

USE OF FORCE REPORTING GUIDE

MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL

BC CORRECTIONS

ADULT CUSTODY DIVISION



June 15, 2020

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General

As an organization invested in safely supporting adults under our supervision, BC Corrections is committed to engaging with individuals with compassion, respect and dignity. We are mindful that incarcerated men and women have a past and with this knowledge, we must approach our work with a trauma informed perspective.

In those instances when there is a risk to incarcerated men and women, or staff, decisions regarding use of force will be based on assessing for and using the minimum level of force that is reasonably necessary – using communication in an attempt to de-escalate. Taking this approach aligns with our foundational principles of respect and dignity.

Use of Force

By virtue of their peace officer status and employment with BC Corrections, one of the powers entrusted to a correctional officer is the authority to use different levels of force. **Adult Custody Policy section 1.2.3** identifies four circumstances where a correctional officer may use a reasonable degree of force to:

- Prevent injury or death to a person;
- Prevent property damage;
- Prevent an incarcerated person from escaping; or
- Maintain custody and control of an incarcerated person.

Correctional centre staff *must* employ good judgment and perception of risk when determining if force is necessary. Essentially, they must consider whether there is no other reasonable alternative available which would prevent danger to self or others.

Balancing a correctional officer's decision to use force also includes the added requirement for personal accountability. Correctional officers must account for their actions. The first step in this process is completing a written report.

Written reports on use of force incidents are *critically* important because it is an officer's account of what happened during the incident and is one of the key documents used to explain all aspects of an incident in which force was applied.

There are different levels of review that can occur following a use of force incident and are generally dependent on the nature and/or severity of the circumstances. Use of force reviews are either a **primary** review or a **secondary** review. Occasionally, an operational review (Adult Custody Policy section 7.12) or even a critical incident review (section 2.3 of BC Corrections Management Services Policy Manual) may be ordered. **This resource guide is limited to the review and reporting requirements for a primary or a secondary review.** Staff should refer to relevant policy and consult their supervisor should they be asked to conduct either an operational or a critical incident review.

This **guide** is a resource document and is intended to provide direction to staff on how to review and report use of force incidents with a lens towards procedure and assistance to those involved in the incident. It is **not intended to replace any force options training or policy.**



Adult Custody Policy (ACP) section 1.2 on use of force should be thoroughly reviewed and referenced when completing use of force reviews.

Definitions

Use of force is the application of force by an officer in the course of their duties on or off the correctional centre’s property that is intended to gain the cooperation and control of an incarcerated person.

Under no circumstances will correctional centre staff apply force as punishment or participate in actions that are inhumane or degrading.

Punishment includes the infliction or imposition of vengeance, rough treatment or handling of an incarcerated person for retribution in response to behaviours which are unlawful.

Inhumane treatment means to treat an individual in a cruel way and cause unnecessary pain and suffering.

Degrading treatment is the deliberate act of shaming a person or removing their dignity.

Purpose of Use of Force Review

The **purpose of reviewing** use of force incidents is to objectively evaluate the application of force used by correctional centre staff to determine if force was used lawfully and consistent with training and policy.

The application of force is based on a number of factors which are illustrated in the BC Correction’s Force Options Model. The model promotes continuous assessment and evaluation of each situation and identifies force responses that may include one or more of the following:

- Physical handling and control;

s.15

s.15

s.15

s.15

, chemical, or irritant agents;

impact weapons;

Provincial Director Notification

Timeline and process – As soon as possible or within **two hours** of a use of force incident being contained, either the warden or designate (correctional supervisor, assistant deputy warden or deputy warden) provides an email notification to the provincial director (PD), deputy provincial director responsible for operations and the headquarters assistant deputy warden responsible for use of force policy and reporting (*The warden is copied when this task is completed by a designate).

The notification provides a **brief synopsis** of the use of force details and identifies whether the **preliminary assessment** suggests any of the following:

- The force used suggests injury to incarcerated person/staff or both; or
- Whether there is any other relevant information.

Email notification template to the PD:

Correctional centre:	VIRCC
Incarcerated person's name(s) and CS#(s):	JONES, John CS #01333888 and SMITH, Billy CS #01222555
Date and time of incident:	May 5, 2020 @ 15:00
Type (s) of force used:	s.15
Reason for use of force: (provide brief synopsis)	JONES and SMITH were fighting and refused to comply with staff direction to stop.
Staff assault (Y/N) (If yes, provide details)	No
Injury to incarcerated person/staff (Y/N)	No
Other additional details:	The initial review of the incident indicates whether the use of force was reasonable or proportional to the incident. A review of all incident related documents and video recordings are pending.

Responsibilities for Use of Force Reporting

Use of Force Report Part A: Use of Force Details - Correctional Supervisor

Timeline and process – Following a use of force incident, the correctional supervisor (CS), as soon as practicable, will initiate all **post-incident tasks**, including ensuring all **documentation** needed for the use of force review is gathered, including, but not limited to:

- Assigning incident reports to all staff who **applied** force, had direct **involvement** with the incident or who may be a **witness**;
- Ensuring all supporting documents and relevant forms (e.g. Client Injury Report, SMEAC, DVR checklist, special restraint apparatus form, WorkSafeBC form, etc.) are **thorough, complete** and contain all **necessary** information;
- Collecting, saving and cataloguing all incident-related DVMS and/or hand held, including all **engagement** with the incarcerated person **prior** to the application of force, the **application** of force, **escort** to health care (if applicable), and the escort to the end location (including removal of handcuffs, securing the incarcerated person in a cell, or arrival at a new location). Note: The DVR/DVMS and/or handheld camera footage includes the period **s.15** to the use of force incident and **s.15** the use of force incident has been contained;
- Advising/consulting health care staff and ensuring that a **health care assessment** (detailed in the Client Injury Report) is completed in all cases;
- Ensuring **photos** of incarcerated person's injuries are taken, if possible. If the incarcerated person **declines** photos to be taken, a **notation** of this is made in the Client Injury Report and a **description** of the injury is entered;
- Recording **decontamination** following the deployment of spray irritant;
- Notifying the **police** (when needed); and
- Determining if **charges** are appropriate under the *Correction Act Regulation (CAR)*.

The **Use of Force Report** is used to complete all use of force reviews and is available in CorrPoint.

Please see Addendum A: Incident Reports – Contents and Quality and Addendum B: Use of Force Checklist for further information.

Timeline and process – **Within two hours** of a use of force incident being contained, the CS will notify the provincial director of the use of force incident (please review the **Provincial Director Notification** section within this guide).

Timeline and process – **By end of shift** the CS completes the Part A: Use of Force Details section of the **Use of Force Report** and e-mails the report to the assistant deputy warden (ADW), including a preliminary review of the incident to provide a brief **synopsis** which may include any identified **concerns** or **deficiencies**.

Responsibilities for Use of Force Reviews

Use of Force Report Part B: Primary Review - Assistant Deputy Warden Assessment and Findings

Timeline and process – A **primary** review is completed by an assistant deputy warden (ADW) following *every incident* involving the use of force. The completed primary review is emailed to the warden, a deputy warden (DW) and the headquarters assistant deputy warden responsible for use of force policy and reporting **within s.15 of the use of force incident.**

A deputy warden (DW) is responsible for ensuring the Part A: Use of Force Details – Correctional Supervisor is accurately and thoroughly completed. The ADW will ensure the post-incident tasks and information gathered by the CS is **accurate** and **thorough** to provide a **thorough examination** of the use of force incident. The ADW will review all **incident related documentation** and **video** and interview staff, if deemed necessary.

A **follow-up** with the CS will occur when all required post-incident tasks have not been completed or supporting documents are not thorough, complete or do not contain all necessary information. The ADW will finalize any **outstanding duties** assigned to the correctional supervisor, including gathering of post-incident information and email notification of the use of force incident to the PD **within two hours** of a use of force incident being contained (please review the **Provincial Director Notification** section within this guide).

A primary review requires a *thorough analysis and assessment* of all incident-related documentation and video-recordings to determine whether the force applied by the officer(s) was **lawful** and **in compliance** with training and policy. This review identifies whether the officer(s):

- Performed a duty authorized or required by law;
- Acted upon reasonable and probable grounds;
- Acted in good faith;
- Complied with policy and approved training;
- Exhausted all non-physical alternatives; and
- Used the minimum amount of force necessary.

In making a recommendation, an ADW considers the following:

- Were the actions of the officer(s) reasonable through the perspective of other officers facing similar circumstances;
- Was the application of force consistent with the officers' training;
- Was the application of force based on the totality of the facts known to the officer at the time force was applied;
- Did the application of force comply with policy;
- Was the application of force used as a last resort and discontinued at the earliest opportunity;
- Was the application of force reasonable at its inception and in its duration; and
- Did the actions of the officer(s) lead to the escalation of the conflict or did the officer put themselves in a vulnerable position resulting in the application of force.

Refer to the BC Corrections Force Options Training Manual and to Adult Custody Policy on the use of force, as needed.

Assessment and Findings – After viewing all incident related materials, the ADW provides the DW with their written conclusion which offers their rationale whether:

- The force was **lawful, appropriate** and **consistent** with training and policy and no further review is needed; or
- There are **areas of concern** and **recommends** a secondary review.

At the conclusion of an ADW evaluation, if the primary review satisfies the officer(s)...

- Were performing a duty authorized/ required by law;
- Acting upon reasonable and probable grounds and in good faith;
- Had exhausted all non-physical alternatives;
- Were compliant with policy and approved training; and
- Used the minimum amount of force that was necessary,

... *then* there is no need for an ADW to recommend a secondary review.

The ADW's written conclusion is noted in "Part B: Primary Review – Assistant Deputy Warden Assessment and Findings" section of the Use of Force Report. The ADW may consult with a deputy warden (DW) prior to finalizing their primary review to determine whether a primary review is satisfactory or if a secondary is needed. The ADW forwards their primary review and discusses their findings with a deputy warden (DW). The DW is responsible for determining whether a primary review is sufficient, or whether a secondary review should be initiated.

A secondary review is **automatically** required per ACP 1.2.18 involving:



- A **reported injury** to staff;
- An injury to an incarcerated person due to the application of use of force;
- The use of a:
s.15

- Emergency response team (**ERT**) or cell entry and extraction team (**CEE**) use of force. (Note: If the ERT or CEE attends, but there is no use of force applied, a secondary review is *not required*).



Correctional centres develop processes to track recommendations resulting from use of force reviews and reports progress towards meeting recommendations to the headquarters assistant deputy warden responsible for use of force policy and reporting. Similar to the inspection process, all recommendations and action items identified in the secondary reviews are also tracked by headquarters to ensure the action items are completed.

Use of Force Report Part C: Secondary Review - Deputy Warden Assessment, Findings and Recommendations

Timeline and process – A secondary review is completed and emailed to the warden and the headquarters assistant deputy warden responsible for use of force policy and reporting *after* the primary review has been completed^{s.15} **of the use of force incident.**

A deputy warden (DW) is responsible for ensuring the Part A: Use of Force Details – Correctional Supervisor and Part B: Primary Review – Assistant Deputy Warden Assessment and Findings of the Use of Force Report are accurately and thoroughly completed.

The DW ensures post-incident documentation is copied to the shared drive under the appropriate correctional centre with the following naming conventions:

Year>Centre> Month> Type of force and name of incarcerated person.

For example, if a use of force incident involving ^{s.15} occurred at VIRCC on May 5, 2020, the incident related documentation would be copied into the following folder format:

Kind Drive: 2020 folder>VIRCC folder- 10 –^{s.15} – SMITH and JONES – 5May2020 folder.

The DW will ensure the completed primary review addresses the following elements:

- All documentation (including video) is thorough and complete;
- Whether the force used was lawful, necessary and reasonable;
- Whether the force used was consistent with policy and training; and
- If any identified concerns have been sufficiently addressed.

The warden is advised of the outcome of the primary review and provided a copy of the Use of Force Report.

The DW includes summary comments on their findings within the Use of Force Report. In order to assist with determining whether a secondary review is needed, the DW:

- Requires a briefing from the ADW;
- Has discussions/interviews with staff; and
- Completes a thorough analysis of all incident-related documentation and video recordings.

The DW completes a secondary review:

- When there are indications the officer(s) actions may not have been **lawful** or **consistent** with training and policy; or
- When **directed** by the warden, deputy provincial director responsible for operations or the provincial director;
- As a **quality assurance** measure; or

- **Automatically** for all use of force incidents (ACP section 1.2.18) involving:



- A **reported injury** to staff;
- An injury to an incarcerated person due to the application of use of force;
- The use of a:
s.15
- Emergency response team (**ERT**) or cell entry and extraction team (**CEE**) use of force. (Note: If the ERT or CEE attends, but there is no use of force applied, a secondary review is *not required*).

Secondary reviews require **consultation** with the BC Corrections Adult Custody Division force options coordinator. The consultation is recorded in the Use of Force Report. The headquarters assistant deputy warden responsible for use of force policy and reporting is **copied** when these consultations occur by email.

Secondary reviews are completed using “Part C: Secondary Review – Deputy Warden Assessment , Findings and Recommendations” section of the Use of Force Report within s.15 of the incident and provides their **detailed summary** of the use of force incident which includes their **assessment, findings and recommendations**.

At a minimum, the assessment/findings should:

- **Identify** all areas of concern;
- Provide **recommendations** to reduce the likelihood of a similar outcome; and
- Include a **proposed timeline** on when the action taken for the recommendations would be complete.

The warden is advised of the outcome of the secondary review and provided a copy of the Use of Force Report.



Correctional centres develop processes to track recommendations resulting from use of force reviews and reports progress towards meeting recommendations to the headquarters assistant deputy warden responsible for use of force policy and reporting. Similar to the inspection process, all recommendations and action items identified in the secondary reviews are also tracked by headquarters to ensure the action items are completed.

In exceptional cases, when workload issues will preclude timely reviews, a DW may request assistance from other trained personnel, and/or an extension of time from the warden. If a review is delayed beyond this new time limit, the reason for the delay will be addressed with the PD.



Remember...Primary reviews are appropriate when the information clearly depicts the force used was lawful and consistent with training and policy. If the circumstances suggest otherwise, then a secondary review is required. A primary review *will not* be sufficient in cases of a reported injury to staff/ incarcerated person, or when there is evidence that the incident was not lawful, or consistent with training and policy.

Headquarters Review

The headquarters assistant deputy warden responsible for use of force policy and reporting and the force options coordinator (when required) will review all incident-related documentation and video recordings to determine if:

- All of the reports are thorough and complete;
- The managers' findings are supported by the incident information;
- Concerns identified by the centre have been sufficiently addressed within the review;
- Relevant fields within the incident forms have been accurately completed; and
- All policy was followed.

The headquarters assistant deputy warden responsible for use of force policy and reporting has access to the centres' shared drive, so the Use of Force Report is the only needed attachment. However, any other incident related information that cannot be accessed by headquarters through the correctional centres' shared drive *must* be included.

Recommendations identified in a secondary review are also tracked by the headquarters assistant deputy warden responsible for use of force policy and reporting to ensure action items are completed. The completed reviews and incident related information is forwarded to the PD by the headquarters assistant deputy warden responsible for use of force policy and reporting.

Addendum A: Incident Reports – Content and Quality

The assessment of a use of force incident requires the completion and review of all incident reports to ensure thorough record keeping. Thorough recording keeping also serves to protect officers when false allegations of excessive use of force are made.

The expectation is that correctional centre staff who are directly involved in the incident and/or applied force will be assigned incident forms to complete. An incident report (i.e. primary/supplementary eForm) describing the application of force should be detailed and well-written by the staff member. Whenever possible, it should be the actual staff member who applied the force who writes the incident report as it is *their perspective* as a peace officer as to why that level of force was applied.

Incident reports are **completed independently** which ensures transparency and avoids the perception of collusion. Incident reports should be:

- **Factual** – Only include what actually happened and should not contain opinions, bias or assumptions;
- **Accurate** – Be free from mistakes or errors and grammatically correct;
- **Chronically correct** - Written in chronological order considering how the situation began, progressed and ended
- **Clear** – Be free from confusion and ambiguity and easily understood;
- **Concise** – Include all necessary information and answers simple questions such as:
 - **Who** applied the force;
 - **What kind(s)** of force were applied;
 - **When** and **where** did the incident occur;
 - **Were warnings provided** to the incarcerated person, and if not, **then why**, etc.; and
- **Timely** – Should be completed as soon as possible.

Additional Information on incident forms, both primary and supplementary, is available in the **Incident Form Quick Reference Guide** available on CorrPoint.



Incident reports or any written correspondence are subject to the *Freedom of Information and Protection of Privacy Act (FOIPPA)*. And, anything contained within an incident report may be used for an investigation, inquiry or used as evidence in court.

Addendum B: Use of Force Checklist

- Use of force incident reported to headquarters (provincial director, deputy provincial director responsible for operations, headquarters assistant deputy warden responsible for use of force policy and reporting) within 2 hours of the incident being contained using the e-mail template.
- Post-incident details collected and Part A: Use of Force Details of the Use of Force Report completed by the correctional supervisor.
- All relevant DVR/DVMS and/or handheld camera footage preserved for entire of use of force incident, including all engagement with the incarcerated person(s) prior to the application of force, the application of force, escort to health care (if applicable), and the escort to the new destination (including removal of handcuffs, secured in cell, or arrival at new destination). The DVR/DVMS and/or handheld camera footage includes the period^{s.15} to the use of force incident and ^{s.15} the use of force incident has been contained;
- All relevant documents gathered for the use of force incident (Please select all that apply):
 - A copy of the use of force notification email sent to the provincial director;
 - All relevant DVR/DVMS video footage;
 - All relevant handheld video footage (if applicable);
 - All relevant forms (i.e. special handling apparatus, SMEAC, client injury, etc.);
 - Photographs of injuries (if applicable);
 - Incident report(s);
 - Healthcare assessment;
 - Police notification information (if applicable); and,
 - Completed Use of Force Report (primary or secondary review).
- Review completed Use of Force report to ensure there are no administrative errors (ensure correct date, incarcerated person(s), CS number(s), incident number, type of event, type of force, type of video available, and type of review (Primary or Secondary Review).
- Transfer all documentation selected above to the shared drive.
- Email headquarters assistant deputy warden responsible for use of force policy and reporting to advise all records are on the shared drive and ready for review.
 - Include a brief synopsis of the incident (one or two lines) and other relevant information
 - Ensure the subject line of the email identifies that it as a use of force incident and includes the:
 - Name of the correctional centre;
 - Type of force used;
 - Last name of incarcerated person(s); and
 - Date the incident occurred (e.g. UOF – VIRCC –^{s.15} – SMITH&JOHNS – 5MAY2020)
 - Include only one use of force incident per email

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1.2. Use of Force (revised: Mar-21)

1.2.1. Policy objective

1. This policy ensures that the Corrections Branch maintains a safe environment in correctional centres and protects the public, staff, and inmates by responding to aggressive and/or non-compliant inmate behaviour through the graduated use of force and our foundational principles of respect and dignity.
2. The policy sets out the scope of lawful uses of force by correctional officers in carrying out their duties. The use of force will be based on assessing for and using the minimum amount of force reasonably necessary. Wherever possible, communication will be used first in an attempt to de-escalate.

1.2.2. Statutory/ regulatory authority

1. Correctional officers derive the authority to use force from section 12 of the *Correction Act*, section 9 of the *Correction Act Regulation*, and section 25(1) of the *Criminal Code*.
2. Correctional officers are peace officers while carrying out their duties under the *Correction Act* and *Correction Act Regulation*.
3. Additional statutory provisions relating to use of force are found in sections 25, 26, 27, 30, 32, 33, 34, and 35 of the *Criminal Code*.

1.2.3. Lawful uses of force by a correctional officer

1. Correctional officers may use a reasonable degree of force to:
 - Prevent injury or death to a person;
 - Prevent property damage;
 - Prevent an inmate from escaping; or
 - Maintain custody and control of an inmate.
2. Correctional officers are justified in using force and may have protection from civil and criminal liability, according to section 25(1)(b) of the *Criminal Code*, when the officer:
 - Acts in good faith and on reasonable grounds;
 - Carries out a duty required or authorized by law; and
 - Uses only the minimum amount of force reasonably necessary to achieve the lawful purpose.

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1.2.4. Excessive force — liability

1. Any person, including a correctional officer, may be subject to criminal liability for excessive use of force pursuant to section 26 of the *Criminal Code*.
2. The Corrections Branch, and possibly the individual correctional officer, may also be civilly liable for excessive use of force.
3. Correctional officers may be subject to internal disciplinary measures relating to excessive use of force.

1.2.5. Prohibited force

Under no circumstance may a correctional officer apply force as punishment or participate in actions that are inhumane or degrading.

- “Punishment” includes the infliction or imposition of vengeance, rough treatment or handling of a person for retribution in response to behaviours which are unlawful.
- “Inhumane” treatment means to treat an individual in a cruel way and cause unnecessary pain and suffering.
- “Degrading” treatment is the deliberate act of shaming an individual or removing their dignity.

1.2.6. Individual judgment and perception

1. Correctional officers have a duty to employ good judgment in assessing situations to determine if use of force is authorized and necessary, and which level of force is appropriate.
2. Correctional officers must be able to demonstrate that judgment and perception of risk leading to the use of force—and the force applied—are objectively reasonable under the circumstances.

1.2.7. Proportionality

1. Force used by correctional officers is proportional to the risk presented.
2. The degree of force used is adequate to effect control, and its application is discontinued at the earliest reasonable opportunity.
3. Force that may cause grievous bodily harm may be used only in cases when it is reasonable to believe there is a threat of serious bodily harm or death to the staff member applying force, to the inmate or other inmates, or to other staff.

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1.2.8. Control and force options

1. The correct intervention allows for the application of the necessary force option, relative to the situation, to establish and maintain control over the inmate.
2. Correctional centre staff use techniques, weapons, apparatus, or devices that are approved by the Corrections Branch and for which they have received training or been certified.
3. The BC Corrections Force Options Model includes:
 - Officer presence;
 - Verbal communications;
 - Gestures;
 - Control techniques;
 - Irritants;
 - Chemical munitions;
 - Impact weapons; and

s.15

Force options are not listed in order and are used based on the officer's continued assessment of the situation, which may change as circumstances unfold, as outlined in sections *1.2.6* and *1.2.7*.

1.2.9. Officer presence

Officer presence occurs when an inmate perceives that correctional officers have the authority and ability to exercise control.

1.2.10. Verbal communications

1. Verbal communications are techniques that can include advising, negotiating, de-escalating, defusing, warning, or providing direction.
2. The goal of verbal communication is to facilitate the cooperation of an inmate to effect voluntary compliance with the priority of keeping officers, inmates and the public safe.

1.2.11. Gestures

Gestures are non-verbal communications that include facial expression, eye contact, body language and light hand contact to shoulder, arm or back to reinforce verbal directions given to an inmate.

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1.2.12. Control techniques

1. Control techniques include any use of weaponless physical control or restraint device used to compel compliance, prevent escape or assaults, and stop physical aggression or self-harm. Restraint devices may include handcuffs, leg irons, belly chains or approved body restraint apparatus.
2. Control techniques can be categorized as either soft or hard physical control:
s.15

1.2.13. Irritants and chemical munitions

1. Irritants and chemical munitions are considered intermediate weapons and may include s.15 devices or other chemical munitions as listed on the Adult Custody Division *Scale of Issue*.
2. Irritants and chemical munitions may be deployed:
 - To stop assaults, physical aggression, and/or gain control;
 - For crowd control, riots, hostage taking or barricaded inmates; or
 - In circumstances when warranted and necessary to compel compliance.

1.2.14. Impact weapons

1. Impact weapons are devices used in situations:
 - Where the officer perceives the inmate has the intent and means to cause immediate and serious grievous bodily harm to an officer or others; or
 - When an inmate is attempting to escape.
2. Impact weapons include s.15
s.15
3. The s.15 must only be considered when:
 - The inmate is causing serious grievous bodily harm to others; or

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- The officer has reasonable grounds to believe that the inmate will imminently cause bodily harm to others.

1.2.15. Reporting requirements

1. The warden maintains a written record of all use of force incidents.
2. The warden or designate ensures all use of force incidents identified in sections *1.2.12* to *1.2.14* and section *2.4*, other than the use of mechanical restraints employed in external or internal escorts, are reported to the provincial director, deputy provincial director responsible for operations, warden responsible for security and quality management, and the headquarters assistant deputy warden responsible for use of force policy and reporting within two hours of the incident being contained. The email notification to s.15 includes:
 - A brief synopsis of the circumstances;
 - Whether the preliminary assessment suggests injury to inmate/ staff or both; and
 - Whether there is any other relevant information.
3. Correctional centre staff refer to the *Use of Force Reporting Guide* for further direction on reporting use of force incidents.
4. Incidents involving force are recorded using the *Use of Force Report*.
5. The warden or designate ensures relevant incident-related documentation and video recordings are collected, including:
 - Incident reports from all individuals present and directly involved in the incident or who may be a witness able to provide substantive information;
 - All supporting documents and relevant forms (e.g. *Client Health Assessment Report*, *SMEAC*, etc.) are thorough, complete and contain all necessary information;
 - All incident-related DVMS and/or hand held video footage (if applicable) of the entire use of force incident is collected and saved in its entirety, including all engagement with the inmate prior to the application of force, the application of force, escort to health care (if applicable), and the escort to the end location (including removal of handcuffs, securing the inmate in a cell, or arrival at a new location). The DVMS and/or handheld video footage includes the period s.15 to the use of force incident and s.15 the use of force incident has been contained;
 - Photographs of injuries (if possible); and
 - Police notification information (if appropriate).

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6. Immediately after the use of force incident, inmates are seen by health care. The health care assessment (detailed in *Client Health Assessment Report*) is completed following the incident or as soon as possible if the inmate is not able to immediately participate in a health care assessment. If the inmate is injured, the injury is photographed, and a *Client Health Assessment Report* is completed. If the inmate declines photographs to be taken, a notation of this is made in the *Client Health Assessment Report* and a description of the injury is entered.
7. Correctional centre staff notify police when an incident of inmate violence has occurred (e.g. fight or assault) and document the police file number, if provided by the police.
8. The completed Part A: Use of Force Details – Correctional Supervisor in the *Use of Force Report* is submitted to an assistant deputy warden before the end of shift.

1.2.16. Review Process and responsibilities

1. The warden ensures all use of force incidents are reviewed to evaluate whether the application of force was lawful, appropriate, and consistent with training and policy.
2. Reviews of incidents involving force are completed using the *Use of Force Report*.
3. Correctional centre staff refer to the *Use of Force Reporting Guide* for further direction on use of force reviews.
4. Correctional centre managers responsible for reviewing use of force incidents adhere to the following guidelines:
 - Incident-related documentation and video recordings as detailed in subsection 1.2.15(5) are collected and reviewed to ensure they are thorough, complete, and contain all necessary information;
 - Any discrepancies, confusion, or lack of relevant information is addressed prior to finalizing the review; and
 - Concerns and recommendations are identified when required.
5. There are two types of reviews that can occur following a use of force incident. These include:
 - Primary review; and
 - Secondary review.

1.2.17. Primary review

1. A primary review is commenced by an assistant deputy warden following all incidents of force and includes a full analysis and assessment of incident-related documentation and video-recordings (when applicable).

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2. Primary reviews are completed using Part B: Primary Review – Assistant Deputy Warden Assessment and Findings in the *Use of Force Report* within s.15 of the incident.
3. A primary review identifies whether the correctional officer(s):
 - Performed a duty authorized or required by law;
 - Acted upon reasonable and probable grounds;
 - Acted in good faith;
 - Complied with policy and approved training;
 - Exhausted all non-physical alternatives; and
 - Used the minimum amount of force necessary.
4. The assistant deputy warden recommends whether a secondary review is required.
5. The deputy warden reviews the primary review and decides whether a secondary review is required.
6. The deputy warden submits the primary review to the headquarters assistant deputy warden responsible for use of force policy and reporting who conducts an assessment of the incident-related documentation and video recordings (if applicable) and notifies the provincial director of the outcome of the primary review and the assessment.
7. Correctional centres develop processes to track recommendations resulting from use of force reviews and reports progress towards meeting recommendations to the headquarters assistant deputy warden responsible for use of force policy and reporting.

1.2.18. Secondary review

1. A secondary review is completed by the deputy warden when there are indications the use of force may not have been lawful or consistent with approved training and policy.
2. A secondary review is automatically required for all use of force incidents involving:
 - A reported injury to staff;
 - An injury to an inmate due to the application of use of force;
 - The use of:

s.15

s.15

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s.15

- The emergency response (ERT)/cell entry and extraction team (CEE) use of force.

If the ERT or CEE attends, but there is no use of force applied, a secondary review is not required.

3. A secondary review may also be directed by a warden, the deputy provincial director responsible for operations, the provincial director, or as a quality assurance measure.
4. A secondary review identifies whether the use of force was reasonable or proportional to the incident and consistent with policy and training.
5. Correctional centres develop processes to track recommendations resulting from use of force reviews and report progress towards meeting recommendations to the headquarters assistant deputy warden responsible for use of force policy and reporting.
6. The deputy warden consults with the force options coordinator to review secondary reviews and records the consultation in the *Use of Force Report*.
7. Secondary reviews are completed using Part C: Secondary Review – Deputy Warden Assessment, Findings and Recommendations of the *Use of Force Report* and is submitted to the headquarters assistant deputy warden responsible for use of force policy and reporting within s.15
8. The headquarters assistant deputy warden responsible for use of force policy and reporting and the force options coordinator conducts an assessment of the incident-related documentation and video recordings (if applicable) and notifies the provincial director of the outcome of the secondary review and the assessment.
9. The headquarters policy and program analyst responsible for operations tracks the status of any recommendations resulting from secondary reviews.

1.2.19. Operational review

1. Operational reviews are ordered by the provincial director or warden and are carried out in accordance with section 7.12 of Adult Custody Policy.
2. An operational review is a formal review process that may be ordered when a use of force incident appears to be of a significant nature. Examples of use of force incidents that may result in an operational review include:
 - Force used resulted or may result in serious injury to inmates/ staff or both;
 - Actions of staff suggest misconduct; or
 - When a significant impact to the correctional centre is identified.
3. The force options coordinator is consulted for use of force operational reviews.

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1.2.20. Critical incident review

The assistant deputy minister may order a critical incident review when death or an injury likely to result in permanent and significant disability to an inmate occurs through a use of force incident. Refer to section 2.3 of the *Management Services Policy Manual*.