

Section 1.0 – Use of Force	Page 1 of 4
Sub Section 1.7 – Reporting and Investigation	Effective: February 27, 2020 Revised: n/a
Subject 1.7.2 – Reporting and Investigation Following the Use of Force	

Definitions

"Director" – the director of police services referred to in section 39 (1) of the *Police Act*.

"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.

"Draw" – the act of un-holstering or removing an intermediate weapon or a 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).

"Intermediate weapon" – a device intended or designed to be used as a weapon, but for which the 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.

"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.

"Officer" – a constable appointed under the *Police Act* or an enforcement officer appointed under s. 18.1 of the *Police Act*.

"Physical control" – physical techniques used to control a person that do not involve the use of a weapon.

"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.

"Physical control-soft" – soft techniques are control oriented and have a lower probability of causing injury. They may include restraining techniques, joint locks and non-resistant handcuffing.

"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, Noise Flash Diversionary Devices, and munitions designed specifically for crowd dispersal.

“Police dog bite” – a police dog’s use of mouth and teeth to grab or hold a person’s body or clothes.

“Use-of-force report” – the information that must be provided, in a provincially-approved format, when an officer applies force against a person.

“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.

“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).

Standards

The chief constable, chief officer, or commissioner must:

Reportable use of force

- (1) Ensure that all the following uses of force on a person are reported:
 - 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 bites (intentional and unintentional);
 - g) Use of specialty munitions; and
 - h) Use of weapons of opportunity.

Reporting format and timelines

- (2) Ensure that all uses of force as per Standard (1) above are to be recorded in a provincially-approved manner and format.
- (3) Ensure that each use-of-force report is completed within 48 hours of the incident, unless there are exceptional circumstances that warrant an extension.
- (4) Ensure that all use-of-force reports are linked to the relevant PRIME files.

Internal review of use-of-force reports

- (5) Ensure that a supervisor or use-of-force instructor:
 - a) ensures all use-of-force reports as per Standard (1) are completed fully; and
 - b) reviews each use-of-force report for compliance with policy.
- (6) Ensure that, if a use of force is considered to be not compliant with policy, that a report is submitted to the chief constable, chief officer, or commissioner, or their delegate.

Reporting of use of force resulting in injury or death

- (7) In addition to Standards (1) to (6) above, ensure that any use of force by any police officer that results in death or injury to any person, is reported as required by s. 89 of the *BC Police Act* and the *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'at'imx Tribal Police*.

Discharge of firearm by police officers not resulting in any injury or death

- (8) Ensure any officer, who discharges a firearm while on duty and the discharge does not result in any injury or death, notifies their immediate supervisor of the discharge and the circumstances surrounding the discharge as soon as possible.
- (9) Ensure that an officer is appointed to investigate the reason for the discharge and to submit a report to the chief constable, chief officer, or commanding officer, or their delegate.

Reporting excessive use of force

- (10) Ensure that any officer who has reasonable grounds to believe that they have witnessed excessive use of force by another officer is to report the incident to a supervisor or senior officer as soon as reasonably practicable.
- (11) If the incident referred to in Standard (10) above is not covered by Standard (7) above, ensure that an officer is appointed to investigate the incident and to submit a report to the chief constable, chief officer, or commanding officer, or their delegate.

Police agency monitoring of data trends

- (12) Ensure that data trends regarding the following, at a minimum, are monitored by the police force:
 - a) frequencies of different types of force being used;
 - b) number of force reports submitted by individual officers;
 - c) injury outcomes; and

- d) other measures as may be determined by the director.

Providing data to the director

- (13) 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 police force; and
 - b) a complete data set of all the use-of-force reports.
- (14) Ensure that all data and information requests as per Standard (13) above, are completed within 90 days of the request being received.

Policies and procedures

- (15) Ensure policies and procedures are consistent with these *BC Provincial Policing Standards*.

Annotations:

Timeline for completion of use of force reports – In normal circumstances these are to be completed within 48 hours of the incident. In exceptional circumstances, such as an in-custody death incident, a longer time period may be appropriate. Extensions are to be approved by the Chief Constable, Chief Officer, or Commissioner.