

APPENDIX D

PROVINCIAL STANDARDS FOR MUNICIPAL POLICE DEPARTMENTS IN BRITISH COLUMBIA

This matrix indicates whether or not the policies written by various law enforcement agencies fulfill the requirements established by the Provincial Standards for Municipal Police Departments in British Columbia (the “Standards”).

When interpreting this matrix, there are a number of important cautions that must be kept in mind.

1. Some agencies have adopted a verbatim wording of the Standards in their policies, while others have not. Thus, in some agencies it is indisputable that a particular standard has been incorporated into policy given the common language in both the policy and the Standards. However, when an agency has not adopted the same language as contained within the Standards, achievement of that standard is subject to interpretation, and it may be open to debate whether or not a particular standard has been satisfied in policy. If the matrix indicates that a particular standard has been achieved by an agency, the agency either contains the Standard verbatim, or contains provisions that articulate (substantially, if not precisely) the requirements contained within the Standard.
2. A number of the Standards are very generally worded. (For instance, “Written policy governs the use and control of weapons and ammunition issued by the department.”) Thus, policies have satisfied this Standard in a number of very different ways which vary significantly in detail. Simply satisfying a Standard does not necessarily indicate how comprehensively that Standard has been satisfied.

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3. The Braidwood Commission has been provided with general use-of-force policies and, in some instances, specific conducted energy weapons policies. However, policy provisions specifically related to other types of force (such as vascular neck restraint) have not been submitted to the Commission; thus, in some instances it is unclear if an agency satisfies the Standards that relate to these force options.

Information displayed in this matrix is based on information received by the Braidwood Commissions of Inquiry as of July 31, 2008.

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		Municipal Police Forces													Other Agencies			
		Abbotsford	Central Saanich	Delta	GVTA	K'itlano	Nelson	New West	Oak Bay	Port Moody	Saanich	Strathcona Tribal Police	Vancouver	Victoria	West Vancouver	Corrections	RCMP	Sheriffs
Part	Standard																	
A1.2.1	Written policy recognizes that the authority for the use of force is found in the <i>Criminal Code</i> .	/	/	/	/		/	/	/	/	/	/	/	/	/	/	? ⁶	
A1.2.2	Written policy governs discharge of warning shots. ¹	/		/	/		/	/		/	? ⁶	/	/	/			? ⁶	
A1.2.3	Written policy governs the carrying of firearms, ammunition, and other weapons while off duty.		/	/	/		/	/	/	/	/	/		/	/		? ⁶	
A1.2.4	Written policy governs the use and control of weapons and ammunition issued by the department (note: includes weapons other than firearms). ²	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
A1.2.5	Written policy establishes procedures for firearms and weapons inspections, and replacement of ammunition.	/	/	/	/	/	/	/	/	/	/	/			/	/	/	/
A1.2.6	Written policy requires that only officer trained and demonstrating proficiency in the use of department authorized firearms or weapons be carry and use such firearms or weapons (note: intended to cover use of any weapon).	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
A1.2.7	Written policy requires each officer to qualify at least annually with any firearm or other weapon that the officer is authorized to use (note: policy should also describe the qualifications required). ³						/	/	/	/	/	/					? ⁶	
A1.2.8	Written policy requires that only firearms, ammunition, and other weapons authorized by the Chief Constable be used in the performance of duty.		/	/			/	/	/	/	/	/		/		/	? ⁶	
A1.2.9	Written policy requires that a written report be submitted whenever an officer, or other employee:																? ⁶	
	• Takes action that results in injury or death of another person, including the officer or any other officer.	/	/	/	/		/		/	/	/	/	/	/	/	/	? ⁶	
	• Applies force through the use of a weapon.	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/
	• Discharges a firearm other than in training.	/	/	/			/		/	/	/	/	/	/	/	/	? ⁶	
	• Applies force by any means, other than routine handcuffing or low levels of restraint.	/	/	/			/		/	/	/	/		/	/	/	? ⁶	
A1.2.10	Written policy includes procedures for reviewing incidents in which an officer applies force by means of a weapon or firearm, lateral neck restraint, or the application of force, by any means, other than routine handcuffing or low-level restraint and compliance. ⁴	/	/	/	/		/	/	/	/	/	/	/	/			? ⁶	
A1.2.11	Written policy establishes criteria concerning the assignment of an officer whose use of force results in a death or grievous bodily harm. ⁵	/	/	/	/		/	/	/	/	/	/					/	

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Part	Standard																	
A1.2.12	Written policy requires that only officers trained and demonstrating proficiency in applying the lateral neck restraint are authorized to apply this technique.	/	/	/		? ⁶	/	/	/	/	/	/	/	/	/		? ⁶	? ⁶
A1.2.13	Written policy requires each officer authorized to apply the lateral neck restraint, to qualify at least annually in applying this technique.		/	/		? ⁶	/	/	/	/	/	/	? ⁶				? ⁶	? ⁶

Source: Police Services Division, Ministry of Public Safety and Solicitor General, Victoria, BC.

- 1 In the context of CEWs, warning shots may consist of CEW "sparking." However, the legislative requirement may not have intended that this provision apply to CEWs. Thus, most policies may contain provisions related to warning shots from firearms, but none contain provisions related to "warning shots" from CEWs.
- 2 This is a very general provision that is easily satisfied in policy by widely divergent provisions.
- 3 Some jurisdictions specify re-certification periods longer than one year. No agencies list qualification standards in policy, though Nelson policy refers to (but does not list) the standards established by the Provincial Use of Force Coordinator.
- 4 The checkmarked agencies require review in these circumstances, but policy is not always explicit as to the procedures to be followed during a review, and provisions related to review vary between agencies .
- 5 Policies do not establish this criteria, but simply note that reassignment will be based on "established criteria."
- 6 Provision may be contained in another departmental policy that the Braidwood Commission has not received (the Commission was only provided with conducted energy weapons policies).