

Use of Force Policy	Amended	Inspection and Enforcement New Brunswick	1.2.1
Policy Title	New or Amended	Division / Branch / Section	Policy #
Chief/Executive Director	January 30, 2024	January 30, 2024	January 2026
Approved by	This policy was approved on:	This version takes effect on:	This policy will be reviewed by:

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1. Purpose of the Policy

- A. To provide guidance on the use of force options available to Inspection and Enforcement Officers in order to make an informed decision when interacting with individuals.
- B. To provide appropriate information in order to reduce the level of risk associated with the use of force in general.
- C. To detail the mandatory reporting requirements relating to use of force incidents.

2. Statement of Principals

- A. Whenever force is used by any person in Canada, it shall be used in compliance with the *Canadian Charter of Rights and Freedoms* and the *Criminal Code of Canada*.
- B. Officers should, in all instances, use an appropriate and reasonable level of force, given the totality of the circumstances.
- C. The use of force option shall be consistent with the Atlantic Police Academy, particularly with respect to having considered or applied de-escalation techniques or other use of force options, as appropriate.

3. Legislative Authority

- A. Inspection and Enforcement Officers possess the authority and are under a legal obligation to preserve the peace and good order of the community. This duty includes the protection of life and property, the apprehension of offenders, and the investigation of alleged offences. Therefore, it is reasonable that Inspection and Enforcement Officers, as peace officers, should have the authority to use an appropriate and reasonable level of force, given the totality of the circumstances.
- B. The law grants peace officers the authority, when acting on reasonable grounds, to use as much force as is necessary in doing what they are required or authorized to do. Use of force is not deemed excessive if it is reasonable and justifiable given the totality of the circumstances and the force used is based on continuous assessment of change in circumstances.
- C. The decision as to whether force is to be used and the amount to be applied rests solely with the peace officer who is personally involved at the scene. While decisions may have to be made instantly, in each case the decision shall be based on as reasonable an assessment of the circumstances as possible under prevailing conditions.

The final decision as to what is reasonable is a matter reserved solely to a Court of Law; that decision may not necessarily coincide with an officer's belief on the matter.

- D. The *Criminal Code of Canada* describes conditions under which peace officer authority and use of force may be exercised. When consent or an emergency are not present, and reasonable grounds to make an arrest do not exist, non-consensual touching by an officer may constitute a crime, as well as result in civil liability. When reasonable grounds exist, criminal and civil liability may still occur if the peace officer exceeds the limits of the law. Reference: *Criminal Code of Canada Section(s)* 25(1), 25(3), 25(4), 26, 32(1), and 34(1).
- E. *Section 25(3) of the Criminal Code of Canada* conveys that lethal force may be used when a peace officer believes on reasonable grounds that it is necessary to control a situation in order to protect peace officers or others from immediate threats of death or grievous bodily harm. 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.

4. Atlantic Police Academy Use of Force Training

- A. The use of force training taught at the Atlantic Police Academy meets the National Use of Force Framework (**NUFF**) which is approved by the Canadian Association of Chiefs of Police. The NUFF incorporates a graphical illustration of the various elements involved in the process by which a peace officer assesses a situation; as well as acts in a reasonable manner to ensure officer and public safety. It is a framework for the reasonable and justifiable use of force when acting within the authority and responsibilities of peace officers. The NUFF promotes continuous critical assessment and evaluation of each situation and assists officers to understand and make use of a variety of force options to respond to potentially violent situations. It is not intended as prima facie justification for officer use of force, nor does it prescribe specific response options appropriate to a situation; rather it provides a valuable tool to facilitate understanding and articulating the events associated with an incident involving officer use of force.
- B. Some level of physical force is often necessary to conduct an arrest or to protect others. This might include an Inspection and Enforcement Officer placing their hand on a person's arm or shoulder and verbally directing them to place their hands behind their back for handcuffing.
- C. Please refer to the NUFF diagram located in Appendix "A" on page 20.
 - i. **Officer Presence (blue ring)** – This includes the officer's appearance, uniform, reputation, physical stature, and the number of officers present. Many people do not feel that presence is a force option, but in actual fact, a law enforcement officer's mere presence often influences or controls a person's behavior.

- ii. **Tactical Communication (Dialogue) (green ring)** – This includes verbal skills in conjunction with non-verbal skills. It would also include suggestions, advice, and directions continuing through to loud, repetitive commands used in conjunction with facial expressions, stance, eye contact, etc. Dialogue is used continually with the rest of the force options. In fact, an extremely high percentage of all encounters with offenders are resolved at this level.
- iii. **Physical Control: Soft / Hard (yellow ring)** - Generally speaking, physical control (or empty hand) means any physical technique the officer uses to control the subject that does not involve the use of a weapon.

There are various sub-levels of force within the empty hand option. These sub-levels of force include:

- a. Escort position (implied force);
- b. Superior physical strength (size or numbers);
- c. Balance displacement techniques (throws, takedowns);
- d. Pain compliance techniques (joint locks, pressure points, hand control, etc.);
- e. Empty hand or weaponless impact (stuns, strikes & kicks, using various parts of the anatomy); and
- f. Lateral Vascular Neck Restraint (rendering a subject unconscious through pressure to the sides of the neck resulting in a lack of oxygenated blood to the brain). LVNR is the highest level of physical control.
- g. Soft techniques are control-oriented and have a lower probability of causing injury. These techniques typically rely upon pain compliance such as restraining techniques, pressure points and joint/arm locks. Handcuffing would also be included in this category. These techniques are generally applicable to a subject exhibiting passive resistant and active resistant behavior.
- h. Hard techniques are intended to stop an aggressor's behavior or to allow for the application of another control technique. These physical tactics include such techniques as empty hand strikes, knee strikes, punches, kicks, and neck restraints. Striking large muscle mass areas would be desired target areas; however, the totality of the circumstances would always be taken into account. These techniques are generally applicable to a subject exhibiting behavior that the officer perceives as being active resistant to assaultive.

- iv. **Intermediate Weapons/Weapons of Opportunity (orange ring)** - There are various sub-levels in this force option. This option has relevance to modern day policing as technology is always inventing new methods for less than lethal force. Attempting to categorize each intermediate weapon would be confusing and unnecessary, as the NUFF would become lengthy and constantly changing. This option represents an intermediate group of weapons between empty hand control and firearms.
- v. **Lethal Force (red ring)** - this includes firearms and long guns. It would also include any other weapon or technique used in a manner that is likely or intended to cause grievous bodily harm or death. (i.e.: intentional punch to throat or baton strike to head)
Law enforcement officers may use lethal force only, when necessary, that is, when the officer has a reasonable belief that the subject of such force poses an imminent danger of death or grievous bodily harm to the officer or to another person.

The phrase “grievous bodily harm” has been held to mean a bodily injury that creates a substantial risk of death, causes serious permanent disfigurement, or results in long-term loss or impairment of the functioning of any bodily member or organ.

Considerations: It is in the nature of enforcement work that officers will encounter subjects who are agitated. Frequently this is a consequence of medical or mental health conditions, intoxication, or other substance abuse (chronic cocaine or methamphetamine use; ecstasy or marijuana), or a combination of medical, mental health and substance abuse issues. Peace officers must act quickly to restrain and control the subject consistent with the Atlantic Police Academy training guidelines. This is a reasonable and justifiable use of force to protect the subject from imminent death or grievous bodily harm.

Excessive Use of Force: If there is excessive use of force, the officer may be criminally and civilly liable according to the nature and quality of the officer’s actions.

5. Medical Aid

- A. When using force on a subject under this policy, and while following the guidelines of the NUFF, it is possible that injury may occur to a subject in the process.
- B. Whenever a person is injured as a result of the use of force, immediately or as soon as practicable,
 - i. administer first aid;
 - ii. make the person as comfortable as possible;
 - iii. immediately arrange for qualified medical attention; and
 - iv. monitor the subject.

- C. Injured or sick persons have the right to refuse medical aid; however, in order to do so, they must be capable of making a competent, rational decision. In assessing whether someone is capable of making a rational decision, officers must pay particular attention to the person's degree of impairment and ability to communicate, and not rely excessively on the person's ability to follow simple commands. If a person refuses medical care, and is capable of making a rational decision, officers must make careful notes of the refusal and, where practicable, have the refusal witnessed.

6. Display or Use of Weapons

An IENB weapon issued to an officer shall not be unnecessarily displayed or used unless an officer is attempting to prevent the further escalation of force.

7. Handcuffs, Leg & Restraint Devices

- A. An officer shall use handcuffs and restraint devices issued by the Inspection and Enforcement Branch. Handcuffs and restraint devices may be used to control a person when it is reasonable to do so and when there is reasonable belief that failure to do so may jeopardize the safety of the person, the public, or peace officer.
- B. Where an officer is justified in using handcuffs to restrain a prisoner, nylon restraints may also be used, or leg shackles around the ankles where handcuffs alone are insufficient to control a prisoner, or in place of handcuffs where insufficient handcuffs are available.
- C. Handcuffs or nylon restraints shall be applied tight enough to provide security, but loose enough to allow appropriate circulation. They shall also be doubled locked in order to prevent the subject from inadvertently tightening the handcuffs and be removed as soon as it is reasonable to do so.

8. Baton (Intermediate Weapon)

- A. An officer who has successfully completed the mandatory approved training may use or display a baton when lawfully justified in accordance with the principles of the NUFF.
- B. It is important that an officer take reasonable care to avoid striking the head, neck, spine, throat, clavicle, kidneys, groin, or the abdomen on pregnant women.

9. Oleoresin Capsicum (O.C.) Spray (Intermediate Weapon)

- A. Oleoresin Capsicum (O.C.) Spray, also referred to as aerosol “pepper spray”, is an inflammatory agent that occurs naturally in cayenne pepper and is a safe and effective intermediate force option that should be used appropriately in conjunction with the NUFF in response to subject behavior.
- B. After using an O.C. Spray on a subject, the officer shall make timely and reasonable efforts to relieve the subject’s discomfort; if irritation persists medical attention should be arranged.

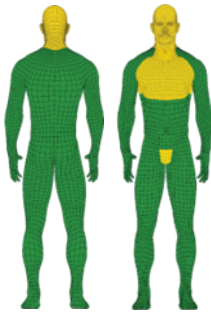
10. Conducted Energy Weapon (CEW) (Intermediate Weapon)

- A. The conducted energy weapon (CEW) is an intermediate weapon used to incapacitate subjects by discharging an electric current into the subject.
- B. A CEW shall only be deployed and used in accordance with CEW training, and the principles of the NUFF.
- C. Only CEW trained officers shall be issued and authorized to deploy a CEW.

10.1 Conducted Energy Weapon Deployment

- A. When circumstances suggest the deployment of the CEW, and when practical an officer may request emergency medical personnel (EMS) attend the scene.
- B. Consideration shall be given to the unique circumstances involved prior to applying the CEW to any of the following individuals:
 - i. females known to be or whom the officer suspects to be pregnant;
 - ii. elderly or visibly frail persons;
 - iii. a young child or obvious juveniles;
 - iv. a person handcuffed or otherwise restrained;
 - v. on sensitive areas of the body (i.e., head, throat, genitals);
 - vi. a person whose position or activity may result in collateral injury (e.g. falls from significant heights); and
 - vii. A person in control of a moving motorized vehicle, bicycle, off road vehicle, or other conveyance.
- C. When practicable, and tactically sound, officers shall consider a verbal warning, so the subject is made aware that a CEW is about to be deployed.

- D. The Officer(s) shall make every effort to bring the subject quickly under control using only the CEW duration, duty cycle and repetition required consistent with CEW training. Multiple or extended cycling of the CEW may be hazardous to a subject. Unless situational factors dictate otherwise, officers shall not cycle the CEW for more than 5 seconds on a subject and will avoid multiple deployments.
- E. Acutely agitated or delirious persons may be at a higher risk of death and shall be considered in a state of a medical emergency. When practicable officers shall, when responding to reports of an individual who is violent or in an acutely agitated or delirious state, request the assistance of emergency medical services. If feasible, bring medical assistance to the scene.
- F. When dealing with an acutely agitated or delirious person, efforts shall be made to subdue the individual as quickly and as safely as possible, and when a person is rendered, unconscious placing them in the recovery position to avoid an escalation of the medical emergency.
- G. Where operationally feasible, medical assistance may be requested when a situation may involve the deployment of the CEW.
- H. When deploying the CEW, the back is the preferred target due to the large muscle group and the reduced risk of hitting sensitive body areas. If deployment is to the front of the body, the target area is the lower center of mass.



- I. If the CEW is deployed, a full 5-second cycle deployment shall be delivered unless circumstances dictate otherwise.
- J. Subsequent CEW applications beyond the initial 5 seconds are only to be used if the Officer assesses that **it is required to safely control** the subject.

10.2 Deployment Aftercare

- A. Following a subject being struck by the CEW probes or drive-stun and receives an electroshock, the subject shall be restrained and secured as soon as possible, positioned to prevent positional asphyxiation, monitored, and the officer shall have the subject assessed by

medical personnel and treated regarding any injuries or complaints of injury (if any) and for the removal of CEW probes if necessary.

- B. Advise the subject that they have been subjected to a CEW deployment and that the effects are expected to be short term.
- C. CEW probes shall be removed from a subject in a manner that least interferes with the privacy and dignity of that subject, while providing for the safety of the officer and the subject. An officer may remove the probes following the deployment of a CEW in probe mode, unless a probe is lodged in a sensitive part of the body, such as the eye or the groin, or the subject's condition warrants medical attention.
- D. Collect the expended cartridge, probes and AFIDS (Anti Felon Identification Tags) as evidence and process as exhibits.
- E. When a medical or physical injury or affliction is claimed or observed:
 - i. make note of any injury or affliction described by the subject;
 - ii. photograph the injury or affliction area as observed, or the area of injury or affliction as described by the subject and secure as evidence;
 - iii. if feasible, request a statement relative to any injury or affliction.

Note: While other medical, mental health and/or substance abuse medical emergencies require timely action in controlling the subject and providing for timely acute medical care for the medical emergency, officers must also remain aware that the use of a CEW may also be a stressor on the subject.

11. Lateral Vascular Neck Restraint & Arm Shoulder Lock Restraint

- A. Lateral Vascular Neck Restraint (LVNR) and Arm Shoulder Lock Restraints are techniques used when a violent subject has to be immediately controlled whereby pressure is applied to the sides of the neck and chest, excluding the trachea, affecting the blood flow to the brain. Compression should be maintained until voluntary compliance to commands occurs and the individual is secured, or loss of consciousness occurs at which time compression shall be released and the individual secured. In the context of the National Use of Force Model, this technique is the highest level of empty hand control tactics designed to control high levels of resistance when other options are deemed inappropriate or ineffective.

- B. The following four (4) guidelines must be present before either the Lateral Vascular Neck Restraint or Arm Shoulder Lock Restraint is applied:
 - i. a violent subject has to be immediately controlled;
 - ii. no lower level of force would be appropriate in the given situation;
 - iii. no reason to believe the subject will suffer serious injury; and
 - iv. the officer has been trained and certified in this approved technique.
- C. If two officers are present when either LVNR or the Arm Shoulder Lock Restraint is being applied, if possible, the second officer is to act as a coach/safety officer. This officer watches the subject's vital signs and the officer's body position.
- D. If an officer loses consciousness during annual recertification training, they must be seen by a medical professional.

12. Firearms

- A. Inspection and Enforcement Officers shall use firearms (including long guns) with a high degree of restraint; however, the protection of life and the prevention of grievous bodily harm shall take priority in every situation.
- B. An officer with the Inspection and Enforcement Branch must successfully complete the prescribed training prior to being issued a departmental firearm.
- C. Officers trained and issued a firearm by another law enforcement agency shall abide by related IENB policy and the firearms policy/procedures of the law enforcement agency issuing the firearm.
- D. Drawing a firearm in public does not include those non-operational incidents such as transferring firearms from one vehicle to another; removing firearms from a vehicle to place in bond, etc.
- E. An officer shall immediately notify their supervisor when the officer draws, points, or discharges a firearm in public and the officer shall submit a report on the incident.
- F. The provisions of this policy do not apply to an officer participating in a sanctioned training exercise, target practice, standard weapon maintenance, dispatching an animal that is a nuisance, injured, or orphaned wildlife, or dispatching a dog under section 49 of the *Fish & Wildlife Act*.

13. Reporting (To determine when a Subject Behavior Officer Response Report (SBOR) is required, sections A & B shall be reviewed)

- A. Subject Behavior Officer Response Report (SBOR) is required if, while on duty, an officer:
- i. draws, points, or uses an intermediate weapon, or firearm;
 - ii. uses handcuffs or other restraining devices where a person is injured; or
 - iii. uses force to overcome the active resistance of a subject.
- B. Subject Behavior Officer Response Report (SBOR) are not required when:
- i. a weapon, other than a CEW or firearm, is drawn but not used during an incident. (The drawing of batons or O.C. spray shall be documented in the relevant occurrence report or officer's notebook);
 - ii. an issued firearm is drawn or used as per sections 12 E. and F;
 - iii. physical force is used on another officer in the course of an approved training exercise in accordance with Inspection and Enforcement's training policy;
 - iv. when the firearm is discharged as a signal in an emergency in a remote area.
- C. When circumstances require the completion of a SBOR, prior to the drafting of the report, the officer shall notify their supervisor. The supervisor shall, as soon as practical notify the Inspector who will advise the chain of command as soon as practical.
- D. The officer(s) involved in the use of force incident shall complete a SBOR prior to reporting off duty for their shift.
- E. Once the SBOR has been completed, the officer will send it to their supervisor who will then forward the completed form to their Inspector who will forward it to the IENB Provincial Chair for Control Tactics and the O i/c of the section. The O i/c of the Section, Deputy/Chief or Chief may then request a copy of the report for review.
- F. The IENB Provincial Chair for Control Tactics shall assign a use of force instructor to the file to review the report and provide their comments.
- G. Once the use of force instructor has provided their comments, they will send the report back to the IENB Provincial Chair for Control Tactics, who will then send the completed report to O i/c of the officer's section and maintain a copy on file for the use of force instructor's educational purposes.

- H. The O i/c of the section then reviews the completed SBOR for the appropriate level of force used, best practises, and policy adherence and provides their comments.
- I. The O i/c of the section then forwards the completed SBOR form to the Chief for review.
- J. The Chief shall determine whether the incident can be concluded (level of force used was necessary) based on the information provided, or whether it warrants further action.
- K. If an officer has been found to have used the necessary level of force, then the officer will be notified as soon as practical.
- L. IENB will retain all completed SBORs as per the guidelines set out in the GNB records management policy and the JPS records management policy.
- M. Please refer to Appendix B to view the SBOR reporting form.

14. Incidents Involving Death or Serious Injury

- A. When an officer is involved in a shooting incident, the police agency of jurisdiction shall be advised immediately. The police agency of jurisdiction shall take charge and attend to the following:
 - i. the criminal investigation process.
- B. The Inspection and Enforcement Branch shall be responsible for:
 - i. the internal critical incident review to determine whether the shooting was within policy guidelines; and
 - ii. the aftercare of the officer.
- C. In every instance where an officer, in public (except where the officer is exempted in Section 12 of this policy), draws, points, or discharges a firearm in the course of duty, they shall, as soon as practicable, notify their immediate supervisor and by the end of the shift submit a completed SBOR to the supervisor or investigator.
- D. When an officer discharges a firearm,
 - i. The O i/c of the Section or their designate, on receipt of notification of a shooting event shall as soon as practicable notify the Chief.

- ii. Where a person is killed or injured, including Inspection and Enforcement personnel resulting from a shooting incident, the scene of the shooting incident shall be secured while awaiting the arrival of the police agency of jurisdiction.
- iii. If an officer's firearm is seized along with ammunition and expended shell casings, a substitute firearm and ammunition may be provided when appropriate.
- iv. A critical incident review into a shooting involving an officer shall be conducted in a diligent, thorough and time effective manner.
- v. The officer involved shall be encouraged to contact their support person(s) as soon as practical.
- vi. The police agency of jurisdiction conducting the criminal investigation shall determine when the involved officer is taken from the scene and when the interviewing process will begin.
- vii. If the involved officer is not a suspect in a crime, they shall complete a detailed occurrence report on the incident prior to reporting off duty.
- viii. If during the course of the criminal investigation a criminal act on the part of the involved officer is discovered, the officer is entitled to their Charter Rights without delay.
- ix. At the conclusion of the critical incident review a detailed report shall be submitted including the following:
 - a. identifying best practises that were followed;
 - b. identifying areas of development regarding officer performance;
 - c. if policy was adhered to;
 - d. whether or not policy requires development; and
 - e. any other recommendations that would enhance the operational or administrative capabilities of IENB.

15. Aftercare for Officers Involved in Traumatic Incidents

- A. Research has shown that whenever an officer is involved in a stressful situation, e.g., a shooting where an officer kills or seriously injures another person, or when an officer is personally involved in a motor vehicle accident resulting in serious injury or death of a person, certain mental and psychological reactions take place. The severity of the incident's effect on the officer will govern the action to be taken.

- B. The Inspection and Enforcement Branch shall consider the following actions where an officer is involved in a traumatic incident.
- i. The officer designated as the next of kin contact shall speak to the family as soon as practical. If no officer has been designated as the next of kin contact, the officer in charge of the section, or their designate will contact the family as soon as practical. The officer in charge of the section shall ensure that any information released to the family is approved, to safeguard the integrity of any subsequent investigations.
 - ii. Limit the contact of involved officers with each other, to prevent misconceptions of the sequence of events.
 - iii. As soon as practicable and prior to reporting off duty have the officer(s) complete a report on the incident.
 - iv. As soon as practicable, provide the officer involved an opportunity for direct and private communication with the spouse and family.
 - v. Remove the officer from the scene as soon as practicable.
 - vi. Ensure EFAP is offered and the appropriate aftercare, such as counselling, time off, peer and agency support is provided.

16. Critical Incident Stress Management

- A. A critical incident is a situation that is traumatic for the employee involved and causes them to experience unusually strong emotional reactions anytime during or after an incident. This is typically applicable to emergency response personnel.
- B. The New Brunswick Critical Incident Stress Management Program (NB CISM) is intended to reduce the build-up of stress in those who are at high risk for burnout due to exposure to critical incidents, and to promote good mental health for front line workers.
- C. When an employee encounters a traumatic event, within the first 48 – 72 hours following the event, the employee is put in contact with a peer diffuser.
- D. Once the employee has met with their peer diffuser, they will then have a clinically lead debriefing with a professional at a later date if required.
- E. Further mental health supports may be offered as required.

17. Training

A. Training Committee:

A committee comprised of Inspection and Enforcement Instructors and a manager will be established to develop use of force training requirements for Inspection and Enforcement Officers.

B. Committee Meetings:

The Training Committee will meet two times per year in person in order to discuss, prepare, and practice for mandatory sessions. Other contact methods such as online meetings and email are anticipated and will be encouraged throughout the year as required.

C. Training:

- i. All training will be mandatory. The Training Committee will identify the necessary training for each unit within the Inspection and Enforcement Branch and recommend the training to the Chief or designate for approval. Officers will only be required to complete approved use of force training that pertains to their unit.
- ii. Certain elements of the JPS Use of Force training will require annual training / recertification at the discretion of the Chief or their designate;
- iii. Specialty training that fits within the parameters of the JPS Use of Force Model may also be offered from time to time based on need. Time frames for recertification will be decided by the Chief or their designate, and officers must meet and continue to meet training/ re-certification requirements as determined by the department.
- iv. At any time during training that instructors identify an officer's use of force techniques are not competent, the officer may be required to attend remedial training, after the instructors consult with the relevant Inspector and O i/c.

D. Exemptions:

- i. Inspection and Enforcement officers may be exempt from training only when authorized by a medical certificate or after receiving approval from their respective O i/c.
- ii. When a medical certificate or an O i/c's approval exempts an officer from attending two successive training sessions; an officer may be assigned administrative duties until the necessary training has been completed.

E. Scheduling of Training Sessions:

- i. The requirements for attending the mandatory use of force training is to ensure that IENB officers are able to use issued equipment safely and effectively within acceptable risk levels.

*Equipment may be issued for training purposes but may not be carried on active duty outside of the training environment until the training has been successfully completed. This policy does not prevent an officer from safely practicing with their use of force equipment, while in the confines of their dwelling.

F. Re-Qualification:

- i. Officers who have been trained, or trained and issued; sidearms, patrol rifles, CEW, and LVNR must recertify annually. All officers who are trained and have active enforcement roles must requalify on Use of Force once every 3 years.
- ii. If an officer does not successfully complete the first qualification scenario, at the discretion of the instructors the officer may receive remedial training and attempt a second (or more) scenarios on the same day.
- iii. Where an officer is not provided a second attempt on the same day, another opportunity will be provided as soon as practical.
- iv. Where an officer fails to qualify, the lead instructor present, shall notify the officers supervisor, the training co-ordinator, and the relevant Inspector of the failure to qualify.
- v. When an officer fails to qualify on their second attempt their Inspector and O i/c shall exercise their discretion and determine if the officer may remain operational or be placed in an administrative role. The Chief shall then be advised to determine final approval.

18. Failure to Qualify

A. A failure to qualify as set out in section 17(F) is any one of the following:

- i. did not successfully complete the annual recertification on the Lateral Vascular Neck Restraint (LVNR) technique;
- ii. did not successfully complete the annual recertification on the use of a Conducted Energy Weapon;

- iii. did not successfully complete the triannual Use of Force requalification scenario;
 - iv. did not successfully complete the approved sidearm qualifications (as set out in the Firearms Policy) after receiving at least one brief remedial training session and a second attempt at requalification;
 - v. at any time displays or handles a firearm in a careless, unsafe, or negligent manner.
- B. Once made aware of a failure to qualify, the officer's Inspector will contact the training co-ordinator to ensure that remedial training is arranged as soon as practical.
- C. For the purposes of the following sections, a "qualification" refers to a day when the officer will be given an opportunity to pass the qualification, however the number of attempts is not prescribed but based on the time available and the assessment of the instructors as to the readiness of the candidate to proceed.
- D. Instructors conducting assessments during qualifications shall articulate identifiable behaviors, actions, or practices and where the officer falls on a competency scale.
- E. If an officer fails to qualify on a second qualification day after receiving remedial training the lead instructor shall notify the officers supervisor, the training co-ordinator, and the relevant Inspector of the failure.
- F. The Inspector and the O i/c shall exercise their discretion and determine if the officer may remain operational or be placed in an administrative role. The Inspector and O i/c shall also determine if the officer is to be restricted on the wearing or possession of any use of force equipment. The Chief shall then be advised to determine final approval.
- G. After failing to qualify on a second qualification day, a documented developmental plan shall be implemented with input from the officer, instructors, and Human Resources. The developmental plan may be for an initial period of three months, but if further development is required, may be extended for an additional three months.
- H. If the officer qualifies at the conclusion of the developmental plan, they shall revert to their operational duties.
- I. If the officer fails to qualify following the conclusion of the developmental plan, their status as a Peace Officer shall be re-evaluated by the Chief.

19. Breach of Policy

- A. Any breach of this policy may result in a code of conduct investigation, which may result in disciplinary action up to and including dismissal.

Appendix A

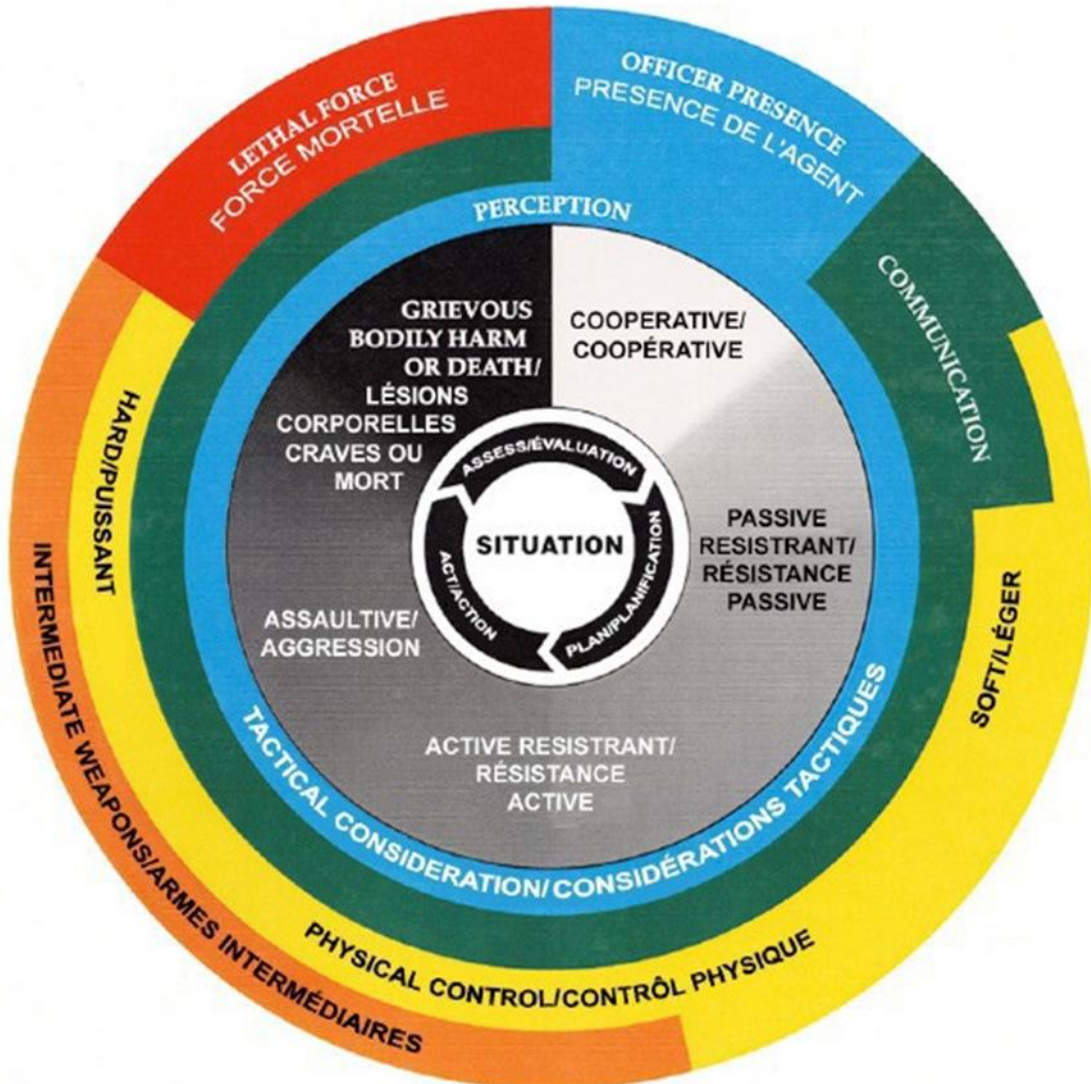
Use of Force Model

In dealing with certain behaviors, a number of interventions may be appropriate. The following circular diagram illustrates all of the intervention options available to an Inspection and Enforcement Officer. It provides the officer with situational factors that should be considered in selecting an appropriate intervention. The Use of Force Model is based on the concept of control.

The assessment process begins in the center of the model with an incident confronting the officer. The assessment process moves outward and addresses the subject's behavior and the officer's perceptions and tactical considerations. Based on the officer's assessment of the conditions represented by these inner circles, an officer selects from the use of force options contained within the model's outer circle. An officer must continue to assess, plan and act to determine if their actions are appropriate and/or effective or if a new strategy should be selected. The entire process is dynamic and constantly evolving until the situation is brought under control. The model acknowledges that officers do not apply force options in consecutive steps or stages from the lowest force option to the highest, but rather, they must select the most reasonable force option or combination of options available in the circumstances. Authority to use force separates law enforcement officials from other officers of society and the reasonable use of force is central to every officer's duties. The Use of Force Model provides a framework that guides the officer in that duty.

Control tactic skills acquired through proper training are the foundation for use of force by Inspection and Enforcement Officers. The Use of Force Model provides a professional approach to explaining the use of force. It effectively illustrates, both to experienced officers and to recruits, how to analyze a subject's behavior and choose the most reasonable force option. The theory behind the model enables both officers and the agency to clearly articulate use of force situations. It also provides a framework that can be clearly explained to a judge or layperson.

National Use of Force Framework
Le cadre national de l'emploi de la force



The officer continuously assesses the situation and acts in a reasonable manner to ensure officer and public safety.

L'agent doit continuellement évaluer la situation et agir de manière raisonnable afin d'assurer sa propre sécurité et celle du public.

Appendix B Subject Behavior Officer Response Form

Call Type	Assignment/Duty
File Number	Reviewed by Supervisor Yes No
Date force was applied	Time Force was applied
Agency Unit	Number of Officers Involved
Officer Name	Officer Badge #
<input type="checkbox"/> Extra Duty <input type="checkbox"/> Uniform <input type="checkbox"/> Plain clothes Hours of Shift Work	

Note: Each officer will require their own SBOR form and as well one for each subject encountered.

ENVIRONMENTAL FACTORS

***Mark all that apply**

Location: Indoors Outdoors

Weather/Visibility: Clear Partly Cloudy Overcast Rain Snow Fog Other

Weather/Footing: Dry Wet Slippery Flat Uneven Slope Other

Lighting: Natural-Day Natural-Night Artificial Low Light Dark None Other

Did the encounter go to the ground? Yes No

Initiated by:

Officer Hard Control Soft Control

Subject Unintentional Intentional

Additional remarks, if required:

SUBJECT BEHAVIORS

Subject Height	Subject Weight	Gender
	Age	Number of Subjects Involved

***Mark all that apply**

Subject Behavior

Cooperative Passive Resistant Active Resistant Assaultive Death or Grievous Bodily Harm

Threat Cues

Known to Officer: Yes No

Weapons History Criminal Record Violence Police Hater Weapons Drugs

Escape Was the subject in possession or believed to be in possession of a weapon? Yes

No

Impact Weapon Edged Weapon Firearm Other Found

Officer's perception of Exhibited Influences on Subject's Behavior:

- Emotionally Disturbed Person Drugs Alcohol Unknown

EDP: Ensure when EDP is checked, it is not merely an agitated person.

Emotionally Disturbed Person Description:

- | | |
|---|--|
| <input type="checkbox"/> Does not appear to tire, despite heavy physical exertion | <input type="checkbox"/> Naked / Partially clothed |
| <input type="checkbox"/> Doesn't respond to police presence | <input type="checkbox"/> Extremely violent / aggressive |
| <input type="checkbox"/> Constant / near constant physical activity | <input type="checkbox"/> Excessive heat / hot to touch |
| <input type="checkbox"/> Incoherent Speech | <input type="checkbox"/> Excessive sweating |
| <input type="checkbox"/> Very rapid breathing | <input type="checkbox"/> Unbelievable strength exhibited |
| <input type="checkbox"/> Unknown | <input type="checkbox"/> Attraction to glass: destruction of glass / mirrors / vehicle |
| <input type="checkbox"/> Pain compliance ineffective | |

OFFICER RESPONSE OPTIONS

***Mark all that apply**

- Presence Communication De-Escalation Tactical Repositioning

Physical Control - Soft:

- Pressure Points Joint Locks Escort Technique Other Effective

Physical Control - Hard:

- Strikes Effective

Lateral Vascular Neck Restraint (LVNR) (Carotid Control): Yes

- Standing Ground Fighting Both

- Subject rendered unconscious? Yes

Intermediate Weapons:

- OC Spray** Yes

- Draw and display only Pointed at subject OC spray applied Effective Decontamination

If not, briefly explain:

Perceived distance from subject when force response deployed:

- 0-2 meters 3-5 meters 6-10 meters Greater than 10 meters Effective

Baton: Yes

- Draw and display only Number of strikes if known: Effective

Target Area:

Impact area(s):

K9: Yes

- Deployed (if yes see PSD report) Tracked Effective Contact

Conducted Energy Weapon (CEW): Yes Verbal Challenge Effective
 Model _____ Serial Number _____

- Draw and display only
 Weapon pointed at subject Laser sight activated Spark display
 activated Contact Stun Deployment Probe Deployment
 Number of cartridges fired: _____

Cartridge Serial Numbers: _____

Duration of cycle, if known: Full Partial Number of cycles, if known: _____
 Did the probes break the skin? Yes No Not known

Describe probe impact points (if known): Not known

Top Probe: 1st _____ 2nd _____ 3rd _____ Bottom Probe: 1st _____ 2nd _____ 3rd _____
 Location(s) of Contact Stun: 1st _____ 2nd _____ 3rd _____ Perceived distance from subject when force response deployed: _____

- 0-2 meters 3-5 meters 6-10 meters Greater than 10 meters

Effective Final position of subject once control gained:

- Prone If prone, any weight on back / shoulder? Yes No
 Unknown Side-lying Face-up Sitting Unknown

Other: _____

Front View

Head
 Left Trap
 Left Shoulder
 Left Chest
 Left Upper Abdomen
 Left Lower Abdomen
 Left Biceps
 Left Forearms
 Left Upper Leg
 Left Lower Leg

Right Trap
 Right Chest
 Right Upper Abdomen
 Right Lower Abdomen
 Right Biceps
 Right Forearms
 Right Upper Leg
 Right Lower Leg
 No Contact
 Right Shoulder

Back View

Left Trap
 Left Upper Back
 Left Lower Back
 Left Tricep
 Left Forearm
 Left Upper Leg
 Left Forearm
 Left Upper Leg
 Right Trap

Head
 Right Upper Back
 Right Lower Back
 Right Tricep
 Right Forearm
 Right Upper Leg
 Right Lower Leg
 No Contact

Officer Body Cam Activated: Yes No

Firearm: Yes

Model:

Caliber:

Serial #:

Draw and display only Weapon pointed at subject Ballistic force applied
Number of rounds fired if known: Effective

Perceived distance from subject when force response deployed:

0-2 meters 3-5 meters 6-10 meters Greater than 10 meters Effective

Weapons of Opportunity / Improvised Weapons: Yes

Describe:

Perceived distance from subject when force response deployed:

0-2 meters 3-5 meters 6-10 meters Greater than 10 meters Effective

Restraints:

Hand Cuffs Flex Cuffs

INJURIES (AS A RESULT OF USE OF FORCE BY OFFICERS)

SUBJECT:

No injuries EMS contacted Treated and Released at scene Treated and Released at hospital Hospitalized
 Death Refused treatment Involuntary Psychiatric Assessment Act (Form 1)

OFFICER:

No injuries EMS contacted Treated and Released at scene Treated and Released at hospital Hospitalized
 Death Refused treatment

OTHERS:

No injuries EMS contacted Treated and Released at scene Treated and Released at hospital Hospitalized
 Death Refused treatment

***Please note if an Officer is injured a Form 67 must be submitted**

OFFICER NARRATIVE (IF ADDITIONAL SPACE IS REQUIRED PLEASE ATTACH TO FORM)

Officers should be mindful to include the following as well as any other pertinent information:

- Subject history or other related information known to officer prior to contact (ie., violence reported/observed in complaint, criminal record, specialized skills/training, weapons, history, etc.)
- Briefly describe Subject behavior(s) including any pre-assault cues (ie., glaring, verbal threats, threatening body language, etc.)
- Describe officers' response to the subject behavior, include any de-escalation attempts, why the force option used was selected, officers perception of risk based on the situational factors, etc...

OFFICER NARRATIVE (CONTINUED)

USE OF FORCE INSTRUCTOR COMMENTS

(IF ADDITIONAL SPACE IS REQUIRED PLEASE ATTACH TO FORM)

Reviewed by Use of Force Instructor: Yes No

Instructors Name:

Instructors Signature:

Instructors Electronic Signature Checkbox:

Date (YY/MM/DD):

SUPERINTENDANT, DEPUTY CHIEF OR DESIGNATE COMMENTS

(IF ADDITIONAL SPACE IS REQUIRED PLEASE ATTACH TO FORM)

Superintendent, Deputy Chief or Designate Signature:

Superintendent, Deputy Chief or Designate Electronic Signature Checkbox:

Date (YY/MM/DD):

CHIEF'S COMMENTS (IF ADDITIONAL SPACE IS REQUIRED PLEASE ATTACH TO FORM)

Chief's Signature:

Chief's Electronic Signature Checkbox:

Date (YY/MM/DD):

Use of Force Incident Number