

Section 1.0 – Use of Force	Page 1 of 3
Sub Section 1.3 – Conducted Energy Weapons (CEW)	Effective: January 30, 2012 Revised effective: February 1, 2015
Subject 1.3.1 – Threshold and Circumstances of Use	

## Definitions

**“Bodily harm”** – any 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.

**“Conducted energy weapon” or “CEW”** – a weapon designed to use a conducted electrical current in order to incapacitate a person, or to generate compliance through pain.

**“CEW display”** – the act of pointing, aiming or showing the CEW at or to a person, without discharging the CEW, for the purpose of generating compliance from a person.

**“CEW draw”** – the act of unholstering or removing the CEW 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).

**“Crisis intervention and de-escalation techniques”** - CID techniques include verbal and nonverbal communications that are designed to de-escalate crises.

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

**“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.

## Standards

The chief constable, chief officer, or commissioner must:

### CEW discharge

- (1) Prohibit officers from discharging a CEW against a person unless:
  - (a) The person is causing bodily harm to either themselves, the officer, or a third party; or
  - (b) The officer is satisfied, on reasonable grounds, that the person's behaviour will imminently cause bodily harm either to themselves, the officer, or a third party.

- (2) In addition to Standard (1) above, prohibit officers from discharging a CEW against a person unless the officer is satisfied, on reasonable grounds, that:
  - (a) Crisis intervention and de-escalation techniques have not been or will not be effective in eliminating the risk of bodily harm; and
  - (b) No lesser force option has been, or will be, effective in eliminating the risk of bodily harm.
- (3) Prohibit officers 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; and
  - (b) A further discharge will be effective in eliminating the risk of bodily harm.
- (4) Ensure that officers:
  - (a) 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;
  - (b) Do not discharge a CEW near flammable, combustible or explosive material, including alcohol-based oleoresin capsicum (OC) spray, where there is a risk of these igniting;
  - (c) Do not discharge a CEW against a person where the person is at risk of a fall from an elevated height, unless the officer has reasonable grounds to believe that the potential for death or grievous bodily harm is justified;
  - (d) Do 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 officer has reasonable grounds to believe that the potential for death or grievous bodily harm is justified;
  - (e) Do not discharge a CEW against a person operating a vehicle or machinery in motion, unless the officer has reasonable grounds to believe that the potential for death or grievous bodily harm is justified;
  - (f) Do not discharge more than one CEW simultaneously against a person, unless the officer has reasonable grounds to believe that the potential for death or grievous bodily harm is justified; and
  - (g) Avoid a person's head, neck, or genitalia as target zones for discharge of the CEW.
- (5) Ensure that Standards (1) to (4) above apply to discharges in any mode.

#### **CEW draw or display**

- (6) Prohibit officers from drawing or displaying a CEW unless the officer is satisfied on reasonable grounds that the situation has some potential for bodily harm.

### Policies and procedures

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