



## TRANSIT POLICE

# CONDUCTED ENERGY WEAPONS

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## POLICY

[See also policy chapters: [OH010 – Firearms](#), [OH020 – Use of Force](#), [OH040 – Physical Control](#), [OH050 – Oleoresin Capsicum Aerosol](#), [OH060 – Impact Weapons](#), [OH070 – Independent Investigations Office](#)]

## Definitions

Administrative CEW Download – The technical data downloaded from the CEW related to administrative process.

AED – Automated External Defibrillators.

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.”

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

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

CEW Coordinator – The Member designated by the Chief Officer to coordinate the Transit Police CEW program.

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).

CEW Operational Cartridge – A 21 foot cartridge (conductive) made by TASER International (black in color), or a cartridge as otherwise approved by the Chief Officer.

CEW Probe Training Cartridge – A 21 foot inert (non-conductive) cartridge made by TASER International (blue in color), or an inert cartridge as otherwise approved by the Chief Officer.

Chief Officer – The Transit Police Chief Officer or delegate.

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

Crisis intervention and de-escalation (CID) techniques – CID techniques include 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.

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

Imminently Cause Bodily Harm – As defined in the [BCPPS](#) 1.3.1 Backgrounder (page 6):

“Imminently” means that there must be some immediacy to the threat, and a present ability to cause Bodily Harm; and

“Is causing” means that it is not enough that the police officer is aware that the person “has caused” Bodily Harm, even moments ago. There must be continuing risk.

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.

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), the 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.

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

Operational CEW Discharge – The act of firing a CEW in any mode, other than for training or maintenance. This includes situations where the discharge was intentional or not, and situations where the CEW is discharged but malfunctions or is unsuccessful in reaching the intended subject.

*NOTE: Types of modes: Probe Mode (cartridge is deployed from the CEW to subject), Contact Mode (CEW is held directly to the body of the subject, with or without cartridge), and 3-Point Contact (cartridge is deployed at subject and direct contact from the CEW is placed directly on the subject).]*

Operational CEW Download – The process that occurs when technical data is downloaded from the CEW related to or after an operational use.

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 police 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.

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 CEW Discharge – An unintended discharge of a CEW by a Member where no injury has resulted and the discharge does not fall within the parameter of an Operational CEW Discharge.

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.)

### **Authority**

1. As police officers, Members are authorized by law to use force in the lawful execution of their duties.
2. Members are authorized to carry and use Intermediate Weapons in accordance with the *Police Act*, the BCPPS and the *Criminal Code*.

### **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.
5. The Chief Officer must ensure that all Transit Police CEW related policies and procedures are consistent with the BCPPS.
6. The Chief Officer authorizes carrying and use of a CEW as an additional Intermediate Weapon for qualified Members. It is not intended to replace firearms or other currently adopted use of force techniques.
7. The Chief Officer will maintain a list of Members approved or designated to carry the CEW.
8. A CEW is an additional intermediate force option. Members are not required to carry a CEW. The Chief Officer may determine and direct how many CEW units will be assigned to Transit Police operations.

**Force Options**

9. 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. [BCPPS 1.9.1(1)]
10. Only firearms, ammunition and other weapons authorized by the Chief Officer (and as permitted by the BCPPS) will be issued to and carried by Members (see OH020 – Use of Force).
11. 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.
12. In 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.

**CEW Draw, Display or Discharge**

13. Members will only draw, display and/or discharge their CEW based on the Member's event specific risk assessment considering totality of the event.
14. Members will comply with the BCPPS threshold and circumstances for CEW use. Consistent with the BCPPS 1.3.1, Members are prohibited from discharging (in any mode) or displaying a CEW against a person unless:
  - (1) The person is causing Bodily Harm to either themselves, the Member, or a third party; or the Member is satisfied, on Reasonable Grounds, that the person's behaviour will imminently cause Bodily Harm either to themselves, the Member, or a third party; and
  - (2) In addition to subsection 1 above, the Member is satisfied, on Reasonable Grounds, that:
    - a. CID 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.
15. Pursuant to the BCPPS 1.3.1(3), Members are prohibited from discharging (in any mode) an electrical current from a CEW on a person for longer than five seconds, unless the Member is satisfied, on Reasonable Grounds, that:
  - (1) The initial five-second discharge was not effective in eliminating the risk of Bodily Harm; and
  - (2) A further discharge will be effective in eliminating the risk of Bodily Harm.

16. In accordance with the BCPPS 1.3.1(4), the Member will (for all CEW modes):
- (1) 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;
    - a. Members will use this suggested warning, where tactically feasible: "Police STOP or I will fire the TASER";
  - (2) Not discharge a CEW near flammable, combustible or explosive material, including alcohol-based oleoresin capsicum (OC) aerosol, where there is risk of these igniting;
  - (3) Not discharge a CEW against a person where the person is at risk of a fall from an elevated height, unless the Member has Reasonable Grounds to believe that the potential for death or grievous Bodily Harm is justified;
  - (4) Not discharge a CEW against a subject in water where there is a danger of the person drowning due to incapacitation from the CEW, unless the Member has Reasonable Grounds to believe that the potential for death or grievous Bodily Harm is justified;
  - (5) Not discharge a CEW against a person operating a vehicle or machinery in motion, unless the Member has Reasonable Grounds to believe that the potential for death or grievous Bodily Harm is justified;
  - (6) 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
  - (7) Not intentionally target a person's head, neck or genitalia as target zones for discharge of the CEW.
17. The BCPPS prohibit a Member from displaying a CEW unless the Member is satisfied on Reasonable Grounds that the situation has some potential for Bodily Harm.
18. Immediate and appropriate medical attention will be provided when a CEW is discharged against a person by the Transit Police.
19. All Transit Police CEWs will be maintained in good working order. Responsibility for inspection, maintenance and repairs is set forth in ss. 60-66 of this policy

## **PROCEDURES**

### **Duty of Member**

20. The Member will be responsible for inspecting the issued CEW to ensure it is prepared and available for immediate use when taken on shift.
21. The Member will notify the Operations Communication Centre (OCC) if carrying a
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CEW during the shift.

22. Members will immediately contact their Supervisor upon draw, display or discharge of the CEW at an incident. The Supervisor will inform the Watch Commander.
23. Members involved in a discharge of a CEW will provide an initial verbal accounting of the event to allow for continued management of the risk to public safety and officer safety, and determining the initial steps of the investigation at the scene.
24. Written reports will be submitted in a reasonable time after the event, allowing time for the Members involved to address health and initial recover related matters.

#### Medical Attention

25. Members will request BC Ambulance Service (BCAS) attendance at all incidents before discharge of the CEW or, if that is not feasible, as soon as possible thereafter to the CEW discharge. Prior to a discharge of a CEW, Members should consider in their assessment of risk, medically high risk persons and incidents.
  - (1) As indicated in the BCPPS, a medically high-risk incident includes when a CEW is discharged in:
    - a. probe mode across the person's chest; or
    - b. probe mode for longer than five seconds; or
    - c. any mode against:
      - i. an emotionally disturbed person,
      - ii. an elderly person,
      - iii. a person who the Member has reason to believe is pregnant,
      - iv. a child, or
      - v. person who the Member has reason to believe has a medical condition (e.g., heart disease, implanted pacemaker or defibrillator).
26. When a CEW has been discharged, the Member responsible for the discharge will give consideration to appropriate medical care and continuous monitoring after the arrest and control of the subject; and notify the patrol Supervisor to attend as soon as is practicable.
27. In accordance with BCPPS 1.3.4(4), if the Member uses an AED on a person, emergency medical assistance will be sought as soon as possible from BCAS.

#### **Duty of Supervisor**

28. A Transit Police Supervisor must attend the scene in the event of an Operational CEW Discharge and an Unintentional Operational Discharge, as appropriate.
29. Upon attendance at a CEW discharge, the Supervisor will:
  - (1) Ensure that the subject is examined by BCAS as soon as possible;
  - (2) Assess the scene, report the discharge in accordance with this policy, and assist with any arising external investigation, in consultation with the Watch Commander;

- (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, as applicable (consider the use of Forensic Identification Services or a Member trained in crime scene mapping and scale drawing);
- (6) Seize the CEW(s), expended cartridge(s) and probes, and process as an exhibit, or assist external investigator, as applicable;
- (7) Request transit system video (or other available video), if applicable;
- (8) Ensure witnesses are identified and interviewed, or assist external investigator as applicable (obtaining of audio or video recorded statements should be strongly considered);
- (9) Notify the CEW Coordinator and Inspector Operations Support that the CEW and recovered cartridges have been seized and provide the file number; and
- (10) Ensure reports are forwarded for further review in accordance with this policy and the use of force policy.

### **Reporting of Discharge of CEW**

30. Reporting of a Member discharging a CEW, under circumstances other than training or maintenance, will be in accordance with the *Police Act*, BCPPS, provincial directives, and Transit Police policy and procedures.

#### Unintentional CEW Discharge

31. In the event of an Unintentional CEW Discharge, notwithstanding all other policy requirements, the Member will promptly report the discharge to their Supervisor. The following actions will then be taken:
  - (1) The Supervisor will inform the Watch Commander who will notify the Inspectors for Operations, Support Services/Professional Standards and Operations Support, Use of Force Constable and CEW Coordinator (if person other than Use of Force Coordinator);
  - (2) The CEW and any spent cartridges will be seized by the Supervisor for testing and forwarded to the CEW Coordinator, who will take steps as outlined in s. 73(4) of this policy;
  - (3) The Member will submit a detailed written report through their Supervisor to the Inspector Operations. The Inspector Operations will forward the report to the Inspector Support Services/Professional Standards (the Professional Standards Unit will monitor the matter in the event that it requires reporting to the OPCC), Inspector Operations Support, Use of Force Coordinator and CEW



Coordinator;

- (4) The Inspector Operations or designate will conduct an investigation of the incident, unless other personnel so assigned by the Deputy Chief Officer Operations;
- (5) The Member may be required to re-qualify on the CEW and/or complete other remedial action(s), prior to signing out another CEW;
- (6) When authorized, the Member may obtain the replacement CEW and/or cartridge from the extra equipment locker via the Watch Commander; and
- (7) The complete investigation report with recommendations will be forwarded to the Deputy Chief Officer Operations for review.

#### Operational CEW Discharge & Critical Incidents

32. The Watch Commander will notify the Inspector Operations on the occurrence of an Operational CEW Discharge.
33. When there has been an Operational CEW Discharge and no injury has resulted, Members will follow the same procedures as set forth for ROR Category II Use of Force incident, in addition to requirements within s. 31 of this policy. [Refer to policy chapter [OH020 – Use of Force](#).]
34. When a Member's discharge of a CEW has resulted in death, serious harm or injury (a Critical Incident), the Member must immediately surrender the CEW for investigative purposes.
  - (1) The Member may be required to surrender other items, subject to the IIO Investigator [refer to policy chapter [OH070 – Independent Investigations Office](#)].
  - (2) The surrender of a Member's CEW will be handled with due regards for the Member's safety, dignity and privacy.
35. In event of a Critical Incident, the Watch Commander will promptly notify the Inspectors for Operations, Support Services/Professional Standards and Operations Support, 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.
36. In the event of a Critical Incident, the Member will submit a detailed written report through their Supervisor to the Inspector Operations. The Inspector Operations will forward the report to the Inspector Support Services/Professional Standards (the Professional Standards Unit will monitor the matter with the IIO and OPCC), Inspector Operations Support, Use of Force Coordinator and CEW Coordinator.

37. In the event that the discharge of a CEW 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 s. 184(2)(c) or the *Police Act*, the Chief Officer (or designate by policy) will:
- (1) Immediately report to the IIO in accordance with requirements 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 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 is practicable.
38. The Police Board may, on receiving a notification under s. 37 of this policy, make any further inquiries into the incident that the Police Board considers necessary.
39. 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].
40. 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).

### Internal Use of Force Reporting

41. 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.
42. The Transit Police may request/direct a Member that a Use of Force Report be prepared/submitted.
43. 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.

44. Multiple Members involved in one event will each need to submit a Use of Force Report if their actions impacted subject behaviour.
45. An observing Member will not be required to complete a Use of Force Report.
46. A Member injured or involved in a high stress event may not be required to complete a Use of Force. A Supervisor or Member of the investigative team may complete the initial report.
47. A Use of Force Report will be completed within 48 hours of the incident, unless there are extenuating 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 by the Inspector Operations or a higher rank.
48. 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)].

### Issuing of CEWs

49. Qualified Members will be provided with personal issue CEW holsters and have access to the pool CEWs.
50. Only Transit Police approved and properly functioning CEWs will be carried by Members.
51. Members assigned to plain clothes duties may [REDACTED], when so approved in writing by the Deputy Chief Officer Operations.
52. Members using pool CEWs will complete the sign-out and return tracking requirements as instructed.
53. The CEW Coordinator will maintain a record of the CEW assignment and ensure that all CEWs and associated equipment is accounted for.

### Off Duty

54. [REDACTED].

### CEW Holsters

55. Members will follow these requirements in relation to CEW carry and CEW holsters:

- (1) Members will carry the CEW in an approved Transit Police holster, [REDACTED]

**Training and Proficiency**

56. Only Members trained and demonstrating a current proficiency in the use of Transit Police authorized CEWs will be allowed to carry and use the CEW.
57. Members will be required to attend testing sessions and qualify (and re-qualify) on the CEW that the Member is authorized to use, in accordance with policy chapter OH020 – Use of Force and the BCPPS 3.2.1 regarding CEW Operator Training.
  - (1) Pursuant to BCPPS 3.2.1 requirements, Members will also need to have successfully completed the British Columbia Provincial Policing - CID Training Course.
58. A Member will be held accountable for the condition of issue CEW and associated equipment, and must be thoroughly familiar with the use of the CEW, probe cartridges and holster.
59. To comply with BCPPS 1.3.4(3), the Deputy Chief Officer Administrative Services will ensure that those Members authorized to use a CEW also receive AED training and that such training is maintained in accordance with the Emergency and Health Services Commission consent requirements for police use of an AED.
  - (1) The Support Services Division will retain written records of the AED training and Member AED qualification.

**Inspections, Maintenance and Repairs**

60. The Member will be responsible to ensure that CEW function checks and appropriate care and cleaning are conducted on a regular basis.
61. All CEWs will be inspected annually. Issue CEWs may be inspected during annual qualification, pre-scheduled maintenance, at random, or on request of the Member.
62. All CEWs will be subject to testing pursuant to the BCPPS requirements.
63. When the issued CEW is deemed defective, the Member will immediately bring it to the attention of the CEW Coordinator and inform their Supervisor.
64. The Member (or qualified person) will place the defective CEW in a temporary exhibit locker and advise their Supervisor and the CEW Coordinator. Both the Supervisor and Member will record the event in their notebook, and as otherwise required by internal CEW control procedures. (The Member may sign out another pool CEW, if needed.)
65. The CEW Coordinator will be responsible for coordinating the maintenance and repair of the Transit Police CEWs and associated equipment. This includes maintaining of maintenance logs for each CEW.
66. Any approved repair, adjustment, or alteration to an issue CEW will be made only by an authorized person.

**No Alterations**

67. A Member must not in any way alter, or carry any CEW or CEW cartridge that has been altered from the original design by the manufacturer, and/or which may not be safe or in need of repair, unless recommended by the CEW Coordinator, approved by the Chief Officer and inspected by a designated and certified armourer. A record of any approved alteration(s) will be maintained by the Force Options Coordinator.

**Storage of CEWs**

68. Consistent with the BCPPS 1.3.3, access to the Transit Police CEWs and CEW Operational Cartridges will be restricted to persons qualified to carry/use a CEW, or persons as otherwise authorized by the Chief Officer.
69. For any Member who is on secondment or special assignment and has been issued a personal CEW, their personal issue CEW and associated equipment will be secured, with the CEW Operational Cartridge removed, in the Member's assigned locker within their work location or Transit Police facilities, as applicable.
70. All Transit Police CEWs and associated equipment not part of personal issue to Members will be secured, with CEW Operational Cartridges removed, in designated storage lockers within Transit Police facilities, accessible to the CEW Coordinator (refer to Appendix "A").
71. When a Member is authorized to store an issue CEW away from the duty location, the Member's CEW will be stored securely, with the CEW Operational Cartridge removed, in a locked container.

**CEW Testing**

72. The Deputy Chief Officer Administrative Services, with the assistance of the CEW Coordinator, will ensure that:
- (1) Each CEW in use by the Transit Police is tested in accordance with the following schedule:
    - a. upon receipt of a new CEW and prior to issuance to Members;
    - b. two years after the CEW was acquired;
    - c. every year thereafter; and
    - d. after a CEW is used in an incident where either serious injury or death occurs proximate to its use (with timing for the testing as determined by the lead investigator), and prior to its return to service;
  - (2) Testing is conducted in accordance with the protocols described in the BCPPS 1.3.5 Test Procedure for CEWs;
  - (3) If, after testing, a CEW does not meet the specifications in the BCPPS 1.3.5 (3), the CEW is either destroyed, or repaired and retested (and pass the testing) before being put back into service; and
  - (4) For each CEW in use by the Transit Police, a record of testing is maintained showing the dates the testing occurred and the results.

**Internal CEW Controls and Monitoring**

73. The Chief Officer will designate a CEW Coordinator for the Transit Police. Unless otherwise so directed by the Deputy Chief Officer Administrative Services, the CEW Coordinator will be responsible for:
- (1) Maintaining an up-to-date inventory of all CEWs and CEW Operational Cartridges controlled or owned by the Transit Police;
  - (2) Ensuring secure storage of the Transit Police CEWs and CEW Operational Cartridges;
  - (3) Maintaining the accountability and tracking process and related records (those records should include a list of authorized Members, training dates, CEW issued to specific Member and identifier, location of spare CEW units and tracking information related to CEW Operational Cartridges);
  - (4) After an Operational CEW Discharge (and Unintentional CEW Discharge, as appropriate):
    - a. confirming that the CEW is removed from service;
    - b. conducting an Operational CEW Download;
    - c. providing a copy of the Operational CEW Download report to the person investigating the CEW use and linked to the Use of Force Report (BCPPS 1.3.3(5)(c));
    - d. ensuring that CEW usage details are compared to the Operational CEW Download data by a person with the training and expertise to provide written analysis of the download data;
    - e. ensuring that the CEW is not returned to service until it is tested, and repaired and retested if required (consistent with the BCPPS 1.3.5); and
    - f. reporting completion of the actions in subsections 4 (a) to (e) through the chain of command to the Deputy Chief Officer Operations;
  - (5) Ensuring that an Administrative CEW Download is conducted for each CEW annually and a record of the download data is maintained;
  - (6) Pursuant to BCPPS 1.3.3(8), in collaboration with the Inspectors for Operations and Operations Support, conducting at least quarterly (or facilitate the conducting of) an internal review of CEW controls and the use of CEWs by Members to determine compliance with the BCPPS and the Transit Police policy on same, and to identify potential training or policy development issues. At minimum, the review should examine and document, both at the officer level and for the Transit Police overall:
    - a. the circumstances and manner in which CEWs are being used (e.g., imminent Bodily Harm threshold, number and duration of cycles); and
    - b. the reporting of CEW use by Members; and
  - (7) Submitting, via the chain of command, the results of the CEW reviews in subsection 6 to the Chief Officer.

74. As required by the BCPPS 1.3.3(9), annually, the CEW Coordinator will complete the Ministry of Public Safety and Solicitor General prescribed CEW Report/Survey (this includes reporting on such items as the aggregate counts of CEW displays and Operational CEW Discharges, conditions of officer use, suspect information, officer compliance with standards, and injuries).
- (1) The completed survey will be submitted to the Ministry of Public Safety and Solicitor General by the Transit Police Strategic Services Section and provided to the Police Board through the organizational compliance report prepared annually by Transit Police Strategic Services.

### **Records**

75. The CEW Coordinator will maintain the CEW records in a secure location as identified to the Inspector Operations Support. Upon being relieved of duties as the CEW Coordinator, the Member must turn over all records to the Inspector Operations Support or as otherwise directed by the Deputy Chief Officer Administrative Services.

### **Access to AEDs**

76. Pursuant to the BCPPS 1.3.4 requirements, the Transit Police will equip police vehicles assigned to patrol Supervisors with an AED. The Transit Police will also locate an AED in each of its police buildings. Consideration will be given to making additional AEDs available to Members for significant events.
77. Members will also familiarize themselves with additional AEDs strategically located along the transit system, for Members' potential access in a CEW incident.

### **Key References**

BC Ministry of Justice SBOR Provincial Reporting Requirements – FAQs [January 1, 2014]

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

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