determined by the Director.¹⁰⁴

⁹⁷ BCPPS 1.7.2 (9)

⁹⁸ BCPPS 1.7.2 (10)

⁹⁹ BCPPS 1.7.2 (11)

¹⁰⁰ BCPPS 1.7.2 (7) Pursuant to s. 89 of the BC Police Act and Memorandum of Understanding (MOU) respecting investigations between the Independent Investigations Office and Royal Canadian Mounted Police and Municipal Departments of BC and Transit Police and St'l'at'imx Tribal Police.

¹⁰¹ BCPPS 1.7.2 (12)(a)

¹⁰² BCPPS 1.7.2 (12)(b)

¹⁰³ BCPPS 1.7.2 (12)(c)

¹⁰⁴ BCPPS 1.7.2 (12)(d)

Providing Data to the Director

- (167) The Chief Constable must submit to the Director at the end of each calendar year, and at any time on the request of the Director:
- (a) a report containing the information requested by the Director about the use of force in the AbbyPD;¹⁰⁵ and
 - (b) a complete data set of all the Use of Force Reports.¹⁰⁶
- (168) Data and information requests made under this paragraph must be completed within 90 days of the request being received.¹⁰⁷

¹⁰⁵ BCPPS 1.7.2 (13)(a)

¹⁰⁶ BCPPS 1.7.2 (13)(b)

¹⁰⁷ BCPPS 1.7.2 (14)