

THE ANTISOCIAL USE OF IMITATION FIREARMS AMONG YOUTH - PHASE I



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Executive Summary

Imitation firearms, including airsoft guns and pellet guns, can present serious public safety concerns. Although in Canada the possession of a fake weapon or imitation firearm is not prohibited, it is considered a criminal offence when used in the commission of another Criminal Code offence. The British Columbia Taskforce on Illegal Firearms (2017) reported that law enforcement, schools, and communities across British Columbia expressed growing concerns about the possession and use of imitation firearms, particularly among youth. There are also concerns over a growing number of youth who post photographs on social media sites depicting real or imitation firearms either glorifying the gang lifestyle or to intimidate others. Finally, there can be serious consequences when an imitation firearm is perceived to be a legitimate firearm. For example, the possession of legitimate-looking imitation firearms has resulted in numerous fatal shootings by Canadian police officers (Beeby, 2018; Lambert, 2019). Given these concerns, this research project reviewed existing literature on imitation firearms in Canada, the United States, and the United Kingdom, analysed quantitative data on the number of police calls for service that involved an imitation firearm between 2014 and 2018, reviewed public school district policies in British Columbia, and analysed qualitative data based on interviews with police officers and school district administrators to develop education awareness tools to be delivered in schools concerning imitation firearms.

Imitation firearms present a public safety concern in British Columbia, Canada, and many other Western nations. Within Canada, it remains relatively easy for individuals, including youth, to obtain a realistic-looking replica firearm due to a lack of restrictions in place regarding their sale. The possession of an imitation firearm can have serious consequences, either in the form of physically harming another with the weapon or being shot by police officers who are unable to determine the legitimacy of the weapon from a distance. Increasingly, the concerns with imitation firearms in British Columbian schools are that youth bring these weapons to school and share photos of these weapons on social media. It is evident that this issue needs to be addressed both at the governmental and community levels, by implementing increased regulations regarding imitation firearms as well as developing and implementing community-level education and preventative programming on the risks and consequences of the use of imitation guns both in a school setting, as well as in the community.

Data were provided by the Operations Strategy Branch (OSB) on the number of police calls for service that involved an imitation firearm. The data captured the incidents of imitation firearms that occurred in RCMP jurisdictions in British Columbia between 2014 and 2018. More specifically, this data reflected all founded occurrences whereby the most serious weapon noted was a firearm and the weapon status was coded as facsimile. In total, 277 imitation firearms incidents were identified. With respect to the most serious weapon coded, most incidents involved a handgun followed by other firearms, rifle or shotgun, and fully automatic firearms. The most common offences involved the use, discharge, or possession of firearms/weapons, robbery, and uttering threats. Nearly all individuals involved in imitation firearms incidents were male while nearly two-thirds of individuals were Caucasian and one-fifth were Indigenous. Individuals who were involved

in imitation firearms incidents ranged in age from 8 years old to 84 years old; however, the mean age was approximately 30 years old.

In total, 42 imitation firearms incidents reported to the RCMP in British Columbia that occurred between 2014 and 2018 involved only youth. Of these incidents, 70% involved an imitation firearm. The most common offence involved the use, discharge, or possession of an imitation firearm/weapon. The remaining three categories appeared to reflect the use of an imitation firearm to gain material possessions, gain status, or display bravado, as the offences were robbery, assault, assault with a weapon or assault causing bodily harm, and uttering threats. Nearly all the youth involved in imitation firearms incidents were male and slightly more than half of the sample was Caucasian. Youth who were involved in imitation firearms incidents ranged in age from 8 years old to 18 years old with a mean age of approximately 16 years old.

OSB also provided Canadian Police Information Centre (CPIC) data on 34 youth who were involved in 22 imitation firearms incidents. Based on this data, the typical youth who was the accused in an incident with an imitation firearm was a Caucasian male around the age of around 16 years old who acted alone and used, displayed, or brandished an imitation handgun. They had, on average, approximately eight prior offences on their record, with a mix of breaches and violent offences. Most commonly, a youth had a previous charge of failure to comply and, if they had a violent offence on their CPIC record, it was for assault or robbery. The overwhelming majority did not have a previous record of weapons-related offences for either a real or imitation firearm.

The school district policies of all 60 public school districts in British Columbia were reviewed to examine whether school districts had a weapons policy and if so, whether this weapons policy referred specifically to imitation firearms. Nearly all school districts had a policy that referred to weapons; however, of the school district policies that referred to weapons, only slightly more than one-third had a distinct weapons policy. Slightly more than one-third of school district policies referred specifically to imitation firearms.

Across all police and district school administrator interviews, participants noted that the number of imitation firearms related incidents that occurred annually remained low. When asked where the incidents typically occurred, participants suggested that social media (Instagram, Snapchat) and online were the primary locations, with very few cases in schools, at a residence, or in a public park. The nature of these imitation firearms related incidents most often included posting photos of individuals holding imitation firearms to social media. These photos were most commonly taken at a location away from school grounds and after school hours. This trend of posting to social media was perceived to be increasing with participants noting that there was no section of the *Criminal Code* that prohibited an individual from posting a photo with an imitation firearm online. Therefore, while concerning, the behaviour remained non-criminal.

In the very few situations that included a perceived imminent threat of violence to a school community, police participants noted that the threat was initially treated at the highest level and the weapon treated as though it was real until it could be established that the weapon was an imitation. Participants noted that the most common consequences for youth in possession of an imitation firearm or presenting any threat to the school was suspension and seizure of the firearm by school administration. In most districts, the Safe Schools Coordinator/Manager was involved in

the response and the young person was typically removed from the school until a determination was made that they no longer posed a threat, and it was deemed safe for them to return to school. In some cases, depending on the severity of the incident, the student was expelled and enrolled at another school.

Participants reported that most of the incidents involving imitation firearms involved males in the mid-secondary school range. While all participants indicated that they were aware of instances involving youth who were younger or older, for the most part, these incidents involved youth who were in Grades 10 and 11. The concern raised by many school district administrator participants was that these behaviours were beginning to appear in youth starting in Grade 7. This occurred because younger students were associating with older students that were engaged in some at-risk behaviours or had older siblings engaging in at-risk behaviours, including the use of imitation firearms. Some of the other reasons for younger people to either post pictures online with imitation firearms or to bring one to school are discussed below. While it was somewhat dependant on the demography of the school district, for the most part, participants indicated that those involved with imitation firearms were mainly Caucasian; however, other participants indicated that there was a growing number of racialized and Indigenous youth getting involved with imitation firearms. Another characteristic that all school district administrator participants mentioned was that these youth were known to the school and were considered part of the high-risk population of the school. Some of the characteristics of high-risk youth that were identified by participants associated with the possession of imitation firearms included poverty, lack of connection to prosocial peers, truancy or lack of connection, engagement, and commitment to school, a lack of participation in prosocial or positive activities, lack of parental supervision or boundaries, father-less or single parent homes, youth having too much unsupervised time due to parents' work schedules, family trauma, family addiction issues, frequent residential mobility, lack of positive male adult role models, mental health issues, drug use, gang affiliation, and involvement in criminal activities, such as dealing drugs.

When participants were asked to identify their greatest concerns about the use of imitation firearms by youth and to suggest topics or issues to cover in educational efforts, three main themes emerged. The first theme was that police were often unable to distinguish between a lethal firearm and an imitation firearm and the potential for serious injury to themselves was not often considered or understood by young people in possession of imitation firearms. The second theme was that the public shared this inability to distinguish between real and imitation firearms and might overreact to the presence of the imitation firearm, as the average citizen lacked the knowledge, experience, skills, and abilities to respond appropriately. The final theme was the lack of concern or understanding among parents of youth with imitation firearms about the seriousness of the situation and potential for criminal charges or, even worse, lethal outcomes for youth who possess, brandish, or attempt to use imitation firearms, especially in and around schools.

Based on the totality of the information collected for this report, a number of items were created and suggested as part of an education awareness 'toolkit' to address imitation firearms among students. This included two PowerPoint Presentations, a sample brochure, and three sample posters that can be used by schools, police agencies, and communities to raise awareness about the risk, dangers, and possible consequences associated with imitation firearms.

The Crime Reduction Research Program

The Crime Reduction Research Program (CRRP) is the joint-research model in British Columbia between academics, the provincial government, and police agencies operated by the Office of Crime Reduction – Gang Outreach. The CRRP is supported and informed by a Crime Reduction Research Working Group which includes representation from the Ministry of Public Safety Solicitor General (represented by Community Safety and Crime Prevention Branch and Police Services Branch), the Combined Forces Special Enforcement Unit of British Columbia and the Royal Canadian Mounted Police “E” Division.

The CRRP focuses on investing in research that can be applied to support policing operations and informing evidence-based decisions on policies and programs related to public safety in British Columbia. Each year, the CRRP reviews submissions of research proposals in support of this mandate. The CRRP Working Group supports successful proposals by working with researchers to refine the study design as necessary, provide or acquire necessary data for projects, and advise on the validity of data interpretation and the practicality of recommendations.

The CRRP operates a \$1M annual funding allocation in the form of grants that are dedicated to support university-led research at Canadian institutions. This project was supported through the 2019/20 CRRP funding allotment.

Introduction

Imitation firearms, including airsoft guns and pellet guns, are a serious public safety concern in British Columbia. It can be very easy for people, especially young people, to acquire an imitation firearm. A leading public safety concern is that many imitation firearms are indistinguishable from real weapons, and are being used for the purposes of intimidation, extortion, robbery, and protection on school grounds or in public areas. Imitation firearms can be purchased online but are also available for purchase at retail outlets across Canada, and while some locations require the purchaser to be at least 18 years old, many retailers have no restrictions on the sale of these devices.

The British Columbia Taskforce on Illegal Firearms, in their 2017 report to the British Columbia Government, noted that between January and June 2015, the National Weapons Enforcement Support Team, Western Region (NWEST) recorded 702 occurrences of police calls for service where imitation, airsoft, and pellet firearms were directly or indirectly involved in a variety of offences. The recorded types of offences included assault, weapons possession, drugs, and robbery calls for service, as well as mental health calls for service. The British Columbia Taskforce on Illegal Firearms (2017) also reported that law enforcement, schools, and communities across British Columbia expressed growing concerns about the possession and use of imitation firearms, particularly among youth. Moreover, there are a growing number of youth who post photographs on social media sites depicting real or imitation firearms either glorifying a gang lifestyle or to intimidate others. There is also a concern that youth possession of an imitation firearm may be a precursor to trying to obtain a real firearm.

Over the past few years, school districts from across British Columbia have also seen an increase in the number of imitation firearms being carried and seized from students at school and in the community (Christmas & Powles, 2019; Lambert, 2019). Surprisingly, British Columbia does not currently have any specific legal or regulatory restrictions on carrying imitation firearms in schools, although some schools have policies that prohibit the presence of weapons or replica weapons. Still, some youth may consider imitation firearms harmless. Others might see them as useful for target practice. Yet, given the lack of research, it is unclear in what ways or for what purposes imitation firearms are being used, and the extent to which youth have an understanding and appreciation of the public safety risks and dangers related to possessing or brandishing an imitation firearm.

From the perspective of law enforcement, calls for service involving the presence of imitation firearms present a serious threat to public safety. When police are dispatched to calls where someone has reported a person with a firearm, the public safety threat is the direct result of the inability of an officer to establish, in the first instance, whether the firearm is real or capable of firing. Although the firearm may turn out to be an imitation, first responders must attend the scene quickly as the presence of a weapon is deemed a high priority call and officers may be compelled to use lethal force to resolve the situation. In effect, someone brandishing an imitation firearm puts themselves, first responders, and the public in danger. When reports of individuals brandishing firearms occur in or around schools and other public spaces, the police response may include an area lockdown. This can contribute to heightened levels of stress among students, parents, and community members, and significant financial and opportunity costs as well.

Project Objectives

Given the number of occurrences, growing community concerns, and questions with respect to motivations of youth, this research project collected information from schools across British Columbia and police organisations in the Lower Mainland on incidents in which a young person possessed or brandished an imitation firearm in or around a school, as well as all other incidents that the police or schools were aware of involving an imitation firearm. This information was used to develop an education awareness toolkit that can be used by schools, police agencies, and communities about the risks, dangers, and possible consequences associated with imitation firearms.

Project Methodology

The first component of this project involved a review of the existing literature focusing on imitation firearms in Canada, the United States, and the United Kingdom. The focus of this review was research on the rates of imitation firearms and the best practices and common practices used to address imitation firearms among young people in and around schools. The literature review also explored how and why imitation firearms were used by youth and the relationship between imitation firearms, crime, imitation firearms as a gateway to firearm possession, and gang recruitment or involvement. In addition, British Columbia school district policies were reviewed to determine the degree to which current policies address imitation firearms. This information was then used in the development of the education tools for schools.

Quantitative data was also collected and analysed. The source of the data was information that Operations Strategy Branch (OSB) provided on the number of police calls for service that involved an imitation firearm. This data included the type of imitation firearm, the nature of the incident, the location of the incident, and any demographic and criminal history data associated to the offender over the past 10 years. This data was used to understand the scope of the issue in British Columbia and some basic information about those who possessed and brandished imitation firearms that came to the attention of the police, and some of the ways that imitation firearms are being used.

A second source of data was based on interviews with police officers and school district administrators. In consultation with the Office of Crime Reduction and Gang Outreach, the authors of this report identified the five RCMP detachments in the Lower Mainland that had the largest number of incidents of imitation firearms among youth that occurred in RCMP jurisdictions between 2014 and 2018. Moreover, these five RCMP detachments also had school liaison officers (SLOs) or youth officers assigned or responsible for schools in their jurisdiction. It was a sample of these youth officers or SLOs and the School District Administrators who were interviewed.

The interviews focused on the number of incidents that involved an imitation firearm, the nature of the incident, the type of imitation firearm used, the type of response from the school and the police, the outcome of the incident, and prevention and intervention strategies undertaken by schools and the police in relation to imitation firearms. The interviews also solicited information about participants' concerns regarding the use of imitation firearms by youth, what factors they believe

contributed to the use of imitation firearms by youth, and the challenges associated with responding to these incidents when they take place on school property.

Participation in the interviews was voluntary and those willing to participate were informed of the purpose of their interview and the research project. Of note, the interviews were not recorded using video or audio recording devices and all information provided by participants was anonymised prior to analysis. Once the interviews were completed, all the anonymised information was collated and qualitatively analysed for common themes. The analyses focused on the themes that emerged from the specific content provided by participants during their interviews, in addition to latent content demonstrating any underlying themes. In total, 21 youth officers and/or SLOs from five RCMP detachments and six school district administrators from five school districts participated in interviews for this project. This information was used in the development of the education tools for schools.

Finally, the literature review, quantitative data, and qualitative data were used to develop education awareness tools to be delivered in schools concerning imitation firearms. These include educational presentations that can be delivered to youth and their parents or caregivers focusing on the nature and prevalence of the issue, risk factors associated with the use of imitation firearms, the consequences to youth when police respond to incidents, the effect of such incidents on the community, and the safe and proper use and storage of imitation firearms.

Literature Review

Imitation firearms, including airsoft guns and pellet guns, can present serious public safety concerns in British Columbia (BC). However, the possession of a fake weapon or imitation firearm is not prohibited in Canada. It is only considered a criminal offence when used in the commission of another *Criminal Code* offence. In that case, in addition to the penalty resulting from the primary offence, the use of an imitation firearm in the process of attempting or committing a criminal offence carries a mandatory minimum sentence of one year in prison (Section 85(2), *Criminal Code of Canada*, 1985). Ambiguities and challenges arise because items that very closely resemble legitimate firearms and are legal to own, such as BB or pellet guns, are routinely manufactured by companies and sold in retail stores (Christmas & Powles, 2019). Because of this, it can be very easy for people, especially young people, to acquire an imitation firearm. A primary concern is that many imitation firearms are indistinguishable from real weapons, either by design or because they have been painted black to resemble legitimate firearms, and are being used for criminal purposes, including intimidation and robbery, as well as being used as a form of personal protection on school grounds or in public areas. Imitation firearms can be purchased online but are also available for purchase at retail outlets across Canada. While some locations require the purchaser to be at least 18 years old, many retailers have no restrictions on the sale of these devices (Christmas & Powles, 2019; Lambert, 2019).

Not only is the possession of an imitation firearm a substantial public safety concern for Canadians, but there can be serious consequences when an imitation firearm is perceived to be a legitimate firearm. Christmas and Powles (2019) noted that the discussion of non-lethal weapons in Canada emerged in 2008, when a 13-year-old boy in Manitoba was accidentally shot in the eye with a pellet

gun and died as a result of the injury (see also “Man charged”, 2010). Conversely, the possession of legitimate-looking imitation firearms has resulted in numerous fatal shootings by Canadian police officers (Beeby, 2018; Lambert, 2019). Notable incidents include the shooting of Toronto resident Ian Pryce in 2013 by police officers while he was carrying a pellet gun. Pryce suffered from schizophrenia and was shot by police in a stand-off because the pellet gun in his possession was perceived to be a legitimate firearm (Gillis, 2015). In another incident, Daniel Clause was fatally shot by a Toronto police officer in 2014 for pointing a pellet gun directly at the officer after the officer attempted to stop and verify Clause’s identify because he matched the description of a recent robbery suspect (Nanowski, 2016). As a third example, Mark DiCesare was fatally shot by Winnipeg police officers in 2015. DiCesare pointed a BB gun that resembled a submachine gun at police officers while driving and, after being chased by police, pointed the gun directly at police officers upon exiting his vehicle (Lambert, 2019). In all of the above cases, the firearm was perceived to be legitimate by the attending police officers. Each of these events demonstrates that the possession of realistic-looking imitation firearms poses a substantial safety threat not only to the public but may also have fatal consequences for the individual in possession of an imitation firearm.

DEFINING IMITATION FIREARMS

In the literature, the terms “imitation firearms” and “replica firearms” are often used interchangeably. The RCMP defines a replica firearm as any “device that is not a real firearm, but that was designed to look exactly or almost exactly like a real firearm” (RCMP, 2012, para. 2). In addition, “replica firearms” used in the commission of a criminal act are included under the *Criminal Code* definition of “imitation firearms”, which is simply defined as “anything that imitates a firearm, and includes a replica firearm” (Criminal Code, 1985).

Many different definitions of what constitutes a replica/imitation/toy firearm have been used in various studies. Additionally, some studies focus on non-legitimate firearms that are capable of firing, such as the focus on “non-powder firearms” (e.g., Christmas & Powles, 2019). Other studies only focus on fake firearms that are not capable of firing anything, such as a focus on “toy guns” (Ekstrand, 2003). By these definitions, imitation firearms would include items such as realistic-looking toy guns, BB guns, pellet guns, airsoft guns, cap guns, or any other type of gun, whether the object is capable of firing some form of projectile or not, that resembles a legitimate firearm of any kind.

RATES OF IMITATION FIREARMS USE

Within Canada, the United States, and the United Kingdom, there is a paucity of research focusing on the use of imitation firearms. Moreover, the illegal or unlawful use of imitation firearms has been poorly tracked by law enforcement, educational institutions, and health agencies. There is a general lack of reliable data on the use of imitation firearms in criminal offences by either youth or adults, deaths as a result of imitation firearms, or deaths of individuals wielding imitation firearms who were killed by police officers. This lack of data is generally attributed to the fact that police do not have a standardized method of coding this type of occurrence in their databases (Carter et al., 1990; Hoops & Teret, 2017; Povey et al., 2008). For example, there are no databases that focus exclusively

on imitation firearms use at the national level, nor general databases that accurately capture imitation firearms use (Carter et al., 1990; Gregory, 2019; Sneed, 2014). An additional challenge is posed by the fact that self-reported rates of imitation firearms usage are substantially higher than official reports by law enforcement agencies (Ekstrand, 2003; Wheal & Tilley, 2009). Therefore, despite imitation firearms being recognized as a major issue within Canada, the United States, and the United Kingdom, a lack of data and the ability to track the usage of imitation firearms has hindered the ability to address the true scope of the issue on a national or international level. The following sections outlines the relevant and available literature on the use and tracking of imitation firearms in the United States, the United Kingdom, and Canada.

CANADA

In accordance with section 2 of the Canadian *Criminal Code* (1985), a firearm is defined as “a barrelled weapon from which any shot, bullet, or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person...and anything that can be adapted for use as a firearm.” Thus, the classification of what device is deemed a firearm under the law is contingent upon the capability of the device to cause serious bodily injury (*Criminal Code*, 1985, § 2). To help quantify the velocity required to cause serious bodily injury, an experimental study was conducted to determine the velocity at which a 0.170-inch diameter steel BB pellet would penetrate a pig’s eye using a Crossman Power Master Model 760 BB gun (Powley et al., 2004). Given that damage to the cornea can result in severe vision impairment or a loss of an eye, this type of injury was operationalized as representing a “serious bodily injury” in the study. The authors suggested that the V-50, known as the ballistic limit or the velocity at which 50% of projectile rounds penetrated a surface, for a steel BB was 246 feet per second (i.e., 75 metres per second). In effect, this was the threshold established to cause serious injury in humans (Powley et al., 2004).

Section 84(3) of the *Criminal Code* (1985) outlines several devices that are exempt from firearm classification under the law. These include “any other barrelled weapon, where it is proved that the weapon is not designed or adapted to discharge a shot, bullet, or other projectile at a muzzle velocity exceeding of 152.4 metres per second” (i.e., 500 feet per second). However, as shown previously, this is much greater than the 75 metres per second minimum V-50 threshold to cause serious injury.¹ During an appeal to the Supreme Court of Canada in *R v. Dunn* (2014), Detective Christopher O’Brien, an expert witness and firearm examiner with the Ottawa Police Service (OPS), acknowledged that an airgun muzzle velocity as low as 214 feet per second could be classified as a “firearm” because a projectile travelling at that speed could result in serious bodily injury (Participant’s Factum, paras. 9-10). O’Brien stated that it was very easy to purchase an air gun at

¹ Other devices that are not classified as firearms include: “(1) any antique firearm; (2) any device that is designed exclusively for signalling, for notifying of distress, for firing blank cartridges or for firing stud cartridges, explosive-driven rivets or other industrial projectiles; and (3) any shooting device that is designed exclusively for the slaughtering of domestic animals, the tranquilizing of animals or the discharging of projectiles with lines attached to them” (*Criminal Code*, 1985, pt., 3, § 84).

stores, such as Canadian Tire, under the 500 feet per second threshold, which requires no registration. In this case specifically, a Crosman Pro 77 airgun was assessed by O'Brien at an average muzzle velocity of 261.41 feet per second with 0.177-inch diameter BB pellets. His conclusion was that this air gun was capable of inflicting serious injury (Participant's Factum, para. 10). Given these facts, Justice Rosenberg (*R v. Dunn*, 2014) used three criteria for defining a firearm: (1) a barrelled object capable of firing a projectile less than 214 feet per second or 246 feet per second (i.e., the V-50 threshold) is not a "firearm" because it will not cause serious injury or death; (2) a barrelled object capable of firing a projectile more than 214 feet per second or 246 feet per second (i.e., the V-50 threshold) is a "firearm" because of the likelihood of causing serious injury or death; and (3) a barrelled object capable of firing a projectile more than 500 feet per second would meet the definition of a "firearm" in the *Criminal Code* and the *Firearms Act* and are required under law to be registered (Participant's Factum, para. 34). In addition, scholars from the Canadian Pediatric Society have argued that the government should aim to categorize air guns or BB guns with muzzle velocities high enough to cause serious injury or death (e.g., perforate an eye) as firearms under Canada's *Firearms Act* and those with lower muzzle velocities under the *Canada Consumer Product Safety Act* (Austin & Lane, 2018). In sum, it is apparent that a non-powder gun (e.g., air gun, BB gun etc.) may not exceed the muzzle velocity threshold to be classified as a firearm for one definition, but could very well meet the second definition of a firearm if the device has the capability of causing serious bodily injury (*Criminal Code*, 1985). Lastly, the capability to cause serious bodily injury under the *Criminal Code* and the limit of 152.4 metres per second under the *Firearm Act* raises two major questions: (1) whether the muzzle velocity threshold should be lowered to more accurately capture the legal meaning of a "firearm" as a weapon capable of serious injury or death and (2) whether multiple thresholds are necessary to capture the variability in perforation injuries among different types of pellet material and calibre.

Types of Non-Powder Guns that are Firearms

The RCMP (2020) website lists regulations based on firearm type, function, appearance, and use. For example, air guns are inclusive of pneumatic (compressed air) and spring-air powered systems (i.e., BB guns, pellet guns, spring guns or air soft guns), and the same laws apply to CO₂ or nitrogen gas systems as well. Under Canadian law, air/gas guns are further classified into four different groups based on the following criteria:

1. **A firearm:** Under the *Firearm Act*, an air gun is considered a firearm when it possesses the following functions: "a high muzzle velocity (greater than 152.4 metres or 500 feet per second) and a high muzzle energy (greater than 5.7 joules or 4.2 foot-pounds)".
2. **A firearm based on use:** Under the *Firearms Act* and the *Criminal Code*, an air gun with a "maximum muzzle velocity of 152.4 metres or 500 feet per second and/or a maximum muzzle energy of 5.7 joules or 4.2 foot-pounds" are excluded from licensing, registration regulations, and the classification of a "firearm." Yet, if this type of air gun is used in any criminal offence described in the *Criminal Code*, the offender is subjected to the same penalties regardless of muzzle velocity (RCMP, 2020). For instance, in Canada, sections 85(2), 88(1), and 90(1) of the *Criminal Code* (1985) outline illegal use or possession

offences involving imitation firearms when: (1) committing or attempting to commit an indictable offence, even in the absence of intent to cause injury or harm; (2) possessing an imitation firearm for a purpose that is disruptive to public peace (i.e., creating fear or panic); and (3) concealing a weapon (e.g., replica firearm) for the purpose of intimidating or threatening another individual.

3. **A replica firearm:** An air gun that does not possess the muzzle velocity or energy required to cause serious injury (e.g., typically fires plastic or wax BBs at a muzzle velocity under 111.6 metres per second), but in all other respects is visually indistinguishable from a real firearm is considered a replica firearm. These devices are labelled replica firearms and are prohibited devices in Canada (RCMP, 2020).
4. **Neither a firearm nor a replica:** An air gun that does not possess the muzzle velocity or energy to be classified as a firearm and does not resemble a real firearm (e.g., a toy or a clear plastic low-powered air gun) is neither a firearm nor a replica firearm (RCMP, 2020).

In Canada, federal gun control legislation regulates the use of firearms that have a muzzle velocity of more than 500 feet per second or 152.4 metres per second, but most air guns have a lower velocity and, therefore, are unregulated. Still, certain provinces and municipalities have enacted some regulations (“Firearms”, n.d.; Frappier et al., 2005). Most regulations for purchasing, possessing, and using air/gas guns depend on municipal or provincial laws (RCMP Canadian Firearms Program specialist, personal communication, July 27, 2020). For example, Section 4(1) of the *Imitation Firearms Regulation Act* (2000) in Ontario requires businesses to enforce age limits on the sale of imitation guns.² All buyers of air guns need to be over the age of 18 years old and present a valid government-issued identification (*Imitation Firearms Regulation Act*, 2000). Regarding possession of imitation firearms in Alberta, the City of Edmonton’s Public Places Bylaw No. 14614 (2008) prohibits the possession of a loaded weapon capable of firing a projectile. Bylaw 14614 infraction fines range from \$500 to \$10,000 and upwards of six-months in jail. In BC, the City of Richmond’s Regulating the Discharge of Firearms: Bylaw No. 4183 (1983) restricts the use of firearms (i.e., defined in the bylaw as a rifle, pistol, shot gun, air gun, or spring gun) within more populated areas concentrated in the city centre. Similar bylaws are enforced in other municipalities across Canada, such as the city of Halifax in Nova Scotia (Frappier et al., 2005).

Are Imitation Firearms a Problem in Canada?

As outlined above, in the *Criminal Code*, an imitation firearm is anything that resembles (i.e., “imitates”) a firearm, including replica guns. As stated previously, imitation firearms include non-powder weapons that operate on air or gas compression to fire projectiles, such as airsoft guns, BB guns, pellet guns, replica or prop guns, paintball guns, and toy or novelty guns (Christmas & Powles, 2019; Edmonton Police Service, n.d.). Statistics Canada analysed data from the incident-based

² “Imitation gun” in the *Imitation Firearms Regulation Act* (2000) is a device that could be mistaken for a real firearm but does not meet the criteria of a firearm or a replica firearm in the *Criminal Code* (1985).

Uniform Crime Reporting (UCR) Survey on firearm-related violent crimes involving a “firearm-like weapon.” This was defined as a barrelled weapon capable of firing a projectile that did not meet the *Criminal Code* criteria of a firearm (Statistics Canada, 2018a), such as a system powered via “gunpowder, CO₂ (compressed carbon dioxide), or pumped air, such as flare guns, pellet guns, or starter's pistols” and unspecified barrelled weapons (Statistics Canada, 2018a). Results revealed an increase from 2013 to 2016 in victims of firearm-related violent crime where a “firearm-like weapon” was used (Statistics Canada, 2018a). To contextualize further, 1,036 incidents were reported to police in 2013, and over four years, case totals reached 1,286 incidents by 2016 (Statistics Canada, 2018a). This represented a 250-case or a 24.1% increase over the four year period. When compared to other types of firearms, firearm-like weapons accounted for 18.2% of the total firearm-related violent crimes reported to police in 2016. The majority of incidents involved imitation handguns (60.2%), although firearm-like weapons ranked second (18.2%), followed closely by rifles or shotguns (17.4%), and other types of firearms (4.2%; e.g., fully automatic guns; Statistics Canada, 2018a). Overall, in 2016, 7,056 incidents of firearm-like related violent crime were reported to police, which accounted for approximately 3% of all violent crime, as measured by the UCR survey in Canada – a rate of 25.5 individuals victimised per 100,000 (Statistics Canada, 2018a). More than two-thirds of victims (69%) and nearly all alleged perpetrators (90%) of firearm-like related violent crime in Canada were men. In addition, youth (12 – 17 years old) and young adults (18 – 24 years old) represented the age groups with the highest proportion of alleged offenders (Statistics Canada, 2018b). As informative as these figures are, they do not represent a fully accurate or detailed portrayal of the problems associated with imitation firearms in Canada for three main reasons: (1) UCR statistics are based on victims who reported the crime to police, as well as police departments who consistently participated in the UCR survey over time; (2) statistics excluded Quebec cases due to a substantial proportion of “unknown” weapons being documented by police (Statistics Canada, 2018a); and (3) an all-inclusive broad definition of “firearm-like weapons” fails to specify which imitation or non-powder firearm(s) were most likely to be present in violent crime.

Within Canada, Christmas and Powles (2019) conducted a literature review related to non-powder firearms and interviewed individuals from various Canadian law enforcement agencies. This is one of the first studies that focused on the use of imitation firearms with the goal of understanding the prevalence of imitation firearms usage, as well as providing recommendations for education and regulation related to imitation firearms within Canada (also see Austin & Lane, 2018). The majority of agencies contacted disclosed that they regularly encountered non-powder weapons, and the use of both general firearms and non-powder firearms in criminal offences was, in their view, increasing. Christmas and Powles (2019) also noted that there had been multiple police-involved shootings as a result of individuals wielding non-powder firearms resulting in death in recent years. Additionally, a member of the National Weapons Enforcement Support Team (NWEST) disclosed that “70 injuries occurred over the last two years resulting from non-powder weapons, although the extent of the injuries is unknown. Over five years, 165 injuries resulted from non-powder weapons, although the extent of the injuries is again unknown” (Christmas & Powles, 2019, p. 15). The authors do not describe the cause of the injuries, but it is likely that these injuries occurred due to an individual firing an imitation firearm, such as a pellet or BB gun. Despite the fact that imitation firearm use is increasingly being recognized as a serious security and law enforcement issue by

many agencies, there is still no national Canadian database to retrieve information related to imitation firearms use. Many rates discussed were gathered through individual agencies or municipal police forces and did not cover extended periods of time.

Statistics Canada (n.d.) data from 2014 to 2018 indicated that there was a total of 3,766 firearm-related deaths in Canada; an average of 753 deaths annually. Of the 3,766 firearm-related deaths, 545 deaths were of individuals 24 years of age or younger (Statistics Canada, n.d.). These data included all forms of firearm-related deaths, such as accidental discharges, suicides, assaults, police interventions, and undetermined causes (Statistics Canada, n.d.). Regarding provincial statistics, a recent study published in the *Canadian Medical Association Journal* showed that, over a five-year span (2008 to 2012), Ontario healthcare databases documented 1,777 children and youth (0 – 24 years of age) who were victims of firearm-related injuries. Results demonstrated that an average of 355 children and youth sustain firearm-related injuries in Ontario yearly, which is a rate of nearly one injury per day (Saunders et al., 2017). Many injuries were accidental in nature (75 per cent) and roughly one-quarter (24 per cent) of these cases resulted in death. Among the 1,329 accidental/unintentional firearm-related injuries where the type of firearm was recorded, two non-powder firearms ranked highest: 46.6% ($n = 619$) were caused by a BB gun and 8.5% ($n = 113$) were caused by an air gun. Among the 448 assault/intentional firearm-related injuries, 60% of the guns used were not specified or were unknown; however, where the firearms were known, 18.5% ($n = 83$) were caused by a handgun and 15.6% ($n = 70$) were caused by a BB gun; both of which ranked highest overall (Saunders et al., 2017; Saunders & Guttman, 2017).³

What is clear is that non-powder/imitation firearms cause significant injuries (Austin & Lane, 2018). In a case series study by O'Neill et al. (2009), 29 charts of patients under the age of 18 years old who sustained non-powder firearm injuries (from 2001 to 2007) were assessed for surgery requirements, injury location, permanent damage, and death. Of the 29 patients, nine needed surgery, six had permanent damage, and two died. The majority of cases (90%) involved males around the age of 11 years old. Injuries were predominately located in the central nervous system: eyes ($n = 7$), head ($n = 4$), or neck ($n = 5$). In one case, “a healthy 16-year-old boy was playing with a neighbor’s BB gun and was shot in the eye...images of the brain revealed a BB near the posterior horn of the left lateral ventricle. Intracranial hemorrhage was noted and a ventriculostomy was placed...despite maximal medical management, the patient died soon thereafter from complications of intracranial hypertension” (O'Neill et al., 2009, p. 207). Due to the potential of non-powder firearms to cause morbidity and mortality, it has been suggested that healthcare providers educate parents on the dangers associated with non-powder/imitation firearms and encourage parents to supervise youth in a designated firing area and ensure safety protection is worn at all times (Austin & Lane, 2018).

Data on Imitation Firearms in British Columbia and Alberta

According to the Vancouver Police Department (VPD), there has been a considerable increase in replica firearm seizures in the city. Specifically, the VPD estimated that during the same six-month

³ Full table available at <https://www.semanticscholar.org> under letters and comments.

span (i.e., January to June) from 2018 to 2020, the rate of replica firearm seizures more than doubled. Within the first half of 2018, 2019, and 2020, imitation firearm seizures rose incrementally from 103 incidents in 2018 to 163 incidents in 2019 and to 213 incidents in 2020. This represented a 107% increase over a two-year period (VPD, 2020). Four-fifths of individuals involved in these cases were offenders known to police. In these cases, the replica firearms were generally used during the commission of another offence, such as “assault with a weapon, identity theft, drug trafficking offences, and failure to comply with probation conditions” (VPD, 2020, para. 3). Predominately, these incidents were concentrated around the Yaletown and Downtown Eastside areas (Daflos, 2020). Lisa Byrne, an inspector at VPD, explained in an interview with CTV News that many imitation firearms are not illegal to possess; however, it is illegal to use them in the commission of an offence, to carry them as a concealed weapon, or to them possess for a dangerous purpose (Daflos, 2020). She further stated that imitation firearms are particularly serious as “we [police] have to assume every 911 call with a gun is a real gun” and that imitation firearms commonly look indistinguishable from a real firearm “even at close range” (Daflos, 2020, paras. 5–9).

A similar increase has been noted in Alberta, Edmonton. The Edmonton Police Services (EPS) disclosed that there was a 38% increase in the use of imitation firearms from 2014 to 2015 (EPS Analysts, 2017, as cited in Christmas & Powles, 2019), and the Firearms Investigative Analysis Section (FIAS) estimated that “about 35% to 40% of firearms they come into contact with are non-powder” (Christmas & Powles, 2019, p. 15).⁴ Specifically, the EPS stated that there were 1,598 imitations firearms offences reported to police in 2015; an overall increase of 438 cases from the 1,160 reported in the previous year (Short, 2020). These cases involved a variety of offences from mischief to more serious criminal offences (EPS, n.d.). As a result of this increase, the EPS (n.d.) developed an extensive public safety educational campaign using various methods of information dissemination on imitation firearm safety that included posters, brochures, videos, and comic books for kids. In a brochure called *Fake Gun Real Danger: Imitation Gun Safety*, several safety rules and guidelines were outlined for imitation gun use that included:

- Do not play with an imitation firearm in public spaces (e.g., malls, parks).
- Use air gun imitations only in designated areas.
- Do not aim an imitation firearm at another individual.
- Take a safety training class on how to use air gun imitations with care.
- Parents should establish guidelines and rules for kids using imitation firearms.
- Properly store and carry imitation guns in a locked case so they are not visible to others.
- Listen to police and follow their instructions.

After the implementation of the public safety campaign, the EPS reported a 27% decrease in imitation firearm offences over a three year-period. EPS reported 1,369 cases in 2016 and 1,000 in 2019 (Short, 2020). Of note, it was not clear the degree to which the campaign contributed to this reduction or whether there were other factors that may have also contributed to the reported

⁴ “Non-powder firearms” in this study was defined as any imitation or replica gun, BB guns, airsoft guns, pellet guns, or paintball guns.

reduction in incidents. As an example of the seriousness of someone brandishing an imitation firearm, and despite the promising improvements reported by the EPS, within the first two months of 2020, a fifteen-year-old boy sustained a gunshot wound to his lower body after being confronted by police. The teenager was seen robbing another individual at gunpoint. Officers later determined that the firearm used by the youth was an imitation. The gunshot wound was non-life-threatening, but very close to the femoral artery. Still, the youth stated that the incident caused depression and post-traumatic stress disorder (Short, 2020).

UNITED STATES

The last detailed study focusing on imitation firearms usage within the United States was published in 1990 (Gregory, 2019) and, although more recent works have noted that this research is dated and does not focus on providing a national level perspective (Ekstrand, 2003), no research has since focused on understanding the threat, prevalence, and extent of injuries/deaths as a result of imitation firearms. Moreover, no databases exist focusing on imitation firearms within the United States (Gregory, 2019; Sneed, 2014). Police agencies often do not document all incidents involving imitation firearms within searchable databases. Instead, police more commonly rely on officer recall and manual searches through previous notes and files to find any information on whether an imitation firearm was used in an incident (Carter et al., 1990). Despite these limitations, there are some databases that track the fatal use of force by police that include imitation firearms (Fatal Force, 2015, 2016, 2017, 2018, 2019). Gregory's (2019) literature search revealed that the majority of research that addressed the issue of imitation firearms focused on the use of fake guns by drug dealers or medical research highlighting youth injuries as a result of being shot with BB and pellet guns.

The most detailed study on the use of imitation firearms usage within the United States involved the distribution of surveys to law enforcement agencies serving over 50,000 people (Carter et al., 1990). This research project had a 65.5% response rate and included 186 police departments. The methodology also included interviewing 27 police agencies regarding their encounters with imitation firearms (Carter et al., 1990). The results from this nearly three decades old study revealed that approximately 15% of robberies between January 1985 and September 1989 were committed using a realistic-looking imitation firearm, that 8,128 assaults were committed using imitation firearms, and that 31,650 imitation firearms were seized by police in connection with criminal activity during this period. Carter et al. (1990) acknowledged the difficulty of assessing the threat of imitation firearms due to the small proportion of incidents in relation to violent crimes overall, and that police agencies often did not systematically log information related to imitation firearms use.

In a 2003 report titled "Information Generally Not Available on Toy Gun Issues Related to Crime, Injuries or Deaths, and Long-Term Impact," Ekstrand (2003) outlined many issues related to the lack of quality data on fake guns from not only police agencies, but hospital emergency room databases. Again, Ekstrand (2003) found that these agencies did not have databases designed to collect information regarding injuries from toy guns and larger databases were generally unable to filter out specific cases or information about the use of toy guns from general firearm usage. The

term “fake gun” or “toy gun” in this 2003 report specifically included toy guns that were not capable of firing BB or pellet projectiles. Ekstrand (2003) noted that, at the time of the report, police coding systems typically were not able to record the use of fake/imitation weapons in criminal activity and extant information was often retrieved from written reports or the personal recollection of an officer. Consequently, it was hypothesized that whatever information was available on the use of fake weapons in the commission of a criminal act was neither reliable nor comprehensive.

Since 2015, the Washington Post has been tracking individuals who have been shot and killed by the police. They noted that, although the Federal Bureau of Investigation (FBI) and the Centers for Disease Control and Prevention kept records of fatal police shootings, the data was incomplete and the Washington Post’s “Fatal Force” data contained “more than twice as many fatal shootings” than other sources (Tate et al., 2016, para. 5). Within this database, toy weapons were included as weapons that the deceased individuals had in their possession or used that resulted in the use of force incident by the police. In 2015, 43 individuals wielding a toy weapon were shot and killed by the police, 44 in 2016, 26 in 2017, 33 in 2018, and 14 in 2019 (Fatal Force, 2015, 2016, 2017, 2018, 2019). As the reports did not specify what weapons were considered toy weapons for the purposes of their database, nor which weapons were considered to be ‘other’ weapons, which may potentially include some form of imitation firearm, these counts should be interpreted with caution.

Despite there being dozens of fatalities annually in the United States from individuals wielding imitation firearms who were shot and killed by law enforcement officials, the limited research focus on the use of imitation weapons in the United States may be due, in part, to the poor documentation of incidents involving imitation firearms by law enforcement agencies. As outlined by Gregory (2019), the use of imitation weapons is a prevalent issue within the United States that warrants more attention and more recent research.

UNITED KINGDOM

Although comparatively more research focused on imitation firearms and the prevalence of imitation firearms use has been conducted in the United Kingdom (UK), like the US, the data remains limited. The UK experienced a substantial increase in crimes involving the use of an imitation firearm between 1998 and 2005, but this increase was attributed to law enforcement officials placing a greater emphasis on recording offences involving the use of imitation firearms in official files, which has previously not been routinely recorded (Povey et al., 2008). Often, the type of weapon used in a criminal offence is not logged in the UK, making it nearly impossible to research the number of incidents known to police (Povey et al., 2008; Wheal & Tilley, 2009). This may potentially be because many of the firearms used while committing crimes are not recovered and many imitation firearms resemble legitimate firearms, making it difficult for both witnesses and law enforcement personnel to determine whether an imitation firearm was present. Additionally, few studies have specifically examined the use of imitation firearms and crime in the UK. Of note, there have been some UK studies on general firearms use that have included the use of imitation weapons (Wheal & Tilley, 2009). It is unclear, though, whether the UK’s reporting practices are still in place or if there have been any changes in the way that police agencies in the UK systematically report the types of weapons used in criminal offences. In England and Wales,

specifically, the use of an imitation firearm was documented in approximately 20% to 30% of all firearms offences between 2008-2018, but a notable proportion of offences were still classified as using an unidentified firearm (Allen & Audickas, 2020).

Regarding rates of imitation firearms use, Morrison and O'Donnell (1994, 1996; O'Donnell & Morrison, 1997) interviewed 88 offenders who were convicted of armed robbery in 1990 and who were still incarcerated between October 1992 and June 1993. They found that official and self-reported use of firearms varied substantially. Official police reports indicated that 73% of armed robberies involved either known (6%) or believed to be legitimate (67%) firearms, with only 11% involving imitation firearms. In contrast, of the offenders interviewed about their actions, 41% revealed that they had used a real weapon, which is much less than the police estimate with substantially more imitation firearms used during the offence than police had recorded. Specifically, 37% of armed robbers interviewed noted using imitation firearms in their offences (O'Donnell & Morrison, 1997). Similarly, Schneider et al. (2004) found that 46% of recovered weapons used in criminal activity between 1999 and 2003 were "incapable of firing live ammunition" (as cited in Wheal & Tilley, 2009, p. 174).

In another study, Gill (2000) interviewed a sample of 341 convicted robbers in the UK. When asked about the weapon they carried, only 39% of offenders claimed to be carrying a legitimate firearm, whereas the remaining 61% asserted that their weapon was fake. In a similar study, Matthews (2000) analysed police robbery data in the UK between 1998 and 1999 and found that trends related to both the use of imitation and legitimate firearms followed similar patterns. Specifically, official sources noted that only 4% to 8% of armed robberies involved imitation firearms. This again highlights the discrepancy between imitation firearm use from official and self-report sources, and it is very likely that official sources substantially underestimate the use of realistic-looking imitation firearms in the commission of criminal offences.

EXPLANATIONS FOR THE USE AND POSSESSION OF WEAPONS

Weapon-carrying behaviour among youth is a significant risk factor for criminal activity and violent behaviour (e.g., DeLisi et al., 2014). Although youth carry weapons for a multitude of reasons, studies have consistently mentioned that the motivations for weapon-carrying behaviour commonly include self-protection, victimisation prevention, reputation or status enhancement, intimidation, retaliation, and/or social pressure from delinquent or gang-affiliated peers (e.g., Cao et al., 2008; Cook & Ludwig, 2004; Dijkstra et al., 2011; Felepchuk et al., 2020; Melde et al., 2009; Vaughn et al., 2017). Theories of weapon-carrying reduce these reasons into three overarching motivational categories: (1) self-protection or fear; (2) self-presentation (e.g., Harcourt, 2006); and (3) utility (Feeney, 1986). Dijkstra et al. (2011) investigated factors that contributed to youth weapon carrying over time (i.e., a one-year follow-up study) including the influence of victimisation, peers/social norms, and aggressive tendencies. Researchers concluded that youth were more likely to carry a weapon when they reported both aggressive tendencies and associations with weapon-carrying peers. Interestingly, the self-protection motivation theory for weapon-carrying among youth was not supported by the data. In fact, those who were victimised were less likely to carry a weapon. Of note, an interaction effect was identified, whereby

victimisation that occurred in conjunction with aggressive tendencies was associated with a subsequent increase in weapon-carrying among youth (Dijkstra et al., 2011).

Furthermore, studies on handgun carrying among youth have propagated the assumption of a relatively homogenous group of youth that possess firearms. The predominant “type” perpetuated in the literature consists of male delinquent or gang affiliated youth who carry for reasons related to self-defence or planned assaults (see Vaughn et al., 2017). Typically, these youth engage in other forms of externalising behaviours, such as alcohol consumption, drug use, drug dealing, or fighting (Vaughn et al., 2017). However, in recent years, scholars have questioned this homogeneous explanation for gun carrying among risk prone youth and have found four different clusters of firearm users: (1) low risk; (2) alcohol and marijuana users; (3) fighters; and (4) severe externalizers (Vaughn et al., 2017). It is equally possible that there exist complex clusters of youth who use imitation firearms for similar purposes.

Overall, knives appear to be the most common weapon carried by youth in general in Canada. For example, findings obtained from six focus groups with Ottawa youth ($n = 51$; ages 14 to 21 years old) suggested that knives were preferable over other types of weapons among high school students. A major theme in the focus group responses was the general perception that knives were easily accessible and cost effective. Youth in the study often used the knife-gun juxtaposition when explaining this phenomenon. For example, one youth stated: “knives are more accessible, but they are also less expensive. A gun would cost a lot more. And it’s harder to get hold of. So, knives are what you see the most”.⁵ Another youth added that “that it’s actually really easy to get a knife. You could literally go on Amazon...” (Felepchuk et al., 2020, p. 12). Likewise, approximately 20% of male high school students in Toronto (8 schools; $n = 456$) and Montreal (8 schools; $n = 448$) indicated that they have previously carried knives (Erickson et al., 2006). In this research, the rates of firearm or mace carrying among these teens were relatively low in comparison as the percentages ranged from 2.8% to 4.2% (Erickson et al., 2006).

UCR survey data from 2008 showed that roughly half of alleged offenders of violent knife crime in Canada were between the ages of 12 to 24 years old (Statistics Canada, 2010). Higher rates of knife use among youth may be a result of the “substitution effect” whereby knives are perceived to be more convenient to access, conceal, or obtain than firearms (Statistics Canada, 2010). Due to the difficulty of acquiring a real gun, youth may rely on replica firearms as a substitute. This notion is supported by research that indicated that students may claim that they possess or have access to a real gun, but, in reality, the firearm is commonly fake (Felepchuk et al., 2020). In cases where weapons cannot be easily accessed, youth have argued that “those who don’t have knives, guns, or replicas can improvise with other weapons” or that “even a pen can be a weapon, everyone has a gun without realizing it” (Felepchuk et al., 2020, p. 15). It has been suggested that over the past decade or more, policymakers and law enforcement agencies have implemented strong measures to combat gun crime in Canada and reduce the availability of firearms. As a result, criminals “are

⁵ The original quote was in French and translated to English via Google Translate.

unsheathing their weapons of second choice - kitchen knives, jackknives, hunting knives” (Boesveld, 2008, para. 5).

Several studies have examined the decision-making process behind using an imitation firearm compared to a legitimate firearm. As imitation firearms are increasingly sophisticated and more closely resemble legitimate firearms, individuals simply may not find it necessary to use a legitimate firearm, as the two are indistinguishable at first glance (Christmas & Powles, 2019; Taylor & Hornsby, 2000). Christmas and Powles (2019) noted that police agency officials have concluded that imitation firearms are substantially cheaper than legitimate firearms and either resemble legitimate firearms or can easily be painted black to resemble a legitimate firearm, thus making them equally useful for committing a wide range of offences, in addition to threatening or intimidating others.

Imitation firearms are relatively easy to acquire and realistic-looking imitation firearms can often be purchased at most department or sporting goods stores without a licence. Matthews (2002) hypothesized that because imitation firearms are relatively easy for both youth and adults to purchase, individuals may choose to use them out of convenience or because, for a variety of reasons, they are unable to legally obtain a real firearm. Similarly, Hales and Silverstone (2005) noted that it was more difficult for youth to acquire a legitimate firearm “either because of cost or because of restricted supply” (p. 82). A member of the EPS also explained that youth with criminal histories were more likely to be in possession of an imitation firearm as “they try to acquire whatever they can get” (Christmas & Powles, 2019, p. 16). Indeed, an analysis of Missouri police firearm confiscation data demonstrated that youth were more likely than adults to carry less powerful or sophisticated firearms, such as non-powder guns (i.e., pellet guns), inexpensive small-caliber handguns (i.e., also known as a “Saturday night special”), or .22 caliber guns (Ruddell & Mays, 2003). Toronto Police Service (TPS; 2018) statistics on firearm seizures showed that the most common type of gun confiscated in 2018 was the air gun. This type of imitation firearm accounted for 28% ($n = 650$) of the 2,300 total firearm seizures that year. Therefore, it would appear that the availability of imitation firearms is a major factor in the decision to use them over a legitimate firearm for both youth and adult offenders.

There are also contrasting findings on this point. Although their results are dated, having been drawn based on data from 1990, O’Donnell and Morrison (1997) found that in their interviews with 88 convicted armed robbers, nearly all participants who used a replica firearm had access to legitimate firearms, but voluntarily chose to use a fake weapon. The reasons they elected to use an imitation firearm included not wanting to physically harm anyone in their robberies, that a fake weapon was sufficient for committing a robbery, and that they felt that carrying a legitimate firearm was a much more serious offence (O’Donnell & Morrison, 1997). For instance, many offenders will opt to use firearms that cannot discharge projectiles. These imitation firearms are used to successfully gain control of the situation while, at the same time, minimize the potential harm to victims or bystanders. The mere exposure of a firearm is frequently sufficient to disarm victims; an assessment known as “victim risk calculus” or “victim management” (for a review see Brennan et al., 2017). As Brennan et al. (2017) have shown, offenders’ decision-making in weapon selection can be an intricate process. Researchers have suggested that offenders typically provide a rational justification for weapon-related decisions that are evaluative in nature. In other words,

offenders conduct a cost-benefit analysis for different weapons, such as victim management effectiveness, weapon availability/feasibility, legal penalties, or incarceration length (Wright & Rossi, 1986). Yet, sometimes the best type of weapon for the offence is unavailable. In these circumstances, offenders must make concessions. It is the perspective of many offenders and youth that if one was caught by law enforcement, an imitation firearm or knife, for example, would illicit a lesser sentence than a real firearm. In a study on youth weapon-carrying behaviour in Canada, a key informant rationalized, “in my mind at least, I would do less time” (Felepchuk et al., 2020, p. 13). Policy and enforcement changes have had an influence on replica or imitation firearm use as well. For instance, some police departments in Canada have implemented specific imitation gun safety campaigns educating the public on the dangers associated with replicas guns (see EPS, n.d.). As outlined above, after the implementation of an awareness program in Edmonton, police reported a substantial decrease in imitation firearms cases (EPS, n.d.).

Conversely, individuals working at law enforcement agencies have also suggested that individuals may be more likely to use realistic-looking imitation firearms if they are legally prohibited from possessing legitimate firearms. To elaborate,

... as more people are prohibited from gun ownership by the courts, the frequency of encounters involving these firearms is increasing. Their assumption may be that if a person is in possession of a non-powder firearm, they cannot be charged for simple possession. However, a person who is prohibited, of which there is an increasing number, who is in possession of a non-powder firearm will be charged (Christmas & Powles, 2019, p. 15).

In effect, some individuals may reach the conclusion that carrying a legitimate firearm is not worth the risk, and that it is not necessary when attempting to commit certain criminal acts where the weapon is intended only to instill fear and/or to easily achieve compliance.

The majority of articles discussed the decision to use imitation firearms generally and were not specific to use by youth. Despite this, a primary reason that youth possess or use an imitation firearm is likely the availability of imitation firearms and the ease in purchasing or acquiring a fake firearm when compared to a legitimate firearm. Additionally, Taylor and Hornsby (2000) noted that youth may acquire imitation firearms “as a part of their search for respect in particular localities or cultures to the kind of collecting urge which is sometimes apparent amongst army veterans” (p. 2) and that carrying a weapon of any kind may earn an individual respect in heavily gang-involved areas.

RESPONSES TO IMITATION FIREARMS USE

The use of imitation firearms in schools has long been acknowledged as a serious safety issue (Carroll & Hurst, 2004; Gazette Editorial Board, 2018; Wolfgang, 2013). Common reasons for this issue include parents not realizing that these ‘firearms’ can also be dangerous as most people cannot distinguish imitation guns from real guns (Carroll & Hurst, 2004). In both the Canadian and United States school systems, common responses to youth possessing imitation firearms typically involve either suspensions or expulsions (Carroll & Hurst, 2004; Zytaruk, 2018). Additionally, numerous school shootings in the US have elevated the security risk associated with imitation

firearms (Wolfgang, 2013) and “school districts and police can’t afford not to take every rumor or threat seriously” (Gazette Editorial Board, 2018, para. 18).

In response to the increasing popularity and attendant concern related to imitation firearms usage, a recent Public Safety Canada (2019) report on reducing firearms violence noted that imitation firearms should be banned. Arguments in favor of a ban included that these weapons contributed to the gang culture in major Canadian cities, consumed law enforcement resources responding to calls where the imitation firearm was perceived to be legitimate, and that certain models of BB guns and pellet guns can cause serious bodily harm (Public Safety Canada, 2019). As well, the Canadian Association of Chiefs of Police has been urging increased regulations and banning of the use of imitation weapons since 1994 (Beeby, 2018).

At a minimum, it is a commonly held view by both governmental and non-governmental officials that imitation firearms should be heavily regulated and that “possession and sale of such weapons should be regulated in Canada so that they would be less likely to come into the possession of persons with mental-health challenges” (Beeby, 2018, para. 15). Additionally, the BC Taskforce on Illegal Firearms recommended legislation to restrict the access and use of imitation firearms as they are a notable public safety risk (BC Taskforce on Illegal Firearms, 2017, p. 6)

Following the shooting of Ian Pryce in 2013, a potential solution to reduce the risks of imitation firearms use was the incorporation of “mandatory package labelling for imitation guns, which would warn the purchaser of the dangers of police action” (Beeby, 2018, para. 22). Moreover, Manitoba Judge Lindy Choy has been advocating for new regulations regarding the use of imitation firearms, but Lambert (2019) noted that Choy’s report did not outline specific actions other than “enacting legislation to regulate the sale and possession of imitation weapons.” Whereas some Canadian agencies argue for a complete ban on the possession of imitation firearms, other individuals acknowledge that stronger regulations regarding the sale and use of such items is essential in both protecting public safety and reducing the risk of individuals, specifically youth, being shot by police officers for possessing a realistic-looking imitation firearm.

Additionally, Christmas and Powles’ (2019) discussions with Canadian law enforcement personnel concluded that “non-powder firearms are discussed almost daily, whether it be a call about identifying a weapon as real or not or a call about the offences regarding a non-powder firearm that was encountered” (p. 15). Police officers are unable to distinguish realistic-looking imitation firearms from real firearms and therefore must treat all firearms as if they pose an imminent threat. Christmas and Powles (2019) noted that nearly all law enforcement officials interviewed agreed that non-powder weapons should be treated in the same manner as legitimate firearms, including “safe handling and storage, transportation, education, and awareness” and that developing safety training programs regarding non-powder firearms could potentially reduce the misuse of these weapons (p. 16).

In 2017, the British Columbia Task Force on Illegal Firearms reported that youth bringing firearms into schools was a concern. The report noted that the *School Act* in BC does not prohibit youth from bringing imitation firearms to schools, but individual school districts may have policies that prohibit their presence. It was suggested that incorporating a focus on imitation firearms into the province-wide Safe Schools programs focusing on a wide range of illegal and antisocial behaviours

may be beneficial in the prevention of firearms use by school-aged youth (BC Task Force on Illegal Firearms, 2017). The Straight Talk About Risks program (STAR) has been implemented in over 90 school districts in the US and is primarily focused on conflict management, self-reflection, anger management, and firearm-related safety and risks (Office of Juvenile Justice and Delinquency Prevention, 2015). In addition, the Hands Without Guns program (Pete, 1999) focuses on modifying weapon-carrying attitudes and behaviour among youth. Hands Without Guns has been implemented in several large American cities (e.g., Boston and Chicago) and facilitates learning about the individual, family, and community effects of gun violence with the intention of motivating youth toward more prosocial activities. Furthermore, this program offers courses for adult to support youth in anti-gun violence (Pete, 1999). Although these programs are not specific to imitation firearm use or to Canadian youth populations, effective elements may be adopted with more attention on replica and imitation gun safety.

Incidents of youth bringing imitation firearms to school as well as carrying imitation firearms are noted to be increasing within British Columbia schools. An additional concern is when youth post photos on social media posing with replica guns, as it is challenging to differentiate whether the firearm is real and all instances need to be addressed and followed up with by the police. As a response to this, for example, the Delta School District and Delta Police Department have urged parents to exercise caution when buying an airsoft or BB gun for their children as many of these toy guns closely resemble a legitimate firearm, and have asked parents to caution their children about the types of images they share on social media (Smith, 2019).

Social media applications, such as Snapchat, have been identified as a platform for self-expression and self-promotion (e.g., “flexing”). Youth tend to disseminate videos or photos of weapons via Snapchat. The motivation for using Snapchat is that content is automatically deleted after the recipient views the message or image. According to youth, this ephemeral function of Snapchat has made sharing weapon-brandishing content temporary or at least harder to track. Overall, the content creator or “sender” gains a sense of power and status by showing off, as well as peace of mind that the content cannot be retraced back to them (Felepchuk et al., 2020). As one teen said “yeah, we see people, on people’s [Snapchat] stories, smoking a blunt in a rundown Toyota, and they’re pointing a gun” (Felepchuk et al., 2020, p. 19).

A recent Vancouver case revealed the extent to which young adults are willing to go to obtain likes, views, or comments on social media. Specifically, VPD officers were called to a scene where a pedestrian saw a man point a Glock handgun at traffic passing by and then get into a vehicle with two other individuals. Police cornered the vehicle a few streets away and drew their weapons on the suspects. The driver shouted that the gun was a fake. After the incident, the VPD stated that the men were filming a video for Instagram and did not seem to grasp the gravity of their actions (Smith, 2020). Although “the guns might be fake, the situation is real” stated Aaron Roed, a sergeant with the VPD (Hurst, 2020, para. 4).

LITERATURE REVIEW CONCLUSION

Imitation firearms present a demonstrated public safety concern in British Columbia, Canada, and many other Western nations. Within Canada, it still remains relatively easy for individuals,

including youth, to obtain a realistic-looking replica firearm due to a lack of restrictions in place regarding their sale and use despite numerous calls for a nation-wide policy regarding the regulation of non-powder weapons within Canada for more than two decades (Beeby, 2018; Frappier et al., 2005; Public Safety Canada, 2019). The possession of an imitation firearm can have serious consequences, either in the form of physically harming another with the weapon or being shot by police officers who are unable to determine the legitimacy of the weapon at a distance (Beeby, 2018; Frappier et al., 2005; Lambert, 2019). Increasingly, the concerns with imitation firearms in British Columbia schools are that youth bring these weapons to school and/or share photos of these weapons on social media, which have implications for school safety. It is evident that this issue needs to be addressed both at the governmental and community levels, by implementing increased regulations regarding imitation firearms as well as developing and implementing community-level education and preventative programming on the risks and consequences of the use of imitation guns both in a school setting as well as in the community.

Quantitative Data

Data were provided by the OSB on the number of police calls for service that involved an imitation firearm. The data captured the incidents of imitation firearms that occurred in RCMP jurisdictions in British Columbia between 2014 and 2018. More specifically, this data reflected all founded occurrences whereby the most serious weapon noted was a firearm and the weapon status was coded as facsimile.

IMITATION FIREARMS INCIDENTS

Based on the search parameters noted above, 277 imitation firearms incidents were identified. With respect to the number of incidents over time, imitation firearms occurrences were generally consistent between 2014 and 2015, with slight decreases between 2015 and 2018: 61 incidents in 2014 (22 per cent), 70 incidents in 2015 (25 per cent), 54 incidents in 2016 (19.5 per cent), 48 incidents in 2017 (17 per cent), and 44 incidents in 2018 (16 per cent). Of the 277 incidents, approximately half occurred in the RCMP's Lower Mainland District (50.5 per cent, n = 140) and the remainder occurred in the South-East District (24.5 per cent, n = 68), Island District (13 per cent, n = 35), and North District (12%, n = 34).

With respect to the most serious weapon coded, the majority of incidents involved an imitation handgun (66 per cent, n = 183), followed by other firearms (25 per cent, n = 69), rifle or shotgun (9 per cent, n = 24), and fully automatic firearms (0.4 per cent, n = 1). There was a range of offences associated with these incidents of imitation firearms. As demonstrated in Table 1, the most common offences involved the use, discharge, or possession of firearms/weapons (35 per cent, n = 96), robbery (30 per cent, n = 82), and uttering threats (19 per cent, n = 53). The remaining offences included assault, assault with a weapon, or assault causing bodily harm (13 per cent, n = 35), forcible confinement or kidnapping (2 per cent, n = 5), extortion (0.4 per cent, n = 1), first degree murder (0.4 per cent, n = 1), weapon found on a property (0.4 per cent, n = 1), suspicious person, vehicle, or occurrence (0.4 per cent, n = 1), and traffic warning (0.4 per cent, n = 1).

TABLE 1: OFFENCES RELATED TO IMITATION FIREARMS (2014 – 2018)

Offence Type	n = 277
Use, Discharge, or Possession of Firearms/Weapons	35%
Robbery	30%
Uttering Threats	19%
Assaults	13%
Forcible Confinement or Kidnapping	2%
Extortion	0.4%
First Degree Murder	0.4%
Weapon Found on Property	0.4%
Suspicious Person, Vehicle, or Occurrence	0.4%
Traffic Warning	0.4%

CHARACTERISTICS OF THOSE ACCUSED OF IMITATION FIREARM INCIDENTS

Slightly more than three-quarters (77 per cent) of all incidents involved only adults and approximately one-fifth (21 per cent) of all incidents involved only youth 18 years old or younger. In total, only two incidents involved one adult and one youth and another two incidents involved mostly youth. More than four-fifths (87 per cent) of occurrences involved one accused and 8% of incidents (n = 22) involved two accused. Incidents involving multiple accused were uncommon. In total, only six incidents involved three accused, four incidents involved four accused, three incidents involved five accused, and one incident involved six accused.

Most incidents (86 per cent) were comprised of all male accused. Only 7% of incidents (n = 14) involved all female accused and the remaining incidents involved one male and one female accused (4 per cent) or multiple males and one female accused (3 per cent). Nearly two-thirds (60 per cent) of all incidents involved accused who were all Caucasian and one-fifth of incidents involved all Indigenous accused. The remaining incidents involved accused who were all South Asian (5 per cent), all of one other racial group, such as all Black or all Asian (7 per cent), or multiple individuals that represented two or more different racial groups (7 per cent).

To further understand the demographic characteristics of individuals involved in imitation firearms incidents, the following statistics were calculated based on the total number of individuals rather than the total number of incidents. However, it should be noted that there was considerable missing data across these variables. The majority of individuals involved in imitation firearms incidents were male (89 per cent) and there were only 28 females (11 per cent) involved in imitation firearms incidents between 2014 and 2018. Again, nearly two-thirds (62 per cent) of individuals were Caucasian and one-fifth were Indigenous. The remaining individuals were South Asian (8 per cent), Black (4 per cent), Middle Eastern (4 per cent), Asian (2 per cent), and categorized as other (1 per cent). Individuals who were involved in imitation firearms incidents ranged in age from 8 years old to 84 years old; however, the mean age was approximately 30 years old (M = 29.17, SD = 13.86). More specifically, slightly more than one-quarter (28 per cent) were youth aged 18 years old and under, approximately one-third (32 per cent) were young adults aged 19 to 29 years old, a little over one-third (37 per cent) were adults aged 30 to 59 years, and the remainder (3 per cent) were adults aged 60 years old and older.

YOUTH IMITATION FIREARMS INCIDENTS

As the focus of this project involved imitation firearms incidents committed by youth, the following analyses focused on the 42 imitation firearms incidents reported to the RCMP in British Columbia that occurred between 2014 and 2018 that involved only youth. Incidents that involved multiple accused whereby not all individuals were youth were excluded.

Imitation firearms incidents by youth were generally consistent from 2014 to 2016, with a decline from 2016 to 2017, and then a slight increase from 2017 to 2018. In total, there were 11 incidents in 2014 (26 per cent), ten incidents in 2015 (24 per cent), nine incidents in 2016 (21 per cent), five incidents in 2017 (12 per cent), and seven incidents in 2018 (17 per cent). Of the 42 incidents committed by youth, slightly more than one-third (38 per cent) occurred in the Lower Mainland District and nearly one-third (29 per cent) occurred in the South-East District. The remainder occurred in the North District (21 per cent) and the Island District (12 per cent).

With respect to the most serious weapon coded, more than two-thirds (70 per cent) of incidents involved an imitation handgun, followed by other firearms (24 per cent), rifle or shotgun (2 per cent), and fully automatic firearms (2 per cent). There were only four categories of offences associated with youth imitation firearms incidents. The most common offence involved the use, discharge, or possession of an imitation firearm/weapon (33 per cent). The remaining three categories appeared to reflect the use of an imitation firearm to gain material possessions, gain status, or display bravado, as the offences were robbery (24 per cent), assault, assault with a weapon or assault causing bodily harm (21 per cent), and uttering threats (21 per cent).

Regarding the demographic characteristics associated with youth imitation firearms incidents, approximately two-thirds (69 per cent) of occurrences involved one accused and nearly one-fifth (19 per cent) involved two accused. Incidents involving multiple accused were rare as only two incidents involved three accused, one incident involved four accused, one incident involved five accused, and one incident involved six accused. Similarly, almost all youth incidents (90.5 per cent) involved only males. Only two incidents involved all female accused, one incident involved one male youth and one female youth, and one incident involved multiple male and one female accused. Nearly half (42 per cent) of all incidents involved youth who were all Caucasian and approximately one-quarter (24 per cent) involved all Indigenous youth. Of the remaining incidents, three involved accused who were all South Asian, four incidents involved youth who were all of one other racial group, such as all Black or all Asian, and six incidents involved youth who represented two or more different racial groups.

Similar to what was reported above for all imitation firearms incidents, the data presented below was calculated based on the total number of youths involved in imitation firearms incidents. The vast majority (94 per cent) of youth involved in imitation firearms incidents were male; only four females were involved in imitation firearms incidents between 2014 and 2018. A slight majority (55 per cent) of youth were Caucasian, slightly less than one-fifth (18 per cent) were Indigenous, and the remaining youth were South Asian (12 per cent), Middle Eastern (7 per cent), Black (5 per cent), or Asian (3 per cent). Youth who were involved in imitation firearms incidents ranged in age from 8 years old to 18 years old with a mean age of approximately 16 years old ($M = 15.59$, $SD = 2.16$). More specifically, only three youth were under the age of 12 years old, while slightly more

than one-third (39 per cent) were youth aged 12 to 15 years old, and a slight majority (56 per cent) were youth aged 16 to 18 years old.

To better understand the profile of youth involved in imitation firearms incidents, OSB provided Canadian Police Information Centre (CPIC) data on 34 youth who were involved in 22 imitation firearms incidents. All but two of these youth were male, nearly half (44 per cent) were Caucasian and approximately one-quarter (23.5 per cent) were Indigenous. The mean age of the youth was approximately 16 years old ($M = 16.24$, $SD = 1.50$). Collectively, these youth had a total of 274 previous criminal offences (i.e., recommended charges and/or convictions). With respect to the total number of previous criminal offences, this ranged from one to 35 with an average of eight previous criminal offences ($M = 8.06$, $SD = 9.37$). Half of the youth had three or fewer previous criminal offences, approximately one-fifth (18 per cent) had between four and nine previous criminal offences, and approximately one-third (32 per cent) had 10 or more prior offences. The nature of their criminal histories were typically comprised of breach offences (e.g., failure to comply) and violent offences (e.g., assault and robbery). The number of previous breach offences ranged from one to 13 ($M = 2.47$, $SD = 4.11$) and the number of previous violent offences ranged from one to 13 ($M = 2.41$, $SD = 2.90$). The remaining categories of offences included non-violent offences (e.g., theft, drug possession), weapons offences (e.g., possession of a weapon, discharging a firearm), and possession or use of an imitation firearm. The number of previous non-violent offences ranged from zero to 10 ($M = 1.94$, $SD = 2.90$), the number of previous weapons offences ranged from zero to five ($M = 0.74$, $SD = 1.38$), and the number of previous imitation firearms offences ranged from zero to four ($M = 0.50$, $SD = 0.90$).

The majority (59 per cent) of the 34 youth in the database had no previous breaches. Only three youth had one previous breach and three other youth had two previous breaches. However, nearly one-quarter of the sample (23.5 per cent) had five to 13 previous breach offences. Of note, when it came to violent offences, only five youth (15 per cent) had no prior violent offences. A near majority (41 per cent) had one prior violent offence and nearly one-fifth (18 per cent) had two violent offences. The remaining youth had between three to five (15 per cent) or between six to 13 (12 per cent) previous violent offences. Finally, slightly more than one-third (38 per cent) of the sample had zero previous non-violent offences, while a similar proportion (35 per cent) had one previous non-violent offence. Only one youth had two previous non-violent offences and the remaining youth (23.5 per cent) had between three to 10 previous non-violent offences. This suggests that those youth who had at least one prior charge related to an imitation firearm were known to the police and had several previous offences on their CPIC file.

With respect to weapons, nearly three-quarters (71 per cent) of the youth in this sample did not have a weapons related charge on their CPIC file. However, three youth had one weapons charge and another three had two weapons related charges. The remaining four youth had between three to five previous weapons offences. Approximately two-thirds of the sample had zero previous imitation firearms offences and nearly one-third (29 per cent) had only one. The remaining two youth (6 per cent) had three or four previous imitation firearms offences on their CPIC record (see Table 2).

TABLE 2: MOST COMMON OFFENCES AMONG YOUTH CRIMINAL HISTORIES

Offence Type	n = 274
Failure to Comply	31%
Assaults	12%
Robbery	10%
Possession of a Weapon/Firearm	8%
Possession of Imitation Weapon	6%
Theft	6%
Uttering Threats	5%
Possession of a Substance	4%
Possession of Property by Crime	4%
Disguise with Intent	3%
Break and Enter	1%
Dangerous Operation of a Motor Vehicle	1%
Mischief	1%
Discharge Firearm	0.7%
Flight While Pursued by Peace Officer	0.7%
Forcible Confinement	0.7%

As noted above, the profiles of these youth included both recommended charges and convictions. Given that not all charges are approved and charges and convictions related to breach offences can serve to overestimate the criminal histories of youth, the profile of youth involved in imitation firearms incidents was analysed further without the inclusion of charges that were stayed or withdrawn, as well as incidents that exclusively involved breach offences. This resulted in an examination of the criminal histories of 31 youth. These 31 youth were involved in 20 imitation firearms incidents, whereby the majority of incidents occurred between 2014 and 2016 (90 per cent). These 31 youth were typically male (93.5 per cent), a slight minority (41 per cent) were Caucasian, and nearly one-quarter were Indigenous (23 per cent). The mean age of these 31 youth was 16 years old ($M = 16.19$, $SD = 1.52$).

Collectively, these youth had a total of 135 previous offences, not including breaches. With respect to the total number of previous offences, in this sample of youth, the range was from one to 22 offences, with an average of 4.35 convictions ($SD = 4.72$). Approximately two-thirds of the youth (64.5 per cent) had three or fewer previous offences, approximately one-third (29 per cent) had between four and nine previous offences, and only two youth had 10 or more previous offences. The nature of these youths' criminal histories indicated that they were typically comprised of convictions for violent (e.g., assault, robbery) and non-violent (e.g., theft, possession of stolen property) offences. The number of previous violent offences ranged from zero to seven ($M = 1.87$, $SD = 1.95$) and the number of non-violent offences ranged from zero to 10 ($M = 1.71$, $SD = 2.51$). The number of previous weapons offences ranged from zero to four ($M = 0.39$, $SD = 0.80$) and the number of previous imitation firearms offences ranged from zero to three ($M = 0.39$, $SD = 0.67$). As demonstrated in Table 3, slightly more than one-fifth (21 per cent) of all offences were robbery and nearly one-sixth (16 per cent) were for assault. This was followed by theft (11 per cent), possession of a weapon (9 per cent), and possession of an imitation weapon. In effect, only one in ten charges in this sample related to an imitation firearm.

TABLE 3: MOST COMMON OFFENCES AMONG YOUTH CRIMINAL HISTORIES, EXCLUDING STAYED OR WITHDRAWN CHARGES AND BREACHES

Offence Type	n = 135
Robbery	21%
Assault	14%
Theft	11%
Possession of a Weapon/Firearm	9%
Possession of Imitation Weapon	9%
Possession of Property by Crime	7%
Possession of a Substance	5%
Uttering Threats	5%
Disguise with Intent	2%
Mischief	2%
Break and Enter	1.5%
Forcible Confinement	1.5%

The 135 offences outlined above contributed to a total of 66 convictions. With respect to the total number of previous convictions per youth, this ranged from one to nine with an average just above two prior convictions ($M = 2.13$, $SD = 1.91$). A slight majority (55 per cent) of the youth in this sample had only one previous conviction and another one-fifth (23 per cent) had two previous convictions. Less than one-fifth (16 per cent) had between three to five previous convictions, and only two youth had between six to nine previous convictions. Of the 66 previous convictions, nearly three-quarters (71 per cent) involved at least one violent offence and half involved at least one non-violent offence. In contrast, less than one-fifth (17 per cent) of the sample had one or more convictions that involved at least one weapons offence and a similar proportion (15 per cent) had at least one conviction with at least one imitation firearms offence.

In total, three youth had no previous convictions related to a violent offence, 19 youth (61 per cent) had one previous conviction related to a violent offence, and three youth had two prior convictions that included a violent offence. The remaining youth had between four to seven previous convictions with at least one violent offence. Similarly, more than one-third (39 per cent) of the youth had zero previous convictions involving a non-violent offence, while a similar proportion (36 per cent) had one previous conviction related to a non-violent offence. Only one youth had one previous conviction for a non-violent offence and two youth had three convictions that included at least one non-violent offence. The remaining youth (16 per cent) had between five to 10 previous non-violent offences.

As detailed above, it is important to keep in mind that the 66 convictions were the result of 135 individual charges, so a youth could have more than one charge related to an conviction. To determine the frequency of different offence types that contributed to convictions, a multiple response analysis was conducted, which counts how many times a particular offence type appears in the database. As demonstrated in Table 4, more than one-third (39 per cent) of all convictions were associated to a robbery and nearly one-quarter (24 per cent) included a charge of assault. The next most common offences found in the conviction records of these 31 youth were theft (18 per cent), possession of a weapon (17 per cent), and possession of an imitation weapon (15 per cent). In none of the cases was the charge of possession of an imitation firearm the sole charge that resulted in a conviction. Rather, it was much more common for a possession of an imitation firearm charge to be included with other charges, such as robbery, assault, or theft.

TABLE 4: MOST COMMON CONVICTION TYPES AMONG YOUTH CRIMINAL HISTORIES, EXCLUDING BREACH OFFENCES

Conviction Offence Type	n = 66
Robbery	39%
Assault	24%
Theft	18%
Possession of a Weapon/Firearm	17%
Possession of Imitation Weapon	15%
Uttering Threats	11%
Possession of Property by Crime	6%
Possession of a Substance	6%
Disguise with Intent	4.5%
Mischief	4.5%
Forcible Confinement	3%

School Policies on Imitation Firearms

The school district policies of all 60 public school districts in BC were reviewed to examine whether school districts had a weapons policy and if so, whether this weapons policy referred specifically to imitation firearms. Nearly all school districts (87 per cent) had a policy that referred to weapons; however, of the school district policies that referred to weapons (n = 52), only slightly more than one-third (38.5 per cent) had a distinct weapons policy. The majority of school districts (54 per cent) referred to weapons in their code of conduct or discipline policies but two school districts noted weapons in their safe and caring schools policy, one school district mentioned weapons in their threat assessment/violence policy, and one school district discussed weapons in their harassment and discrimination policy. Regardless of the specific policy that made reference to weapons, slightly more than one-third (38.5 per cent) of school district policies referred specifically to imitation firearms.

In terms of how school districts discussed weapons in or at school, among the school district policies that referenced weapons, the most common reference (48 per cent) was that weapons were considered examples of unacceptable conduct or serious misconduct. For example, one school district code of conduct stated:

The Board believes that acceptable student conduct, based on respect for oneself, respect for others, and respect for property is essential to the development of responsible citizens. To this end, students are expected to...refrain from being in possession of weapons of any kind in school or at school activities.

The second most common reference (38.5 per cent) was that the presence of weapons had an adverse effect on the school environment and was not conducive to a safe learning environment. For example, one school district's code of conduct stated:

The Board is committed to providing safe and caring environments in which all leaders can achieve academic excellence, personal growth and responsible citizenship...Safe and caring school environments do not tolerate the presence of...weapons...

The remaining school district policies (13.5 per cent) made reference to the illegal nature of weapons. For example, one school district's administrative procedures manual stated that:

“Unacceptable behaviour includes, but is not limited to...illegal acts, such as...possession or use of weapons...” Despite the seriousness of this issue, less than half of school district policies (40 per cent) provided an explicit definition of a weapon, although two school district policies that did not provide a definition provided examples of what constituted a weapon. As an example, one school district’s dangerous weapons policy defined a weapon as:

any firearm whether loaded or unloaded; any chemical, substance, device, or instrument designed as a weapon or through its use capable of threatening or producing bodily harm or death; or any device or instrument that is used to threaten, strike terror, or cause bodily harm or death.

Of those school districts that provided a definition of a weapon, a majority (57 per cent) referenced the *Criminal Code* of Canada as part of their definition. For example, one school district’s weapons policy defined a weapon as:

anything that is used, that is intended to be used, or is designed to put someone in fear; anything used or intended for use in causing death or injury to persons whether designed for that purpose or not; or anything used or intended for use of threatening or intimidating any person, and, without restricting the generality of the foregoing, includes any firearm as defined in Section 84 of the *Criminal Code*.

Given the potential serious consequences of weapons, firearms, and imitation firearms, **school districts should develop a specific policy that addresses weapons**. This policy should address the seriousness of this issue from a school safety perspective and clearly articulate the consequences for violating the policy. In addition, this policy should provide the definition of a weapon, referencing the *Criminal Code* of Canada, and explicitly prohibit imitation firearms. Across all 60 public school districts in British Columbia, only two school districts had a weapons policy that included all these components. For example, one school district’s weapons policy provided the following context for its policy:

The Board believes that students, staff and visitors to a school have the right to pursue their affairs in a safe and protective environment. The Board considers the possession or use of any weapon by anyone, other than a peace officer, on or near school premises or at school events, to be a serious threat to the safety and security of students and staff. Students shall not possess, display or use any weapon, except as otherwise approved by the principal, on any school premises, school bus or contracted transport or at any activity off school premises that is organized or sponsored by a school.

The policy also provided a clear and comprehensive definition of a weapon that included references to the *Criminal Code* and imitation firearms:

The definition of a weapon is: 1.1 anything used, designed to be used, or intended for use in causing death or injury to any person or for the purpose of threatening or intimidating any person, and without restricting the generality of the foregoing, includes any firearm or ammunition, or any device prohibited or restricted under the *Criminal Code* of Canada; 1.2 anything that is a replica, facsimile, imitation or toy designed or intended to replicate the foregoing; and 1.3 anything else that, in the opinion of the principal or vice-principal, is potentially dangerous in the hands of a particular student or in a particular situation.

This policy also outlined how the school district managed risks associated with weapons, when and how the incident would be documented and reported, the resulting disciplinary action, and the procedures for exceptions to the policy for religious reasons. Again, it is recommended that all

school districts follow this type of approach and ensure that all elements mentioned above are included in a comprehensive policy about weapons and imitation weapons in and around schools.

Qualitative Interviews with Police Officers

FREQUENCY AND NATURE OF IMITATION FIREARMS RELATED INCIDENTS

Among the youth police officers and SLOs interviewed, participants noted that the number of imitation firearms related incidents that occurred annually remained low. When asked where the incidents typically occurred, participants from all five detachments suggested that social media (Instagram, Snapchat) and online were the primary locations, with very few cases in schools, at a residence, or in a public park. The nature of these imitation firearms related incidents most often included posting photos of individuals holding imitation firearms to social media. These photos were most commonly taken at a location away from school grounds and after school hours. This trend of posting to social media was perceived to be increasing with police participants noting that there was no section of the *Criminal Code* that prohibited an individual from posting a photo with an imitation firearm online. Therefore, while concerning, the behaviour remained non-criminal. In these cases, the typical police response involved first trying to retrieve the online content, obtaining evidence and statements, and then examining the firearm to determine whether it was a genuine or imitation firearm. At that point, if the firearm was found to be an imitation, as there was no *Criminal Code* violation, police took on an education and prevention role with the youth.

When asked about threat-related incidents in schools connected to imitation firearms, police participants in most school districts reported very few incidents annually that required an emergency police response. In fact, four of the five detachments reported only one incident in the past year and the fifth detachment reported less than five incidents in the past year. The most frequent type of incident that was deemed to present a threat involved a photo with a firearm posted to social media that included either vague or explicit threats towards a school community. Consistent with reports that emergency police response was rare, police participants noted that the occurrence of imitation firearms incidents involving threats during school hours and on school property was extremely infrequent. These types of incidents were generally identified by the school administration during a backpack or locker search. In those cases, the weapon would be secured by the administrator and the police were called. In cases where the presence of a weapon was suspected, the typical response was for the administration to discreetly isolate the student from the potential weapon by moving them away from a locker or securing a backpack. Administration then seized the item and eliminated the threat prior to calling the police. Participants noted that this was often the case because school administrators had the legal authority to search backpacks and lockers without warrant, whereas the police do not and, in every instance, a warrant was required for police to search student property. In both confirmed and suspected presence of weapons cases, school administrators were primarily responsible for seizing the weapon and because there was no imminent threat, a school lockdown was not necessary. The typical response in those cases was for the police to attend the school for investigative purposes to determine whether a violation of the *Criminal Code* had occurred, and where no criminal investigation was required, to undertake a prevention and education approach.

In the very few situations that included a perceived imminent threat of violence to a school community, police participants noted that the threat was initially treated at the highest level and the weapon treated as though it was real until it could be established that the weapon was an imitation. In those incidents, the school was moved into a hold and secure position or locked down, police arrived at the school engaging their lights and sirens, and an emergency response team (ERT) also attended on scene. While all of this was occurring, as much information as possible was gathered simultaneously by police and school personnel, with the response coordinated with the school district's senior management team.

TYPES OF IMITATION FIREARMS ENCOUNTERED BY POLICE

As noted above, there exists a dearth of data on the nature and type of imitation firearms used. This is partly due to the fact that, in most cases, police examination of social media posts with replica firearms did not result in an investigation. Considering this limitation, police participants were asked to identify the most common type of imitation firearms encountered. This question was posed during semi-structured open-ended interviews and as such, the purpose was not to quantitatively assess responses, but to identify general themes. The majority of participants identified BB guns, replica handguns (of any kind), and airsoft guns as the most common imitation firearms that they encountered.

TYPICAL CONSEQUENCES FOR FIREARMS RELATED INCIDENTS

Police participants across the five detachments noted that the most common consequences for youth in possession of an imitation firearm or presenting any threat to the school was suspension and seizure of the firearm by school administration. In most districts, the Safe Schools Coordinator/Manager was involved in the response and the young person was typically removed from the school until a determination was made that they no longer posed a threat, and it was deemed safe for them to return to school. In some cases, depending on the severity of the incident, the student was expelled and enrolled at another school.

Participants noted that the police response was very different if there was injury or violence and that in these cases, a full *Criminal Code* investigation occurred with charges forwarded to Crown. That said, the *Youth Criminal Justice Act* (YCJA) requires consideration of alternative measures, so whenever possible and appropriate, the student would be diverted to restorative justice programming. In all cases, it was noted by the police participants that it was the role of the SLOs and youth officers to provide support to the school administration and deliver the education and prevention piece.

RISK FACTORS AND CHARACTERISTICS OF YOUTH WITH IMITATION FIREARMS RELATED FILES

Across the five police detachments, participants noted that imitation firearms related files predominantly involved high school-aged males (grades 8-12, between 12 and 18 years old). Participants noted that, in considering risk factors, any involvement in selling drugs or gang life was

perceived to increase their risk of involvement with imitation firearms as it was believed that having an imitation firearm made the youth feel invincible or more powerful. This was described by one participant as a “show and tell” offensive strategy. It was suggested that even though these youth knew that the firearm was fake, they believed their peers would perceive the firearm as real, which would elevate their social status and make them “look cool.” Participants also suggested that the opposite was also true in that perceiving a need for self-protection or as a defensive strategy resulting from being picked on or bullied was commonly noted as increasing the risk for imitation firearm possession or use. It was somewhat common for participants to identify that an imitation firearm gave some youth a feeling of power and safety. Police participants also noted that, in many cases, the young person had prior interactions with the police across both those seeking the perceived offensive and defensive protection that youth felt an imitation firearm provided.

In considering perceptions of the social risk factors for participation in imitation firearms related files, police participants noted that because there are so few of these types of files, it was difficult to make generalizations. However, in the files they investigated, poor or inadequate parenting increased the risk of imitation firearm possession or use. For example, families where both parents worked outside the home and where young people were left at home unsupervised for extended periods of time was considered a risk factor. Another example provided by some police participants involved files where the parent purchased the imitation firearm for the child, and neither the child nor the parent perceived there to be any issue with this because the imitation firearm could be purchased in stores without a licence and were, therefore, considered a toy.

POLICE CONCERNS - YOUTH AND IMITATION FIREARMS

When police participants were asked to identify their greatest concerns about the use of imitation firearms by youth and suggest topics or issues to cover in educational efforts, three main themes emerged. The first theme was that police were often unable to distinguish between a lethal firearm and an imitation firearm and the potential for serious injury to themselves was not often considered or understood by young people when in possession of imitation firearms. The second theme was that the general public shared this inability to distinguish between real and imitation firearms and might overreact to the presence of the imitation firearm, as the average citizen lacked the knowledge, experience, skills, and abilities to respond appropriately. The final theme was the lack of concern or understanding among parents of youth with imitation firearms about the seriousness of the situation and potential for criminal charges or, even worse, lethal outcomes for youth who possess, brandish, or attempt to use imitation firearms, especially in and around schools.

Police participants noted that their greatest concern rested with the inability of the police to distinguish an imitation firearm from a real firearm in a number of situations, such as in low light, when brandished from a moving vehicle, or in a high-risk situation. Police participants noted that in every single situation where a weapon was present, the assumption must always be that the firearm was real requiring the police to respond to the situation as such. One participant suggested that many youth did not comprehend the seriousness of the situation and that the police have a lethal firearm and will pull it out in response. When talking about responding to a report of a firearm at a school, one participant stated that this was one of their biggest fears. “We arrive on

scene and a youth is waving a firearm around and the outcome may be lethal use of force. I would hate to be the cop that responds to that call and has to make a decision about whether or not to pull the trigger, and then later check the weapon.” Another participant said, “We don’t want to respond guns drawn and have someone not cooperate and have them get seriously hurt because of a BB gun, because we didn’t know it is a BB gun and we have to assume it is a genuine firearm.” All participants suggested that **the focus of imitation firearms education should be that replica or imitation firearms were viewed as real and would be treated by police as real with very serious and potentially deadly consequences for those in possession of them, and criminal consequences for those who point them at others.** One participant summarized this by saying, “We need to drive home the gravity of thinking about how the police will respond to these imitation firearms and that the consequences may very well be fatal; the seriousness is there.”

Participants suggested that the threat of violence also existed when a member of the public witnessed a young person carrying an imitation firearm because most people were unable to distinguish an imitation firearm from a lethal one. It was suggested that in every incident that the police responded to, they must treat the firearm as real until proven otherwise, but they also responded based on their years of training and as professionals. When a member of the public perceived a lethal threat, there was no way for the police to predict how the situation might turn out and the responding officers often did not have the training, experience, knowledge, or ability to consider that the firearm might be an imitation or replica. Police participants noted that this was because young people in possession of imitation firearms wanted them to look real and, in the case of airsoft guns, often modified the weapon to make it indistinguishable as a replica, such as by painting the orange tips of the firearm black. Given this, the potential for lethal consequences existed in every instance that a young person brandished an imitation firearm, but the risk was perceived as even greater when the response was from a member of the public with no training and experience to inform their response. As such, educating young people about the potential for serious consequences when they were outside, in a building, such as a school, or in a vehicle visibly brandishing an imitation firearm was very important and necessary. One participant noted that “there is a disconnect between the protection they think it affords them versus the grief of the consequences.”

Participants emphasised the importance of also educating parents who often did not think imitation firearms or airsoft weapons were particularly dangerous and purchased them for children and young people as toys. Police participants suggested that this created a situation where young people were not being taught the appropriate firearms related safety skills, including safe use and storage, not to point the imitation firearms at people, and how to safely shoot. When parents sanctioned the use of imitation firearms by young people, these replicas become more readily available, which increased the risk of serious consequences for the child or young person. Across the five detachments, police participants noted that parent education related to the potential for serious lethal and criminal consequences from the possession or use of imitation firearms for children was necessary, suggesting that most parents simply had no idea that by gifting an imitation firearm to a child or young person, they increased the risk of a very serious police response. One police officer noted, “If a youth points a weapon at someone, whether it is real or fake, they can be charged. Nine times out of ten, education is enough.”

POLICE PERCEPTIONS OF PREVENTATIVE EDUCATION POSSIBILITIES

Police participants in all five detachments were asked which age groups should be identified and targeted for preventative education related to imitation firearms. The responses ranged from those in Grade 5 to those in Grade 10. Several participants suggested that a two-tiered program with different messaging appropriate to elementary/middle school and high school youth would be valuable. When asked about the best method for communicating information about imitation firearms to youth and parents, participants noted that large-scale presentations in schools did not offer much value because it was difficult to capture the attention of students. Moreover, at-risk youth who would benefit most from hearing this information often had low attendance rates and might not be present in schools. **If presentations were conducted, they should be offered to youth in smaller cohorts.** In addition, **presentations needed to be developed with age-appropriate materials**, with a focus on setting the tone in elementary school to build awareness and then discussing the potentially criminal and lethal consequences in high school. Although some participants noted that it was common for youth in high school not to care nor to listen to the legal consequences, it was still perceived as valuable to provide this information and education.

When considering educational programs for parents, numerous participants suggested that in-person presentations for parents in schools also offered little value. Participants suggested that this was because of low attendance and that it might be difficult to get buy-in from parents because there were so few imitation firearms related incidents. Some participants with experience conducting presentations to parents noted that the same group of parents typically showed up to presentations on various topics and that, for the most part, these parents were not the ones that needed to hear the message. In other words, presentations were not attended by the parents whose children were most at risk and who would benefit most from the information disseminated in a presentation. To address the attendance issue, **it might be valuable to provide an information sheet to hand out afterwards directing the parent to a webpage with more information about imitation firearms.** This webpage could be set up by the government of British Columbia, the police, or the school district, but should be succinct and clearly outline the legal consequences and lethal risks presented when a young person was perceived to be threatening violence with a real or imitation firearm. Moreover, **a QR code could be developed that police officers distribute to youth and parents offering the above-noted information as a 'toolkit'.**

To further support a 'toolkit' approach, some participants suggested that it would be valuable to connect the information in the toolkit to recent situations involving actual events at schools in the district or neighboring districts to demonstrate the effects on children and their families to increase the value and impact of the messaging. An example of this would be to transmit information to parents about imitation firearms after a hold and secure or lockdown event in a specific school district, which was typically reported by the media, because their attention had been captured by a real event that they recently experienced or heard about. To this end, one participant suggested **developing a short video to include in the toolkit**, similar to a TikTok video, where young people could talk to other young people about their experiences and what happened when an imitation firearms incident caused fear in a community. By and large, the message was that whatever was developed and used by the police, schools, or the community it should be relatable for the target audience, while also providing useful information for parents. Some participants suggested that a

contact phone number for parents who might have questions may also be very helpful. One participant with experience with such a program suggested that doing so created a lot of conversations when parents called the police for help. These recommendations aside, participants also noted that broadly distributed information for parents sent home via schools in the form of an information sheet was not perceived to be valuable, with participants noting that these never seemed to get to where they were supposed to go. Some participants noted that language was often an issue with many school districts sending home paper notices in English to populations where the level of communication and understanding in English was limited or challenging. As such, **for broad dissemination of information, social media and school websites might be more fruitful.**

In summary, the main themes derived from interviews with 21 police officers across five RCMP detachments were that traditional modes of information dissemination, including paper newsletters or pamphlets, large-scale student presentations, or in-person presentations with parents, were perceived to be largely ineffective. From the perspective of police participants, a 'toolkit' with a QR code that could be accessed by students, parents, teachers, and frontline police officers might be a more useful educational medium. Participants said this toolkit should be visually appealing to young people, provide relatable and consumable information, offer succinct information on the potential for criminal and lethal consequences of inappropriate use of imitation firearms, and if possible, provide a telephone number to facilitate conversations with the police.

Qualitative Interviews with School District Administrators

FREQUENCY AND NATURE OF IMITATION FIREARMS RELATED INCIDENTS

In discussing imitation firearms, the main themes highlighted above from police participants were very similar to the themes mentioned by the school district administrator participants. Most school district administrator participants indicated that an occurrence related to an imitation firearm was very rare. However, when they occurred, the most common imitation firearm was an airsoft pistol. While there were some instances of students bringing knives, pepper spray, brass knuckles, and collapsible batons to schools, there were very few reports of a student having a real or imitation firearm in or around a school. Although the presence of imitation firearms at or around a school was very rare, there was a general consensus among school district administrator participants that students posting pictures of themselves with real or imitation firearms on social media sites had increased over the past few years. The most common way that schools were made aware of these occurrences was through the Safer Schools Together monthly notification that highlighted worrisome behaviour by students.

Participants indicated that very few incidents of an imitation firearm at or around a school were considered a legitimate threat to the safety of either other students or those working in the school. The few instances that were considered a threat involved posting on social media with a real or imitation firearm and making a direct or indirect threat against students or teachers. In these cases, the threats were sent to the police and investigated. Of note, among those online threats that were investigated by the police, school district administrator participants recalled that each case involved an imitation firearm rather than a real gun. In effect, the general consensus among school

district administrator participants was that threats made over social media involving imitation firearms had increased over the past few years and the common response from the school was to notify the police who investigated the threat to determine whether the firearm was real or imitation and the veracity of the threat. Moreover, the most common incidents involving imitation firearms and students involved a student posting pictures of themselves on social media with an imitation handgun, airsoft rifle, or a paintball weapon with the paintball canisters removed so the weapon appeared more real. Still, overwhelmingly, the most common imitation firearms that school district administrator participants encountered were BB guns that looked like real firearms followed by airsoft rifles.

In addition to notifying the police when school district administrator participants were made aware of an online posting of a student making a specific threat against someone else with a real or imitation firearm, participants also reported that they often had a conversation with the student and their parents or caregivers about the risks and dangers of posting a picture online with a firearm, regardless of whether the firearm was an imitation and a direct or indirect threat was made. Some school district administrator participants indicated that they used their Violence Threat Risk Assessment (VTRA) protocol to assess risk and determine the most appropriate course of action in response to a student posting a picture of themselves or others with any kind of weapon.

When it came to a possible real or imitation firearm in the school, school district administrator participants reported that they were most often made aware of a firearm by a teacher or student who saw something in a student's bag or saw a student show the weapon to others. In these cases, the school administrator(s) assessed whether they had grounds or a reason to search a student's bag or locker. They also contacted the police or the school's SLO, if they had one. If the school administrator(s) believed they had grounds to do a search of the student's property, they did so in an attempt to collect the weapon. Once the weapon was located and retrieved, the school administrator(s) initiated a VTRA. However, if the school administrator(s) believed there was an actual threat, they went into a hold and secure followed by a lockdown, if necessary, depending on whether the individual with the weapon was inside or outside the school. Of note, if the weapon collected was an imitation firearm, like an airsoft gun, because it was not illegal to possess one, the student's parents were asked to come to school to retrieve the weapon. With some minor alterations, this process was common among all school district administrator participants: locate the weapon, collect the weapon, contact the police, initiate a VTRA, and notify the student's parents or caregivers.

TYPICAL CONSEQUENCES FOR FIREARMS RELATED INCIDENTS

In terms of the consequences to the student who brought an imitation firearm to school, as expected, there was some variation based on the nature of the incident and the nature of the weapon. In one school district, if a high-school student was found in possession of a real or imitation weapon, they were automatically suspended. It was noted that the purpose of the suspension was to ensure that the student did not return to the school until after a VTRA had been completed to determine what types of interventions were required and what supports needed to be

in place prior to the student returning to school. In that same school district, a middle-school student would also be suspended if there was a threat made against a specific person. However, if a weapon was found in a bag, for example, and the student was able to establish that they forgot to remove the weapon prior to coming to school, options other than an automatic suspension were considered.

Similarly, other school district administrator participants indicated that if the weapon was real, the student would be suspended either until the VTRA process was completed and interventions and supports were put in place (level 2 suspension), or the student could be handed a level 3 suspension in which they were not allowed to attend any school in the district.⁶ Some of the more common interventions were that the student had to have their backpack searched prior to entering the school or not being allowed to have a backpack for a certain amount of time, the student would not be allowed to go to their car during school hours, and the student would have to check in and check out with a school administrator to enter and exit the school. In all cases, the parents or caregivers were notified of any suspensions and the reasons for the suspension. However, it was somewhat common for school district administrator participants to report that getting parents or caregivers involved in interventions was a challenge because it was often the parents who bought the imitation firearm for the student and did not accept or understand the risks involved with having their child bring an imitation firearm to school. Some school districts also recommended school-based counselling or other programs to better support the student, but often, the student's participation in these types of interventions could not be mandated or enforced by the school. It should be noted that formal charges against a student was reported by school district administrator participants to be extremely rare, mainly because the behaviour was non-criminal.

In broad terms, it would appear that the typical consequences for a student who brought, showed, or brandished an imitation firearm in or around a school were to conduct a threat assessment and, if the situation warranted it, to contact the police. In terms of the outcome of the school's threat assessment, for incidents deemed minor, school principals had some degree of autonomy and discretion for discipline, such as suspending the student for up to five days. When the threat assessment process concluded that a more serious disciplinary response was required, the school might consult with the Safer Schools Together team to determine what additional interventions or supports might be necessary. For the most serious cases handled by the school, there might be a hearing at the school district level. At this level, the intent of the youth, the nature and seriousness of any threats, and school safety issues were considered and the outcome could result in moving the student to another school. Regardless of the specific interventions or supports that might be put in place, most school district administrator participants indicated that if a student was found with an imitation firearm at school, they would most likely be suspended or removed from the school and a VTRA process would be initiated. Again, specific outcomes tended to be school district specific, but most school district administrator participants reported that charges were typically not laid against a youth for possessing an imitation firearm because, in most cases, the behaviour did not meet the threshold of a criminal offence. For charges to be laid, specific threats needed to have been made or

⁶ A level 1 suspension referred to a suspension lasting a few days, typically up to five days.

the student needed to be brandishing the imitation firearm for the purpose of intimidation or the commission of a criminal offence, such as an assault or robbery, rather than showing it to a friend or playing with it near school during recess, lunch, or before/after school which, in and of itself, though very dangerous, is non-criminal.

RISK FACTORS AND CHARACTERISTICS OF YOUTH WITH IMITATION FIREARMS RELATED FILES

All school district administrator participants reported that most of the incidents involving imitation firearms involved males in the mid-secondary school range. While all participants indicated that they were aware of instances involving youth who were younger or older, for the most part, these incidents involved youth who were in Grades 10 and 11. The concern raised by many school district administrator participants was that these behaviours were beginning to appear in youth starting in Grade 7. This occurred because younger students were associating with older students that were engaged in some at-risk behaviours or had older siblings engaging in at-risk behaviours, including the use of imitation firearms. Some of the other reasons for younger people to either post pictures online with imitation firearms or to bring one to school are discussed below. While it was somewhat dependant on the demography of the school district, for the most part, participants indicated that those involved with imitation firearms were mainly Caucasian; however, other participants indicated that there was a growing number of racialized and Indigenous youth getting involved with imitation firearms. Another characteristic that all school district administrator participants mentioned was that these youth were known to the school and were considered part of the high-risk population of the school. Some of the characteristics of high-risk youth that were identified by participants associated with the possession of imitation firearms included poverty, lack of connection to prosocial peers, truancy or lack of connection, engagement, and commitment to school, a lack of participation in prosocial or positive activities, lack of parental supervision or boundaries, father-less or single parent homes, youth having too much unsupervised time due to parents' work schedules, family trauma, family addiction issues, frequent residential mobility, lack of positive male adult role models, mental health issues, drug use, gang affiliation, and involvement in criminal activities, such as dealing drugs.

Two consistent themes related to risk factors associated with imitation firearms mentioned by school district administrator participants were the role of social media and the glorification of the gang or criminal lifestyle. As discussed above, all participants spoke of the influence of social media and the increase in the number of youth who posted pictures of themselves and others on social media with real or imitation firearms. Participants indicated that there were two main reasons why both young males and females were posing with firearms online. The first reason was mainly defensive in nature. Here, young people were trying to send the message that they were able to protect themselves from others by having a firearm, regardless of whether the weapon was real or imitation. The second reason was a form of posturing or an attempt to exert dominance. Participants believed that young people were posting pictures with firearms as a way to look cool or to appear tough or threatening. Interestingly, this could serve both an offensive and defensive purpose. The pictures could be designed to send the message that the youth should not be 'messed with' or challenged because they had access to a firearm. Alternatively, the pictures might be used

to communicate toughness, aggressiveness, and that they were potentially violent. Participants suggested that a growing number of young people were posting photos with imitation firearms to intimidate or scare someone who was potentially scaring them.

Participants also indicated that they noticed a trend towards younger youth posting social media photos either holding a weapon or with a weapon in the picture, such as on a bed. In effect, there was growing concern that younger students, such as those who were only 12 years old, were posting photos with firearms and that there was a general increase in the acceptance of these types of posts from young people. In other words, younger youth were less afraid of posting photos of themselves with firearms, were mimicking some of the behaviours they saw in social media and other forms of media, such as music videos and movies, and were less afraid or concerned with seeing firearms in the photos of others. In effect, school district administrator participants believed that there was a growing acceptance of these kind of images among young people, a growing lack of awareness or understanding of the potential consequences of posting these types of pictures, and a greater willingness to post pictures with firearms to communicate a range of defensive and aggressive messages. One participant indicated that it was somewhat short-sighted to believe that students who were frequently posting pictures of themselves with imitation firearms would not bring these items to school.

In terms of differences between males and females and the role of imitation firearms on social media, while some participants indicated that there had been an increase in the number of females posing in photos with firearms, one participant indicated that when females were involved, they were most often the person taking the pictures, one of the people encouraging the male to appear in a picture with a firearm, or simply in the background of the photo. Still, several school district administrator participants believed that the number of young females who were posting pictures of themselves and others with imitation or real firearms had increased and that more females were posting pictures with imitation or real firearms to communicate toughness, an association with gangs, or to make general and/or specific threats to others.

The other main use of social media photos with real or imitation firearms was related to embracing the gang or criminal lifestyle. Again, school district administrator participants believed that posturing was common rather than actual affiliations, associations, or membership in a gang or criminal organisation among their students. The general perspective of school district administrator participants was that students were either imitating the style and behaviours associated with a criminal lifestyle or attempting to show that they were part of the gang lifestyle, regardless of whether they actually were associated with a gang. The concern among some of the participants was the attention these youth might receive if it was believed by others that the youth was part of a gang or how actual gang members might react to a non-affiliated youth suggesting an association to a gang.

SCHOOL DISTRICT ADMINISTRATORS CONCERNS - YOUTH AND IMITATION FIREARMS

There were a number of common concerns that the school district administrator participants had about youth and imitation firearms. The most common concerns were related to what activities a student might be engaged in or what associations that student has where they think they need an

imitation firearm to convince others that they were armed. Related to this point, some school district administrator participants were concerned about when the need or desire for an imitation firearm becomes a need or desire for a real firearm. There were also some concerns raised about the role of imitation firearms in the identity of some youth. In other words, school district administrator participants were concerned with what an imitation firearm represented to a youth and the formation of their identity. In this way, participants felt that it was important to have a much better understanding of what was going on with their students and families to address the reasons why a student might feel the need to have an imitation firearm with them at school, especially if the purpose for possessing the imitation firearm was for protection or intimidation.

The other two main concerns that school district administrator participants expressed related to the response of others to the presence of an imitation firearm and the lack of awareness of how serious it was to carry a weapon that most people would perceive as real in and around a school. To the first point, school district administrator participants were very concerned about what might happen when others, particularly the police, believed that an imitation firearm was real.

Participants believed that it would only be a matter of time before a student brandishing an imitation firearm was shot by the police or someone else who believed the weapon was real. To the second point, school district administrator participants discussed how often the response from a student and/or their parents to the school taking the presence of an imitation firearm at school seriously was that it was only a BB gun or an airsoft weapon. School district administrator participants believed that the seriousness of the issue or the potential harm that could result from a student possessing or brandishing an imitation firearm in or around a school was either lost on or dismissed by the student and/or their parents.

SCHOOL DISTRICT ADMINISTRATORS' PERCEPTIONS OF PREVENTATIVE EDUCATION POSSIBILITIES

It was very interesting to see the range of responses from school district administrator participants on educating students about imitation firearms. One participant indicated that because incidents of imitation firearms were so low in or around schools, there was really no need to educate youth about this issue. Instead, this school district administrator participant believed that it was much more important to discuss social media and how students should and should not use social media. Another school district administrator participant indicated that their schools did not specifically discuss imitation firearms but that the topic was discussed when the local police or CFSEU-BC gave presentations about gangs. Another school district administrator participant indicated that all principals in their school district discussed that students were not allowed to bring any weapons to school as part of the school's code of conduct discussions. In effect, no school district administrator participant stated that they provided any specific or direct education to their students about imitation firearms.

However, school district administrator participants did have several topics or issues that they felt should be included in any educational information to students. Several school district administrator participants believed that students needed to be educated about the fact that the police will treat all weapons as real until they are completely sure that a weapon is an imitation. Participants believed that this information also needed to be communicated to parents as it was believed that parents

thought that the police could easily identify an imitation firearm from a real one. In this way, school district administrator participants felt that parents did not fully understand the risks that their children were taking by carrying an imitation firearm in public. Another school district administrator participant stated that students needed to be educated on the *Criminal Code* charges that can come from pointing an imitation firearm at another person, or brandishing it in an intimidating manner that could be perceived as a threat.

Several school district administrator participants took the perspective of educating students about issues that might contribute to a youth deciding that they needed an imitation firearm for defensive or offensive purposes. In other words, in addition to discussing the issue of real and imitation weapons, school district administrator participants spoke about teaching students about building resiliency, how to build and maintain safe relationships, understanding power dynamics, how to resolve conflicts in a non-violent manner, understanding the culture of toxic masculinity, and debunking and deglamorizing the gang and criminal lifestyles, in addition to discussions around why some felt the need for a weapon and addressing the misperception that possessing a weapon makes you safer. Finally, several school district administrator participants discussed the need to educate youth on who and how to ask for help so that issues did not escalate to the point where someone felt the need to bring a real or imitation weapon to school.

School district administrator participants had a number of suggestions for how to best communicate information about imitation firearms to students and their families. Several participants indicated that social media campaigns were effective at spreading the message to a much wider group of people than just students. It was acknowledged that this approach would require partnerships with a range of municipalities, government agencies, and industry, which might be very difficult and expensive to execute. One participant suggested, for example, that a campaign that included messages at bus stops, on the interior and exterior of buses, and the SkyTrain about the dangers associated with imitation firearms might be effective. Others indicated that imitation firearms were included in CFSEU-BC's "Shattering the Image" presentation and that this was an effective way of delivering the message about weapons. Others suggested that an infographic that could be discussed in class and posted throughout the school might be effective.

Nearly all school district administrator participants mentioned that education needed to start at home and with parents, but participants were somewhat pessimistic about being successful in this endeavour. In terms of developing and delivering presentations to parents, most school district administrator participants stated that those parents who most needed to hear the message were those least likely to attend a school presentation. They felt similarly about sending educational information home to parents. Those most in need were perceived to be those least likely to read information sent home with the student from the school.

In terms of the most appropriate age group to target with school educational material, school district administrator participants all agreed that education and information about imitation firearms should start being provided to students in Grades 7 or 8. This view was based on the belief that younger students were more receptive to internalizing the information, whereas older youth were more difficult to communicate with and might already be interested in the 'gangster' lifestyle. In other words, school district administrator participants believed that it was easier to provide

prevention education before a youth became directly exposed to or involved with imitation firearms. Many participants felt that it was much more difficult to reach youth when they got older and much more difficult to steer them in a more positive direction once they went down the path of being interested in having and using weapons. It was felt that younger students should be taught about safe and responsible use, and those in Grades 9 and higher needed to be taught about firearm misuse, consequences, and harm. In general terms, it was felt that it was important to teach those in elementary school about positive ways to deal with conflict, but that those in Grades 8 and 9 were the ones making decisions or having experiences that contributed to possessing and carrying imitation or real firearms, so they needed more information about the real and potential consequences associated with possessing and carrying imitation firearms in public. At the same time, as mentioned above, it was felt that it was much harder to convince those who already possessed or carried imitation firearms that these items were dangerous, would be viewed by many people as real, and could result in some very serious and tragic outcomes.

Imitation Firearm Educational Awareness Toolkit

A number of items in the toolkit have been developed or suggested by the principal researchers of this project. Included with this report are a 2-page brochure, three sample posters with key information points, and two Microsoft PowerPoint presentations. The brochure and sample posters are modeled after the EPS' "Fake Gun, Real Danger" public education campaign.

1. Brochure (Appendix A) – This is a two-page brochure that provides key information on imitation firearm safety, definitions of imitation firearms, messaging around the police response to weapons, and the law related to weapons and imitation firearms. If being sent home with students, schools should consider adding their safe school policy, code of conducts, and/or weapons policy. There is also a place for a municipality to add their logo, space for the RCMP detachment or municipal police department logo, and/or the school logo. There is also space for a QR code that could be linked to school policies or a police website with information about imitation firearms. It is recommended that schools produce this kind of brochure to send home with their students, municipalities can produce the brochure to disseminate at community events and be made available at City Hall, and police agencies can produce the brochure to disseminate at community events and have it available at their headquarters and community police offices.
2. Posters (Appendix B) – The three sample posters focus on the key message that the police cannot tell the difference between a real and imitation firearm during an incident, and will respond as if the firearm is real in the first instance. Similar to the brochure, each poster has space for the police agency to insert their own logo and space for a QR code that can be linked to a police website page that provides additional information related to real and imitation firearms. These posters could be produced by police agencies or the municipality and placed in key locations throughout a jurisdiction, such as a community police station, bus depots, community centres, and other locations that young people spend time in. These posters could also be placed in schools.

3. Imitation Firearms Middle-School Level Presentation – Available from the Office of Crime Reduction and Gang Outreach or the Centre for Public Safety and Criminal Justice Research. This Microsoft PowerPoint presentation with presentation notes is designed to be delivered by teachers or police officers in class to middle-school students. The presentation begins with an example of two students who brought imitation firearms to school and the response the incident received from the school and the police. There is also a link to the story provided for additional information. The purpose of providing the example at the beginning of the presentation is to foster a discussion around the key questions of why a student might bring an imitation firearm to school, how challenging it can be for the police and others to know the difference between a real and an imitation firearm, how the school would respond to the presence of an imitation firearm, and how the students would feel if their school was placed in a lockdown. The next slide shows a real and an imitation firearm and asks students to identify which one is real. This is followed by a discussion around social media and posting pictures or videos with imitation firearms, as well as making implicit or explicit threats against another student, teachers or staff, or the school community. This part of the presentation is also interactive and provides an opportunity for a discussion around the various reasons one might bring an imitation firearm to school, demystifying the gang or criminal lifestyle, how to resolve conflict in a non-violent manner, information to educate students on the importance of thinking before posting online, the harm associated with making threats, and the range of consequences associated with inappropriate posts. The end of the presentation discusses the school’s code of conduct, safety, and weapons policies and concludes with some key safety tips associated with imitation firearms.

4. Imitation Firearms High-School Level Presentation – Available from the Office of Crime Reduction and Gang Outreach or the Centre for Public Safety and Criminal Justice Research. This Microsoft PowerPoint presentation with presentation notes is designed to be delivered by teachers or police officers in class to high-school students. Much of the information from the middle-school presentation is included in this presentation; however, this presentation uses other examples, includes a link to a short video produced by the Edmonton Police Service about the police response to imitation firearms, and information about the Canadian *Criminal Code* sections related to imitation firearms. This presentation also includes an activity for students to engage more directly with the issue of imitation firearms in and around school.

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Appendix A – 2 Page Imitation Firearm Brochure

IMITATION GUN SAFETY TIPS

Please use imitation firearms or weapons safely and responsibly, and always follow the law.

- Never play with an imitation firearm in public
- Never point an imitation firearm at anyone
- Make sure you know how to properly handle an imitation firearm to avoid an injury to yourself or others
- Talk to your kids about safety and ensure they understand what can happen if imitation firearms are misused or mishandled
- Imitation firearms are not allowed in schools or other public places, like restaurants or movie theatres
- If police approach you when you have an imitation firearm, drop it immediately and follow their instructions



WHETHER IT'S A TOY OR IT'S REAL . . .
THE POLICE RESPONSE IS THE SAME.
DON'T SHOW IMITATION GUNS IN PUBLIC.



www.insert-webpage.ca



**FAKE GUN
REAL
DANGER**

IMITATION GUN SAFETY



WHAT IS AN IMITATION GUN

The RCMP defines a replica firearm as “any device that is not a real firearm, but that [is] designed to look exactly or almost exactly like a real firearm.”

The Criminal Code of Canada defines an imitation firearm as “anything that imitates a firearm, and includes a replica firearm.”

Replica or imitation firearms can include:

- Airsoft, BB, cap, or pellet guns
- Realistic-looking toy guns
- Any weapon that resembles a legitimate firearm

If your fake weapon is thought to be real and the police are called, there could be serious consequences.

POLICE RESPONSE TO WEAPONS CALLS

Police respond quickly to weapons calls because of the threat to public safety. Often, police don't know whether a weapon is real or fake, so they must respond as if the weapon is real.

Pointing an imitation firearm in public could result in a confrontation with police. You or others around you could be hurt.

Bringing an imitation firearm to school or posting a photo to social media with a replica firearm could lead to a school lockdown and the police will be called. Think about the fear and worry this will cause among parents, teachers, and students.

KNOW THE LAW

Depending on the situation, you could be fined, arrested, or charged for pointing or using an imitation firearm.

[Provide the corresponding bylaw name and/or number for the associated city]
Example:
City of Abbotsford Discharge of Firearms Regulation Bylaw (Bylaw No. 114-95):
Firearms includes air guns, air rifles, air pistols, and spring guns. No person shall discharge any firearms within 100 metres of any school yard, public park, or playground.

Criminal Code of Canada: Using an imitation firearm to commit a crime results in the same penalties as using a real firearm.

Appendix B: Samples Imitation Firearm Posters

SIG SAUER X-FIVE
CO2 AIRGUN
4.5mm 173cal

WHETHER IT'S A TOY OR IT'S REAL...

THE POLICE RESPONSE IS THE SAME

ROYAL CANADIAN MOUNTED POLICE

FAKE GUN, REAL DANGER

Insert QR Code

**FAKE GUNS
CREATE
REAL
DANGER**



Police can't tell if your gun is real or fake.
Avoid a confrontation.
Don't show imitation guns in public.



REAL?

OR



REPLICA?



FAKE GUN, REAL DANGER

CAN YOU TELL THE DIFFERENCE?



**NO?
THE POLICE CAN'T EITHER**



FAKE GUN, REAL DANGER

