

TRANSIT POLICE



USE OF FORCE

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Reviewed Date:

Review Frequency: 2 Years (or earlier as required)

Office of Primary Responsibility: Inspector Operations Support Services

POLICY

[See also policy chapters: [OH010 – Firearms](#), [OH030 – Conducted Energy Weapons](#), [OH040 – Physical Control](#), [OH050 – Oleoresin Capsicum Aerosol](#), [OH060 – Impact Weapons](#), [OH070 – Independent Investigations Office](#)]

Definitions

Ammunition – Includes the projectile, casing, propellant and primer used with a firearm. (BCPPS defines as, “A projectile intended for use with a firearm.”)

BCPPS – The British Columbia Provincial Policing Standards issued pursuant to the *Police Act*.

Bodily Harm – As defined in s. 2 of the *Criminal Code*, “any hurt or injury to a person that interferes with the health or comfort of the person and that is more than merely transient or trifling in nature”.

Chief Officer – The Transit Police Chief Officer or delegate.

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.

Criminal Code – Criminal Code of Canada [RSC 1985, c. C-46], as amended from time to time.

Crisis Intervention and De-escalation (CID) Techniques – Includes verbal and non-verbal communications that are designed to de-escalate a crisis.

Critical Incident – Pursuant to the *Police Act* and Memorandum of Understanding respecting IIO Investigations, whenever on-duty officers attend:

- a. any incident where there is a reasonable belief that the presence, action, or decision of an on-duty officer
 - i. may have been a contributing factor in the death of any person, including all in-custody deaths;
 - ii. may have been a contributing factor in a life-threatening injury to any person;
 - iii. may cause disfigurement (permanent change in appearance), if there were no medical intervention;
 - iv. may cause permanent loss or impairment of any function or mobility of the body, if there were no medical intervention;

- b. any discharge of a firearm by an on-duty officer where there is a reasonable belief that any person (including a police officer) may have been injured;
- c. any incident where there is a reasonable belief that the action of an off-duty officer
 - i. may have been a contributing factor in the death of any person;
 - ii. may have been a contributing factor in a life-threatening injury to any person;
 - iii. may cause disfigurement (permanent change in appearance), if there were no medical intervention;
 - iv. may cause permanent loss or impairment of any function or mobility of the body, if there were no medical intervention.

NOTE: The IIO has asked that police agencies do not notify the IIO of on-duty incidents that concern pre-existing mental or physical illnesses or injuries that are not reasonably believed to have "resulted from the presence, action or decision of an on-duty officer."

Designated Constables – The Transit Police police officers appointed by the Police Board.

Director - Police Services – The director of police services, Ministry of Public Safety and Solicitor General.

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). (*Note: A Member removing their rifle from the police vehicle and carrying on a sling while on duty is not considered a 'draw' and is not reportable, unless so directed by their Supervisor.*)

Firearm – A barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily harm 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 [as per s. 2 of the *Criminal Code*].

IIO – The Independent Investigations Office of British Columbia established pursuant to s. 38.02 of the *Police Act*.

Intermediate Weapon – A weapon whose normal use is not intended or likely to cause serious injury or death. Impact weapons, aerosols and CEWs fall within this category. Intermediate weapons may also be referred to as less-lethal weapons.

Less-Lethal Force – Any use of force that is not intended to be lethal.

Lethal Force – This use of force option involves the use of any weapons or techniques that are intended to, or are reasonably likely to cause grievous bodily harm or death. [In accordance with the *Criminal Code* and standards found in appropriate case law.]

Member – Designated Constable (all ranks), Chief Officer or a Deputy Chief Officer of the Transit Police.

Metro Vancouver Transit Police (“Transit Police”) – The operating name of the South Coast British Columbia Transportation Authority Police Service.

OCC – Operations Communication Centre at the Transit Police.

OPCC – Office of the Police Complaint Commissioner established pursuant to s. 47 of the *Police Act*.

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

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.

Physical Control – Hard: Hard techniques are intended to impede a subject’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 or kicks.

Police Act – The *BC Police Act*, [RSBC 1996], c. 367, and the regulations thereto, including the *Transit Police Complaints and Operations Regulation*, all as amended from time to time.

Reportable Injury – As defined in the *Police Act*, any of the following: “an injury caused by discharge of a firearm; an injury requiring emergency care by a medical practitioner or nurse practitioner and, transfer to a hospital; or any injury described by s. 184(2)(c) of the *Police Act*.”

Reasonable Grounds – Includes both 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 at the time – would also reach the same conclusion.

Restraint or Restraint System – 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.

ROR – Reasonable Officer Response: ROR is a use of force post-incident, plain language articulation tool to support a reasonable perception and response by a Member. ROR is supervisor oversight to assist the Member in articulation and reporting of use of force. ROR is NOT a model for force application based on classification of observed behaviours.

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.

Serious Harm – As defined in the *Police Act*, “injury that may result in death, may cause serious disfigurement, or, may cause substantial loss or impairment of mobility of the body as a whole or of the function of any limb or organ”.

Unintentional Firearm Discharge – The event of a firearm discharging at a time not intended by the user; an unintended discharge may be produced by an incompatibility between firearm design and

usage, such as a mechanical malfunction, user induced due to training issues or negligence, or a simple accident.

Use of Force Report – The information that must be provided, in a provincially approved format, when an officer applies force against a person. (Also known as a SBORR – Subject Behaviour Officer Response Report.)

Weapons 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).

Authority

1. As Police Officers, Members are authorized by law to use force in the lawful execution of their duties. Members will be governed by s. 25 of the *Criminal Code*, case law and the *Police Act*.
2. Members must comply with the BCPPS and policies and procedures within this policy chapter. In the event of and to the extent there is any conflict between the provisions of this policy chapter and the law, the law will supersede the policy.

General

3. Members will endeavour to use a reasonable level of force, in consideration of all the circumstances they are presented with.
4. Pursuant to the BCPPS, only weapons approved by the Director – Police Services may be authorized for use within the Transit Police. [Refer to **Appendix “A”** for list of Transit Police approved weapons and use of force equipment.]
5. The Chief Officer must ensure that all use of force related policies and procedures are consistent with the BCPPS.
6. The use of force model used by the Transit Police must be as approved by the Director – Police Services or as otherwise permitted by the BCPPS.

Force Options

7. The Transit Police will follow the National Use of Force Framework (NUFF) for use of force training of Members. The following force options are set out in NUFF: officer presence, communication (supplemented by crisis intervention and de-escalation techniques), physical control (hard and soft), intermediate weapons and lethal force. The Transit Police accepts that the RCMP Incident Management Intervention Model is consistent with NUFF. (Refer to **Appendix “C”** for model.) [BCPPS 1.9.1(1)]
8. As so determined by the Chief Officer, the Transit Police may utilize supplemental training aids (e.g., ROR) to augment Members’ professional use of force training and articulation.
9. Only firearms, ammunition and other weapons authorized by the Chief Officer will be issued to and carried by Members. [See policy chapters OH010 – Firearms, OH030 – Conducted Energy Weapons, OH040 – Physical Control, OH050 – Oleoresin Capsicum Aerosol, OH060 – Impact Weapons and appendices.]

[See also policy chapter: [AC150 – Uniforms, Insignia and Dress Standards](#)]

- 10. Only Members trained, currently qualified by the Transit Police and demonstrating proficiency in the approved weapons may be allowed to carry and use such weapons.
- 11. Pursuant to the BCPPS, Members will be tested and need to re-qualify at least once every calendar year in the following areas:
 - (1) Vascular Neck Restraint;
 - (2) Conducted Energy Weapons (CEWs) – specific to those Members assigned to carry a CEW; and
 - (3) Firearms.
- 12. Members will be tested and need to re-qualify at least once every three (3) calendar years in the following areas:
 - (1) Empty Hand Compliance Techniques; and
 - (2) Intermediate Weapons.
- 13. Effective January 1, 2017, pursuant to BCPPS 1.1.2(4) to (6), any Member authorized to carry and use a firearm is also required, every three years at a minimum, to:
 - (1) Articulate to the satisfaction of a use-of-force instructor as to when lethal force is justified;
 - (2) Complete the mandatory Crisis Intervention and De-escalation Training [and be in compliance with BCPPS 3.2.2(1)]; and
 - (3) Complete practice training, as determined by the Transit Police, regarding firearms tactics and use-of-force decision making, and shooting at distances of 25 metres and greater.
- 14. In the absence of a specific Transit Police qualifying standard, those endorsed by, in priority, the Director – Police Services or the Justice Institute of British Columbia Police Academy will be the benchmark.

Off Duty

- 15. [REDACTED]
- 16. [REDACTED]
 - (1) [REDACTED]
 - (2) [REDACTED]
 - (3) [REDACTED]

- (4) [REDACTED]
- (5) [REDACTED]

NOTE:

- [REDACTED]
- [REDACTED]
17. Members will be required to obtain permission to take an issued weapon on an 'out of province' or 'out of country' course (by completing OZ070 – Authorization to Transport Duty Firearm or, as applicable, obtaining written permission by the Inspector in charge of their section).
 18. Any exceptions to provisions of ss. 15 to 17 require authorization from the Chief Officer (or designate).
 19. In the Transit Police use of force recertification process, the Training Unit will include a refresher for Members on off-duty transportation and storage of weapons.

Reporting Use of Force

20. Members must comply with use of force reporting requirements of the BCPPS, the *Police Act*, the IIO, the OPCC and as ordered by the Chief Officer.

PROCEDURES**Reasonable Officer Response**

21. Members are required to follow the Transit Police ROR Guidelines for use of force incident reporting, articulation and review in addition to reporting and review requirements set out in ss. 25 to 53 of this policy. Members are to make appropriate notes, including the Environmental Factors, Subject Factors and Officer Factors (E-S-O).
22. When a use of force event occurs that falls within ROR - Category I Use of Force (Category I) notification, Members will be required to complete all required reports and inform their Supervisor. Immediate notification via police radio to the Supervisor is not required by Members.
 - (1) Category I notification:
 - a. Force used is less than "empty hand hard";
 - b. Drawing a firearm/CEW – with no change in behavior;
 - c. Application of a leg restraint;
 - d. Application of a spit net.
23. When a use of force event occurs that falls within ROR - Category II Use of Force (Category II), Members will immediately advise the OCC and request Supervisor attendance the scene. If the police radio cannot be used, then phone notification will be made to the Watch Commander.
 - (1) Category II notification:
 - a. Force is "empty hand hard" and above;
 - b. Pointing of firearm/CEW at a person results in a change of behavior;

- c. Use of intermediate weapons;
 - d. Any force resulting in injury; and
 - e. Unusual circumstances/supervisor directed.
24. Administrative ROR Category I and II reviews will be conducted by the assigned Supervisor (an “uninvolved” Supervisor), as set forth in the ROR Guidelines. The reviewing Supervisor is required to:
- (1) Respond to the location of a Category II event and provide oversight for the investigation;
 - (2) Promptly inform the Watch Commander if an OPCC “Reportable Injury” or IIO “Critical Incident”, and follow procedures outlined ss. 32 to 35 of this policy (refer to **Appendix “B”** for Use of Force Reporting Flow Chart);
 - (3) Review Members’ reports for completeness, proper articulation, authenticity and plain language;
 - (4) Complete the Transit Police Form [OZ0520 - ROR Supervisor Checklist for Category II](#) event;
 - (5) Refer to s. 37 of this policy for change to protocol when IIO assumes command of the investigation; and
 - (6) Add the Category I or II use of force to the Daily Duty Report (DDR).

Reporting of Firearm Discharge, Application of Intermediate Weapons and Critical Incidents

25. A Member who discharges a firearm or uses an Intermediate Weapon while on duty must immediately notify their Supervisor of the event occurring and the circumstances surrounding the weapon use (this includes reporting of an unintentional firearm discharge). The Supervisor will inform the Watch Commander.
26. The Watch Commander will inform the Inspectors for Operations, Operations Support and Support Services/Professional Standards of the weapon discharge/use.
27. In the event of a discharge of a firearm (including an unintentional firearm discharge) or use of an Intermediate Weapon, the Member must be prepared to surrender their weapon and related equipment as instructed.
28. A Supervisor must attend the scene in the event of discharge of a firearm and an Operational CEW Discharge, as set out in s. 25 of this policy. As applicable to the event, the assigned Supervisor will ensure that the following actions are taken, or assist the responsible external investigator with their investigation as requested:
- (1) Ensure that medical attention is obtained where needed;
 - (2) Assess the scene and report the firearm discharge or use of the Intermediate Weapon in accordance with policy;
 - (3) If reasonable, photograph any injuries to the subject;

- (4) Photograph the scene (consider the use of Forensic Identification Services);
- (5) Prepare a sketch of the scene, including any applicable measurements, or assist external investigator (consider use of Forensic Identification Services or a Member trained in crime scene mapping and scale drawing);
- (6) Seize the weapon and related equipment and process as an exhibit, and ensure the seizure is documented and reported internally as set forth in policy;
- (7) Request transit system video (or other available video);
- (8) ensure witnesses are identified and interviewed, and it is recommended that audio or video recorded statements are taken); and
- (9) Ensure that reports are forwarded for future review in accordance with policy.

No Injury

29. In cases where no injury has resulted from discharge of the firearm, the Chief Officer will:
 - (1) Via the Inspector Professional Standards, immediately report to the OPCC in accordance with requirements of s. 89 of the *Police Act*, so that any investigation can be monitored, and take all appropriate measures to support any investigation of the matter; and
 - (2) Assign the personnel who will be responsible for the investigation and supervision of the investigation, and forwarding of a complete report, with recommendations, to the appropriate Deputy Chief Officer for review and submission to the Chief Officer.
30. Members will refer to policy chapter OH030 – Conducted Energy Weapons for the requirements regarding a CEW discharge with no injury.

Critical Incident (Death, Serious Harm or Injury)

31. When a Member's discharge of a firearm or application of use of force is within the parameters of a Critical Incident or the incident is otherwise a Use of Force Report reportable matter, the Member must immediately contact their Supervisor (or as soon as is feasible given the dynamics of the event). The Supervisor will contact the Watch Commander.
32. A Supervisor must attend the scene for all Critical Incidents.
33. When a Member's discharge of a firearm or Intermediate Weapon has resulted in death, serious harm or injury (a Critical Incident), the Member must immediately surrender the firearm or Intermediate Weapon for investigative purposes.
 - (1) The Member may be required to surrender other items, subject to the requirements of the IIO Investigator [refer to policy chapter OH070 – Independent Investigations Office].
 - (2) The surrender of a Member's Firearm will be handled with due regard for the Member's safety, privacy and dignity.
34. In event of a Critical Incident, the Watch Commander will promptly notify the Inspectors for

Operations, Operations Support and Support Services/Professional Standards, and the Deputy Chief Officer Operations. The Deputy Chief Officer Operations will then promptly inform the Chief Officer and Deputy Chief Officer Administrative Services.

- (1) The Watch Commander or designate will ensure that the duty officer for the Jurisdictional Police is also informed, as soon as is practicable.
35. In the event that the discharge of the firearm or Intermediate Weapon, or use of force has caused death, serious harm or injury of a person (including a police officer), or otherwise considered a reportable injury under the s. 184(2)(c) of the *Police Act*, the Chief Officer (or designate by policy) will:
- (1) Immediately notify the IIO in accordance with requirements of the *Police Act*, so that an investigation can be initiated, and take all appropriate measures to support any investigation of the matter [refer to policy chapter OH070 – Independent Investigations Office];
 - (2) Immediately report to the OPCC in accordance with requirements of s. 89 of the *Police Act* so that an investigation can be initiated, and take all appropriate measures to support any investigation of the matter [refer to policy chapter AC140 – Complaints]; and
 - (3) Notify the Police Board (via Chair) as soon as practicable.
36. The Police Board may, on receiving a notification under s. 35 of this policy, make any further inquiries into the incident that the Police Board considers necessary.
37. Members will be required to comply with IIO requirements, including but not limited to scene integrity and preservation of evidence, and officer submission of notes, reports or data requested by the IIO investigator [refer to policy chapters OH020 – Use of Force and OH070 – Independent Investigations Office for additional information].
38. The IIO reporting requirements do not replace or change the Transit Police current obligations for reporting injuries to subjects or use of force reporting. However, when the IIO assumes responsibility for a Critical Incident investigation, the ROR - Category II administrative review by the Supervisor will be suspended.

Use of Weapons by Chief Officer

39. The Chief Officer will immediately submit a report to the Police Board (via Chair) if they discharge a firearm while on duty (this includes an unintentional firearm discharge).
40. The Police Board Chair will immediately report to the OPCC in accordance with s. 89 of the *Police Act* so that any investigation can be monitored, and take all appropriate measures to support any investigation into the matter.
41. The Chief Officer will immediately surrender their firearm for investigative purposes if they discharge a firearm and a person is killed or injured as a result.
42. The Chief Officer will immediately notify the Police Board (via Chair), and Director – Police Services if a person is injured or killed as a result of the discharge of their firearm or proximate to their use of an Intermediate Weapon.

43. The Police Board Chair will immediately report to the IIO in accordance with requirements of the *Police Act* so that any investigation can be initiated, and take all appropriate measures to support any investigation into the matter.
44. The Police Board may make inquiries into an incident under s. 39 above that the Police Board considers necessary.

Excessive Use of Force

45. If a Member has reasonable grounds to believe that they have witnessed excessive use of force by another Member, then the observing Member will report the incident to a Supervisor or Senior Officer as soon as is reasonably practicable. Unless already covered within the provisions for a Critical Incident and investigation, an investigation into the report is to be conducted and an investigation report submitted to the Deputy Chief Officer Operations.

Internal Use of Force Reporting

46. Members will complete a Use of Force Report for all of the following uses of force on a person [BCPPS 1.7.2(1)]:
 - (1) Use of physical control – soft, if an injury occurred to either the person or the Member from the application of that force;
 - (2) Use of physical control – hard;
 - (3) Vascular neck restraint;
 - (4) Intermediate weapon display or discharge/application;
 - (5) Firearm display or discharge;
 - (6) Police Dog Bites (intentional and unintentional);
 - (7) Use of specialty munitions; and
 - (8) Use of Weapons of opportunity
47. The Transit Police may request/direct that a Use of Force Report be submitted the Member.
48. When dealing with multiple subjects in one event where the Use of Force Report threshold has been met and where the response of the subjects is uniform, only one Use of Force Report needs to be prepared by the Member(s), listing the particulars for each subject directly involved in the event. Where there is not uniform response, the Member will complete a Use of Force Report for each person where an individual threshold for Use of Force Report preparation has been met.
49. Multiple Members involved in one event will each need to submit a Use of Force Report if their actions impacted subject behaviour.
50. An observing Member will not be required to complete a Use of Force Report.
51. A Member injured or involved in a high stress event may not be required to complete a Use of Force Report. A Supervisor or Member of the investigative team may complete the initial report.
52. The Use of Force Report will be completed within 48 hours of the incident, unless there are exceptional circumstances that warrant an extension [BCPPS 1.7.2(3)]. (In exceptional circumstances, such as an in-custody death incident, a longer time period may be appropriate.)

Extensions are to be approved the Inspector Operations (designated by the Chief Officer) or higher rank.

53. Members will complete the Use of Force Report template as provided on PRIME and ensure that the Use of Force Report is linked to the relevant PRIME files [BCPPS 1.7.2(3) and (4)].

Secondments

54. Seconded Members will be required to submit a Use of Force Report for events meeting the BCPPS Use of Force Reporting threshold (see s. 46 of this policy).
55. Notwithstanding the possible submission of a use of force report to the agency in charge of the integrated unit, the seconded Member will also be required to open a Transit Police 'assist file' on PRIME and copy their completed Use of Force Report to the file. This action will enable the designated Staff Sergeant in charge of internal use of force review to:
 - (1) Have situational awareness and apply the Transit Police early warning tracking protocol;
 - (2) Ensure use of force consistency with Transit Police policy and training;
 - (3) As applicable to the event, inform the Inspectors in charge of secondments and the Professional Standards Unit (in case there is a *Police Act* complaint); and
 - (4) Enable use of force statistical information to be captured by Transit Police for required reporting to the Ministry of Public Safety and Solicitor General (unless otherwise advised that the integrated unit will report the data).

Internal Use of Force Review

56. The assigned Staff Sergeant for Operational Support (or other person so designated by the Chief Officer) will review Members' Use of Force Reports to ensure that they are fully completed and in compliance with policy. If the use of force is considered not to be in compliance, a report will be prepared and submitted to the Deputy Chief Officer Operations. [BCPPS 1.7.2(5)]
57. The Inspector Operations Support will ensure that a semi-annual review of the Use of Force Reports is conducted or such frequency as determined by the Chief Officer and as required to fulfil the Ministry of Public Safety and Solicitor General requirements.
 - (1) Data trends will be monitored by the Transit Police. The review will include, at a minimum, data trends of:
 - a. Frequencies of different types of force being used;
 - b. Number of force reports submitted by individual Members;
 - c. Injury outcomes; and
 - d. Other measures as may be determined by the Director – Police Services.[BCPPS 1.7.2(12)]

Provincial Use of Force Reporting

58. The Transit Police will submit to the Director – Police Services at the end of each calendar year, and at any time on the request of the Director – Police Services, a report containing the information requested by the Director – Police Services about use of force in the police service.

The Transit Police will also submit a complete data set of all Use of Force Reports, as requested by the Director – Police Services. (Data and information requests from the Ministry are to be completed within 90 days of the request.) [BCPPS 1.7.2 (13) and (14)]

Inspections

59. Transit Police weapons will be inspected periodically, as set out in the policy related to specific weapons or as deemed necessary by the Chief Officer or designate.

Parameters and General Consideration

60. In responding to a subject's actions, Members are guided by s. 25 of the *Criminal Code*, other relevant *Criminal Code* sections, and the case law interpreting those sections.
61. In an effort to control the behaviour of a subject, Members may use force based on a risk assessment. It is accepted that the degree of risk assessment detail will be based on and influenced by a multitude of factors including, but not limited to: how rapidly the event unfolds, the environment, officer training, experience, and ability to perceive and recall details of the event.
62. Members' use of force skills and weapons will only be utilized consistent with the accepted training and standards.
63. In all cases following use of force, consideration must be given to providing appropriate medical care and continuous monitoring after arrest and control of the subject.
64. Following use of force, Members will complete notes and submit a detailed duty report of the event.
65. Members will carry only authorized weapons and ammunition. A Member's operational status, and continued safety of the public and other police officers, requires that a Member demonstrate proficiency in their issued weapons as a *bona fide* employment requirement.
66. All Members will receive periodic use of force training, as programmed by the Transit Police, in order to refresh tactics, techniques and procedures, or to introduce new weapons, tactics, techniques and procedures. Members will not be considered currently qualified until they have met the training and testing standards approved by the Chief Officer.
67. At the conclusion of each qualification session, participating Members will demonstrate the acquired skill to the satisfaction of the instructor. Members may also be required to successfully complete a written exam, when so directed.
68. A Member failing to re-qualify as required (see ss. 11 to 13 of this policy) will be deemed as operationally non-deployable and assigned administrative duties until such time as the Member re-qualifies or other administrative actions taken in accordance with Transit Police policy.
69. In the event of a firearm discharge or use of Intermediate Weapon, the Member may, following completion of the investigation, be required to complete re-qualification or other remedial action(s) prior to re-issuance of the weapon and being operationally deployable.

70. The Transit Police will maintain written records of the use of force/weapons training and re-qualification completed by each Member.

Service Response – Lethal Force Incident

71. Where a Member uses force that causes bodily harm or death, the Member may be provided with appropriate leave from duty for the purpose of receiving Post Critical Incident care from an appointed psychologist or psychiatrist with expertise in police mental health matters.
72. The Chief Officer will immediately determine if retaliation is possible on the Member or others of significance to the Member and if retaliation is likely, steps will be taken to protect the Member or others of significance to the Member.
73. Prior to returning to work, the Member will be examined by an appointed medical practitioner to obtain a certificate verifying the Member's fitness to return to active duty and/or potential conditions of employment (temporary or permanent).
74. Once the Chief Officer is satisfied that the Member is medically fit for duty, the Member may be re-assigned to previous duties or other duties consistent with the recommendation of the medical practitioner.

[See also policy chapters: [OD270 – Threats to Members](#), [AB220 – Critical Incident Stress Management](#)]

75. Once the Member is cleared for return to duty, or as otherwise determined by the Chief Officer, the Member is subject to firearm qualification prior to return to duty, including a scenario based training session.

High Risk Stops

76. There are occasions when Members are involved in High Risk/Code 5 incidents, apprehensions or takedowns where force is used, and the person subjected to the procedure is later released without charges.
77. In order to ensure that persons who have been the subject of High Risk/Code 5 incidents but who have subsequently been released without charges are dealt with appropriately, a Watch Commander or designate will be advised of the stop and attend the scene.
78. Persons subject to the stop will be provided a business card with the file number for the event by the Supervisor or a designated Member. The Supervisor will speak with the persons to explain the reasons for the police action, address any arising concerns, and consider whether first aid, victim services or other assistance needed. All actions taken are to be documented. The Supervisor or designate will record any concerns regarding damage to property caused by the police action so they may be addressed.
79. A PRIME file will be opened and documented to capture what occurred, and the Professional Standards Unit will be informed.

Use of Force Instructor

80. The Deputy Chief Officer Administrative Services will be responsible for:

- (1) Authorizing of a person(s) to instruct Members in the use of force [BCPPS 3.2.3(1)];
- (2) Ensuring that the authorized person(s) meets the BCPPS requirements for use of force instructors [BCPPS 3.2.3(2) to (7)]; and
- (3) Ensuring that required written records are maintained of the use of force instructor qualification and maintenance of qualification [BCPPS 3.2.3(8) to (9)].

Key References

BC Ministry of Public Safety and Solicitor General E-mail on Firearms Requalification Period [March 27, 2012]

BC Ministry of Public Safety and Solicitor General Letter on Use of Force reporting and SBOR Evaluation Report [July 7, 2011]

BC Police Act, [RSBC 1996], c. 367

BC Provincial Policing Standards

Criminal Code of Canada [RSC 1985, c. C-46]

Memorandum of Understanding Respecting Investigations between Independent Investigation Office of BC (IIO) and Jurisdictional Police [February 2013]

National Use of Force Framework and Crisis-Intervention and De-escalation Techniques Model Police Executive Forum (PERF) – Critical Issues in Policing Series – Use of Force: Taking Policing to a Higher Standard [January 29, 2016]

Subject Behaviour Office Response Reporting Lesson Plan – Justice Institute of British Columbia [May 2009]

Reasonable Officer Response – Professionalism in Policing Training Unit and Patrol Lecture [January 8, 2014; approved by Chief Officer, March 6, 2014]

Reasonable Officer Response – Supervisory Oversight/Category I and II Oversight Training Unit and Supervisor Lecture [January 8, 2014; approved by Chief Officer March 24, 2014]

APPENDICES START ON NEXT PAGE

Appendix “A” – List of Transit Police Authorized Weapons

Appendix “B” – Use of Force Reporting Flow Chart

Appendix “C” – NUFF and CID Models

Transit Police Policy Chapter OH020 – Use of Force / APPENDIX “C”

National Use of Force Framework (NUFF) and
Crisis Intervention and De-escalation Techniques (CID)

