

# Annual Report 2015 – 2016

## Mission

To Investigate  
Fairly, without  
Bias, and to Ensure  
Accountability through  
Public Reporting

## Vision

Building  
Confidence  
in Police  
Accountability

## Values

Integrity  
Respect  
Teamwork  
Impartiality  
Professionalism

# Table of Contents

04	<b>Message from the Chief Civilian Director</b>
06	<b>Executive Summary</b>
07	<b>Organizational Structure</b>
08	<b>Program Areas</b>
	Investigations
	Legal Services
	Corporate Services
	Learning and Development
	Public Accountability
15	<b>Budget</b>
16	<b>Operational Performance</b>
18	<b>Caseload</b>
	Case Classification
	Caseload by Police Agency
	Firearm Cases
	Notification Times
	Fatal Cases
29	<b>Affected Persons</b>
30	<b>Disposition of Cases</b>
	Public Reports
	Reports to Crown Counsel
	Timeliness Challenges
35	<b>Case Analysis</b>
	The Significance of Body-Worn Cameras to IIO Investigations
	Suicides Subsequent to Arrest
	Subject Officer Duty to Account
	Lethal Force & Tactical Issues
40	<b>Summary of IIO Caseload</b>
42	<b>Overview of Police Oversight</b>
43	<b>Appendix A</b>

# Table of Contents

## TABLES

15	<b>Table 1.</b> Budget
20	<b>Table 2.</b> Pursuit and Emergency Driving Cases
22	<b>Table 3.</b> Caseload with Breakdown of Incidents
22	<b>Table 4.</b> Breakdown by Police Agency
27	<b>Table 5.</b> Firearm Cases by Municipality
28	<b>Table 6.</b> Fatal Cases 2015–2016
31	<b>Table 7.</b> Reports to Crown Counsel
32	<b>Table 8.</b> Cases Referred to Crown Counsel
32	<b>Table 9.</b> Reports to Crown Counsel, Charges Approved
36	<b>Table 10.</b> Distribution of Files
40	<b>Table 11.</b> Investigations Opened
40	<b>Table 12.</b> Disposition of Cases
41	<b>Table 13.</b> Cases Classification

## FIGURES

7	<b>Figure 1.</b> Organizational Structure
17	<b>Figure 2.</b> Notifications and Caseload
18	<b>Figure 3.</b> Investigations Classification
19	<b>Figure 4.</b> Use of Force Investigations
21	<b>Figure 5.</b> Caseload by Injury Type
21	<b>Figure 6.</b> 2015 - 2016 Caseload by Agency
24	<b>Figure 7.</b> Firearms Cases
26	<b>Figure 8.</b> Arrival Times
40	<b>Figure 9.</b> Caseload by Injury Type
42	<b>Figure 10.</b> Civilian Police Oversight in Canada

# Message from the Chief Civilian Director



This is the fourth annual report for the Independent Investigations Office (IIO) of British Columbia and the last of my 5-year term as Chief Civilian Director. I took office on January 8, 2012 amidst a challenge to put together an office that would conduct investigations of police-related critical incidents using a workforce that could not include any investigator who had policed in B.C. in the five years preceding his or her employment. In the face of instruction from Government to bring the office into operations within months of my arrival, this challenge proved to be daunting.

In my prior annual report messages, I have repeatedly written about my goal for the IIO to systemically deliver unbiased, competent and timely investigations of cases falling within its mandate. My messaging was consistent with that previously provided by Justice William Davies when he conducted his inquiry into the 1998 death of Frank Paul and Justice Thomas Braidwood when he conducted his inquiry into the 2007 death of Robert Dziekanski. Both jurists recommended the creation of an Independent Investigations Office to deal with the inherent conflict-of-interest problems that result from the police investigating their own.

The need to consistently deliver competent, unbiased and timely investigations is paramount if the IIO is to adequately serve the public, to include affected persons and families and police officers serving in British Columbia.

The IIO began operations on September 10, 2012, and within two months was required to investigate three controversial officer-involved shootings; one resulted in a public report exonerating the involved officers that garnered significant public controversy; the other two resulted in the approval of criminal charges against the involved officers which were both ultimately stayed.

Unfortunately, the IIO's premature opening led to significant struggles in the organization's formative years. Ensuring investigative competency was a continuing challenge. Given the specificity of the IIO's mandate (the investigation of police-related critical incidents), there were immediate challenges of confirmation bias amongst the original investigative team. The organization started its operations without clarity of roles, goals and processes and also struggled with staffing and resource issues which made it difficult, if not impossible, for the IIO to consistently achieve its mandate.



# Message from the Chief Civilian Director

In addition, within two years of its inception, the IIO was faced with a spike in its caseload of police-related fatalities. From September 2014 to April 2016, there were 24 fatalities, 12 of which were the result of officer-involved shootings. In addition, there have been challenges related to the timeliness of third-party expert reports, which in many cases have exceeded one year from the date of request. These factors combined, together with the need to train staff in appropriate investigative techniques even while the conduct of investigations took place, negatively impacted the IIO in that timeliness in the completion of investigations is now a long-term instead of a short-term goal.

The recognition of these continuing challenges resulted in the introduction of a new executive team between 2014 and 2015. This executive team has changed and improved hiring processes, created a robust continuing improvement program, challenged the quality of investigations, and has put into place a clear understanding that the IIO is a 24-7 operation where there needs to be a sense of urgency for, and ownership over, each and every file.

The executive team identified incidents of confirmation bias and took the actions necessary to mitigate such bias in the short term and eliminate it in the long term. In addition, in the absence of a standardized training program for oversight practitioners, the IIO created a new investigator induction program to develop the proficiency of investigators to ensure an appropriate level of rigour and aptitude at the commencement of their tenure as an IIO investigator.

The road to success for the IIO has been challenging, but I am confident that the IIO is headed in the right direction and will have a strong foundation for its future success by the time I conclude my tenure as the Chief Civilian Director.

In the Fall of 2015, I informed Government of my intent to retire after a thirty year career: the first 15 as a criminal prosecutor in Los Angeles, and the last 15 as a civilian oversight of law enforcement professional in three jurisdictions to include Portland Oregon, Denver Colorado and finally British Columbia. I look forward to concluding my working career in academia, where I intend to teach, research and write on issues important to civilian oversight of law enforcement practitioners in both Canada and the U.S.

I want to express my thanks to the current IIO team for their dedication to ensure the long-term success of the IIO as a police oversight organization. The road ahead will be difficult as the IIO faces continued and increased scrutiny on its operations and effectiveness. As long as the IIO team recognizes that it not only has a responsibility to conduct appropriate investigations of police-related critical incidents, but that it also has a responsibility to reduce the risk of use of serious and fatal force by the police through the sharing of lessons learned, the citizens of British Columbia will be well served.

# Executive Summary

The IIO's fourth Annual Report provides an overview of the organization and a summary of the IIO's activities between April 1, 2015 to March 31, 2016.

Furthermore, with nearly four years' worth of investigative data, the IIO has begun to identify police policy, practice and training issues. The ultimate goal is to provide the information necessary to ensure that the Director of Police Services (who is responsible for policing standards in the Province), the Office of the Police Complaint Commissioner (who has jurisdiction over the municipal police in B.C.) and the Civilian Review and Complaints Commission for the RCMP, have the tools needed to assist police in providing effective policing throughout the Province.

By focusing our efforts in this regard, the IIO hopes to inform and affect positive change to reduce the risk of death and serious injury involving police as an integral part of civilian oversight in British Columbia.

The report is divided into sections which focus on the following:

- The structure of the IIO and the various program areas which exist in the organization. The role of each program area is explained and is accompanied by accomplishments from each team in this fiscal year.
- The latter part of the report focuses on caseload and delivers an overview of the cases investigated by the IIO in the last fiscal year.

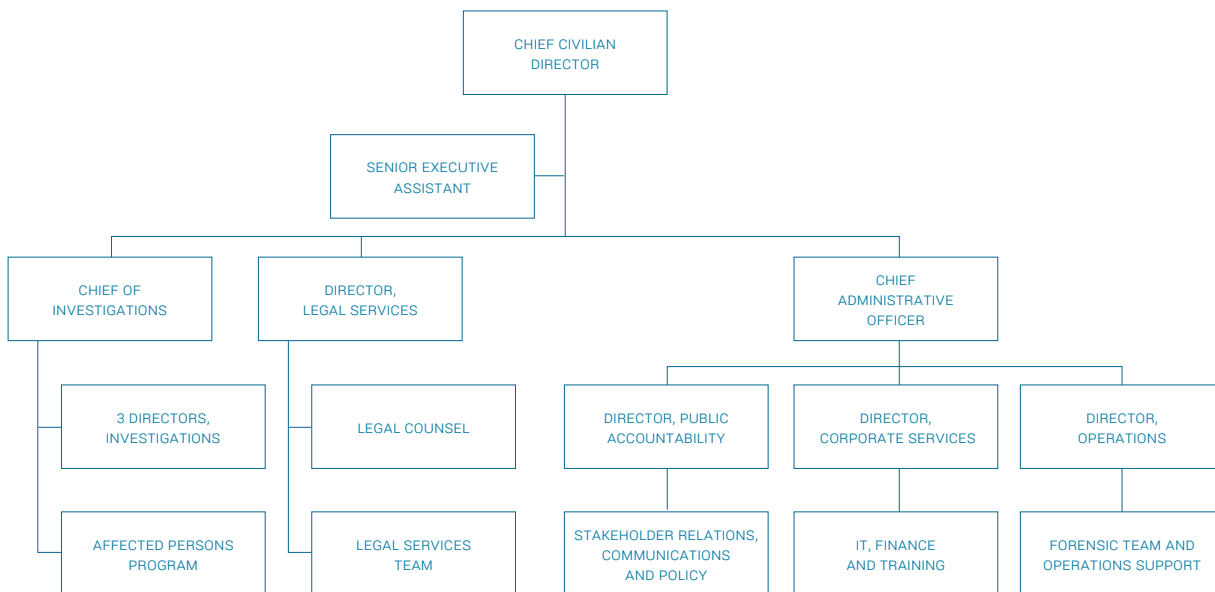
# Organizational Structure

The Independent Investigations Office is a civilian-led investigatory agency mandated to conduct investigations into all police-related incidents that result in death or serious harm as defined in the *Police Act*.

The organization is overseen by a Chief Civilian Director (CCD) and is comprised of three program areas: Investigations, Legal Services and Corporate Services.

As of March 31, 2016, the IIO had 54 full-time equivalent employees; approximately two thirds were investigative personnel.

**Figure 1.**  
**Organizational Structure**



# Program Areas



**This fiscal year saw the largest contingent of investigators start at the IIO since the office was created in September 2012.**

## Investigations

This fiscal year saw the largest contingent of investigators start at the IIO since the office was created in September 2012.

The investigations unit consists of teams that all operate under the direction of the Chief of Investigations. These teams respond to notifications of critical incidents across the province and are available around the clock. The investigations unit includes:

- Two primary investigation teams that rotate being on-call, responding to and conducting investigations. Each team is managed by a team director.
- An operations support team made up of information administrators, an operations support clerk and services to affected persons and their families. The IIO is the only police oversight agency in Canada that has two full-time staff members whose primary function is to provide services to affected persons in IIO investigations.
- The IIO has a complement of 24 investigators. Half of these are former police officers and half have backgrounds in areas such as the Coroners Service, law and other investigation fields.

The investigations unit is supported by a forensics team that focuses on forensic evidence gathering during investigations.



# Program Areas



Investigation teams are expected to conduct competent, unbiased and thorough investigations using Major Case Management<sup>1</sup> Principles. Highlights from the investigations unit this year include:

- Hiring seven new investigators and implementing a comprehensive induction process to ensure that new investigators are appropriately prepared to competently and fairly conduct investigations.
- Hiring an affected persons' liaison and the amalgamation of the affected persons' team into the investigations unit. This is intended to improve collaboration between the affected persons' program and the investigations team.
- The purchase of state-of-the-art equipment to assist in investigations. This included an R2S camera which aids investigators in gaining a comprehensive understanding of the visual dynamics of a scene.
- Training current investigators to ensure their continued professional development in the organization. This training includes, amongst other topics, forensic photography, social media investigations and scene management.

<sup>1</sup> The Major Case Management Model (MCM) is a methodology for managing major incidents. This model provides accountability, clear goals and objectives, utilization of resources and control over the speed flow and direction of an investigation.

# Program Areas

## Legal Services

In this fiscal year, the IIO has expanded its legal team to increase collaboration with investigators. In addition to providing legal support on investigations, the Legal Services team is also responsible for records management and dealing with privacy issues during investigations. The team also handles all disclosure issues. This includes responding to Freedom of Information requests, providing disclosure to the Criminal Justice Branch, B.C. police agencies, the Coroners Service and other civilian oversight bodies (including the Office of the Police Complaint Commissioner and the Civilian Review and Complaints Commission).

Some of the key accomplishments for the legal services team over the last fiscal year include:

- Developing new policy in relation to privacy and information sharing at the organization.
- Providing legal input into planning for the enhancement of IT systems at the organization including the implementation of a new records management system to streamline the Freedom of Information process.
- Delivering legal overview and quality control of IIO submissions to Crown counsel.
- Providing input and training to new hires as part of an enhanced employee induction process.

# Program Areas

## Corporate Services

Over the last year, the Corporate Services team has taken a critical look at all areas of business at the IIO. The start of this process examined Key Performance Indicators (KPIs) to help sharpen the focus for improvement. Following the analysis of KPIs, a number of initiatives were launched to improve human resource practices, improve effectiveness of the organization's operational mandate and ensure a strong foundation is in place to meet the IIO's long-term goal of civilianization. These initiatives have served to ensure that the organization is effective on delivering the overall vision of "building confidence in police accountability."

These initiatives included:

- Providing more support and resources for the investigations unit. This included the hiring of eight staff members for the investigations unit. In addition, a number of investments were made in technology to better assist investigators in their-day-to-day tasks.
- A number of HR and corporate policies were implemented with the objective of supporting existing B.C. Public Service Agency policies and clarifying expectations of all employees at the IIO.
- Establishing a Learning and Development program which includes an employee orientation program for new employees and an employee development program for new and continuing employees (more detail on Learning and Development can be found on page 12).
- Improving performance management practices using the B.C. Government's performance and goal setting system. Since November 2015, all management initiated goal-setting conversations with staff members emphasized that goals for employees need to be centered on supporting improved agency timeliness and investigative readiness.
- Creating an IIO team to analyze and streamline current processes within the organization and to identify areas in need of improvement.
- Establishing an Information Technology Roadmap. Early results for this initiative include a Virtual Private Network (VPN) which allows for secure remote access to IIO enterprise applications and files. In addition, significant focus has been put on IT security with updates to computer hardware and software and IT security training for all staff.
- Two practicum students worked across all teams at the IIO gaining an understanding of the organization's role and mandate, as well as assisting in research areas.

***"Being a part of the IIO was an experience I will never forget. It not only helped develop skills needed for my future career, it also enabled me to mature, and grow as an individual."***

Practicum student September 2015

***"This opportunity helped me obtain a practical understanding of using the knowledge I acquired throughout my university career in a real world setting."***

Practicum student March 2016

# Program Areas



## Learning and Development

Learning and development continues to be a priority within the IIO. This year, the IIO undertook the largest hiring process since the formation of the organization. A new induction process was initiated to ensure the standardization of investigator training and the organizational readiness of the IIO. Focus was also placed on professional development amongst staff and management to ensure high competency levels.

The learning and development focus for 2015–2016 included a number of achievements:

- A more learner-centric training program was developed for investigators. This involved a four-week immersive induction process followed by six months of mentoring and guided reflective learning while assigned to an investigative team where they complete investigative tasks in active cases.
- Support for staff delivering training programs was provided by professors from the University of British Columbia. This included support in program development, curriculum development and mentoring skills development.
- A learning and development committee was established. This committee consists of IIO personnel who are now responsible for developing, implementing and evaluating the investigator competency framework, induction program, mentoring program and continuing professional development program focused on ongoing assessments and continual improvement.

**A more learner-centric training program was developed for investigators.**



# Program Areas



## Public Accountability

The IIO Public Accountability team is responsible for engaging with the public, media and police agencies to provide information about the IIO and receive feedback from stakeholders about the services the IIO provides. As part of this work, the team continues to work with the IIO's External Advisory Group. The Group is comprised of stakeholders from police, affected families, civil rights organizations and First Nations representatives who provide input to the IIO on relevant topics on a voluntary basis. The CCD, through the public accountability team, has been proactively engaging members of the External Advisory Group on a number of issues on both policy and external communications throughout the past year.

The team is also responsible for all internal communications and oversees the drafting and introduction of policies. A comprehensive policy framework continues to be developed to guide operational effectiveness of the organization.



# Program Areas

In addition to those listed above, activities for the Public Accountability team this fiscal year include:

- Active monitoring and response on social media to any critical incidents involving the IIO. Over the upcoming year, the team will be implementing new ways of communicating with the public, media and stakeholders via social media.
- Continuing proactive outreach to media outlets and police media representatives regarding coverage of IIO cases.
- Providing information, research and analysis to support investigation teams and the IIO executive.
- This year saw the completion of engagement with the Pacific Regional Training Centre for the RCMP. Since the inception of the IIO, more than 3,000 RCMP officers have received a briefing on the operations, mandate and role of the organization. The Public Accountability Team will be engaging with the RCMP to discuss future training opportunities as the IIO continues to develop and new RCMP members continue to be transferred into British Columbia.
- 61 presentations on the role of the IIO were made to city councils, local community groups, First Nations representatives and police organizations across the Province.

**Since the inception of the IIO, more than 3,000 RCMP officers have received a briefing on the operations, mandate and role of the organization.**

# Budget

**Table 1.**  
**Budget**

	2013–2014		2014–2015		2015–2016	
Expenditure Type	Budget	Actuals	Budget	Actuals	Budget	Actuals
Salary and Benefits	5,861,000	5,334,536	6,095,000	5,375,408	6,027,667	5,748,871
Travel Expenses	930,000	89,802	161,000	157,170	161,000	135,998
Contracts	170,000	94,177	111,000	79,822	111,000	170,876
Information Technology	275,400	112,716	171,000	149,483	171,000	373,846
Office/Business Expenses	78,000	251,852	208,000	159,340	337,485	331,442
Operating Equipment	270,000	107,126	100,000	57,887	100,000	109,488
Amortization	593,000	222,796	245,000	222,492	314,000	233,308
Building Occupancy	903,600	916,773	945,000	925,788	252,000	69,630
Other	219,000	15,839	64,000	7,779	69,848	145,801
<b>Total</b>	<b>9,300,000</b>	<b>7,145,618</b>	<b>8,100,000</b>	<b>7,135,169</b>	<b>7,544,000</b>	<b>7,319,259</b>

# Operational Performance

Pursuant to Section 38.12 of the *Police Act*, the IIO is required to compile statistical information with respect to the frequency, types and outcomes of investigations as well as any trends or patterns identified through data collection and analysis. This section provides a detailed overview of the collected information pertaining to IIO investigations.

## Notifications

The *Police Act* requires all police agencies within B.C. to immediately report all officer-involved incidents of serious harm and death to the IIO.

In 2015–2016, the IIO was notified of 191 officer involved incidents. This represents a decline in the number of notifications by 14% from the previous two years when the number of notifications was 223. Of these notifications, 59% were reported by the RCMP, 36% were received from municipal police departments and 5% of notifications came from other police agencies such as Transit Police, Special Provincial Constables, Integrated Road Safety Unit, as well as incidents where multiple agencies were involved.

Of all received notifications in 2015–2016, the IIO released jurisdiction in all but 48 investigations. This represents 25% of all received notifications. The IIO releases jurisdiction as soon as it is determined there is no serious harm and a connection to police action or inaction. This is a slight increase from the previous year, when the number of cases represented 22% of all notifications.

The average notification time for all opened investigations was 13 hours and 49 minutes.<sup>2</sup> In 83% of cases the IIO was notified within 24 hours of the incident with an average notification time of 3 hours 44 minutes. In cases where a significant delay occurred, the reasons for the delay included:

- At the time of the incident, the injury was not reported by the affected person to the police agency.
- The police agency did not consider the injury to be serious enough at the time.
- The injury was reported directly to the IIO by an affected person after a significant delay.

In cases where there were significant notification delays, the notification was often received from the Office of the Police Complaint Commissioner, or the Civilian Review and Complaints Commission for the RCMP. In one case the IIO was not notified of an incident falling within its jurisdiction until 14 months after the incident. The IIO was unable to discern any reasonable explanation for the notification delay and therefore filed a formal complaint with the RCMP and the CRCC. The complaint is currently pending review.

**Overall, since the IIO became operational on September 10, 2012, it received 871 notifications from police agencies and opened 170 investigations.**

<sup>2</sup> Significant delay in notification is classified when the difference between the incident date and the notification date is greater than 15 days. This data excludes six cases with significant delays in notification which, if included would significantly impact the results.

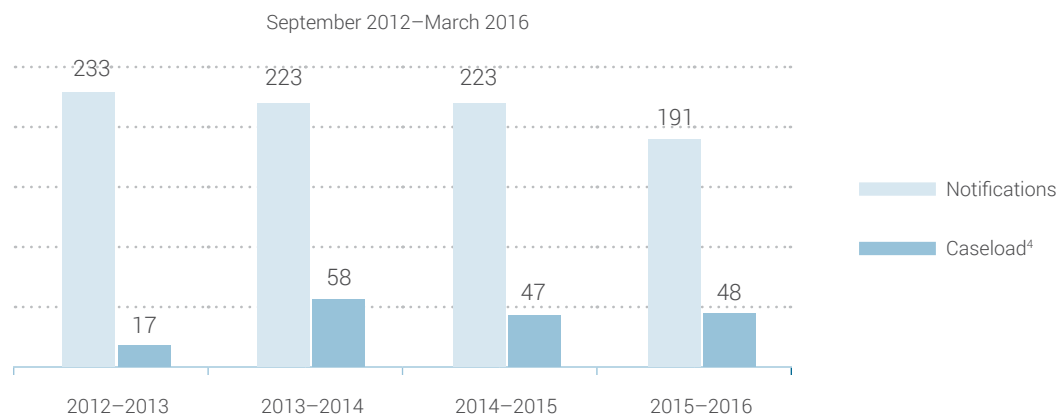
# Operational Performance



Since the IIO became operational on September 10, 2012, it received 871 notifications from police agencies and opened 170 investigations<sup>3</sup>.

The majority of opened cases are expected to be concluded either by a public report if there is no evidence of an offence or a report to Crown counsel for consideration of charges. However, in a small number of cases the jurisdiction may be released based on the initial steps of the investigation. If it is determined that there is no connection between the actions of an officer or the injuries do not meet the threshold of “serious harm” (as defined by the *Police Act*), jurisdiction will be released. This may affect the reporting numbers in the future as some of the opened cases would be closed by a release of jurisdiction.

**Figure 2.**  
**Notifications and Caseload**



<sup>3</sup> In the first month of operations police were over-reporting critical incidents to the IIO. In order to address this issue the MOU was amended on October 12, 2012, to adopt a notification standard that was closer to the definition of serious harm as defined in the *Police Act*.

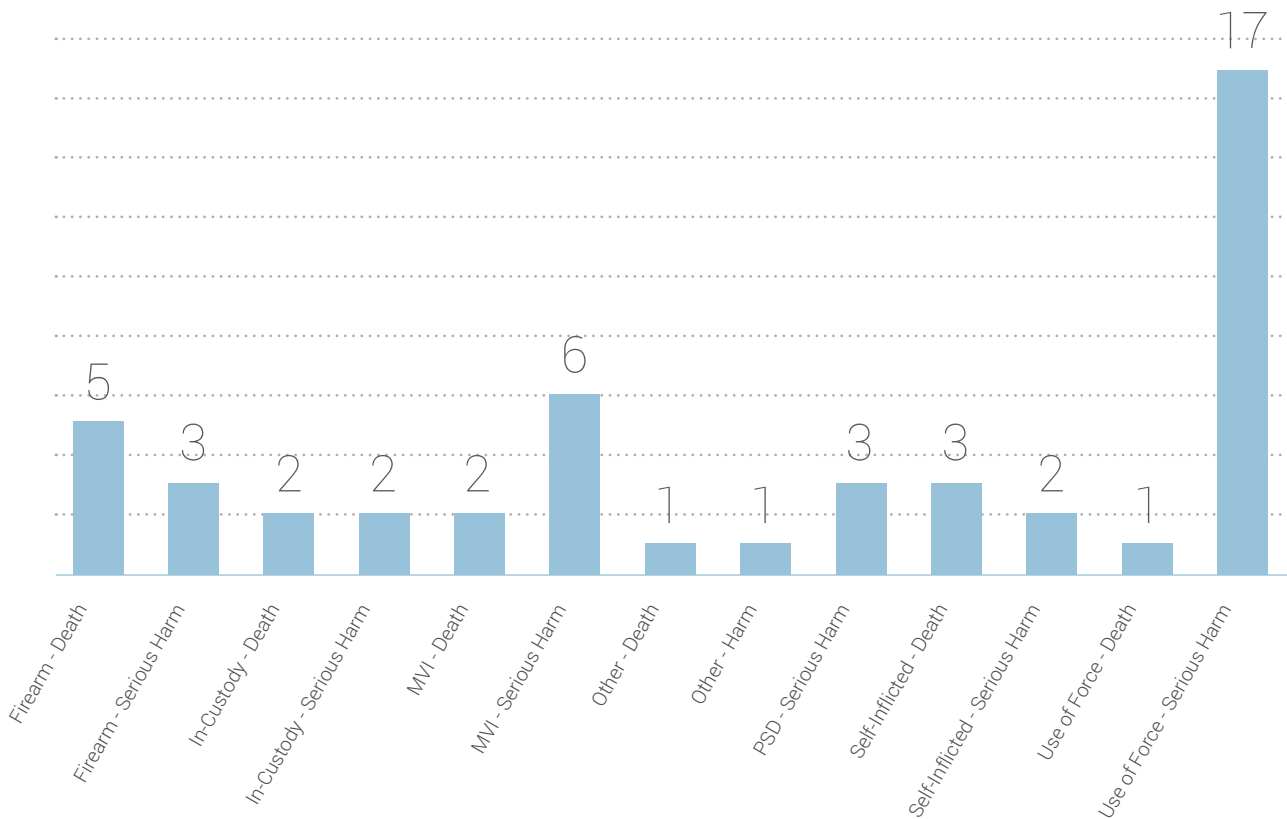
<sup>4</sup> These numbers represent a caseload at the end of each fiscal year. Numbers reported on previous annual reports may vary if the IIO releases jurisdiction after the annual report is published.

# Caseload

## Case Classification

In 2015–2016, the IIO opened 48 investigations<sup>5</sup>, all of which are classified in one of the following categories:

**Figure 3.**  
**Investigations Classification**



The top three classifications this year were the use of force, motor vehicle incidents and firearm related cases, representing 71% of all opened investigations. Compared to 2013–2014 and 2014–2015, these classifications cumulatively represented 54% and 66% of all cases, respectively. This indicates an upward trend in these investigations as these three classifications (Use of Force, Firearm and MVI) represent a growing majority of cases.

<sup>5</sup> This represents the number of cases opened as of March 31, 2016. In some cases, during the process of investigation it may be determined that the incident does not fall within the IIO mandate resulting in release of jurisdiction.

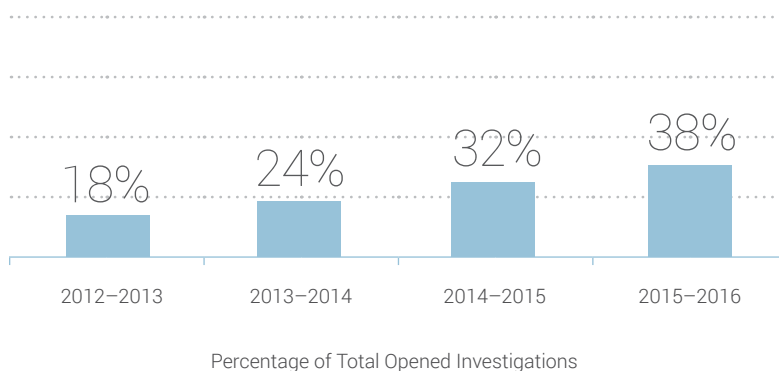


# Caseload



The majority of cases opened in 2015–2016 involved use of force by police, representing 38% (18 cases) of all opened investigations. Out of the 18 use of force cases (both fatal and resulting in serious harm), 11 cases involved the RCMP and seven involved the Vancouver Police Department. Compared to the previous years, use of force cases remain the dominant classification in the IIO caseload, but in 2015–2016 it increased as a proportion of all opened cases.

**Figure 4.**  
**Use of Force Investigations**



**The majority of cases opened in 2015–2016 involved use of force by police, representing 38% (18 cases) of all opened investigations.**

# Caseload

Motor vehicle incidents (MVI) resulting in death and serious harm continue to be another statistically significant classification of IIO investigations. This year, the IIO opened investigations into eight officer-involved MVIs, six resulting in serious harm and two resulting in death. Half of these cases involved on-duty officers and half involved off-duty officers.

**Table 2.**  
**Pursuit and Emergency Driving Cases**

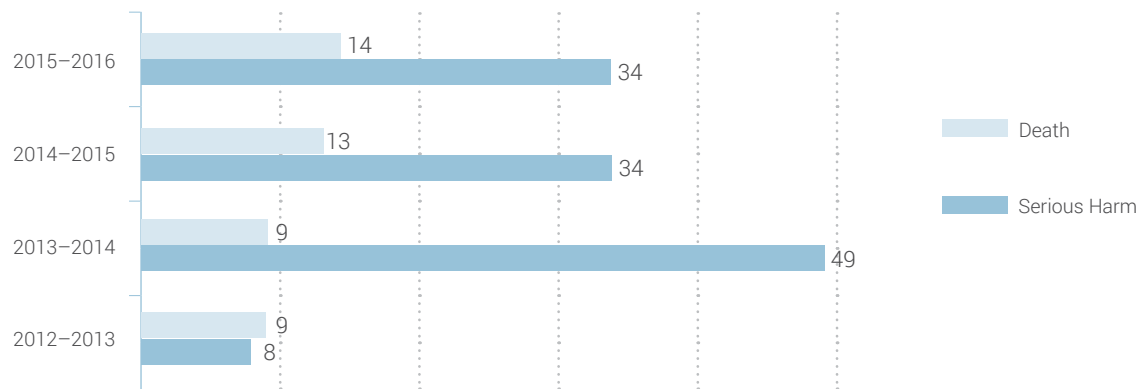
Notification Date	Municipality	Classification	Disposition
October 29, 2012	Langley	MVI - Death	<a href="#">Public Report</a>
June 15, 2013	Saanich	MVI - Death	<a href="#">Public Report</a>
June 21, 2013	Salmon Arm	MVI - Death	<a href="#">RTCC</a>
June 23, 2013	Langley	MVI - Serious Harm	<a href="#">RTCC</a>
August 11, 2013	Prince George	MVI - Serious Harm	<a href="#">RTCC</a>
December 6, 2013	Kelowna	MVI - Serious Harm	<a href="#">RTCC</a>
January 26, 2014	Elk Valley	MVI - Serious Harm	<a href="#">RTCC</a>
March 20, 2014	Vancouver	MVI - Serious Harm	<a href="#">Public Report</a>
May 12, 2014	Saanich	MVI - Serious Harm	<a href="#">Public Report</a>
May 31, 2014	Mission	MVI - Serious Harm	<a href="#">RTCC</a>
February 20, 2016	Duncan	MVI - Serious Harm	Ongoing

Since September 2012, the IIO opened 29 investigations into motor vehicle incidents resulting in serious harm or death. In 11 of these cases, the police were either pursuing the vehicle or driving with the emergency lights activated. In three cases, the pursuit resulted in the death of an affected person. Four cases were concluded by a public report; six were referred to Crown counsel for consideration of charges; currently, one pursuit case remains open. In five pursuit cases referred to Crown charges were not approved and in one case the officer was acquitted of the charge of Dangerous Driving.

# Caseload

In 2015–2016, the number of incidents resulting in a fatality slightly increased from the previous year. The majority of fatal cases (71%) involved the RCMP, an increase from last year (61.5%).

**Figure 5.**  
**Caseload by Injury Type**

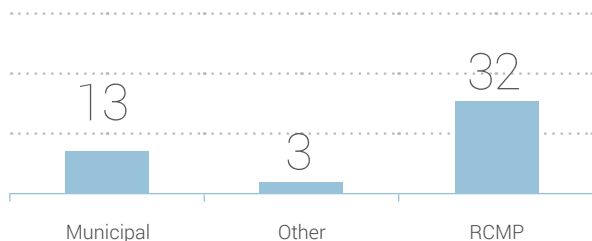


## Police Agencies

The majority of cases opened in 2015–2016 involved the RCMP, accounting for two thirds (67%) of all investigations. Considering that 72%<sup>6</sup> of B.C. residents live in jurisdictions policed by the RCMP, this is consistent with the geographical and population distribution data.

Municipal police agencies were involved in 27% (13 out of 48 cases) of all opened investigations, and in three cases there were either multiple agencies or specialized units involved (such as Transit Police or Emergency Response Teams). Of the 32 cases involving the RCMP, 14 were in the Lower Mainland District.

**Figure 6.**  
**2015–2016 Caseload by Agency**



<sup>6</sup>According to RCMP data: [www.bc.rcmp-grc.gc.ca/](http://www.bc.rcmp-grc.gc.ca/)

# Caseload

The municipal police involved in IIO investigations included the following agencies: Vancouver Police Department (10 cases), Abbotsford Police Department, New Westminister Police Department, and Victoria Police Department (each involved in one investigation).

**Table 3.**  
**Caseload with Breakdown of Incidents**

<b>Municipal</b>	<b>13</b>
Firearm - Death	1
Firearm - Serious Harm	1
MVI - Serious Harm	1
PSD - Serious Harm	2
Self-Inflicted - Serious Harm	1
Use of Force - Death	1
Use of Force - Serious Harm	6
<b>Other</b>	<b>3</b>
Firearm - Death	1
MVI - Serious Harm	1
Other - Death	1
<b>RCMP</b>	<b>32</b>
Firearm - Death	3
Firearm - Serious Harm	2
In-Custody - Death	2
In-Custody - Serious Harm	2
MVI - Death	2
MVI - Serious Harm	4
Other - Harm	1
PSD - Serious Harm	1
Self-Inflicted - Death	3
Self-Inflicted - Serious Harm	1
Use of Force - Serious Harm	11
<b>Grand Total</b>	<b>48</b>

**Table 4.**  
**Breakdown by Police Agency**

<b>RCMP E-Division</b>	
Lower Mainland District	14
North District	7
South East District	6
Vancouver Island District	5
<b>Total</b>	<b>32</b>
<b>Municipal Police</b>	
Abbotsford PD	1
New Westminister PD	1
Vancouver PD	10
Victoria PD	1
<b>Total</b>	<b>13</b>
<b>Other</b>	
Multiple Agencies	1
Transit Police	2
<b>Total</b>	<b>3</b>

# Caseload

## Location of IIO Cases in 2015–2016





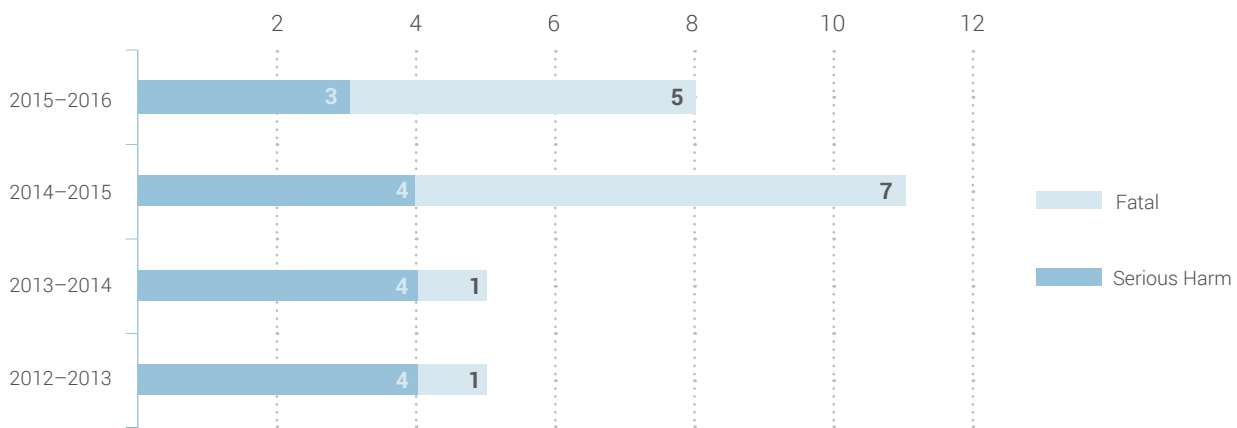
# Caseload

## Firearm Cases

Firearm cases continue to be one of the three dominant categories of IIO investigations.

In 2015–2016, there were eight firearm related cases, five of which were fatal and three resulted in serious harm. This is a decline from 11 firearm cases opened in the previous fiscal year. In three of the four reporting years, the number of fatal firearm cases significantly exceeds the number of cases resulting in serious harm.

**Figure 7.**  
**Firearms Cases**



The RCMP was involved in five cases, two cases involved municipal police departments and in one case multiple agencies were involved. As of March 31, 2016 the IIO had 15 open firearm cases.

# Caseload

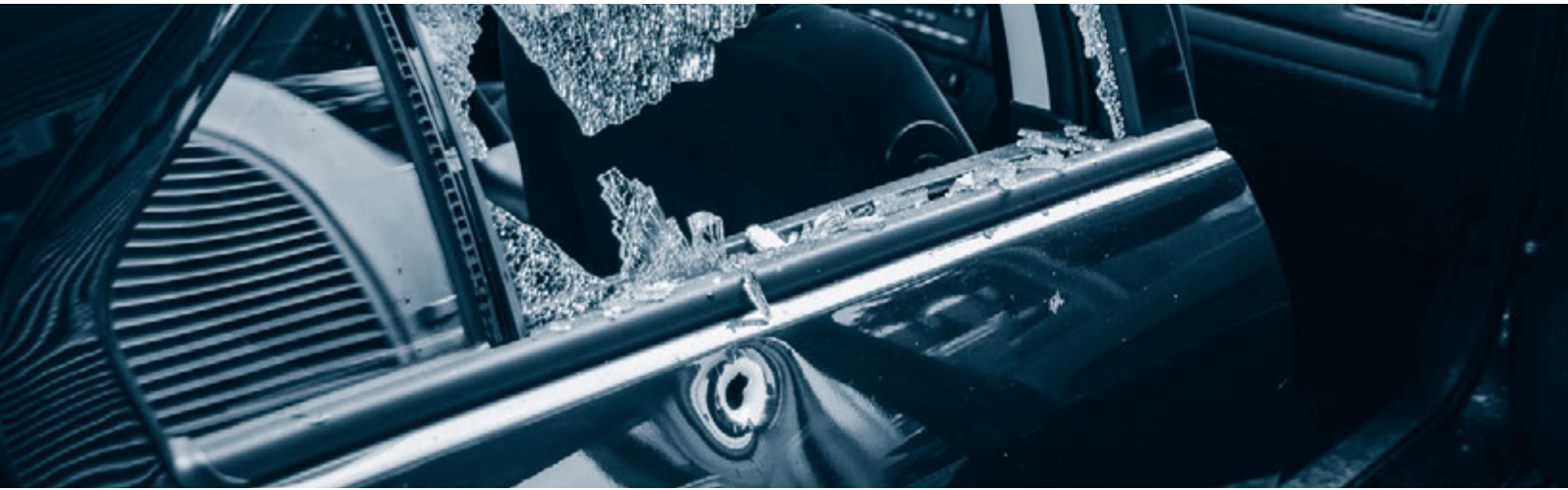


## Firearm Cases Notifications

There were eight officer-involved shootings in the Province during the course of the 2015-2016 fiscal year. In three cases (two involving the Burnaby RCMP and one involving the Vancouver Police Department), the IIO was promptly notified as required by the *Police Act*. In a fourth case, the New Westminster Police Department notified the IIO of an officer-involved shooting within 27 minutes of the incident taking place. Two additional cases (involving the Port Hardy RCMP and the Surrey RCMP) took more than 30 minutes for the IIO to be notified; and in two additional cases (involving the Dawson Creek RCMP and the Salmon Arm RCMP), it took over 95 minutes for the IIO to receive the necessary notification.

The above-noted notification delays represent a worrisome trend. In the 2014-2015 fiscal year, the average notification time for cases involving a firearm discharge was 31 minutes, with notifications ranging from 16 minutes to 43 minutes. In the 2015-2016 fiscal year, however, the average notification time for cases involving a firearm discharge has increased to 42 minutes with notifications ranging from 8 minutes to 1 hour and 40 minutes. It would be expected that as police become more familiar with the IIO, notification times would decrease; instead, the time it takes for police to notify the IIO is increasing.

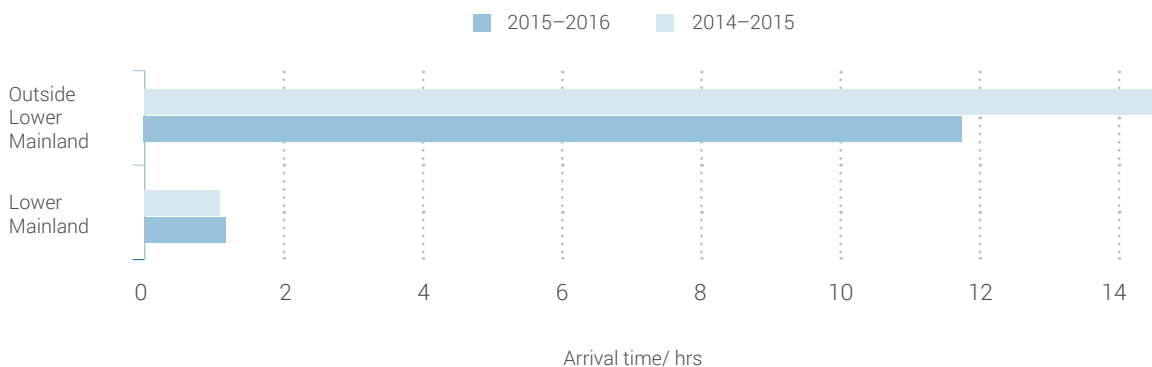
As all notification times in excess of 30 minutes involved the RCMP, the CCD is requesting that the RCMP examine its processes in this regard with the intent of reversing this trend and ensuring notifications are consistent with the language and intent of the *Police Act*.



## Firearm Cases, Arrival Time

In all eight firearm cases, the IIO attended the scene as soon as possible after the notification. The arrival on scene time is calculated from the time of notification and the average arrival time in 2015–2016 was 5 hours 7 minutes for all cases. However, considering that the incidents occurred both inside and outside of the Lower Mainland, both the small number of cases and a significant difference in response due to geographic location affected the results. For the cases in the Lower Mainland, on average, IIO investigators arrived on scene within 1 hour and 9 minutes. The average arrival on scene time outside of the Lower Mainland (Salmon Arm, Port Hardy and Dawson Creek) was significantly longer at 11 hours and 46 minutes.

**Figure 8.**  
**Arrival Time**



# Caseload

**Table 5.**  
**Firearm Cases by Municipality**



Municipality	Incident Date	Incident Time	Reported to IIO Date	Reported to IIO Time	Notification Time	Arrival Time
<u>Vancouver</u>	09-Apr-15	17:04	09-Apr-15	17:22	00:18	00:23
<u>Burnaby</u>	13-May-15	01:40	13-May-15	01:55	00:15	01:35
<u>Salmon Arm</u>	03-Jul-15	18:00	03-Jul-15	19:40	01:40	13:20
<u>Port Hardy</u>	08-Jul-15	11:05	08-Jul-15	11:35	00:30	06:25
<u>Dawson Creek</u>	16-Jul-15	19:15	16-Jul-15	20:50	01:35	15:33
<u>Surrey</u>	18-Jul-15	02:39	18-Jul-15	03:22	00:43	01:01
<u>Burnaby</u>	18-Sep-15	08:30	18-Sep-15	08:38	00:08	01:37
<u>New Westminster</u>	15-Jan-16	11:45	15-Jan-16	12:12	00:27	01:08

# Caseload

## Fatal Cases

In 2015–2016, the IIO opened 14 investigations into deaths of affected persons. The number of fatal cases has been consistently increasing over the last three years, rising from nine incidents involving death in the first reporting year 2012–2013<sup>7</sup> to 14 incidents in 2015–2016.

Table 6 provides information on the number of cases based on classification. Five of the 14 fatal cases involved a discharge of a firearm, followed by self-inflicted injury (3), in-custody deaths (2), motor vehicle incidents (one case involving an off-duty officer and one involving an on-duty officer(s)), and other (1)<sup>8</sup>. Officer-involved shootings continue to be the dominant classification in investigations of fatalities when compared to the previous year. In 2014–2015, the firearm cases were also the dominant category accounting for seven out of 13 cases resulting in death.

**Table 6.**  
**Fatal Cases 2015–2016**

Firearm - Death	5
In-Custody - Death	2
MVI - Death	2
Other - Death	1
Self-Inflicted - Death	3
Use of Force - Death	1
<b>Grand Total</b>	<b>14</b>

The majority of fatal cases involved the RCMP (10 out of 14 opened investigations); two cases involved the Vancouver Police Department and two cases involved other agencies (specialized units and/or multiple agencies).

Overall, since September 2012, the IIO opened 45 investigations involving a death of an affected person, 17 of which were firearm-related fatalities. As of March 31, 2016, 21 of these fatal investigations remain open. This makes up approximately a third of the IIO's current caseload.

**Overall, since September 2012, the IIO opened 45 investigations involving a death of an affected person, 17 of which were firearm-related fatalities.**

<sup>7</sup> 2012-013 is a partial year from September 10, 2012 to March 31, 2013

<sup>8</sup> Medical cause of death

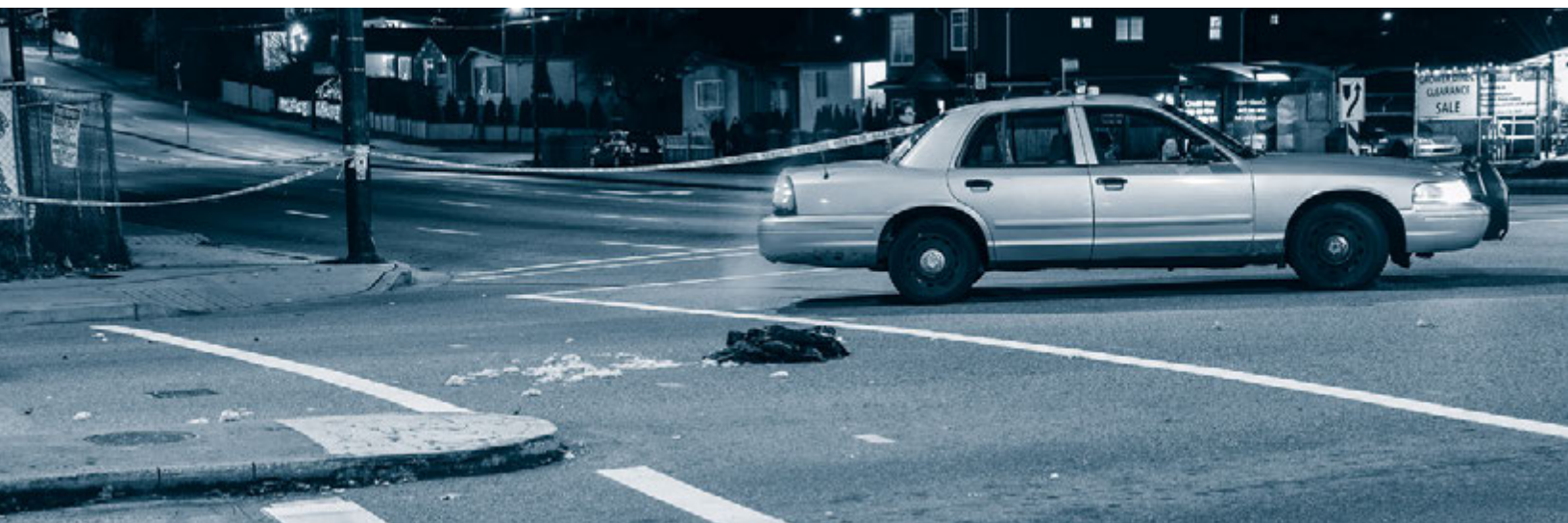


# Affected Persons



For the purposes of this section, an affected person is defined as a person directly involved in an IIO investigation who died or suffered serious harm. In 2015–2016, there were 49 affected persons involved in the IIO investigations. The majority (83%) of the affected persons are male. The average age for all affected persons is 36 years old; females' average age is significantly higher at 47 years old compared to 34 years old for males. The age distribution of the affected persons range from 5 years old (off duty officer involved MVI) to 65 years old (an on duty MVI resulting in serious harm).

# Disposition of Cases



In 2015–2016, the IIO concluded 20 investigations; three of these closed files were opened this fiscal year and 17 cases were opened in the previous year.

## Public Reports

In 2015–2016, six investigations were concluded by a public report, indicating that there was no evidence of an offence committed by the officer. One report was not released publicly due to privacy considerations. The average open time for investigations closed by a public report was 264 days, or just over 8.5 months. This is an increase of 49 days from the average open time for cases closed by public report last year. This increase corresponds with the growing concurrent caseload.

## Reports to Crown Counsel

Under Sec. 38.11 of the *Police Act*, after reviewing an investigation the Chief Civilian Director forwards a file to Crown counsel for consideration of charges if he considers that the officer may have committed an offence. The threshold for IIO referral is significantly lower than the one used by the police agencies, resulting in a high number of referrals that do not meet the charging standards for Crown counsel.

In 2015–2016, the CCD referred 14 files to Crown counsel for consideration of charges. In one case, a charge was laid (one count of Assault against the subject officer (IIO–2016-000176, Use of Force – Serious Harm). In 11 cases charges were not laid and two cases are pending charge assessment.

# Disposition of Cases

**Table 7.**  
**Reports to Crown Counsel**

File #	Municipality	Case Classification	RTCC Decision
2014-000067	Vancouver	Firearm – Serious Harm	Pending
2015-000031	Sidney	Use of Force – Serious Harm	<u>No Charges Approved</u>
2014-000179	Surrey	Use of Force – Serious Harm	<u>No Charges Approved</u>
2015-000057	Coquitlam	MVI – Serious Harm	<u>No Charges Approved</u>
2014-000186	Vancouver	Use of Force – Serious Harm	Pending
2014-000162	Port Moody	Use of Force – Serious Harm	<u>No Charges Approved</u>
2014-000176	Terrace	Use of Force – Other	<u>Charges Approved</u>
2014-000134	Chilliwack	Use of Force – Serious Harm	<u>No Charges Approved</u>
2014-000222	Abbotsford	MVI – Death	<u>No Charges Approved</u>
2014-000099	Burnaby	CEW – Death	<u>No Charges Approved</u>
2014-000104	Vancouver	Firearm – Serious Harm	<u>No Charges Approved</u>
2014-000168	Coquitlam	PSD – Serious Harm	<u>No Charges Approved</u>
2014-000174	Vancouver	MVI – Serious Harm	<u>No Charges Approved</u>
2014-000158	Kamloops	Use of Force – Serious Harm	<u>No Charges Approved</u>

Out of 14 submissions to Crown counsel, seven included RCMP detachments, six involved municipal police departments, and one case involved multiple agencies and specialized units.

Since September 2012, the IIO referred 50 cases to Crown counsel for consideration of charges. Crown counsel has approved charges in eight of these cases: two resulted in a stay of proceedings, two resulted in guilty pleas and one resulted in an acquittal. In three cases, the decision regarding charge assessment is pending with Crown counsel. In 39 cases referred to Crown counsel, charges were not approved. The charge approval rate of the files referred to Crown counsel is 16% of all files referred.

# Disposition of Cases

The average length of investigations for files referred to Crown counsel this year was 355 days, or just under a year. The complexity of these investigations, delays in receipt of third-party reports as well as an increase in workload coupled with staffing challenges are partially responsible for the length of these investigations.

**Table 8.**  
**Cases Referred to Crown Counsel**

Cases Referred to Crown Counsel	
Charges Approved	8
Charges Not Approved	39
Pending Crown Decision	3
<b>Total</b>	<b>50</b>

**Table 9.**  
**Reports to Crown Counsel, Charges Approved**

Notification Date	Municipality	Classification	Charge	Disposition
08-Oct-14	Terrace	Use of Force – Other	Assault	Pending
15-Jun-14	Nanaimo	Use of Force – Serious Harm	Assault Causing Bodily Harm	<u>Guilty</u>
07-Nov-13	Surrey	Firearm – Serious Harm	Careless Use of a Firearm	Pending
26-Aug-13	Oceanside	Use of Force – Serious Harm	Assault with a Weapon	Pending
13-Aug-13	New Westminster	MVI – Serious Harm	Driving Without Due Care and Attention	<u>Guilty</u>
21-Jun-13	Salmon Arm	MVI – Death	Dangerous Driving	<u>Acquitted</u>
08-Nov-12	New Westminster	Firearm – Death	Second Degree Murder	<u>Stay of Proceedings</u>
02-Oct-12	Cranbrook	Firearm – Serious Harm	Discharging Firearm with Intent	<u>Stay of Proceedings</u>

# Disposition of Cases

## Timeliness Challenges

In cases involving a fatality, the IIO must conduct an investigation according to the same rigor demanded by a criminal homicide investigation. Fatal critical incident investigations require the expenditure of enormous resources in order to ensure proper charge assessment can be made and sufficient admissible evidence can be presented in support of any charges that may be laid. An investigation into a death will often require any number of forensic reports, including but not limited to: ballistics, blood spatter analysis, trajectory analysis, use of force analysis, autopsy, toxicology, among others.

The IIO relies heavily on third-party experts to conduct necessary analysis and provide necessary reports that inform the outcome of a case. These reports are produced by experts who are often inundated with cases from police agencies across Canada. While the IIO is exploring alternative sources for these third-party reports, the length of time these reports take contributes to delays in the IIO caseload.

- In one firearms fatality investigation, a ballistics report was not received until one year and seven days after it was requested by the IIO.
- In another firearms fatality, forensic reports were postponed on five occasions. At the time of writing, this forensic report has exceeded 16 months.
- A ballistics report in a separate fatal firearms case took 15 months to complete.

Overall, as of the end of the fiscal year, three IIO files involving fatal officer-involved shootings had pending requests with the RCMP Forensic Assessment Center that had been outstanding for more than 450 days. Unfortunately, the IIO failed to identify this as a systemic issue until the end of the fiscal year. Although there will continue to be timeliness challenges for IIO files due to the large volume of pending investigations and the labor intensive nature of these files, plans have been put into place to improve timeliness over the long term.

It should be noted that upon being notified of laboratory timeliness problems by the CCD, RCMP command was responsive and assisted in ensuring a higher level of recognition of the needs of the IIO vis-à-vis multiple other demands on the RCMP Forensic Assessment Center. The IIO acknowledges and regrets the impact that these delays have had on affected families and involved police officers and will ensure that any future delays will be aggressively addressed and mitigated.

**In one firearms fatality investigation, a ballistics report was not received until one year and seven days after it was requested by the IIO.**



# Disposition of Cases



It must be recognized that these third-party reports are not the sole contributor to delays in the completion of IIO files, but they have contributed to the IIO's inability to conduct timely investigations. In order to be successful in the long-term, this issue must be resolved by either improvements in the timely evaluation of IIO evidence by the RCMP Forensic Assessment Center, or the identification of an alternative process for the scientific evaluation of such evidence.

**It must be recognized that these third-party reports are not the sole contributor to delays in the completion of IIO files, but they have contributed to the IIO's inability to conduct timely investigations.**



# Case Analysis

## Introduction

The IIO began operations in September of 2012 and has now compiled a significant amount of data with respect to its investigations. Pursuant to Section 38.12 of the *Police Act*, the Chief Civilian Director must:

- (a) establish and maintain a record of each investigation conducted by the independent investigations office under this Part, including all records related to each of those investigations,
- (b) compile statistical information in respect of records referred to in paragraph (a), including, without limitation,
  - (i) information respecting the number and frequency of investigations or of different types or classes of investigations, and the outcome or resolution of them, and
  - (ii) any trends in relation to information compiled under subparagraph (i), and
- (c) submit to the Attorney General an annual report of the information described in paragraph (b) and the operations of the independent investigations office.

This section describes the operations for the IIO as it relates to the patterns, issues and concerns identified over the past fiscal year. In identifying these patterns and issues the IIO strives to improve police policy, training and practices and ultimately reduce the risk of police use of force and lethal force.

The following are some of the issues that have been identified: the potential positive impact of police use of body-worn cameras on IIO investigations; the need to reduce the risk of suicide by persons arrested for serious sexual offences after their release from custody; the need for police to ensure timely subject officer duty to accounts and tactical issues identified in lethal force incidents investigated by the IIO.

## The Significance of Body-Worn Cameras to IIO Investigations

In February 2015, a report was issued by the Special Legislative Committee established to review the administration and general operations of the IIO. The seventh recommendation of the Committee report was that: “the provincial government aggressively pursue the steps necessary to implement the police use of body-worn cameras, in consultation with police and non-police stakeholders.”<sup>9</sup>

**In identifying these patterns and issues the IIO strives to improve police policy, training and practices.**

# Case Analysis

During the course of the CCD's presentation to the Committee, he explained that government was responsible for policies regarding body-worn camera (BWC) use by police members. He noted that the use of BWC by police has become increasingly common in other jurisdictions, particularly in the United States, and is in the process of being actively explored by some Canadian police agencies. Evidence from these jurisdictions suggested that BWCs could assist certain IIO investigative files, especially in cases involving Emergency Response Team deployments, police service dog handling issues, and conducted energy weapon (Taser) incidents.

At the request of the CCD, IIO staff initiated a review of 71 IIO investigations, to include active files and files closed by reports to Crown counsel. This review was initiated to determine in how many cases the availability of BWC footage may have assisted the CCD in either exonerating officers of the commission of a criminal offence or in providing Crown counsel with sufficient information to ensure an appropriate charge evaluation.

Of the files reviewed, it was determined that BWC footage would have potentially assisted in resolving 93% of the investigations reviewed. In all firearms cases (officer-involved shootings), BWC footage would have assisted in providing additional independent evidence. Other video evidence (such as CCTV, video recorded by witnesses, etc.) was available in only 25% of the cases reviewed. In addition, BWC footage would have assisted the investigation into all police service dog (PSD) cases reviewed (17).

Noting that BWC footage would have assisted in all IIO PSD cases, as well as the Emergency Response Teams and the Combined Forces Special Enforcement Unit (CFSEU) cases (officer-involved shootings), the following distribution of files and officer assignments was noted:

**Table 10.**  
**Distribution of Files**

Subject Officer Assignment	Number of Files Reviewed
General Duty	49 (69%)
K9	17 (24%)
ERT/CFSEU	5 (7%)

As such, if all K9 and ERT/CFSEU officers were equipped with body worn cameras, 30% of IIO files would be assisted.

**Of the files reviewed, it was determined that BWC footage would have potentially assisted in resolving 93% of the investigations reviewed.**

# Case Analysis

Although the IIO recognizes that there are many issues that must be addressed with respect to following the Special Committee's recommendations, the assistance such technology would provide to IIO investigations would be significant.

In the event of the implementation of BWC's, police policies would need to ensure that appropriate practices would be put into place to maintain the integrity of IIO investigations. Specifically, in all incidents falling within the mandate of the IIO, all BWC equipment would need to be seized by supervising officers and maintained for the IIO. All such equipment and videos would need to be considered the property of the IIO, remaining in its custody and under its control until the conclusion of the IIO investigation.

## Suicides Subsequent to Arrest

During the course of the fiscal year, the IIO completed an investigation into allegations made against RCMP officers that they failed to take appropriate action to protect an arrestee. The affected person had been arrested for a serious sexual offence and shortly after his release from custody he took his own life. Although the CCD concluded that the involved officers did not commit any offence, the incident highlighted a concern that suspects who had been investigated by RCMP officers in British Columbia for serious sexual offences have died by suicide shortly after contact with investigating officers.

Specifically, during the period from January of 2014 through October of 2015, the IIO was notified of six incidents wherein suspects took their own lives after having been either arrested or contacted by RCMP officers investigating serious sex-related allegations. In five of the cases, preliminary investigations conducted by the IIO resulted in the conclusion that there was insufficient evidence to establish a connection between a police officer's action or inaction and the suicide of the affected person. As such, the IIO released jurisdiction in these incidents. As indicated above, the sixth incident resulted in an IIO investigation wherein the CCD concluded that there was no reason to believe that the involved officers committed any offence.

However, after inquiry with the RCMP, it did not appear that there were any RCMP-specific policies or protocols which outlined guidelines, procedures or strategies towards minimizing the risk of suicide under these circumstances. Considering the fact that there had been six deaths over a period of approximately two years, it was decided to ask the Civilian Review and Complaints Commission for the RCMP (CRCC) and the RCMP to examine best practices and procedures for release from custody of individuals who may be at an increased risk of suicide after detention and ensure appropriate policy and training for officers to appropriately conduct risk assessments under these circumstances. As such, in February 2016, the IIO forwarded the above-noted files to the RCMP and the CRCC to provide them with the information necessary to evaluate what appropriate action should be taken.

# Case Analysis

The RCMP E Division command staff have since responded with a commitment to review existing training, policies and protocols that may relate to an officers' identification of suspects who may be at risk of suicide upon release from custody and to keep the IIO apprised.

## Subject Officer Duty-to-Account

Whenever a police officer uses force that causes death or serious harm, the officer is required by all police agencies in B.C. to prepare a duty-to-account, which provides sufficient information of the circumstances under which such lethal or serious force was used. This requirement allows police agencies to assess current standards and practices related to the use of force by police officers, and, when necessary, address identified concerns with the involved officer.

The Supreme Court of Canada has stated: "when a member of the community is killed or seriously injured by a police officer, it is not only appropriate to ask whether the police were acting lawfully, it is essential."<sup>10</sup> The court specifically found that "police officers do have a duty to prepare accurate, detailed and comprehensive notes as soon as practicable after an investigation."<sup>11</sup> A timely subject officer duty to account has a significant impact on the integrity of the review of IIO investigations by Crown counsel and the CCD. A timely, detailed and accurate account of officers' conduct helps inform the case reviewers' decisions as to whether or not criminal charges are appropriate.

After conducting an audit of all IIO officer-involved shooting and in-custody death files, the IIO identified multiple instances wherein subject officers appeared to have failed to write timely duty to account reports and supervisors may have failed to enforce this requirement. In fact, in a recent adjudication, it was reported that a municipal police agency allowed a subject officer to defer the writing of a timely duty-to-account because the officer had not been permitted to view a video of the incident.

In March 2016, IIO Legal Counsel sent inquiry letters to four B.C. police agencies requesting information to determine whether these subject officers failed to follow policy in this regard and whether supervising officers failed to require such reports to be prepared in a timely fashion. Copies of these inquiry letters were sent to the Director of Police Services, the Office of the Police Complaint Commissioner and the Civilian Review and Complaints Commission for the RCMP.

The IIO is currently waiting to hear back from these agencies as to whether policy violations took place and what actions will be taken to ensure compliance on this important issue in the future.

---

<sup>10</sup> Wood v. Schaeffer, 2013 SCC 71 at para [3].

<sup>11</sup> Wood v. Schaeffer, 2013 SCC 71 at para [67].

# Case Analysis



## Lethal Force & Tactical Issues

Many of the officer-involved shootings and in-custody deaths that have taken place over the last few years have been the result of confrontations with persons in a state of crisis, whether they were suffering from mental health issues, under the influence of intoxicating substances or suffering from what has been referred to in policing as “excited delirium.”

In fact, there have been a number of incidents, some of which are currently under investigation, where it appears that officers may have rushed into an incident instead of attempting to contain and isolate the affected person and then evaluate potential options. Also, in several incidents the CCD identified significant tactical deficiencies that increased the risk of lethal force being used against affected persons.

In cases where conduct, tactical deficiencies or department equipment issues are identified during an IIO investigation, such cases are referred to the appropriate police professional standards as well as the Office of the Police Complaint Commissioner for the municipal police and the Civilian Review and Complaints Commission for the RCMP. Discussions are currently taking place to identify a vehicle by which the CCD can directly communicate these issues and concerns to provincial police chiefs on a systemic basis.

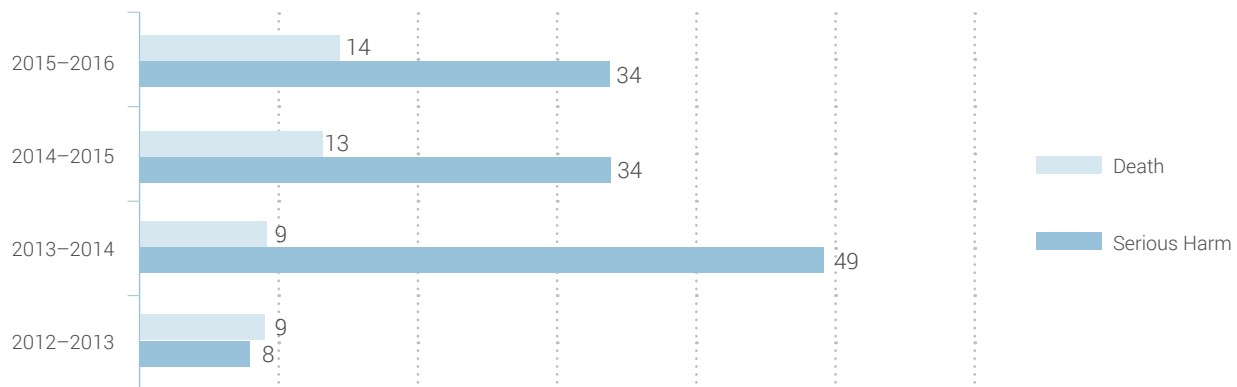


# Summary of IIO Caseload

**Table 11.**  
**Investigations Opened**

2012–2013	2013–2014	2014–2015	2015–2016
17	58	47	48

**Figure 9.**  
**Caseload by Injury Type**



**Table 12.**  
**Disposition of Cases**

Fiscal Year	Total Cases	2013–2014	2014–2015	2015–2016
2012–2013	17	11	6	–
2013–2014	58	35	23	–
2014–2015	47	16	20	11
2015–2016	48	2	1	45
<b>Total</b>	<b>170</b>	<b>64</b>	<b>50</b>	<b>56</b>

# Summary of IIO Caseload

**Table 13.**  
**Cases Classification**

Classification	2013–2014	2014–2015	2015–2016
CEW - Death	2	3	–
CEW - Serious Harm	–	1	–
Firearm - Death	1	7	5
Firearm - Serious Harm	4	4	3
In-Custody - Death	2	1	2
In-Custody - Serious Harm	1	3	2
MVI - Death	2	1	2
MVI - Serious Harm	10	5	6
Other - Death	2	–	1
Other - Serious Harm	4	2	1
PSD - Serious Harm	9	4	3
Self-Inflicted - Death	2	–	3
Self-Inflicted - Serious Harm	4	1	2
Use of Force - Death	–	1	1
Use of Force - Serious Harm	15	14	17
<b>Grand Total</b>	<b>58</b>	<b>47</b>	<b>48</b>

Cases from 2012- 2013 year are not included due to changes in case classification matrix.

# Overview of Police Oversight

## B.C.

The Independent Investigations Office began operations in September 2012.

- The organization was established in response to two reports. One relating to the 1998 death of Frank Paul and another relating to the 2007 death of Robert Dziekanski. Both of these reports recommended the establishment of a civilian oversight model to conduct critical incident investigations of police involved incidents resulting in death or serious harm.

In addition to the IIO, there are two offices that conduct investigations into complaints of misconduct involving police across British Columbia. These include:

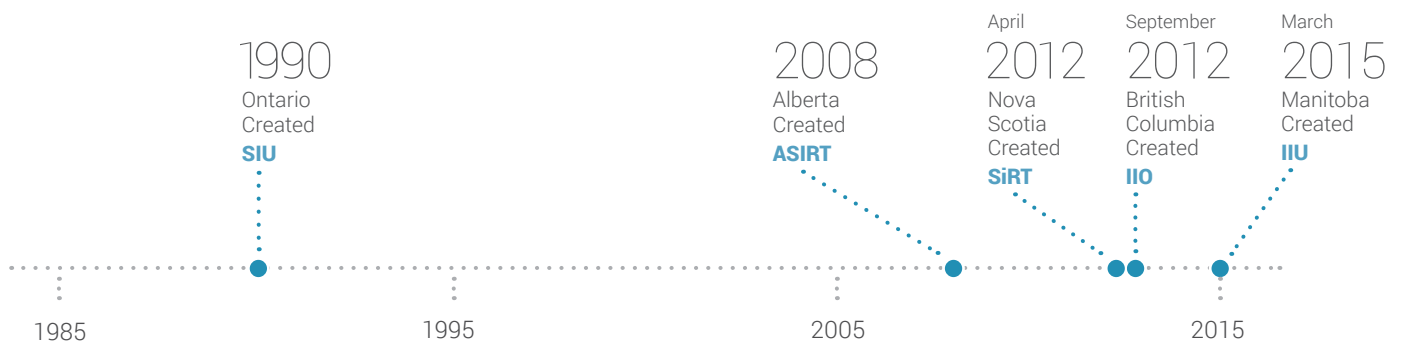
- The Office of the Police Complaint Commissioner (OPCC) conducts investigations into complaints against municipal police officers.
- The Civilian Review and Complaints Commission (CRCC) is responsible for investigating complaints made against the RCMP.

Police oversight in B.C. also includes the Policing and Security Branch in the Ministry of Public Safety and Solicitor General. This is led by an Assistant Deputy Minister who is the Director of Police Services for RCMP and municipal police agencies in the province.

## Canada

- As of March 31, 2016, there are four other independent critical incident investigation offices in place across Canada.
- Some of these agencies also investigate allegations of corruption (Alberta), sexual assault and domestic violence (Ontario and Nova Scotia).

**Figure 10.**  
**Civilian Police Oversight in Canada**



# Appendix A

## Body-worn Cameras— Changes Recommended by the Legislative Committee

“The time has come to require that police officers operating in British Columbia be equipped with body-mounted cameras for the recording of their dealings with persons in crisis. I join in the chorus of voices resounding from every corner of this continent that support police use of audio and video recording devices.”<sup>12</sup>

In the Committee’s discussions with presenters during the public consultations, Committee members noted that the use of BWCs was increasing in other jurisdictions, and that these devices had been used recently by police in Vancouver enforcing evictions. Members stated that the use of BWCs in B.C. was a really practical suggestion, and their use was a natural progression, particularly with today’s technology. It was agreed that the experience of other jurisdictions provided evidence that a full subscription to the use of body-worn cameras by B.C. police forces was feasible and would benefit law enforcement and citizens alike, citing testimony by the Chief Civilian Director that police use of body-worn cameras could assist the IIO’s conduct of investigations. The experience of other jurisdictions also provided insight into best practices for addressing privacy issues related to the use of body-worn cameras.

Members of the Committee noted that a review of issues related to the use of body-worn cameras was underway by the Ministry of Justice in consultation with police and non-police stakeholders, and expressed concern about the urgency of action to support the use of body-worn cameras in B.C., given the benefits this would provide to police agencies, citizens, and the IIO.

Members concluded by strongly supporting the use of body-worn cameras in B.C., and calling on government in consultation with police and non-police stakeholders to aggressively pursue the steps necessary to implement the use of body-worn cameras by B.C. police members.

---

<sup>12</sup> Dr. Michelle Lawrence, October 29, 2014 Presentation to the Committee.

## **Independent Investigations Office**

12th Floor

13450-102nd Avenue

Surrey, B.C. V3T 5X3

**Toll-free** 1.855.552.4622

**Local** 604.586.5668

**Email** [info@iiobc.ca](mailto:info@iiobc.ca)

**Twitter** [@iiobc](https://twitter.com/iiobc)