



TRANSIT POLICE

IMPACT WEAPONS

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Reviewed Date:

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Office of Primary Responsibility: Inspector Administrative Support

POLICY

[Refer also to Transit Police policy chapters: [OH020 – Use of Force](#) and [OH070 – Independent Investigations Office](#)]

Definitions

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

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.

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, inaction 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 1:

NOTE 2:

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

Designated Law Enforcement Officers – The enforcement officers appointed to the Transit Police by the Police Board under s. 18.1 of the *Police Act*.

Extended Range Impact Weapon (“ERIW”) – A device firing a special projectile designed to gain compliance, overcome resistance, or prevent serious injury or death.

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*.

Impact Weapon – Any object that is used to strike a subject to disable or cause temporary motor dysfunction, the most common type is a baton.

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 – For the purpose of this policy, Designated Constable (all ranks), Chief Officer, Deputy Chief Officer and Designated Law Enforcement 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*.

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.

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*.”

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.

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”.

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. Members are authorized by law to use force in the lawful execution of their duties.
 - (1) Use of force by Designated Law Enforcement Officers at the Transit Police is subject to their function as a ‘Peace Officer’ and any restrictions within their peace officer appointment and as so determined by the Chief Officer.

General

2. Members will endeavour to use a reasonable level of force, in consideration of all the circumstances they are presented with.
3. Pursuant to the BCPPS, only weapons approved by the Director – Police Services may be authorized for use within the Transit Police.

Force Options

4. 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)]
5. Only firearms, ammunition and other weapons authorized by the Chief Officer will be issued to and carried by Members. [See Transit Police policy chapters OH010 – Firearms, OH020 – Use of Force, OH030 – Conducted Energy Weapons, OH040 – Physical Control, OH050 – Oleoresin Capsicum Aerosol and appendices.]
6. 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.

7. 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.

Critical Incident (Death, Serious Harm or Injury)

8. When a Member's application of an Impact Weapon or 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 then notify the Watch Commander.
9. A Supervisor must attend the scene for all Critical Incidents (including all discharges of a firearms and operational CEW or ERIW discharge) and, where possible, other use of force related incidents.
10. In the event that a Member's application of an Impact Weapon or use of force has resulted in death, serious harm or injury (a Critical Incident), the Member must immediately surrender the Impact Weapon 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 Impact Weapon will be handled with due regard for the Member's safety, dignity and privacy.
11. In event of a Critical Incident, the Watch Commander will promptly notify all Inspectors (Patrol Services, Operations Support, Administrative Support and 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.
12. In the event that the application of an Impact Weapons 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 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 Transit Police 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 Transit Police policy chapter [AC140 – Complaints](#)]; and
 - (3) Notify the Police Board (via Chair), as soon as is practicable.
13. The Police Board may, on receiving a notification under s. 12 of this policy, make any further

inquiries into the incident that the Police Board considers necessary.

14. 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 Transit Police policy chapters OH020- Use of Force and OH070 – Independent Investigations Office for additional information].
 - (1) Following the direction of the Watch Commander or attending Supervisor (or other Member so delegated by the Inspector Patrol Services with responsibility for scene security) to ensure that any weapons at the scene of an IIO reportable incident are not moved, and firearms not unloaded, unless required to mitigate legitimate safety concerns. In such a case, all movements and actions taken will be fully and accurately documented, and video recorded where possible [refer to [Transit Police policy chapter OH070 – Independent Investigations Office](#)].
15. The IIO reporting requirements do not replace or change the Transit Police current obligations for reporting injuries to subjects or use of force reporting.

Internal Use of Force Reporting

16. 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
17. The Transit Police may request/direct that a Use of Force Report be submitted by the Member.
18. 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 SBORR preparation has been met.
19. Multiple Members involved in one event will each need to submit a Use of Force Report if their actions impacted subject behaviour.
20. An observing Member will not be required to complete a Use of Force Report.
21. 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.
22. 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 Patrol Services (designated by the Chief Officer) or higher rank. [BCPPS 1.7.2(3) and annotation]

23. 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)].

Training and Qualifications

24. 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.
25. 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.
26. 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.

PROCEDURES

Duty of Member

27. Once a subject has been controlled, Members will follow these procedures, where appropriate and reasonable:
 - (1) Tell the subject what is occurring;
 - (2) When the scene is safe and it is practicable, utilize de-escalation strategies in order to further stabilize the situation;
 - (3) Monitor the subject to ensure their safety; and
 - (4) Apply immediate first aid within capability and seek Emergency Health Services/medical assistance support to subjects who show signs of injury or appear to be in medical distress;
 - (5) Notify Supervisor; and
 - (6) Document the deployment of the Impact Weapon in police notebook, General Occurrence ("GO") report and the Use of Force Report.

Care and Maintenance

28. The Member will be responsible for ensuring that Impact Weapon function checks, and care and cleaning are conducted on a regular basis. [BCPPS 1.2.2(2.1)]

- 29. Where defects to Impact Weapons are identified that may cause unintended/unexpected injury or be beyond repair (e.g., burrs and ridges), the Impact Weapon will be replaced through the Transit Police Stores Coordinator. Replacement will be on a one-to-one basis.
- 30. There will be no unauthorized alterations made to any Transit Police Impact Weapons.
- 31. Transit Police approved “end-caps” may be attached to issue batons (refer to Appendix “A” of Transit Police policy chapter OH020 – Use of Force for approved end-caps).
- 32. Members will ensure that their issued Impact Weapon(s) are securely stored when not in use. [BCPPS 1.2.2(2.2)]

Extended Range Impact Weapons (“ERIWs”)

Authorized Members

- 33. The following procedures only apply to Members who are Designated Constables and authorized to carry and deploy a Transit Police issue ERIW (i.e., ARWEN).

Care and Safety

- 34. Members must always safeguard ERIWs and munition under their care and control, and ensure that they are safely stored when not being carried for operational use.

35. [Redacted]

(1) [Redacted]

(2) [Redacted]

- 36. At the start of every shift, upon obtaining the assigned ERIW, the Member will:

- (1) Inspect the ERIW and perform a function/safety check;
- (2) Inspect each issued ERIW munition to ensure it is free from damage;
- (3) Remove any worn or damaged munition from service and submit to the Training Sergeant (or delegate) for replacement;

(4) [Redacted]
a. [Redacted]

Deployment

37. When doing shift sign-on, the Member will inform the Operations Communication Center (“OCC”) and their Supervisor that they will be carrying an ERIW on their shift (or upon such timing as otherwise directed by the Member’s Supervisor), and when deploying to an incident.
38. Members will follow the Transit Police’s authorized ERIW training curriculum and the associated standard operating procedures regarding tactics, techniques and procedures for deployment (e.g., body target areas, carrying of a weapon in public and transit environment, limitations to performing regular duties, and response to calls for service). This is to include taking a team approach and layered force response options approach to resolve high risk situations, and consideration to having a cover Member present to provide lethal force over-watch.

Operational Discharge

39. Members must notify their Supervisor as soon as practicable upon an operational discharge of an ERIW (including an unintentional operational discharge).
40. A Transit Police Supervisor must attend the scene in the event of an operational ERIW discharge and unintentional operational discharge, as appropriate.
41. Members involved in an ERIW operational or unintentional discharge 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.
42. Upon attendance at the scene, the Supervisor will:
 - (1) Ensure that the subject is examined by BC Ambulance Service, as soon as possible, if the ERIW made contact;
 - (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) Ensure that the ERIW and component pieces (expended casing and projectile) of the discharged munitions are recovered, if possible, and photographed. The photographs are then to be added as exhibits or to assist external investigator, as applicable. If a Critical Incident, the weapon is to be handled/secured as set out in s. 14 of this policy.
 - (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 Inspector Administrative Support of the incident file number so they are informed of the location of the ERIW and any recovered components; and
- (10) Complete the Supervisor review outlined in Transit Police policy chapter OH020 – Use of Force.

Follow-up Post Discharge Requirements

- 43. The Watch Commander will notify all Inspectors (Patrol Section, Professional Standards, Administrative Support and Operations Support), and the Force Options Coordinator of the operational ERIW discharge.
 - (1) The Professional Standards Unit will monitor the matter, in the event that an unintentional ERIW discharge requires reporting to the OPCC.
- 44. 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.
- 45. The Inspector Patrol Section or designate will conduct an investigation of the incident, unless other personnel so assigned by the Deputy Chief Officer Operations.
- 46. The complete investigation report, with recommendations, will be forwarded to the Deputy Chief Officer Operations for review.
- 47. The Member may be required to re-qualify on the ERIW and/or complete other remedial action(s), prior to signing out another ERIW.

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
 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 [August 2020]
 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]
 Transit Police Training Syllabus for Impact Weapons
 Subject Behaviour Office Response Reporting Lesson Plan – Justice Institute of British Columbia [May 2009]