

# Use of Conducted Energy Weapons by Provincial Corrections in British Columbia, 2003–2007

This review of 149 reported incidents of conducted energy weapon (CEW) usage by provincial correctional staff (Adult Custody Division) in British Columbia includes descriptions of subject characteristics and behaviours, incident type and location, mode of CEW deployment, use of other force options, inmate and staff injuries, and policy compliance.

Prepared for the Thomas R. Braidwood, Q.C., Commissions of Inquiry

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## Table of Contents

<b>LIST OF TABLES.....</b>	<b>525</b>
<b>INTRODUCTION.....</b>	<b>526</b>
<b>METHODOLOGY .....</b>	<b>526</b>
<b>CONTEXT.....</b>	<b>527</b>
<b>RESULTS.....</b>	<b>528</b>
Subject Characteristics.....	528
Incident Characteristics.....	529
Subject Behaviours/Actions.....	529
Weapons .....	530
Nature of CEW Deployment.....	531
Use of the CEW in Display Mode .....	531
Use of the CEW in Stun Mode .....	532
Use of the CEW in Probe Mode.....	532
Use of the CEW in Stun and Probe Modes .....	533
Subject Behaviour and the Use of Conducted Energy Weapons.....	533
Use of Other Force Options .....	534
Injuries and Medical Attention .....	535
Policy Compliance .....	536
Conclusions.....	537
<b>APPENDIX 1: CEW INCIDENT FILE REVIEW (CORRECTIONS – ADULT CUSTODY)</b>	
<b>CODING FORM.....</b>	<b>538</b>

**LIST OF TABLES**

<i>Table 1: Number of Staff and Number of CEWs by Year.....</i>	<i>527</i>
<i>Table 2: Average Daily Inmate Count by Selected Correctional Facility by Year .....</i>	<i>527</i>
<i>Table 3: Number of CEW Incidents by Year .....</i>	<i>528</i>
<i>Table 4: Number of Incidents by Correctional Facility.....</i>	<i>529</i>
<i>Table 5: Subject Behaviours/Actions .....</i>	<i>530</i>
<i>Table 6: Method of CEW Use by Highest Level of Subject Resistance.....</i>	<i>534</i>
<i>Table 7: Use of Other Intervention Methods or Use-of-Force Options in Conjunction with CEW Use.....</i>	<i>535</i>

## INTRODUCTION

Phase One (the “Study Commission”) of the Braidwood, Q.C., Commissions of Inquiry was mandated to “inquire into and report on the use of conducted energy weapons” by “authorized persons under the *Correction Act*.” In partial fulfillment of this mandate the Commission undertook a review of all CEW incidents involving BC Corrections Branch staff (Adult Custody Division<sup>307</sup>).

## METHODOLOGY

In May 2008 a request was made to the Corrections Branch of the Ministry of Public Safety and Solicitor General, asking for “CEW incident reports,” including any video records of CEW incidents, involving correctional staff dating from April 2003 to the end of 2007.

In order to facilitate and expedite access to documents and videos, Sharon Samuels, Research Counsel, negotiated and signed a confidentiality agreement with the Ministry of Public Safety and Solicitor General (and approved by the Freedom of Information and Protection of Privacy Office) that ensured that the privacy of individuals involved in CEW incidents (both staff and inmates) would be safeguarded by the Commission.

A coding form (see Appendix 1) was developed to capture information about subject characteristics and behaviours, incident type and location, mode of CEW deployment, use of other force options, inmate and staff injuries, and policy compliance.

For the purposes of this research the unit of analysis was defined as “the discharge of a CEW on an individual during a single event.” If the CEW was used in stun or probe mode on more than one inmate during a single event, a “CEW Incident File Review Coding Form” was completed for each subject and would be counted as multiple instances of CEW use. If the CEW was used as a display only/compliance tool on multiple inmates, a single coding form was completed for the incident.

Commission researchers met with senior Corrections Branch (Adult Custody Division, Policy and Programs) staff in early August 2008 to review incident reports and view video records of CEW incidents. As per the above noted confidentiality agreement, all data collection took place in Ministry of the Attorney General offices. In total, 19 video records of CEW incidents were reviewed including seven involving the discharge (in stun or probe mode) of the CEW.<sup>308</sup> The characteristics of six incidents were collected from video recordings alone, as the written incident report could not be located by Corrections Branch staff. Data collection was completed in September 2008.<sup>309</sup>

The period covered by this review is from April 1, 2003 (when correctional staff were first equipped with CEWs) through to the end of 2007.

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307 The Adult Custody Division is responsible for the custody of persons remanded for trial, persons sentenced to imprisonment for the commission of crimes, and persons detained by immigration authorities. As provincial correctional facilities, inmates are generally serving sentences of less than two years; however, federal prisoners (sentenced to two years or more) may spend up to 15 days in a provincial facility before transfer to a federal penitentiary.

308 Researchers asked to view video records of all incidents involving the discharge of the CEW; however, of 27 applicable incidents, 14 video records could not be produced or did not work properly and six incidents were apparently not recorded.

309 Significant research assistance was provided by Jennifer B. Morgan, who completed the file coding and provided general research support.

## CONTEXT

The following information provides background for the use of CEWs by provincial corrections staff. From 2003 to 2007 the number of CEW units available to correctional staff has remained stable at 22, while the number of correctional staff has declined from 1,381 to 1,257. From April 2003 to February 2008, the average daily inmate count in BC's correctional facilities has risen 28 per cent, from 2,048 to 2,630.<sup>310</sup>

**Table 1: Number of Staff and Number of CEWs by Year**

Year	Number of Staff	Number of CEWs
2003	1381	22
2004	1266	22
2005	1272	22
2006	1217	22
2007	1257	22

Note: Staff counts include all correctional staff in all provincial correctional centres, including correctional officers, correctional supervisors and excluded managers.

Table 2 below provides information about inmate populations in correctional facilities where CEWs were used between 2003 and 2007.

**Table 2: Average Daily Inmate Count by Selected Correctional Facility by Year**

Facility	2003	2004	2005	2006	2007
Fraser Regional Correctional Centre	344.8	405.8	432.3	466.0	472.7
Kamloops Regional Correctional Centre	214.2	220.7	241.3	260.6	275.6
North Fraser Pretrial Centre	456.3	500.5	534.6	588.3	611.9
Prince George Regional Correctional Centre	185.2	204.9	233.5	246.9	258.8
Surrey Pretrial Services Centre	188.7	195.6	199.0	211.4	327.6
Vancouver Island Regional Correctional Centre	233.0	273.3	286.3	299.0	321.9
Vancouver Jail (222 Main Street)	46.2	51.2	54.6	7.0	0

Note: Inmate counts provided by Policy and Programs, Adult Custody Division, Corrections Branch.

310 Ministry of Public Safety and Solicitor General, "Submissions of Corrections Branch, Adult Custody Division" (May 6, 2008). Written submission to the Braidwood Inquiry [unpublished] at p. 2.

## RESULTS

CEWs were used by corrections staff a total of 149 times from April 1, 2003, through the end of 2007. Forty per cent of these incidents occurred in 2007. The above noted decrease in staff levels while inmate counts have increased, “resulting in significant overcrowding and resulting tension,”<sup>311</sup> may explain the concentration of incidents in 2007.

**Table 3: Number of CEW Incidents by Year**

Year	Number of CEW Incidents	Percentage of Total
2003	17	11.4
2004	31	20.8
2005	23	15.4
2006	18	12.1
2007	60	40.3
<b>Total</b>	<b>149</b>	<b>100.0</b>

The video evidence reviewed indicates that correctional officers are well prepared for encounters with inmates that may require use of a CEW (including a tactical plan and protection of staff through use of equipment such as body armour and helmets). In addition, video evidence supported the written description of events provided by incident reports.

### Subject Characteristics

Nearly all of the 149 reported incidents involved male inmates (98%). Three incidents (2%) involved female inmates.

The inmate’s age at the time of the CEW incident was rarely recorded in the CEW incident report. In 141 cases the subject’s age was unknown. In relation to the eight cases where age was known, the average age was 30.1 years, with a minimum age of 19, a maximum age of 57, and a median age of 23.

The race or ethnicity of the inmates involved in CEW incidents was noted (or visible in video records of the incident) in only 31 cases (20.8%). With reference to these few cases, more than three-quarters (77.4%) involved Caucasian subjects, two (6.5%) involved Aboriginal inmates,<sup>312</sup> and five (16.1%) involved black inmates.

A history of mental illness was noted for 27 (18.1%) inmates.

Just over one-quarter (26.2%) of incident reports noted an inmate history of violence.

<sup>311</sup> *Ibid.*

<sup>312</sup> In 2005/2006, Aboriginal people accounted for 20 per cent of adult admissions to sentenced custody and 19 per cent of remand admissions in BC. Source: Statistics Canada, Catalogue #85-002, Vol. 28, no. 6.

## Incident Characteristics

Table 4 lists the number of CEW incidents by the correctional facility where they occurred.

**Table 4: Number of Incidents by Correctional Facility**

Facility	Number of CEW Incidents	Percentage
Fraser Regional Correctional Centre	20	13.4
Kamloops Regional Correctional Centre	14	9.4
North Fraser Pretrial Centre	37	24.8
Prince George Regional Correctional Centre	10	6.7
Surrey Pretrial Services Centre	28	18.8
Vancouver Island Regional Correctional Centre	37	24.8
Vancouver Jail (222 Main Street)	2	1.3
<b>Total</b>	<b>149</b>	<b>100.0</b>

The most frequent (71 cases, or 47.7%) type of event or circumstance in which the CEW was used was to assist with removal of an inmate from a cell (cell extraction). Cell entry was the next most common type of event (25 cases, or 16.8%), followed by lock up (16 cases, or 10.7%), cell extraction and escort (14 cases, or 9.4%), escort (11 cases, or 7.4%), intake (nine cases, or 6%), and hostage-taking situation (two cases, or 1.3%).

The vast majority of CEW use incidents occurred, at least initially, in a cell (123 cases, or 82.6%). Twelve incidents (8.1%) occurred in indoor common areas, six (4%) occurred in the intake processing or admissions area, and four (2.7%) occurred in the portico or loading/unloading area. One incident (0.7%) occurred in each of the following areas: health care unit, outdoor courtyard, conference room, and video court booth.

## Subject Behaviours/Actions

Incident descriptions, narratives, and synopses of events recorded in the reports completed by correctional staff were used to extract the characteristics of subject behaviours or actions as observed by staff members on the scene of the CEW use incident. Levels of resistance as outlined in the National Use of Force Framework were supplemented with other descriptors of subject behaviour as noted in the reports. Table 5 below lists the frequency that these behaviours or actions were observed and noted by correctional staff. Subject behaviours in the context of method of CEW use is presented in detail in a later section of this report.

**Table 5: Subject Behaviours/Actions**

Subject Behaviours/Actions	Frequency (N=149)	Percentage
Cooperative/compliant to directions	34	22.8
Passive resistance <sup>313</sup>	1	0.7
Agitated	29	19.5
Pacing	1	0.7
Yelling	17	11.4
Disturbance	13	8.7
Smashing/damaging property	56	37.6
Verbally abusive/verbal threats/verbal aggression	52	34.9
Alcohol/drug intoxication	12	8.1
Symptoms of “excited delirium”	1	0.7
Active resistance <sup>314</sup>	63	42.3
Assaultive <sup>315</sup>	49	32.9
Violence/threatened violence to staff	42	28.2
Violence/threatened violence to self	36	24.2
Violence/threatened violence to others	12	8.1
Inmate fight	1	0.7
Grievous bodily harm or death <sup>316</sup>	0	0.0
Staff member assaulted	7	4.7

Note: Each incident may contain multiple (not mutually exclusive) descriptors of subject behaviour/actions (including levels of resistance).

## Weapons

One in five CEW use incidents (30 of 149 cases, or 20.1%) involved an inmate armed with some type of weapon.

Sixteen (53.3%) of the 30 armed subjects were in possession of an edged weapon. Nine subjects (12%) were in possession of a pointed weapon. A blunt weapon (or something that

313 Passive resistance is defined as refusal, with little or no physical action, to cooperate; refusal to show hands.

314 Active resistance is defined as non-assaultive physical action to resist; e.g., pulling away.

315 Assaultive is defined as attempts to apply or application of force to any person; kicking, punching, threatening acts or gestures, aggressive body language, “pre-assault cues.”

316 Grievous bodily harm or death is defined as actions intended to or likely to cause grievous bodily harm or death; assault with weapon; actions that would result in serious injury to any person; actions that warrant use of deadly force.

could be used as a blunt weapon) was in the possession of six (20%) subjects. Included in these totals is one inmate who was armed with both an edged and a pointed weapon.

### **Nature of CEW Deployment**

In 108 (72.5%) of the 149 CEW incidents the inmate was warned that a CEW might be used if he or she failed to comply with staff direction. In almost one-third (32.4%) of these cases, the inmate was warned more than once. The warning was sufficient to gain compliance and no further use of the CEW was needed in one case. In 82 of the 108 cases (75.9%) the warning was followed or used in conjunction with a display of the CEW in an attempt to gain compliance, with no further use of the CEW.

In relation to the remaining 25 of 108 cases where the inmate was warned that the CEW might be used:

- The CEW was displayed and then used in probe mode in 16 cases (64%).
- The CEW was displayed and then used in stun mode in six cases (24%).
- The CEW was displayed and then used in both stun and probe modes in two cases (8%).
- The CEW was used in probe mode (without display) following the warning in one case (4%).

In total, display mode usage of the CEW occurred in 146 of the 149 cases (98%). The CEW was used in display mode only (with no stun or probe mode usage) in over three-quarters of the 149 incidents (121 cases, or 81.2%).

In total, use of the CEW in stun mode occurred in nine of the 149 cases (6%). The CEW was never used in stun mode only (with no display or probe mode usage).

In total, the CEW was used in probe mode in 21 of the 149 cases (14.1%). In two cases, only probe mode was used (with no display or stun mode usage).

The deployment of the CEW in both stun and probe mode (following display of the weapon) occurred in three incidents (2%).

In nearly two-thirds of the 149 incidents (94 cases, or 63.1%) the TASER X26 was used. The TASER M26 was used in the remaining 55 (36.9%) cases.

The following four sections will review the more detailed results relating to display mode, stun mode, probe mode, and combined stun and probe mode usage.

### **Use of the CEW in Display Mode**

As previously reported, display of the CEW in the attempt to gain subject compliance was present in 146, or 98 per cent, of the 149 CEW incidents. This type of use of the CEW includes simple display of the weapon, “sparking” of the weapon, and targeting of the laser sight on the subject. This method was often used (72.6%) in conjunction with one or more verbal warnings.

## APPENDIX I

In most cases (130 cases, or 89%) one attempt to gain the subject's compliance through the display of the CEW occurred. In 15 cases (10.3%) two attempts were made to gain compliance via this method, and in a single case (0.7%) three attempts were made.

In over three-quarters of incidents (113 of 146, or 77.4%) in which display compliance was attempted, the method was effective in gaining the subject's compliance. This method was ineffective in 28 (19.2%) cases and only temporarily effective in five (3.4%) cases.

Where display compliance was ineffective, the CEW was subsequently used in probe mode in 16 cases (57.1%), stun mode in five cases (17.9%), and both stun and probe modes in three cases (10.7%). In four cases (14.3%) no other use of the CEW was reported, despite the failure of display usage to gain compliance from the inmate.

Of those cases where display compliance was only temporarily effective, stun mode was subsequently used in one case (20%). No other CEW use was recorded in four cases (80%).

### **Use of the CEW in Stun Mode**

As previously reported, use of the CEW in stun mode occurred in nine of the 149 cases (6%).

In all cases, use of stun mode was preceded by an attempt to gain compliance through display of the weapon. In three cases (33.3%) use of the CEW in probe mode also preceded the stun mode deployment of the CEW.

In over one-half of the nine incidents (five cases, or 55.6%) in which the CEW was used in stun mode, the subject was exposed to one stun deployment. In two cases (22.2%) the inmate was exposed to three stun deployments, four stun deployments were used in one incident (11.1%), and six deployments were used in one case (11.1%). In total, where stun mode was used, 44.4 per cent of subjects were exposed to multiple stun deployments.

Among the five single-stun deployment cases, the location on the subject's body targeted by the stun deployment was the back in two cases, the buttocks in one case, the thigh in one case, and unknown in one case. Among the multiple-stun deployment cases, the abdomen, thigh, calf, buttock, chest, and shoulder were targeted.

In one case the stun deployment was applied to the subject's bare skin.

Use of the CEW in stun mode was effective (or ultimately effective in the case of multiple stuns) in controlling the subject in seven incidents (77.8%). The method was ineffective in one incident (11.1%) and only temporarily effective in one incident (11.1%). In both cases where stun mode was ineffective or only temporarily effective, the CEW had previously been used in both display mode and probe mode, and no further use of the CEW was recorded following its use in stun mode.

### **Use of the CEW in Probe Mode**

As previously reported, the CEW was used in probe mode in 21 of the 149 cases (14.1%).

In most probe mode incidents (19, or 90.5%) deployment followed display of the weapon.<sup>317</sup> The CEW was used in probe mode without a prior attempt to gain compliance through either display of the weapon or a verbal warning in only one case. In the remaining case, probe mode was used directly following a verbal warning.

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317 In 18 of these incidents the subject was also given a verbal warning.

Most probe mode incidents (13 of 21, or 61.9%) involved a single probe deployment cycle. Six subjects (28.6%) were exposed to two probe cycles and two subjects (9.5%) were exposed to three cycles.

Information about the distance the correctional staff member was from the subject when the CEW probes were fired was often missing from the incident report (16 cases, or 76.2%). The deployment distance was between four and seven feet in the five cases where this information had been recorded.

The duration of the probe cycles was recorded in most cases (17, or 81%). In all of these cases the duration of the probe cycles was listed as five seconds (the default duration) or less.

In nearly one-quarter of probe-use incidents (five cases, or 23.8%) the location on the subject's body hit by the probe darts was not recorded in the incident report. Among the 16 cases where the body location was known, the most common locations were the subject's chest (28.6%), followed by the back (9.5%), torso (9.5%), and chest and abdomen (9.5%).

In six cases (28.6%) the probe darts hit the subject's bare skin.

Use of the CEW in probe mode was effective (or ultimately effective in the case of multiple probe cycles) in controlling the subject in 16 incidents (76.2%). The method was ineffective in four incidents (19%) and only temporarily effective in one incident (4.8%). In relation to the four cases where the probe deployment was ineffective, the method failed due to poor electrical conduction in three cases and probe darts that missed the target in one case.

One or both probe darts were embedded in the subject's skin in 16 cases. In these cases the dart(s) was/were removed by health care staff in six cases (37.5%), correctional staff in four cases (25%), and the subject in two cases (12.5%). Information about dart removal was missing in four incidents (25%).

### **Use of the CEW in Stun and Probe Modes**

In three of the 149 (2%) CEW use incidents, the CEW was deployed in both stun and probe modes (always following an attempt to gain compliance through display of the weapon). In one of these cases, a single probe cycle was followed by a single stun-mode deployment. In the second case, two probe cycles were followed by a single stun-mode application. In the third case, two probe cycles were followed by six applications of the CEW in stun mode.

### **Subject Behaviour and the Use of Conducted Energy Weapons**

Thus far, the review of CEW use by correctional staff has presented the characteristics of subject behaviour and the nature of CEW use in isolation from each other. However, the justification for the use and method of use of the CEW is dependent upon the behaviour of the subject. This section will summarize how the CEW has been used by correctional staff when dealing with inmates who displayed various levels of resistance to staff efforts to control them.

Table 6 presents the methods of CEW use in the context of the highest level of subject resistance faced by correctional staff. Subject resistance is categorized according to the National Use of Force Framework, which describes subject behaviour as cooperative, passive resistance, active resistance, assaultive, and posing a threat of grievous bodily harm or death to anyone. As can be seen from this analysis, the CEW was not deployed in stun or probe mode when the inmate was displaying anything less than active resistance. Most stun and/or probe deployment incidents (20 of 26, or 76.96%) have involved inmates displaying

APPENDIX I

assaultive resistance but in no case was the inmate posing an immediate threat of gross bodily harm or death.

**Table 6: Method of CEW Use by Highest Level of Subject Resistance**

Highest Level of Resistance	Cooperative	Passive	Active	Assaultive	GBH/Death	Other	Total
Warning Only	1	0	0	0	0	0	1
Display Only Deployment	31	1	32	29	0	28	121
Display & Stun	0	0	2	4	0	0	6
Display & Probe	0	0	3	12	0	1	16
Stun Only	0	0	0	0	0	0	0
Probe Only	0	0	0	2	0	0	2
Stun & Probe	0	0	0	0	0	0	0
Display & Stun & Probe	0	0	1	2	0	0	3
<b>Total</b>	<b>32</b>	<b>1</b>	<b>38</b>	<b>49</b>	<b>0</b>	<b>29</b>	<b>149</b>

Note: The “other” category includes all cases where the subject’s behaviour did not involve any of the National Use of Force Framework resistance categories but may involve destruction of property, possession of a weapon, or verbal threats of violence to staff, self, or others.

**Use of Other Force Options**

In addition to the CEW, correctional staff also recorded the use of other intervention methods or force options to control inmates. Table 7 below lists the frequency with which these methods were used before, during, or after use of the CEW.

**Table 7: Use of Other Intervention Methods or Use-of-Force Options in Conjunction with CEW Use**

Intervention Method	Before CEW Use		During CEW Use		After CEW Use	
	Total (N=149)	%	Total (N=149)	%	Total (N=149)	%
Verbal Intervention	147	98.7	3	2.0	1	0.7
“Soft” Physical Control	13	8.7	8	5.4	29	19.5
“Hard” Physical Control	2	1.3	0	0.0	6	4.0
OC/Pepper Spray Use	3	2.0	0	0.0	1	0.7
Baton Use	1	0.7	0	0.0	1	0.7
Restraints	1	0.7	3	2.0	134	89.9

Note: “Soft” physical control includes arm and wrist locks, hands-on force to pressure points, and taking the subject to the ground. “Hard” physical control includes open and empty hand strikes, punches, and kicks to target areas.

In the single case where the subject was restrained prior to the use of the CEW, the CEW was displayed only.

In most CEW incidents (89.9%) the subject was restrained following the use of the CEW.<sup>318</sup> Most commonly (85 of 134 cases, or 63.4%) the inmate was handcuffed only. In 29 cases (21.6%) the inmate was both handcuffed and put in leg irons. Another seven inmates (5.2%) were handcuffed, put in leg irons, and also restrained by another form of restraint (such as a body cuff or wrap, a belly chain, or a restraint board). In three cases (2.2%) handcuffs were combined with another form of restraint other than leg irons (such as a body cuff, a belly chain, or four-point restraints). The inmate was restrained by a body cuff or wrap alone in four cases (3%). Two inmates (1.5%) were restrained on a Provincial Ambulance Service stretcher. In four cases (3%) the type of restraint used was not recorded.

## Injuries and Medical Attention

In seven of the 149 CEW incidents (4.7%) one or more correctional officers suffered some type of injury. Five of these injuries were described as minor in nature (including cuts, bruises, and bite wounds). In two cases the nature of the injury was not recorded.

Inmates sustained some form of injury in 48 of the 149 incidents (32.2%). Seven injured inmates (14.6%) sustained injuries both related to the use of the CEW and unrelated to CEW use.

In total, 18 (12.1%) inmates suffered a CEW-related injury. All of these injuries were described as minor in nature and involved the penetration of probe darts into the skin or welts from the application of the CEW in stun mode.

In total, inmates suffered a non-CEW-related injury in 37 of the 149 CEW incidents (24.8%). The majority of these injuries (20 of 37, or 54.1%) were present prior to intervention by

<sup>318</sup> An example of when the inmate might not be restrained following use of the CEW is when the inmate is already in a cell.

## APPENDIX I

correctional staff due to involvement in a fight, assault, or self-harm. In 10 cases (27%) the injuries were self-inflicted by the inmate during the incident. Six inmates (16.2%) were injured during the intervention by correctional staff. In one case it was unclear from the incident report when the injury occurred (that is, before or during intervention). For the most part (91.9%), non-CEW-related injuries were relatively minor in nature. Of the three more serious injuries, two were present prior to intervention by correctional staff and one was self-inflicted by the inmate during the incident.

Inmates were checked by medical staff on the scene following 54 incidents (36.2%) – including 17 of the 21 (81%) probe deployment incidents. Eighteen inmates (12.1%) were taken to the facility's medical unit for medical attention. In seven cases the inmate was transported to hospital – five of these inmates had sustained injuries prior to intervention by correctional staff.

### Policy Compliance

Any use of CEWs in correctional facilities in BC, including presence, display, stun, or probe deployment, requires authorization from the warden, or from designated deputy wardens or assistant deputy wardens to whom the warden has delegated the authority. When not authorized for use to assist with a specific situation, CEWs are stored in a locked room.

CEWs may be authorized for use in the following circumstances:

- 1) tactical operations;
- 2) cell entry or extraction;
- 3) in response to an escape or escape attempt;
- 4) external prowling (secure outdoor yard); and
- 5) as approved by the warden when intervention is required to prevent self-harm, compel compliance, terminate violent and destructive behaviour, protect the safety of staff and inmates, or when lesser use of force is inappropriate or unreasonable.<sup>319</sup>

With one exception, all CEW use incidents reviewed for this project complied with the above policy. In one case, however, it appears that proper authorization for CEW use was not obtained prior to the incident.

Corrections Branch policy also requires that a "Use of Force Report" be completed each time an officer obtains authorization for use of a CEW. This report is to be accompanied by a video recording (when available) of the event, and both the report and the video are to be submitted to the provincial director of the Adult Custody Division for review. As previously noted, both a use-of-force report and a video were not available for every incident included in this review. In a small number of cases, a videotape could be located but not a use-of-force report. Incidents were not recorded on video in every instance.

Overall, compliance with Corrections Branch CEW use policy was high. The requirement that authorization be obtained prior to issuance of a CEW ensures the decision to employ this use-

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319 Ministry of Public Safety and Solicitor General, "Submissions of Corrections Branch, Adult Custody Division" (May 6, 2008). Written submission to the Braidwood Inquiry [unpublished].

of-force option is subject to senior staff oversight. The reporting requirements, including video evidence, also support monitoring and accountability with respect to CEW use.

## **Conclusions**

This review of CEW use in adult provincial correctional facilities in BC found that CEWs are used relatively rarely. In just under a five-year period it was authorized for use 149 times and in the vast majority of these cases (81.6%) the weapon was displayed to gain or maintain an inmate's cooperation and compliance without any stun or probe mode usage.

A fairly restrictive policy for use of the CEW, and high compliance with policy, is likely to keep usage rates low.

## APPENDIX 1: CEW INCIDENT FILE REVIEW (CORRECTIONS – ADULT CUSTODY) CODING FORM

Note: the unit of analysis is the discharge of a CEW on an individual during a single event – if the CEW is used (in stun or probe mode) on two subjects during one event, it will be counted as two incidents and should be assigned two case numbers and recorded on two coding forms. If the CEW is used as a display only/compliance tool on multiple inmates, complete a single coding form for the incident.

Case Number

Date of Incident (code Year, Month, Day)

Lighting 1=good 2=poor

### SUBJECT CHARACTERISTICS

Age (in years)

Gender 1=male 2=female 3=unknown

Physical Size 1=small 2=medium 3=large

Race/Ethnicity (specify)

1=Caucasian 2=Aboriginal 3=Asian 4=South Asian 5=Black 6=Other 7=Middle Eastern 8=Hispanic

History of mental illness (known to staff prior to incident) 1=yes

History of violence (known to staff prior to incident) 1=yes

Preexisting medical conditions (e.g., pregnancy, heart disease, epilepsy, diabetes)  
1=yes 2=no

If yes, specify

### INSTITUTION

1. North Fraser Pre-Trial Centre
2. Vancouver Island Regional Corrections Centre (RCC)
3. Fraser RCC
4. Surrey Pre-Trial Services
5. Prince George RCC
6. Kamloops RCC
7. Burnaby Corrections Centre for Women
8. Vancouver PD Jail

TYPE OF EVENT

- |                    |                            |                    |
|--------------------|----------------------------|--------------------|
| 1. Cell entry      | 6. External prowl          |                    |
| 2. Cell extraction | 7. Escape                  |                    |
| 3. Lock up         | 8. Other (specify) [_____] |                    |
| 4. Intake          | 9. Hostage taking          |                    |
| 5. Escort          |                            | Event Type #1 [__] |
|                    |                            | Event Type #2 [__] |

LOCATION OF INCIDENT

1. Cell
  2. Common areas
  3. Health care unit
  4. Portico/loading area
  5. Fitness area
  6. Outdoor courtyard
  7. Eating area
  8. Records/Intake processing/Admissions area
  9. Conference/Meeting room
  10. Video court booth
- [\_\_]

SUBJECT BEHAVIOURS/ACTIONS (As observed by staff members on scene)

(code 1 if present during incident)

- |  |      |
|--|------|
| Cooperative/compliant to directions  | [__] |
| Passive Resistance (refusal with little or no physical action, to cooperate; refusal to show hands)  | [__] |
| Agitated   | [__] |
| Pacing   | [__] |
| Yelling  | [__] |
| Disturbance  | [__] |
| Smashing/damaging property   | [__] |
| Verbally abusive/verbal threats/verbal aggression  | [__] |
| Alcohol/Drug intoxication  | [__] |
| Symptoms of "excited delirium"   | [__] |
| Symptoms of drug induced psychosis   | [__] |
| Symptoms of drug overdose  | [__] |
| Symptoms of mental health crisis   | [__] |
| Active Resistance (non-assaultive physical action to resist; e.g., pulling away)   | [__] |
| Assaultive (attempts to apply or applies force to any person; kicking, punching, threatening acts or gestures, aggressive body language, "pre-assault cues")   | [__] |
| Violence/threatened violence to staff  | [__] |
| Violence/threatened violence to self   | [__] |
| Violence/threatened violence to others   | [__] |
| Inmate fight   | [__] |
| Grievous bodily harm or death (actions intended to or likely to cause GBH or death; assault with weapon, actions that would result in serious injury to any person; actions warrant use of deadly force) | [__] |
| Staff member assaulted   | [__] |

WEAPONS

- |               |       |      |
|---------------|-------|------|
| Armed subject | 1=yes | [__] |
|---------------|-------|------|

APPENDIX I

Type of weapon: (code 1 if present)

- Firearm
- Edged (knife, glass, scissors)
- Blunt force (bat, hockey stick, pipe, hammer)
- Pointed (needle, fork, pickaxe, pencil)

NATURE OF CEW DEPLOYMENT

- Warning/Challenge issued 1=yes 2=no
- Number of warnings
- Warning – Effective? 1=yes 2=no 3=ultimately 4=temporarily

- Display only/compliance (presence, display, “spark”, laser sight) 1=yes 2=no
- Number of display only presentations
- Display only order (in relation to CEW use, 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>)
- Display only – Effective? 1=yes 2=no 3=ultimately 4=temporarily

- Stun Deployment (drive stun, push stun, contact stun) 1=yes 2=no
- Number of stun deployments
- Stun deployment order (in relation to CEW use, 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, etc.)
- Location on subject’s body (specify; if multiple deployment list in order)

- Stun – Effective? 1=yes 2=no 3=ultimately 4=temporarily

- Probe Deployment 1=yes 2=no
- Number of probe deployments/cycles
- Probe deployment order (in relation to CEW use, 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>)

- Probe deployment distance (in feet, if multiple deployments list in order) 1<sup>st</sup>
- 2<sup>nd</sup>
- 3<sup>rd</sup>

- Probe deployment duration (in seconds; if multiple deployments list in order) 1<sup>st</sup>
- 2<sup>nd</sup>
- 3<sup>rd</sup>

- Location on subject’s body (specify; if multiple deployment list in order)
- 
- 
- 

- Subject in vulnerable position (e.g., roof, tree, open window) 1=yes 2=no

- Probe – Effective? 1=yes 2=no 3=ultimately 4=temporarily

- If ineffective, why? 1=miss 2=technical problem 3=poor conduction

- If probe darts embedded in skin, who removed them?  
1=staff 2=health care staff 3=hospital physician 4=u/k 5=N/A 6=subject

- If CEW was used in any mode, what model of CEW was used?  
1=Taser M26 2=TaserX26 3=Unknown

Was CEW used in stun or probe mode against bare skin?

1=yes

USE OF OTHER FORCE OPTIONS

Verbal intervention:  
(dialogue)

before CEW use  
during CEW use  
after CEW use

1=yes   
1=yes   
1=yes

“Soft” physical control:  
(arm & wrist locks, hands  
on force to pressure points)

before CEW use  
during CEW use  
after CEW use

1=yes   
1=yes   
1=yes

“Hard” physical control:  
(open & empty hand strikes,  
punches, kicks to target areas)

before CEW use  
during CEW use  
after CEW use

1=yes   
1=yes   
1=yes

OC/Pepper spray warning:  
(presence, display)

before CEW use  
during CEW use  
after CEW use

1=yes   
1=yes   
1=yes

OC/Pepper spray use:

before CEW use  
during CEW use  
after CEW use

1=yes   
1=yes   
1=yes

Baton use:  
(ASP)

before CEW use  
during CEW use  
after CEW use

1=yes   
1=yes   
1=yes

ARWEN gun use:  
(flexible baton)

before CEW use  
during CEW use  
after CEW use

1=yes   
1=yes   
1=yes

Restraints:  
(handcuffs, zip straps,  
hobble, hogtie)

before CEW use  
during CEW use  
after CEW use

1=yes   
1=yes   
1=yes

Highest level of restraint applied (specify)

INJURIES

Injuries to staff 1=yes 2=no 3=unknown   
If yes, note severity 1=minor 2=serious 3=unknown   
If yes, specify nature of injury

Injuries to inmate (related to CEW use) 1=yes 2=no 3=unknown   
If yes, note severity 1=minor 2=serious 3=unknown   
If yes, specify nature of injury

Injuries to inmate (unrelated to CEW use) 1=yes 2=no 3=unknown   
If yes, note severity 1=minor 2=serious 3=unknown

APPENDIX I

If yes, note: 1=injuries present prior to staff arrival  
2=injuries self-inflicted during incident  
3=injuries sustained during intervention  
4=unknown when injuries sustained

Subject examined by medical staff/nurse on scene 1=yes 2=no 3=refused   
Subject taken to medical care unit for medical attention 1=yes 2=no 3=refused   
Subject transported to hospital 1=yes

POLICY CONSIDERATIONS (Reference use-of-force policy to complete this section)  
(code 3=unknown 4=Not applicable 5=No policy 6=Borderline/discretion)

Was the CEW deployed in accordance with use-of-force policy? (i.e., subject actions warranted use of CEW) 1=yes 2=no   
If not, explain:

Were policy prescribed steps taken before deployment of the CEW? (eg., was a warning/challenge issued?) 1=yes 2=no   
If not, explain:

Were policy prescribed steps taken while discharging the CEW? (eg., was the CEW aimed at an allowable part of the subject's body?) 1=yes 2=no   
If not, explain:

Was the CEW deployed (stun or probe) in the presence of flammable vapors or liquids? 1=yes 2=no

Was policy relating to multiple CEW deployments followed? 1=yes 2=no   
If not, explain:

Was policy relating to duration of CEW deployment followed? 1=yes 2=no   
If not, explain:

Were policy prescribed steps to be taken after deployment of the CEW followed? (eg., removal of probes, attendance of PAS, prevention of positional asphyxia) 1=yes 2=no   
If not, explain:

Was photographic evidence collected at the scene? 1=yes 2=no

Note any other comments or observations on the reverse of this page.