



ANNUAL REPORT 2022-2023

**Trust ▪ Collaboration
Courage ▪ Excellence
Professionalism**

 **INDEPENDENT**
Investigations Office of BC

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MESSAGE FROM THE CHIEF CIVILIAN DIRECTOR



I am pleased to present the eleventh annual report of the Independent Investigations Office (IIO) of British Columbia for the fiscal year ending March 31, 2023.

This year, as most before it, brought both challenges and successes for the IIO. We have been challenged by a lack of resources, compensation constraints, as well as high caseload numbers and a significant number of police-involved shooting incidents. But it's not all bad – successes have come in the form of an additional \$2 million in funding for fiscal year 2023-2024 which will allow the IIO to hire additional essential resources, and greater support to correct the compensation issues that have long impacted our ability to recruit and retain qualified Investigators.

The IIO undertook 210 new investigations this fiscal year, at the same time that resignations peaked. Resigning from a role is a complex decision, but a noted theme was compensation. The IIO's compensation model has long been problematic as it is not competitive with other law enforcement agencies, and this has resulted in the IIO being perceived as a less attractive option for many candidates with the skills necessary to conduct such investigations.¹ However, I am encouraged by recent discussions with government on this matter, and we hope to soon increase base salary levels as an interim measure, while continuing to work on meaningful changes to our overall compensation model to address issues of overtime, call out, and standby pay. Such changes will bolster the IIO's ability to hire and retain highly qualified personnel.

Two notable trends emerged this year – an increase in police-involved shooting incidents, and concerns around housing intoxicated people in police cells. This fiscal year, the IIO investigated 26 police-involved shootings. This is in stark contrast to the seven the IIO examines per year on average and reflects a 271% increase. The reasons for this increase are unknown and warrant further research in academia.

I have also observed a concerning trend of individuals going into medical distress while in police custody. Whether the cause of the distress was intoxication, drug use or withdrawal, medical conditions, or other causes, police and jail guards are not medical professionals, which increases the risks surrounding decisions regarding whether a person requires medical care. This year, I have made calls for greater supports for persons who could more appropriately be placed outside of police custody for their own wellness, such as sobering centres or other healthcare-focused locations. As a society, I believe we need to provide better supports for those who are struggling, be it with addictions or mental health, and police custody is not the most conducive environment for this care.

¹ The IIO is established under the Ministry of Attorney General and is therefore restricted by the BC Public Service's compensation model, despite how different the work of the IIO is from other branches of the public service.

This report details many of our successes and challenges over the past year, and I encourage you to take the time to read about the work we do on behalf of the citizens of British Columbia.

Yours very truly,



Ronald J. MacDonald, KC
Chief Civilian Director
Independent Investigations Office





EXECUTIVE SUMMARY

In September 2022, the IIO celebrated our 10th year of operations. The IIO investigates all police-involved incidents in BC that result in serious harm or death to determine if there are reasonable grounds to believe that any officer may have committed an offence. This report covers fiscal year 2022-2023 (April 1, 2022 to March 31, 2023) and provides updates regarding investigation caseloads, trends, and detailed statistics to the public.

Highlights from this report include:

- Commenced 210 new investigations (see [open investigations](#));
- Concluded 64 investigations by releasing a public report (see [public reporting](#));
- Concluded 43 investigations by issuing a concluding media release (see [public reporting](#));
- Referred 10 investigations to Crown Counsel (BC Prosecution Service) for consideration of charges (see [referrals to Crown Counsel](#)); and
- Conducted significant outreach with important partners (see [community engagement](#)).

The IIO has continued to conduct independent investigations while caseloads reach record highs, and Investigator retention has reached record lows. Notable trends include an increase in new investigations, an increase in advice files, and a much higher number of police-involved shooting incidents than has been seen in BC since the IIO's inception. The reasons behind these trends are unknown at the time of writing.

Other factors, however, remain the same. The overrepresentation of Indigenous Peoples in IIO investigations is consistent with previous years, as are the average age and gender of Affected Persons overall. The IIO continues to prioritize building and maintaining relationships through our outreach efforts.

CELEBRATING **10** Years



WHO WE ARE

The IIO became operational on September 10, 2012 and was created based on recommendations from Justices [Davies](#) and [Braidwood](#). The Davies Commission examined the 1998 death of Frank Paul, an Indigenous man who died of hypothermia in a Vancouver alley after being released there from Vancouver Police Department cells. The Braidwood Commission expanded on the need for civilian oversight of law enforcement in the report regarding the 2007 death of Robert Dziekanski, a Polish man who died after conducted energy weapons (CEW, or commonly referred to as a Taser) were used on him at the Vancouver International Airport.

These two Commissions highlighted the need for an oversight agency, independent of police, to investigate police incidents that result in serious harm and death, and formed the foundation upon which the IIO was created. Importantly, the IIO is led by a Chief Civilian Director (CCD) who, as required by the *Police Act*, can never have served as a police officer.

The IIO conducts investigations into incidents in BC that result in death or serious harm that may have been related to the actions or inactions of a police officer. The IIO has jurisdiction over all policing agencies in BC, including 12 municipal agencies, the Royal Canadian Mounted Police (RCMP), the South Coast BC Transportation Authority Police Service (Metro Vancouver Transit Police), and the St’at’l’imx Tribal Police Service. The IIO also has oversight jurisdiction over Special Provincial Constables when an incident occurs during the exercise of their authority in BC. The IIO’s jurisdiction does not extend to correctional officers in municipal, provincial, or federal correctional

facilities, or civilian jail guards. The *BC Police Act* grants the IIO the authority to investigate and requires that police notify the IIO immediately of any incident that may fall within the IIO mandate.

IIO investigations are conducted to a criminal standard comparable with any other law enforcement agency in BC. Investigations are commenced regardless of whether there has been any allegation of police wrongdoing, and all IIO investigations are conducted in as transparent a manner as practicable while respecting both the integrity of the investigation and the privacy interests of those involved.

When an investigation is concluded, the CCD, in collaboration with the investigative team, will assess all the evidence and determine whether any officer may have committed an offence. If the CCD finds that there are no reasonable grounds to believe that an offence has been committed, the matter will not be submitted for consideration of charges. Depending on the balance of public and privacy interests in a given case, the IIO may issue a public report, a media release, or conclude without further information being made public. More information regarding the IIO’s public reporting practices can be found on [page 14](#) below.

However, if the CCD determines that there are reasonable grounds to believe that an officer may have committed an offence, they may choose to refer the matter to Crown Counsel with the BC Prosecution Service for consideration of charges. More information regarding the IIO’s referrals to Crown Counsel can be found on [page 15](#) below.

THE IIO'S GUIDING VALUES

PROFESSIONALISM: IIO employees demonstrate integrity and impartiality while delivering on the organization's mandate. Every person who works at the IIO approaches their role, responsibilities, and interactions with the community, Affected Persons, police, and each other in an unbiased, committed, and efficient manner. Central to the IIO's values is continually improving best practices with foundations in compassionate service.

TRUST: Essential to building and maintaining public faith in police accountability is trust, and trust is earned by conducting impartial, thorough, and independent investigations. The public, the Affected Person(s) and the police should have complete confidence in the IIO's processes and procedures. Whatever the outcome of the investigation, the IIO must be held to the highest standards. Aligned with our 'start from zero' approach, the IIO reaches conclusions only after gathering and analyzing all available evidence. Our goal is to be open and genuine in all interactions. It is this approach that fosters trust, which is at the core of all relationships with Affected Persons, police, communities, and British Columbians.

EXCELLENCE: The IIO value of excellence encompasses both investigative technique and a commitment to continual improvement. This approach applies cutting-edge practices to improve our effectiveness and undertaking industry-leading training to ensure that employees' knowledge and skills are current and alive to growing societal concerns. The IIO team is dedicated to ongoing improvement with a focus on ensuring consistency. The goal of the IIO is to serve the communities of BC in a manner that inspires public faith in the organization and police accountability.

COURAGE: The IIO's work is difficult and demanding, but civilian oversight is an important part of maintaining a well-functioning society operating on rule-of-law principles. The CCD and IIO team conduct each investigation as fact-driven professionals that British Columbians can count on to do what's right – even when it's challenging. The IIO must be confident in making tough decisions, in speaking and acting in support of those decisions, and, when necessary, taking accountability if there has been a mistake.

COLLABORATION: The IIO is dedicated to acting in a respectful, open, and curious manner in all interactions. At the foundation of the IIO's investigative and operational abilities is teamwork and employees who work toward shared goals that uphold both organizational and their own personal values. We stand on a strong foundation of encouraging respectful dialogue and operating with practical transparency and communication.



DEVELOPMENTS 2022-2023

INVESTIGATIONS

The IIO investigates police-involved incidents in BC that result in serious harm or death to determine if any officer may have committed an offence. Serious harm is defined in the *Police Act* as injury that:

- may result in death,
- may cause serious disfigurement, or
- may cause substantial loss or impairment of mobility of the body as a whole or of the function of any limb or organ.

All police agencies in BC are required to notify the IIO whenever an incident that may be subject to the IIO mandate occurs. When a Team Director receives a call from a police service, as a delegate of the CCD, they will determine, based on available information, if there is a connection to police actions or inactions, and if the injury sustained by the Affected Person meets the definition of serious harm, as defined by the *Police Act*. If there is both a connection and serious harm, or if there is insufficient information to make that determination, the Team Director will assign investigative resources to commence an investigation. In fiscal year 2022-2023, initial investigative steps found that in 82% of cases, there was clear, objective evidence that the injuries did not meet the threshold of serious harm established by the *Police Act*, or there was no connection to police actions or inactions. These investigations are typically concluded relatively quickly.

In the other 18% of cases, a more complex analysis was required. In these cases, all evidential avenues are pursued, and, upon completion, a file review is held. File reviews provide the opportunity for the investigative team to present all of the evidence to the CCD who, in consultation with the IIO's general and legal counsel, will apply legal principles and determine if any officer may have committed an offence.

Investigations that proceed to file review are more complex and this complexity results in a significantly longer investigative process. These investigations often require external reports, such as ballistics, collision analysis, toxicology, autopsy and more.

IIO investigations are concluded when the CCD has determined if an officer may have committed an offence or not. If there are reasonable grounds to believe an offence has been committed, the CCD may refer the investigation to Crown Counsel with the BC Prosecution Service for consideration of charges. If reasonable grounds do not exist, the IIO will conclude the investigation in the most appropriate manner while balancing the public interest with the privacy interests of the involved parties.

More information on the IIO's [public reporting](#) and [referrals to Crown Counsel](#) can be found in later sections of this report.

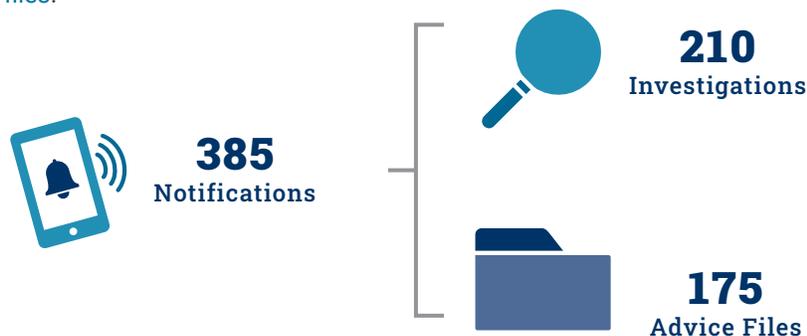
ADVICE FILES

There are times when the IIO may be notified of incidents where it is clear that the facts do not meet the threshold for the IIO to investigate. This is often the case where the injury does not meet the threshold of serious harm or there is insufficient connection to any police actions or inactions. These notifications are categorized as ‘advice files’ given the agency is calling to receive advice and/or confirmation that an IIO investigation will not be undertaken.

In the 2022-2023 fiscal year, 175 notifications were classified as advice files. Advice files have very limited, if any, investigative work undertaken, and therefore are not considered investigations. A file number is assigned for administrative purposes only. Advice files are excluded from IIO statistics.

FILE NUMBERS

In the 2022-2023 fiscal year, the IIO received 385 notifications of incidents that may be subject to IIO investigation. Of the 385 notifications, investigations were commenced into 210 incidents, while the remaining 175 were classified as [advice files](#).



OPEN INVESTIGATIONS

At the end of the fiscal year, on March 31, 2023, 70 investigations remained open and in progress. Of these, 11%, or eight investigations, were commenced more than 12 months ago. The remaining 62 investigations (89%) were opened during the current fiscal year and remain underway.

CONCLUDED INVESTIGATIONS

The IIO concluded 107 investigations during the 2022-2023 fiscal year.² Information including incident date, involved agency, location, serious harm or death classification, and status are provided on the [IIO website’s cases page](#). More detailed information was made public about many investigations, including:

- Concluding media releases published: 43
- Public reports published: 64
- Referrals to Crown Counsel (BC Prosecution Service): 10

For more information regarding the IIO’s public reporting (including media releases and public reports), please see the below section on [public reporting](#). For more information regarding referrals to Crown Counsel, please see the section on [referrals](#) below.

² The 107 concluded investigations may have been opened in fiscal year 2022-2023 or any year prior.

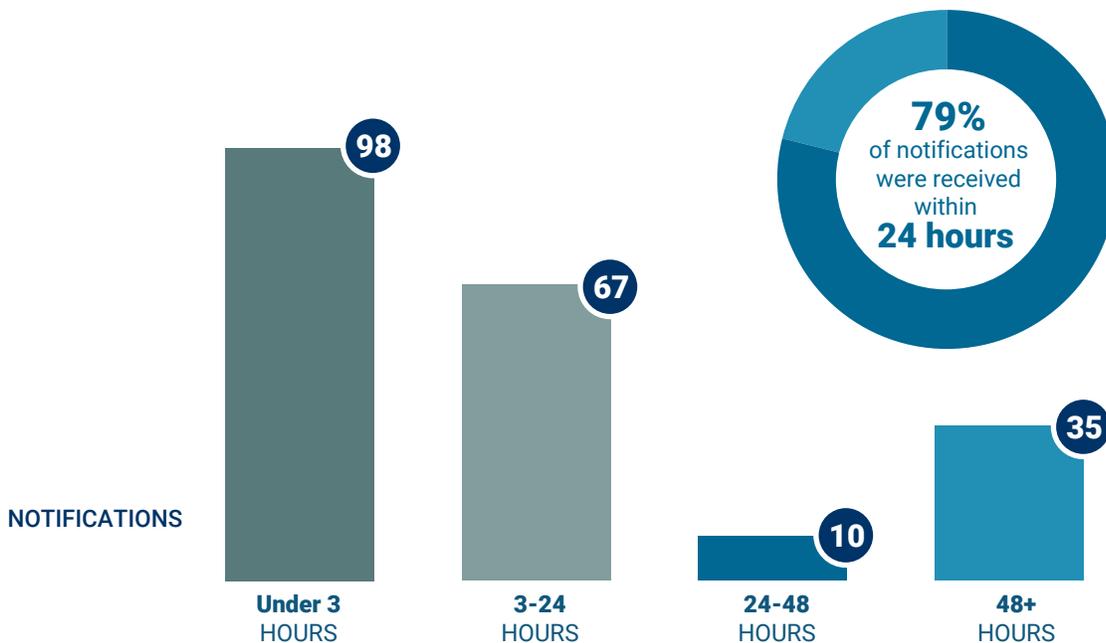
NOTIFICATION TIME

Of the 210 investigations commenced in fiscal 2022-2023, the IIO was notified within 24 hours of an incident occurring in 79% of cases.

The IIO was notified of 98 (47%) incidents within three hours and 67 (32%) between three and 24 hours after they occurred. The IIO was notified of an additional ten incidents between 24 and 48 hours after they occurred.

In 35 (17%) incidents, the IIO was notified more than 48 hours after the incident. In all cases where the IIO was notified two days or more after the incident, there are reasonable factors to explain the delay as the agency was not aware that serious harm may have occurred at the time of the incident. These notifications come from other oversight agencies, directly from Affected Persons or their family members, or from an involved agency following an internal review.

TIME BETWEEN WHEN AN INCIDENT OCCURRED AND IIO NOTIFICATION



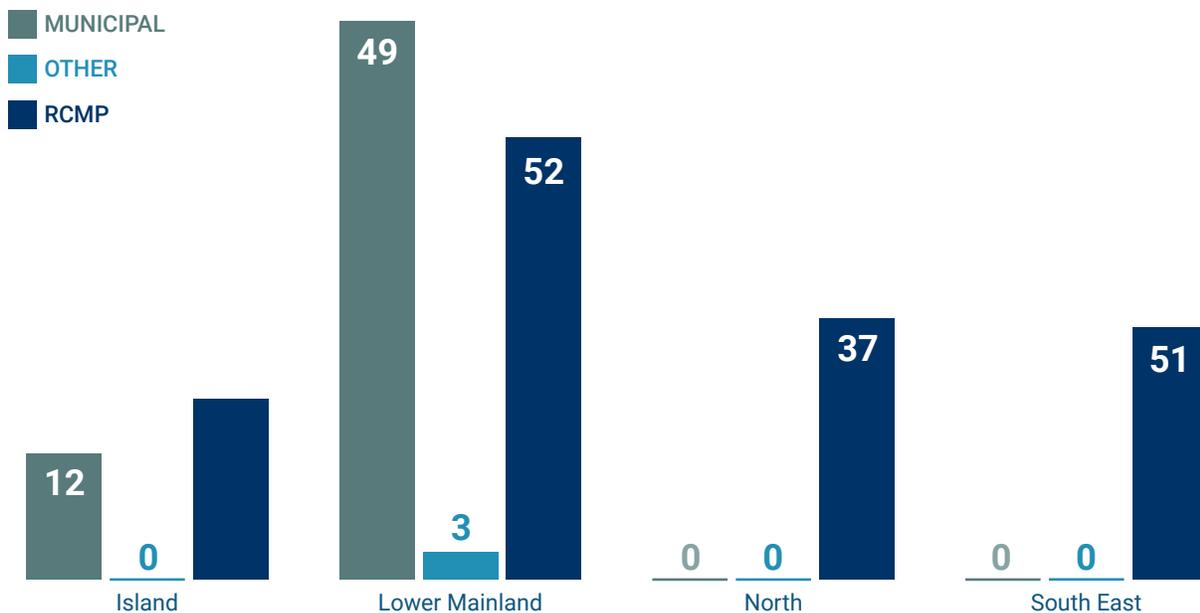
FILES BY DISTRICT

The IIO utilizes a four-district model to analyze the breakdown of investigations relative to the population size in BC. These four districts are Lower Mainland, Island, Southeast, and North. Each IIO investigation has an involved police agency. The involved agency is defined as the home detachment of the subject officer, meaning the officer whose actions are the subject of the IIO investigation. In cases where there is more than one subject officer, there may also be more than one involved agency, and therefore the number of involved agencies does not necessarily correspond to the number of investigations.

In addition to the many RCMP detachments and 12 municipal police services in BC, five involved agencies were classified as other. These investigations involved officers from regional services such as the BC Highway Patrol, Metro Vancouver Transit Police, or the Stl'at'imx Tribal Police Service.

In fiscal year 2022-2023, the IIO commenced 210 new investigations, and the chart below shows the number of investigations undertaken by district. Given the Lower Mainland district has the largest population, it is unsurprising that it continues to have the highest number of incidents overall.

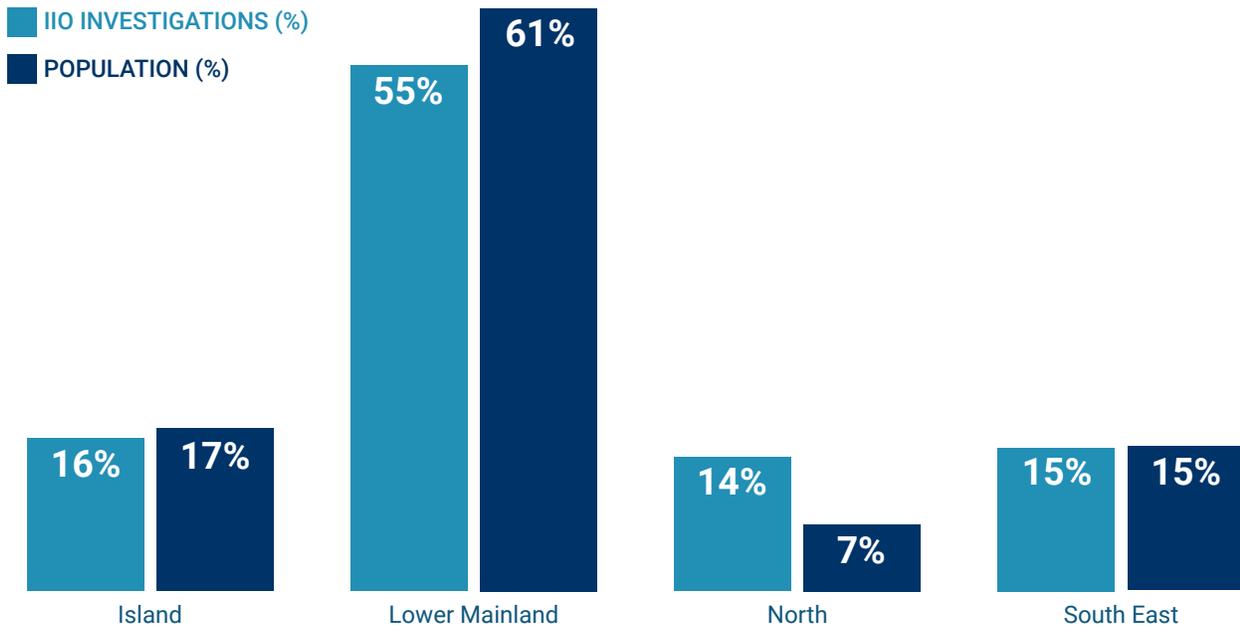
DISTRIBUTION BY DISTRICT, BY AGENCY TYPE



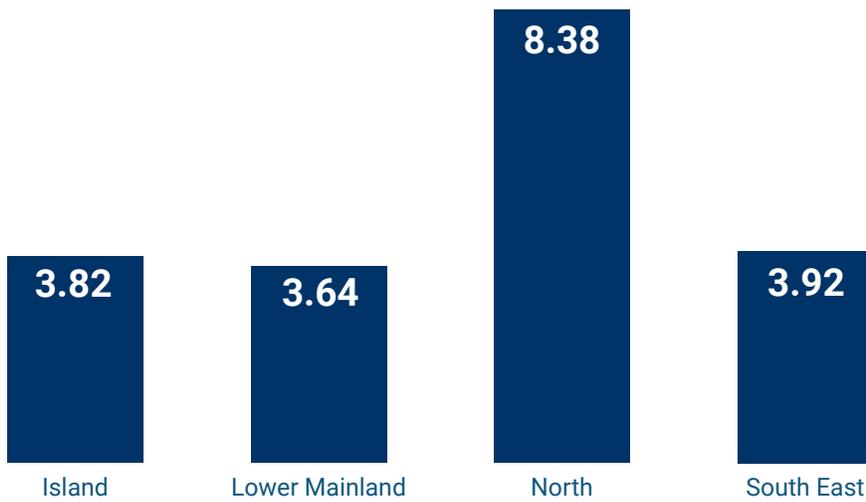
As the below chart reflects, the percentage of investigations that occur, relative to the percentage of the population, is lower than would typically be expected in the Lower Mainland district given the much higher population in this area. The percentage

of investigations relative to population are consistent for both the Island and Southeast districts but appear elevated in the North district. This elevation is also evident when the data is normalized as the number of IIO investigations per 100,000 people in each region.

PERCENTAGE OF IIO INVESTIGATIONS COMPARED TO PERCENTAGE OF BC POPULATION, BY DISTRICT



NUMBER OF IIO INVESTIGATIONS PER 100,000 PEOPLE, BY DISTRICT



FILES BY CLASSIFICATION

IIO investigations are broken down into eight categories:

-  **Conducted Energy Weapon (CEW)**
-  **Firearm**
-  **Medical**
-  **Motor Vehicle Incident (MVI)**
-  **Other**
-  **Police Service Dog (PSD)**
-  **Self-Inflicted**
-  **Use of Force**

Investigations are assigned to the category that best reflects the mechanism of injury or death. For example, if a person is injured in a motor vehicle incident with a police vehicle and is arrested with the use of a conducted energy weapon (CEW, or commonly referred to as a Taser) without injury, this would be classified as a motor vehicle incident investigation as that is how the injury occurred.

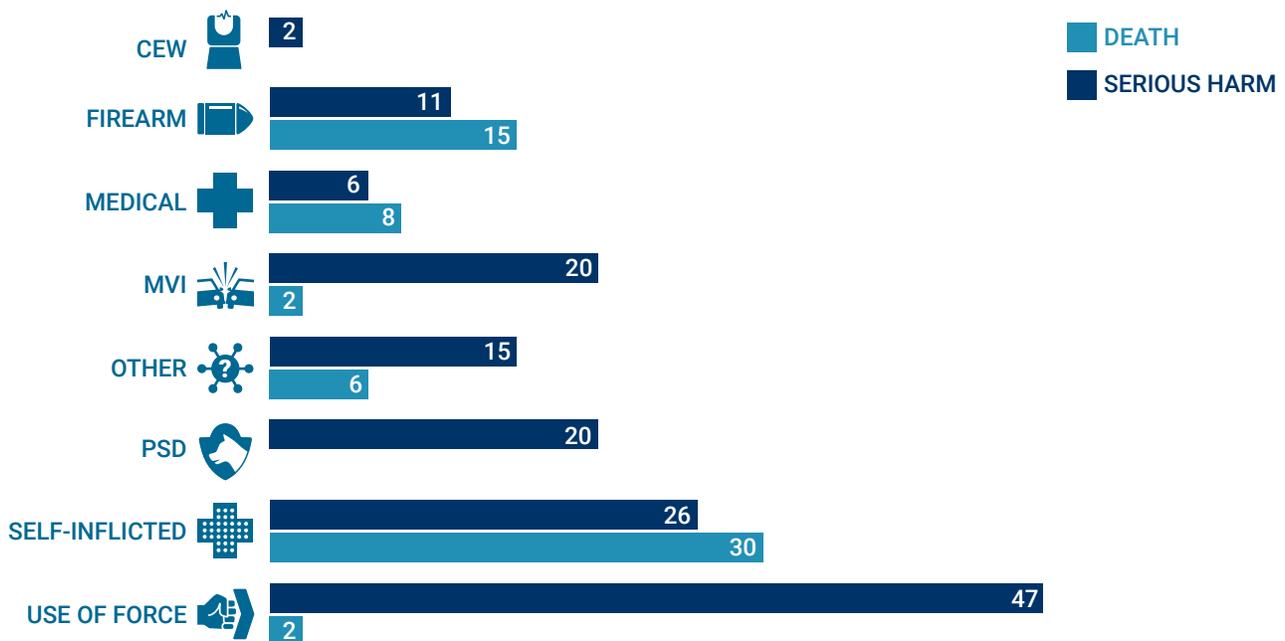
The “other” classification includes circumstances that do not align with any other category, or where the cause of the Affected Person’s serious harm or death could have been caused by more than one thing. In the previous example, if it was not possible to tell if the Affected Person sustained their injury in the motor vehicle incident or following use of the CEW, the investigation would be classified as “other.”

The “self-inflicted” classification includes any serious harm or death that is most appropriately attributable to the decisions made and/or actions taken by the Affected Person, including suicide.

In the 2022-2023 fiscal year, the “self-inflicted” classification again represents the greatest overall number of incidents at 27% of total investigations and was also the largest category of death investigations (48%). The most prevalent cause of serious harm was “use of force” incidents at 32% of all IIO investigations.

There were no deaths associated with either the CEW or police service dog (PSD) classifications.

FILES BY CLASSIFICATION





FIREARM FILES

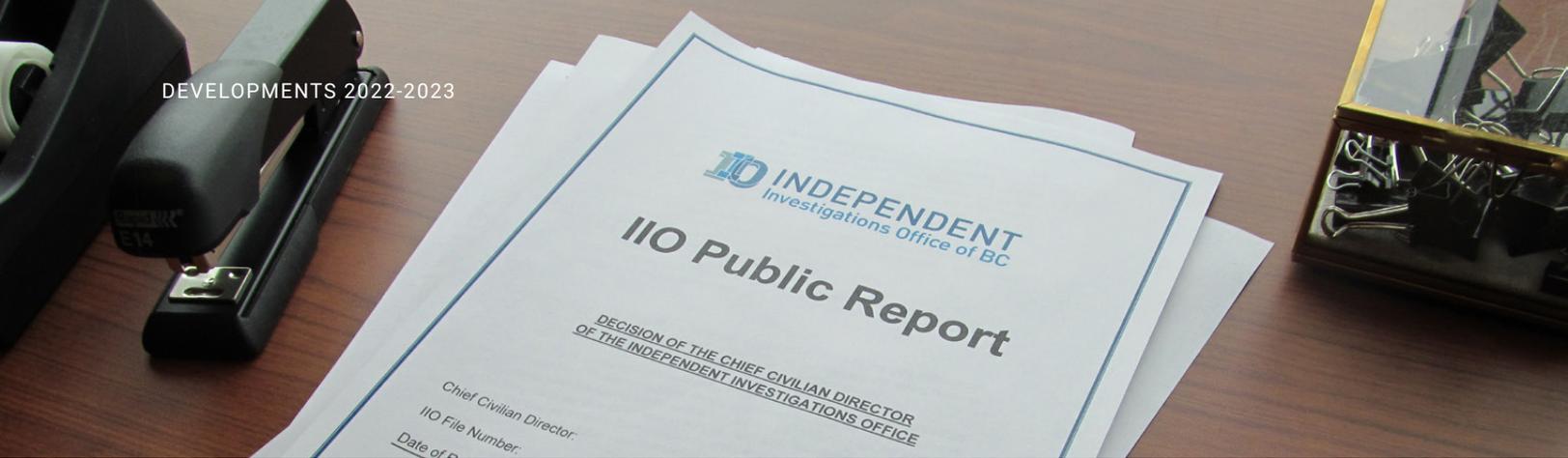
In fiscal year 2022-2023, the IIO commenced investigations into a record 26 firearm incidents. This represents a significant increase from the average seven incidents per year. The reason for this increase remains unknown. Eleven firearm incidents resulted in serious harm, while the remaining 15 resulted in death.

At the end of the fiscal year on March 31, 2023, 20 firearm files remained open and under active investigation. The remaining six are concluded. Public reports were issued in four of these cases, and one was concluded without further information being made public. One other file was concluded with an interim concluding media release as concurrent court proceedings relating to the incident remain before the courts. A public report will be issued in that case once court proceedings conclude.

OFFICER-INVOLVED SHOOTING INCIDENTS



For more information regarding the ethnicity of Affected Persons, please see [page 24](#). For more information on the files in the firearms classification, please refer to [Appendix B](#) of this report.



PUBLIC REPORTING

Transparency is critical to earning the trust of the public and is therefore an essential commitment of the IIO. The IIO is dedicated to balancing the public interest, the privacy interests of the involved parties, and the needs of the investigation to provide the most information to the public as is practicable at the outset of an investigation.

At a minimum, all IIO investigations are uploaded to the cases page on the IIO website,³ which includes the file number, incident date, involved agency, location, serious harm/death classification, and the current status of the investigation.

If it is in the public interest, the IIO will publish a media release including basic information, such as the date and time, approximate location, a brief description, and what the next investigative steps may look like. However, when an incident has just occurred, IIO Investigators have not had the opportunity to independently verify any details as to what occurred during the incident. As such, the IIO takes great care to use neutral language and limits detail to prevent contaminating witness accounts or releasing potentially inaccurate information.

It is particularly important to avoid releasing information which may impact the recollections of witnesses who observed an incident. In many cases, the IIO is publishing a media release before Investigators have had the opportunity to interview witnesses. Unduly influencing witnesses could result in a miscarriage of justice, and as a truth-seeking agency, the IIO will take all necessary steps to prevent that outcome.

At the conclusion of an IIO investigation, a file review will take place. A file review is a process that ensures all evidentiary opportunities have been exhausted and gives the investigative team the chance to present the CCD with that evidence. Robust discussion of legal principles applicable to the case will follow, and once that has concluded, the CCD will determine if there are reasonable grounds to believe that an offence may have been committed.

If reasonable grounds do not exist, the IIO investigation will be concluded. This can take the form of issuing a public report, a concluding media release, or without further information being provided to the public. As with initial media releases, several factors are considered when deciding how much information will be made public, such as public and privacy interests.

The involved parties – particularly the Affected Person or their family, and the involved officers – will always be notified of the outcome of an investigation. If requested, the CCD or a delegate will meet with the Affected Person, their family, the involved officers, community representatives or members of the media to answer any remaining questions.

Where it is in the public interest to do so, the IIO will issue a detailed public report which includes a narrative of the incident, the available evidence, and the legal principles applied to determine there were no reasonable grounds to believe an offence was committed.

³ <https://iiobc.ca/cases/>

In some circumstances, the privacy interests of the involved parties are elevated – such as when an incident involved domestic violence. In these cases, the CCD may determine it is more appropriate to publish a concluding media release instead, which contains a shorter summary of the incident and evidence. In other cases, the circumstances may be such that the privacy interests outweigh the public interest altogether, and in these cases the IIO will conclude the investigation without making any further information public.

If, following the file review, the CCD determines that there are reasonable grounds to believe an offence may have been committed, the investigation may be referred to Crown Counsel (BC Prosecution Service) for consideration of charges. The IIO will publish a

media release briefly describing the incident and what aspect(s) of the incident the CCD considers there are reasonable grounds to believe an offence may have been committed, such as driving offences or in relation to the use of force.

All information the IIO has made public about any investigation can be found on the IIO website.⁴

For a year-over-year comparison of the IIO’s public reporting, please see [page 17](#).



REFERRALS TO CROWN COUNSEL

When an IIO investigation concludes, the CCD may determine that there are reasonable grounds to believe that an offence may have been committed. If so, they may refer the matter to Crown Counsel with the BC Prosecution Service for consideration of charges.

When the CCD refers a matter to the BC Prosecution Service, Crown Counsel will review the investigation materials and apply a two-part test to determine if charges will be approved. They must be satisfied that:

- there is a substantial likelihood of conviction based on the evidence, and
- that a prosecution is required in the public interest.

The BC Prosecution Service will publish a clear statement if charges are not approved following an IIO referral. Clear statements are similar to IIO public reports, and provide a detailed narrative of the incident, the available evidence, and legal principles applied in coming to their decision.

If charges are approved, the BC Prosecution Service will publish a media release that briefly summarizes the incident, the name of the officer and what charges have been laid against them. The matter will then proceed through an appropriate court process.



10
Cases referred to
Crown Counsel

Ten investigations were referred to Crown Counsel for consideration of charges in fiscal year 2022-2023.⁵

For a year-over-year comparison of files referred to Crown Counsel, please see [page 17](#). For more information regarding the ethnicity of Affected Persons involved in investigations that were referred to Crown Counsel this fiscal year, please see [page 24](#). For more information on the specific files that were referred, please refer to [Appendix B](#) of this report.

⁴ <https://iiobc.ca/>

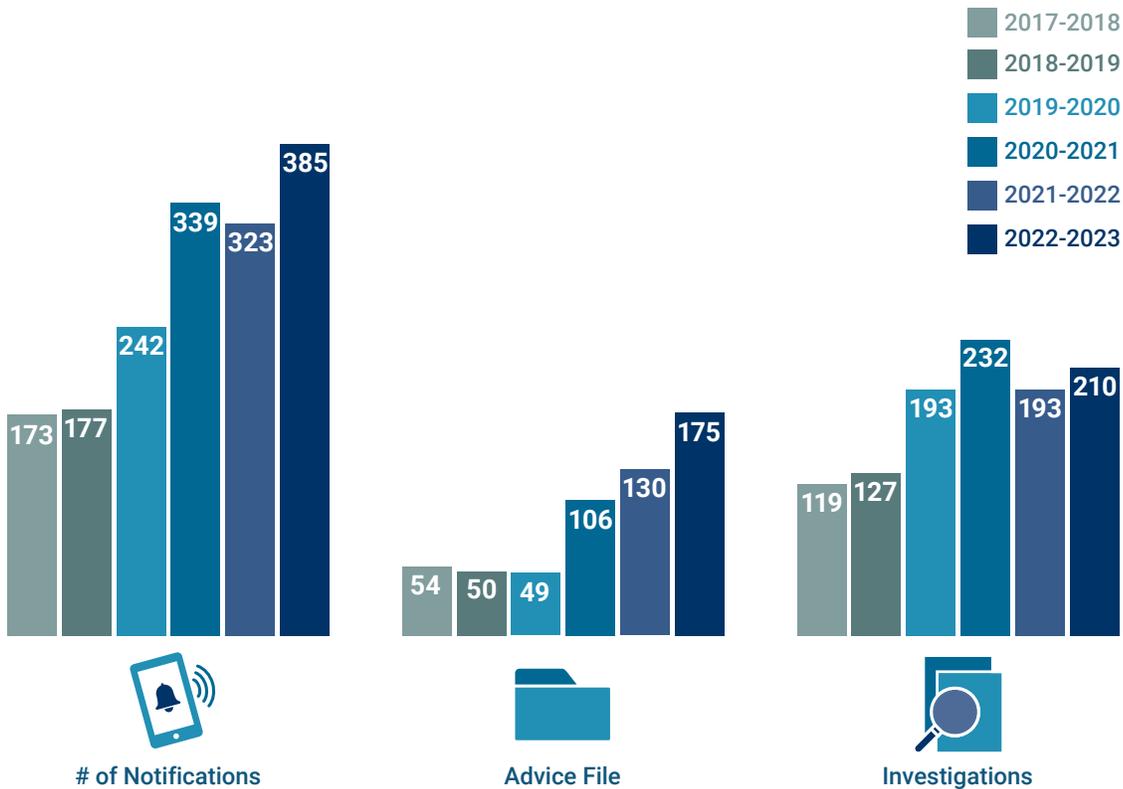
⁵ The 10 investigations referred may have been opened during the 2022-2023 fiscal year, or any year prior.

YEAR-OVER-YEAR COMPARISONS

OVERALL IIO CASELOAD

The chart below shows the number of notifications, advice files, and investigations commenced over the last six fiscal years. This year, the number of new investigations increased by 9% relative to last fiscal, and the graph shows that investigations appear to be trending upwards compared to six years ago. Notifications and advice files have also increased from previous years by 19% and 35%, respectively.

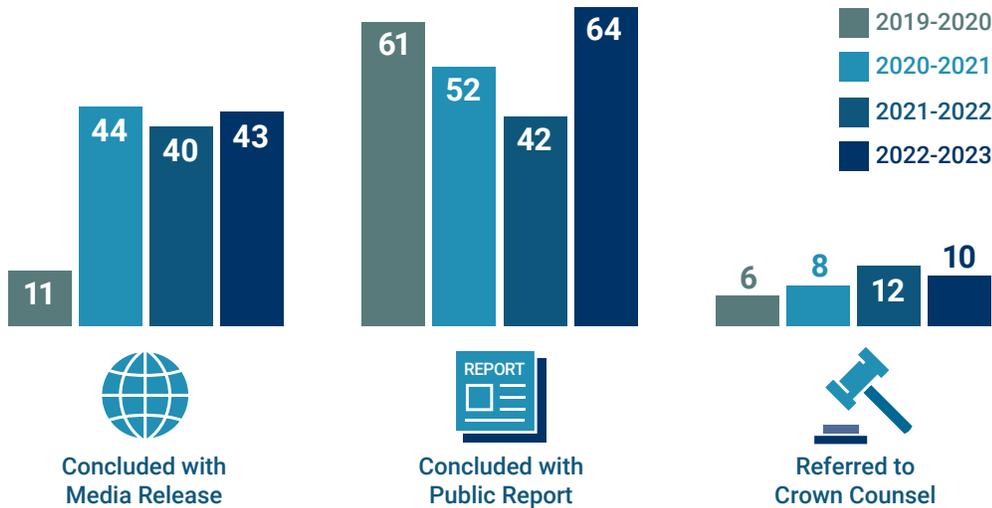
YEAR-OVER-YEAR CASELOAD COMPARISON



PUBLIC REPORTING

In fiscal year 2022-2023, the IIO concluded 117 investigations with some form of public reporting, including public reports, concluding media releases, and referrals to Crown Counsel. The graph below shows a year-over-year comparison which depicts a slight increase in both public reports and concluding media releases which may be related to the higher number of investigations commenced this fiscal year compared to previous years.

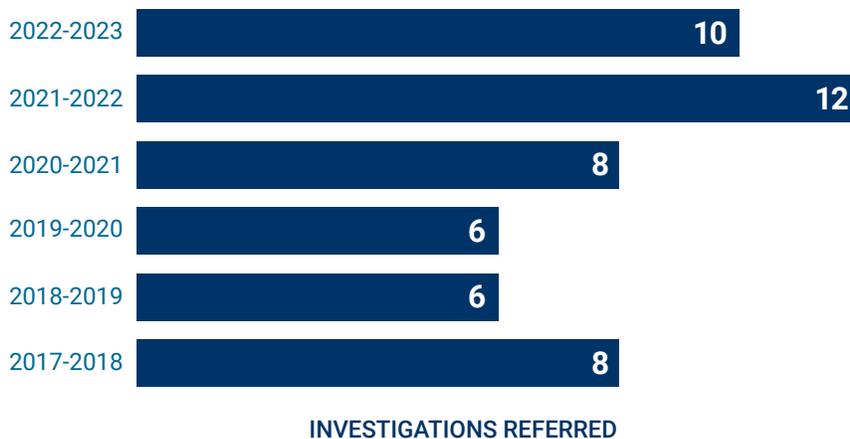
YEAR-OVER-YEAR COMPARISON OF FILES CONCLUDED DURING THE FISCAL YEAR



REFERRALS TO CROWN COUNSEL

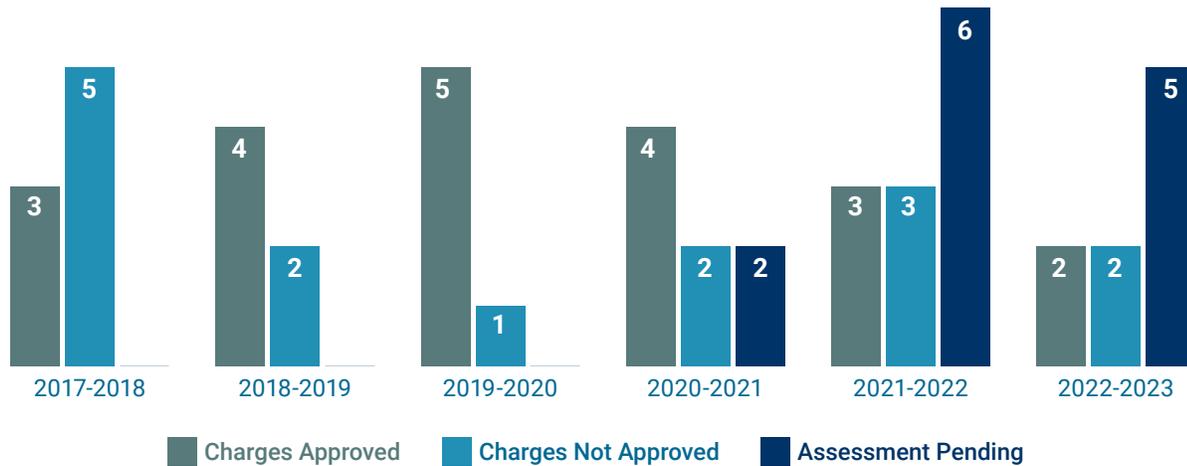
In fiscal year 2022-2023, the IIO referred 10 investigations to Crown Counsel (BC Prosecution Service) for consideration of charges.⁶ The below chart shows the number of referrals the IIO has submitted over the last six fiscal years.

IIO REFERRALS TO CROWN COUNSEL



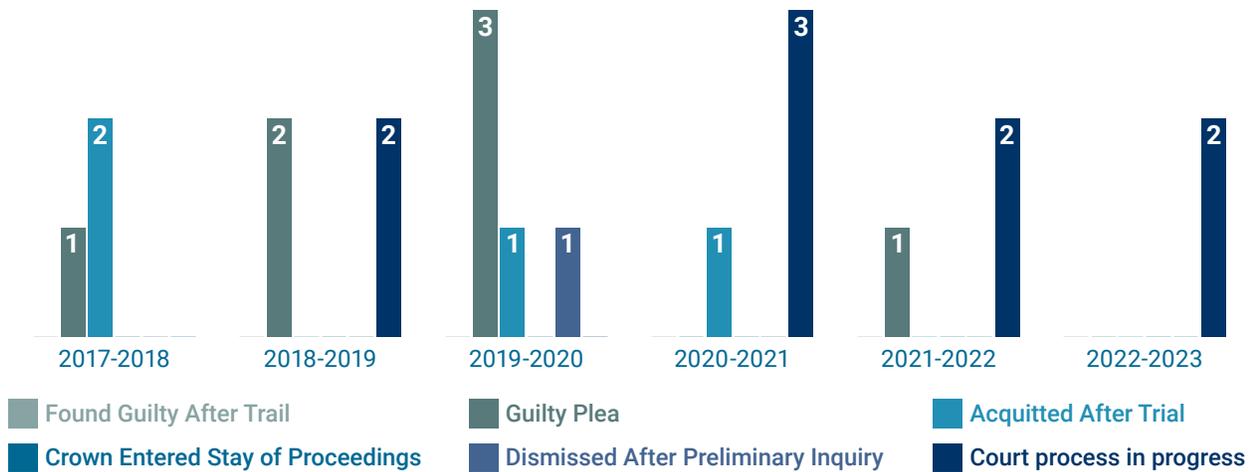
⁶ The 10 investigations that were referred may have been opened in fiscal year 2022-2023 or any year prior.

CHARGE ASSESSMENT DECISION FOLLOWING IIO REFERRALS TO CROWN COUNSEL⁷



As reflected in the graph above, for the last two fiscal years, half of IIO referrals have had charges approved. However, in the two years prior, the charge approval rates were 67% and 83%, respectively. Given there are 13 files pending a charge assessment decision from the BC Prosecution Service, the charge approval rate for the last three years remains subject to change.

OUTCOME OF COURT PROCESS IN CASES WHERE CHARGES WERE APPROVED



A detailed look at the outcome in cases where charges have been approved, shown above, reflects that a guilty plea is the most common outcome.

More detailed information regarding IIO investigations that were referred to Crown Counsel with the BC Prosecution Service can be found in [Appendix B](#) of this report.

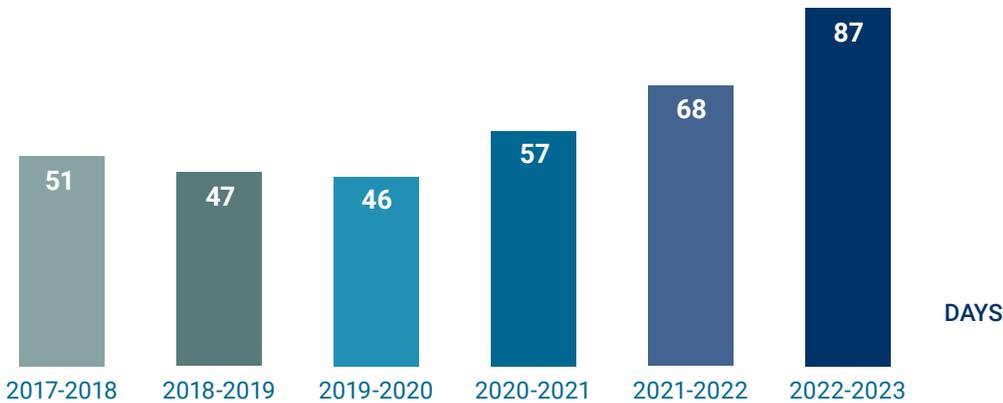
⁷ For fiscal year 2022-2023, the tenth investigation not included in this chart is 2021-179 which had not yet been submitted to the BC Prosecution Service at the end of the fiscal year. However, it was included as a referral as the IIO has publicly confirmed that a report will be submitted once prepared.



TIMELINESS

The IIO tracks the average number of days it takes to conclude an IIO investigation as a measure of timeliness. Completing timely investigations is a key strategic goal of the IIO, as outlined in the IIO Strategic Plan.⁸ The chart below reflects the average number of days to conclude an investigation for the last six fiscal years. As shown, improvements and streamlining of IIO processes in 2018-2019 fiscal year helped to create efficiencies and decrease the number of days required.

AVERAGE NUMBER OF DAYS TO CONCLUSION, CORRECTED TO MARCH 31 OF EACH YEAR



Unfortunately, despite these successes, there has been an increase in the IIO’s caseload and case complexity, along with challenges in recruiting and retaining Investigators. One notable example is the substantial rise in officer-involved shooting incidents, leading to exceptionally large-scale investigations that divert resources from other cases. Consequently, this exacerbates delays over time. This trend is evident when the data is corrected to March 31st of each fiscal year as shown in the graph above.⁹

⁸ https://iiohc.ca/app/uploads/sites/472/2022/10/IIO-Strategic-Plan_2022.pdf

⁹ To correct the data to March 31st, every file that remained open at the end of each fiscal year was considered concluded on March 31st for statistical purposes.

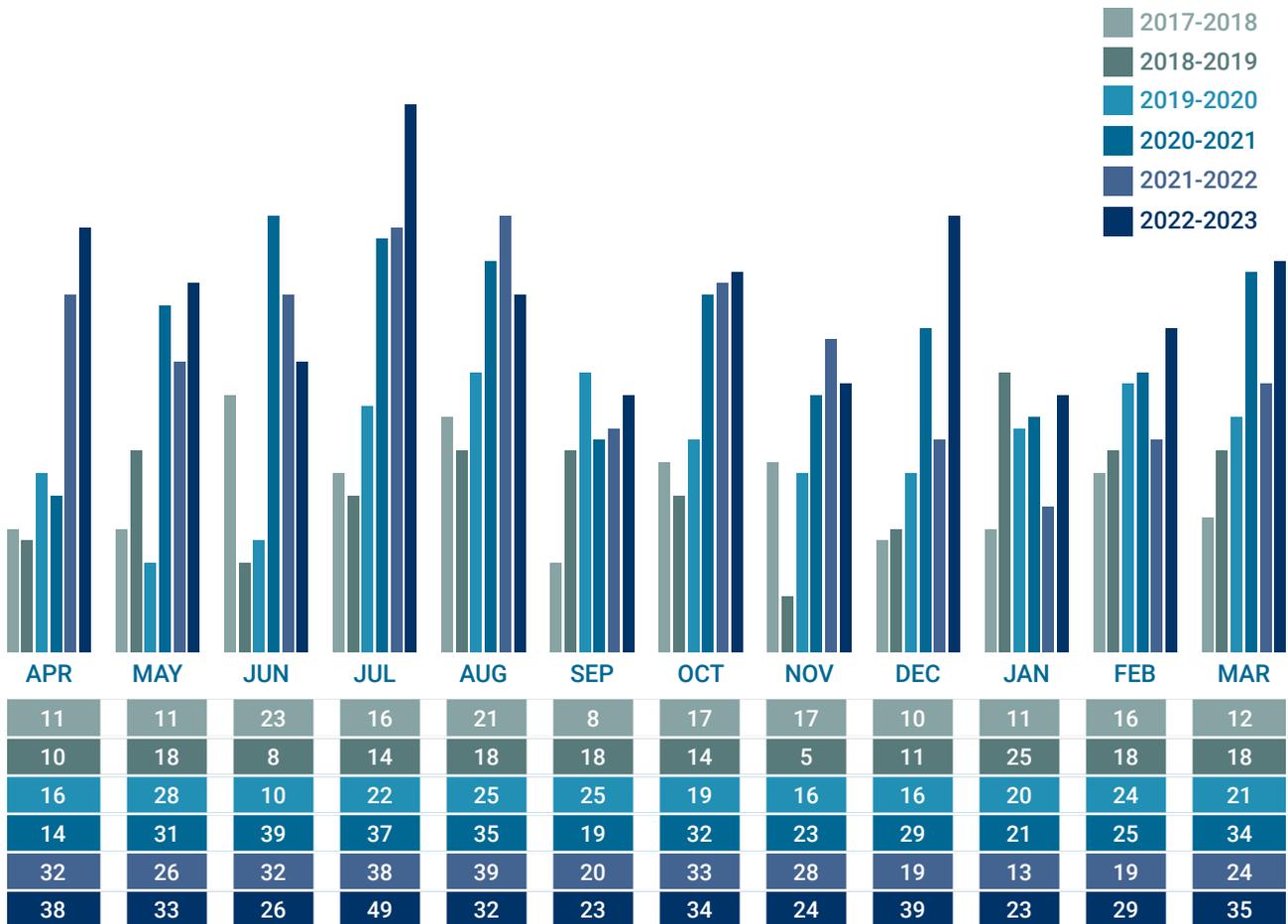
NOTIFICATIONS

In fiscal year 2022-2023, the IIO received 385 notifications, the highest of any year to date. This is an increase of 19% from last year when the IIO received 323 notifications.

Of the 385 notifications, 210 investigations were commenced which reflects about 54% of notifications. This is in contrast to last year where the notification to investigation conversion rate was nearly 60%, and in the 2020-2021 fiscal year, 68% of notifications became investigations. This indicates a growing trend of [advice files](#) which are logged for administrative purposes only when a police agency seeks IIO advice regarding whether an incident may be subject to IIO investigation. No investigative work is undertaken on these notifications as it is immediately apparent that the described injuries or connection do not meet the IIO’s threshold to investigate.

The increase in the number of advice files could be attributable to many different factors, including increased reporting by police agencies in response to the high level of public interest observed in incidents involving any police use of force.

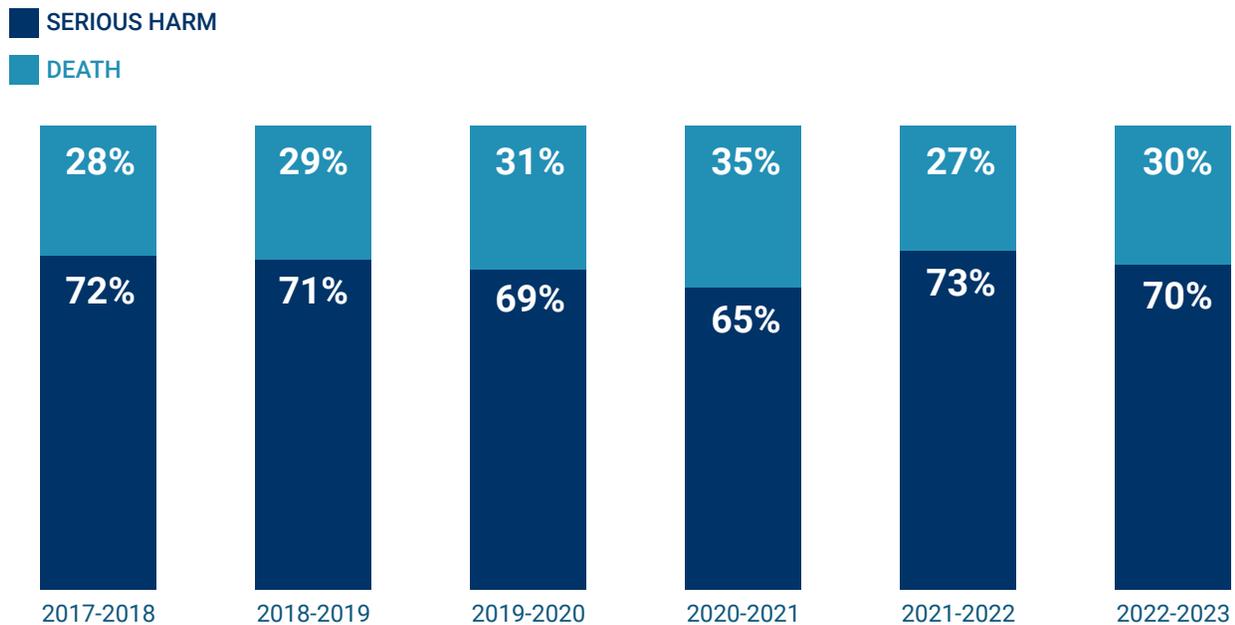
DISTRIBUTION OF NOTIFICATIONS RECEIVED PER MONTH OVER SIX FISCAL YEARS



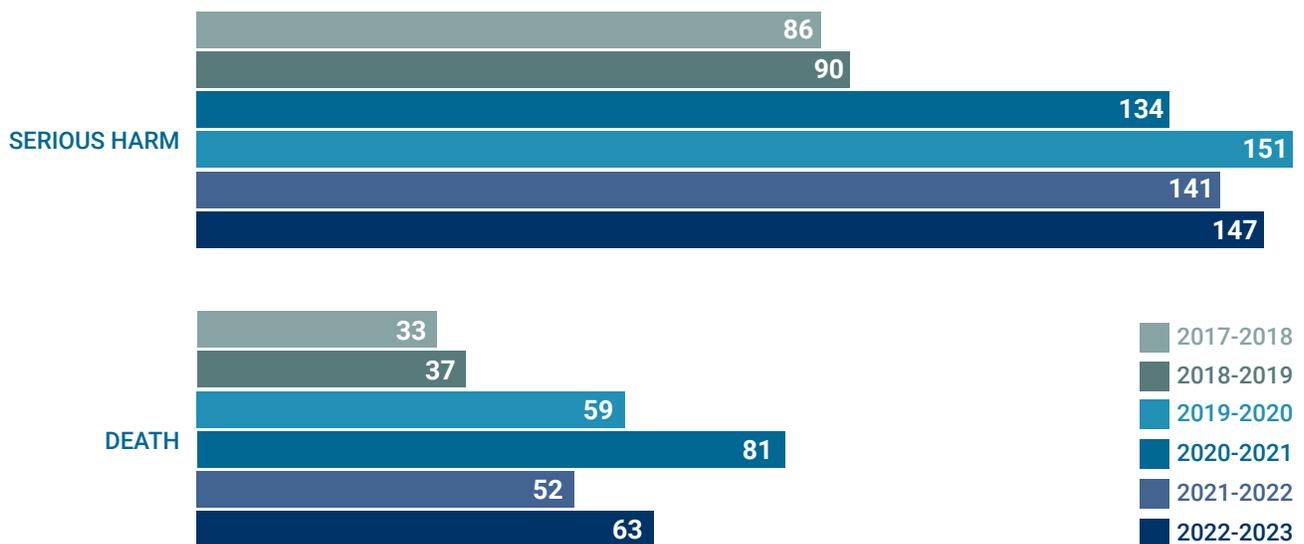
SERIOUS HARM & DEATH INVESTIGATION COMPARISON

The proportion of IIO investigations that are classified as serious harm and death remains stable at approximately 70% serious harm and 30% death. This is consistent with data collected over the last six fiscal years, and the chart below reflects that this trend continues to be stable over the reporting period.

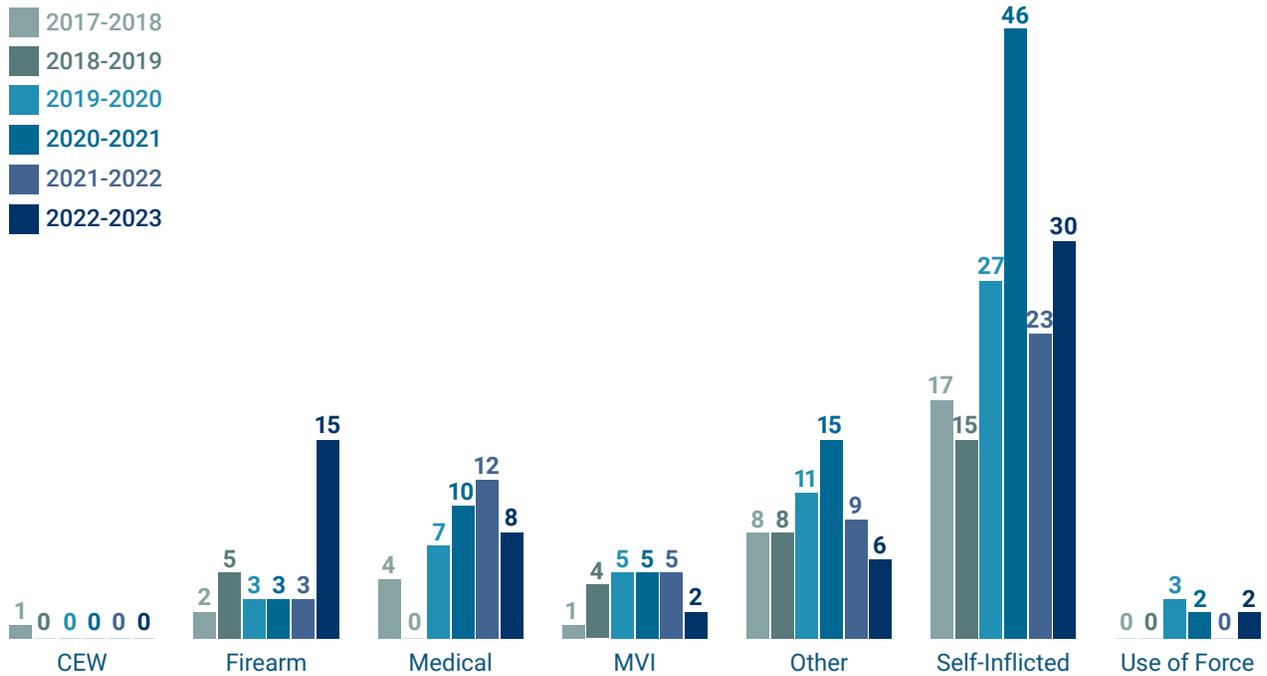
PERCENTAGE OF SERIOUS HARM/DEATH INVESTIGATIONS



NUMBER OF FILES CLASSIFIED AS SERIOUS HARM OR DEATH



DEATH FILE CLASSIFICATIONS, YEAR-OVER-YEAR COMPARISON



As in previous years, “self-inflicted” continues to be the largest classification of deaths. The “self-inflicted” category is broadly defined as serious harm or, in this case, deaths associated with the actions of the Affected Person, such as suicide. However, in contrast to previous years, the “firearm” classification is the second largest category. This is likely related to the overall increase in firearm incidents in this fiscal year, and the typically higher fatality rate associated with these incidents.

For more information on firearm files, please refer to the [firearm](#) section.



AFFECTED PERSONS

An Affected Person in an IIO investigation is the individual who was seriously harmed or died in a police-involved incident. The IIO collects gender data from Affected Persons directly or from associated medical and other records.

The IIO employs two full-time Affected Persons Liaisons (APL) who serve as the primary point of contact for Affected Persons or their family if the Affected Person has died. The APLs are also available to explain the IIO's investigative process, answer questions regarding the potential outcomes of an IIO investigation and provide referrals to community-based services. These referrals may include housing support services, addictions services, counselling services and more.

In fiscal year 2022-2023, there were 222 Affected Persons in the 210 investigations undertaken. The age, gender, and/or ethnicity of two Affected Persons was not available, and so they have been excluded from the dataset. The following analysis therefore includes information on 220 Affected Persons.

AGE & GENDER DISTRIBUTION

The chart below depicts the age and gender distribution of the 220 Affected Persons with available data this fiscal year. In summary, 31 Affected Persons identified as female, 188 as male, and one as gender diverse.

The average age of females involved in incidents subject to IIO investigation was 41 years old, and the average age for males was 39 years old. The average age of all 220 Affected Persons was 40 years old, and ages ranged from 15 to 82 years old.

| Age | Female | Male | Gender Diverse | Total |
|--------------|-----------|------------|----------------|------------|
| 15-19 | 2 | 7 | 0 | 9 |
| 20-24 | 5 | 17 | 0 | 22 |
| 25-29 | 1 | 23 | 1 | 25 |
| 30-34 | 4 | 26 | 0 | 30 |
| 35-39 | 3 | 27 | 0 | 30 |
| 40-44 | 3 | 30 | 0 | 33 |
| 45-49 | 5 | 17 | 0 | 22 |
| 50-54 | 2 | 17 | 0 | 19 |
| 55-59 | 3 | 14 | 0 | 17 |
| 60-64 | 0 | 4 | 0 | 4 |
| 65-69 | 1 | 3 | 0 | 4 |
| 70-74 | 1 | 0 | 0 | 1 |
| 75-79 | 0 | 1 | 0 | 1 |
| 80-84 | 1 | 2 | 0 | 3 |
| TOTAL | 31 | 188 | 1 | 220 |

PERSONS IN CRISIS

In fiscal year 2022-2023, 41 Affected Persons were determined to be persons in crisis (PIC). This reflects almost 19% of Affected Persons.

The IIO relies on the definition offered by retired Supreme Court Justice Frank Iacobucci in his 2014 review, entitled “Police Encounters with People in Crisis,” to assist in assessing if someone is considered to be a person in crisis.¹⁰

If the person was in crisis immediately prior to or during the interaction with police, one or more of the following must be observed:

- Their behaviour brought them into contact with police because of a need for urgent care within the mental health system;
- Police were contacted to protect the Affected Person or those around them because the Affected Person was in a mental or emotional crisis;
- They displayed erratic, threatening, or dangerous behaviour;
- They were, or appeared to be, mentally ill; or
- The Affected Person was described as emotionally disturbed by police and/or other witnesses.

This year marks the second year the IIO has reported on PIC data. In fiscal year 2021-2022, the IIO reported that 54 Affected Persons were found to be PICs, and so 41 persons in crisis this fiscal reflects a 24% decrease.

The RCMP has reported that in incidents requiring police intervention options in BC, 35.4% of those involved can be considered emotionally disturbed persons.¹¹ There are several possible explanations for the difference between the RCMP and IIO statistics.

For example, the RCMP definition of an emotionally disturbed person differs in important ways from the IIO’s criteria for a person in crisis. Another possible explanation is that the IIO makes a determination regarding whether an Affected Person was a PIC in all cases that proceed to file review, but not all investigations that are concluded by addendum. This is because not all investigations that are concluded at this early stage have sufficient information available to make a clear determination.

ETHNICITY

Of the 220 Affected Persons in fiscal year 2022-2023, ethnicity data is available for 160 as shown in the table below.¹² The three largest ethnic groups were White (48%), Indigenous (15%), and South Asian (6%).

| Ethnicity | |
|--------------------------|------------|
| Asian | 3 |
| Black | 4 |
| Central & South American | 2 |
| East Asian | 1 |
| East European | 2 |
| Indigenous | 34 |
| Middle Eastern | 5 |
| South Asian | 13 |
| Southeast Asian | 1 |
| West European | 1 |
| White | 94 |
| Unknown | 60 |
| TOTAL | 220 |

¹⁰ https://www.torontopolice.on.ca/publications/files/reports/police_encounters_with_people_in_crisis_2014.pdf

¹¹ <https://www.rcmp-grc.gc.ca/transparenc/police-info-policieres/intervention/2021/index-eng.htm#a6>

¹² Data is self-reported or from other official sources such as medical records.

This fiscal year is the third year the IIO has been reporting on ethnicity data. As in previous years, this analysis reflects that Indigenous Peoples continue to be overrepresented as Affected Persons in incidents under IIO investigation. According to 2021 census data, Indigenous Peoples represent about 6% of BC’s population.¹³ However, Indigenous Peoples accounted for 21% of Affected Persons with known ethnicities, and 13% of all IIO Affected Persons. Although Affected Persons in IIO investigations include only a small percentage of BC’s population, this data nonetheless suggests Indigenous Peoples are overrepresented in police-involved incidents that result in serious harm or death that are subject to IIO investigation.

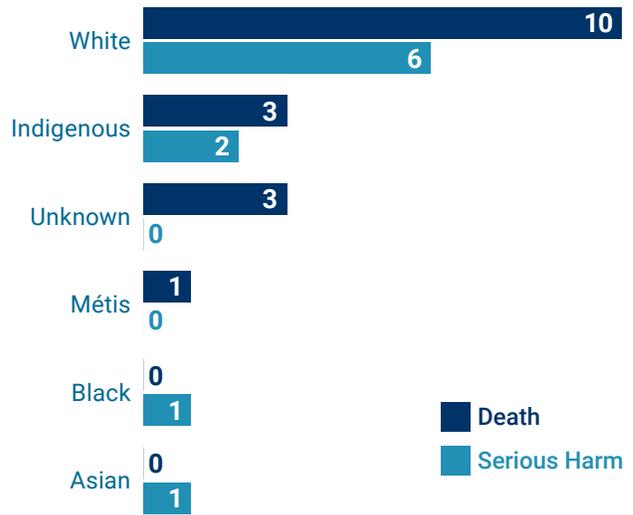
Ethnicity of Affected Persons in Firearm Files

The IIO commenced investigations into 26 officer-involved shooting incidents this year, which involved 27 Affected Persons.

Of these 27 Affected Persons, 16 were White, five were Indigenous, one was Metis, one was Black, and one was Asian. The ethnicity of the other three Affected Persons is not known.

The following graph shows how many Affected Persons of each ethnicity represented sustained serious harm or died. Indigenous Peoples represented almost 18% of deaths, and 18.5% of all Affected Persons involved in firearm incidents subject to IIO investigation. As previous stated, Indigenous Peoples make up about 6% of BC’s population,¹⁴ and it is therefore apparent that Indigenous Peoples are overrepresented in the firearm category, in addition to being overrepresented overall.

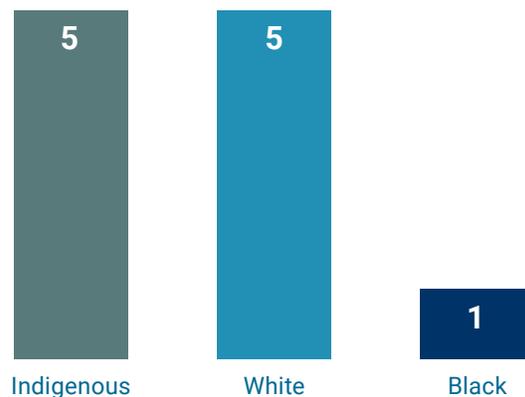
ETHNICITY OF AFFECTED PERSONS IN IIO FIREARM INVESTIGATIONS IN FISCAL YEAR 2022-2023



Ethnicity of Affected Persons in IIO Investigations Referred to Crown Counsel

In fiscal year 2022-2023, 10 investigations were referred to Crown Counsel (BC Prosecution Service) for consideration of charges. These incidents involved 11 Affected Persons – five were Indigenous, five were White, and one was Black.

ETHNICITY OF AFFECTED PERSONS IN FILES REFERRED TO CROWN COUNSEL IN FISCAL YEAR 2022-2023



¹³ <https://www12.statcan.gc.ca/census-recensement/2021/dp-pd/prof/details/page.cfm?Lang=E&SearchText=British%20Columbia&DGUIDlist=2021A000259&GENDERlist=1,2,3&STATISTIClist=1,4&HEADERlist=0>

¹⁴ <https://www12.statcan.gc.ca/census-recensement/2021/dp-pd/prof/details/page.cfm?Lang=E&SearchText=British%20Columbia&DGUIDlist=2021A000259&GENDERlist=1,2,3&STATISTIClist=1,4&HEADERlist=0>

SUBJECT OFFICERS

Subject officers are the officers whose actions or inactions are the subject of an IIO investigation and have been designated as subject officers by an IIO investigator. In fiscal year 2022-2023, the IIO designated 77 officers as subject officers.

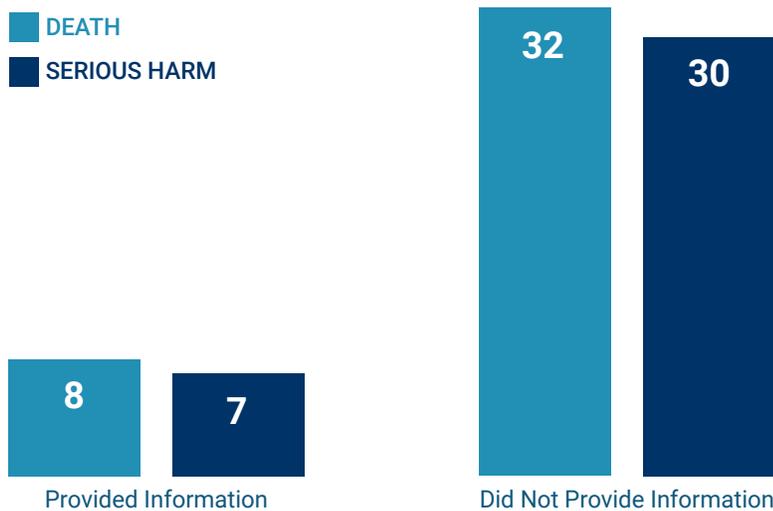
The IIO does not compel officers who are the subject of an investigation to submit any information. The *Canadian Charter of Rights and Freedoms* (Charter) provides protection for individuals who may face legal jeopardy, such as the right to silence and protection against making potentially self-incriminating statements. Police officers, like all citizens, have these rights under the Charter. While the IIO does not suggest that subject officer statements would be incriminating, due to those Charter rights, the IIO does

not compel subject officers to provide any written information or require a statement without their consent.

Of the 77 designated subject officers, 15 (19%) provided some form of information to the IIO investigation, such as a statement (written or verbal), access to their Police Records Information Management Environment (PRIME) report, or notes. The remaining 62 (81%) did not provide any information to the IIO investigation.

The chart below shows the number of designated subject officers who provided information to an IIO investigation by serious harm/death classification.

SUBJECT OFFICERS WHO PROVIDED INFORMATION TO IIO INVESTIGATIONS



OPERATING BUDGET

| Expenditure Type | 2021-2022 | | 2022-2023 | |
|----------------------------|------------------|------------------|------------------|--------------------------|
| | Budget | Actuals | Budget | Actuals |
| Salary & Benefits | 7,140,000 | 7,768,607 | 7,140,000 | 7,397,889 ⁱ |
| Travel Expenses | 154,000 | 137,805 | 154,000 | 150,223 |
| Contracts | 284,000 | 273,076 | 284,000 | 131,620 ⁱⁱ |
| Information Technology | 816,000 | 1,017,020 | 816,000 | 1,109,464 ⁱⁱⁱ |
| Office/Business Expenses | 317,000 | 264,605 | 317,000 | 229,129 ^{iv} |
| Operating Expenses | 164,000 | 104,246 | 164,000 | 137,308 ^v |
| Amortization | 158,000 | 79,957 | 158,000 | 71,733 ^{vi} |
| Building Occupancy Charges | 43,000 | 247,985 | 43,000 | 405,604 ^{vii} |
| Other | 20,000 | 31,999 | 20,000 | 11,472 ^{viii} |
| Recoveries | (3,000) | (26,637) | (3,000) | (202,567) ^{ix} |
| TOTAL | 9,093,000 | 9,898,663 | 9,093,000 | 9,441,875 |

ⁱ Variance due to BC Government Employee's Union and Management salary and benefit increases.

ⁱⁱ Variance due to deferral of training for Investigators.

ⁱⁱⁱ Variance due to increased file data storage costs.

^{iv} Variance due to reduced office expenses as a result of an increased number of employees operating on a hybrid work model.

^v Variance due to reduced use of vehicles resulting in fewer repairs and lower maintenance costs.

^{vi} Variance due to the completed amortization of various capitalized equipment.

^{vii} Variance due to year two forensic facility costs.

^{viii} Variance due to capital gain from asset disposal.

^{ix} Variance due to the recovery of IIO staff hours from other provincial oversight agencies (training) and recovery of BC Government Employee's Union and Management salary and benefit increases.

PROGRAM AREAS

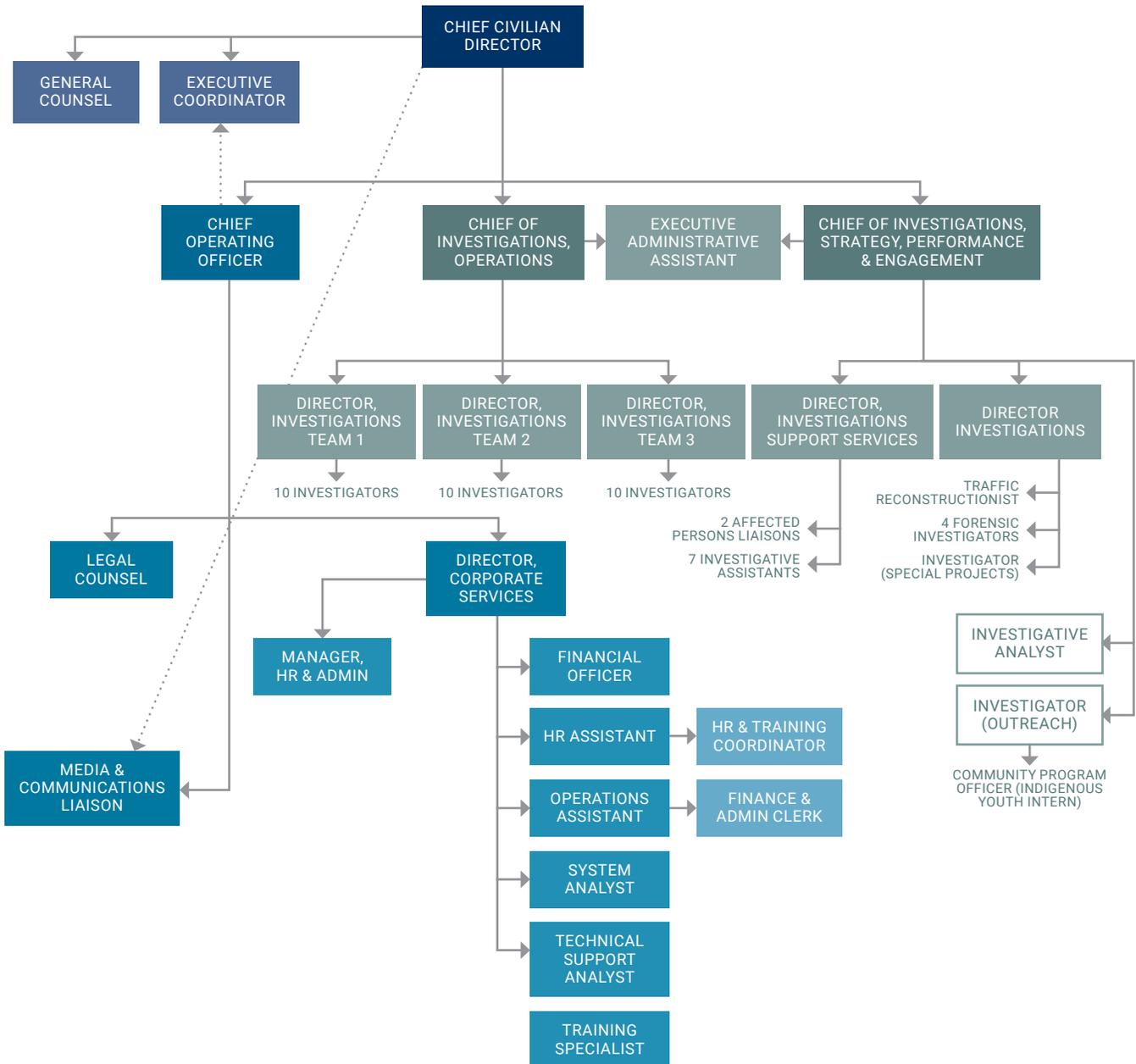
ORGANIZATIONAL STRUCTURE

The IIO has two program areas: investigations and operations.

As shown in the organizational chart below, the IIO had 61 employees as of March 31, 2023. Forty-five of these employees form the investigations unit, and 13 form the operations unit. Three employees are not classified

as either investigations or operations: the Chief Civilian Director (CCD), General Counsel, and Executive Coordinator.

The IIO's executive team is composed of the CCD; Chief Operating Officer (COO); Chief of Investigations, Operations (COI, Ops); and Chief of Investigations, Strategy, Performance, & Engagement (COI, SPE).



INVESTIGATIONS UNIT

The Investigations unit is led by two Chiefs of Investigations (COI) and includes:

- One Executive Administrative Assistant;
- Five Team Directors (TD):
 - Three lead the three investigative teams consisting of frontline Investigators;
 - One leads the Investigations Support Services Team, which consists of Affected Persons Liaisons and Investigative Assistants, and is responsible for file audits; and
 - One leads the team of Forensic Investigators and is responsible for Investigator training.
- Three frontline investigative teams with 10 Investigators each when at full capacity;¹⁵
- Two part-time Investigators working on special projects and audits; and
- One Investigative Analyst.

The CCD, both Chiefs of Investigations, Team Directors, all Investigators (including Forensic Investigators), and APLs are Peace Officers.

The IIO recruits Investigators with a diverse set of backgrounds in investigative work, such as fraud and finance investigations, security and intelligence, the BC Coroners Service, and legal and law enforcement training or experience. Of the IIO's 24 full-time frontline Investigators, and four Forensic Investigators, 54% have civilian-based investigative experience, and the remaining 46% have backgrounds in law enforcement.

Highlights for the Investigations unit in the 2022-2023 fiscal year include:

- Launched the Crown Referral Review Team to review all investigations that are being referred to Crown Counsel (BC Prosecution Service) for consideration of charges to ensure reports and disclosure are optimized;
- Began work to appoint two additional Indigenous Civilian Monitors for investigations involving Indigenous Affected Persons. More information will be made public once these appointments have been finalized; and
- Received the final report of the first Indigenous Civilian Monitor, Thomas George, regarding an investigation into the death of a man in Opitsaht. The report will be made public once concurrent court proceedings related to the incident have concluded.

OPERATIONS

Led by the Chief Operating Officer, the Operations Unit is responsible for all non-investigative functions at the IIO. These include:

- Corporate services (finance, information technology, human resources, facilities, training and administration);
- Media and communications;
- Legal services;
- Policy; and
- Privacy and records management.

¹⁵ The IIO did not have a full complement of Investigators at any point this fiscal year.

Highlights in the Operations Unit for the 2022-2023 fiscal year include:

- Secured an additional \$2M in funding to hire 13 additional positions. This includes six Investigators, one Director of Investigations, one Manager of Human Resources and Administration, one Video Analyst, one Affected Persons Liaison, one Technical Support Analyst, one Freedom of Information Analyst, and one Media and Communications/Outreach Liaison. The addition of investigative staff will result in the creation of a fourth team of Investigators;
- Laid the foundation to create two regional offices (Nanaimo and Kelowna) to improve response times in deployments across the province;
- The IIO received designation as a government body in the Information Management Regulation which paves the way to develop its own retention schedule;¹⁶
- Completed a Strategic Plan update for 2022-2025 to further the IIO's four strategic objectives: organizational wellness, investigative excellence, timeliness of investigations, and continuing to enhance relationships; and
- The IIO's state of the art forensics facility became operational in November 2022 and allows the IIO to process evidence without relying on use of police equipment.

LEGISLATIVE CHANGES

On July 8, 2020, the Legislative Assembly agreed that a Special Committee on Reforming the *Police Act* (Special Committee) be appointed. The Special Committee was tasked with examining and making recommendations to the Legislative Assembly on reforms related to the modernization and sustainability of policing under the *Police Act*. On April 28, 2022, the Special Committee published its report and recommendations.

The final report, entitled "Transforming Policing and Community Safety in British Columbia"¹⁷ provides 11 recommendations which, among other considerations, includes a recommendation to establish a single, independent, civilian-led oversight agency, and the creation of a new Act for provision of policing services in BC.

The proposed single oversight agency would be responsible for overseeing conduct, complaints, investigations and disciplinary matters for all police officers in BC. The Committee proposed this should include all public safety personnel who have powers or authority under the new Act. In addition to the proposal to create a new Act for policing services, the Committee recommends stand-alone legislation be implemented for police oversight.

Other recommendations related to police oversight include:

- Ensuring the oversight agency is reflective of the people of BC;
- Provide navigation and triaging service to assist complainants throughout the process;
- Implement a multi-stream approach to process complaints to expedite minor performance and procedural issues and allow multiple resolution pathways (such as mediation, restorative justice, etc.);
- Revise the definition of misconduct to include demeaning and discriminatory conduct, language, jokes, statements, gestures, and related behaviours; and
- Establish a duty to cooperate with investigations and a duty to report misconduct for all police and public safety personnel with protections for reporting.

The IIO looks forward to government's response to the Committee's recommendations.

¹⁶ A retention schedule outlines how long specific types of records must be retained by a government agency before they can be destroyed.

¹⁷ https://www.leg.bc.ca/content/CommitteeDocuments/42nd-parliament/3rd-session/rpa/SC-RPA-Report_42-3_2022-04-28.pdf



COMMUNITY ENGAGEMENT

One of the IIO's four strategic objectives is to continue to enhance relationships, which is critical to achieving the IIO's vision of being the leading oversight agency and enhancing the public's faith in police accountability. Relationships play a key role in building the necessary trust to secure faith in the work of the IIO. The IIO is committed to proactively engaging wherever we can, and greatly values the time community leaders offer to build these essential relationships and help the IIO to better understand the different concerns and perspectives that make BC's cultures so unique.

In addition to building and maintaining relationships, the IIO's outreach program seeks to educate key groups and improve awareness of the IIO. By connecting with persons of influence in communities, the IIO's investigations often observe benefits, such as being able to connect with people who may become witnesses in our investigations. The IIO can also learn more about the diverse communities in the province, which, in turn, assists in increasing understanding of the public that we serve and what issues are important to them, including specific and local community and/or cultural needs related to investigations.

In fiscal year 2022-2023, more than half of the IIO's outreach was with Indigenous organizations and communities. This included ongoing discussions with the First Nations Justice Council regarding how the IIO can best meet the needs of Indigenous Peoples in BC.

Throughout these meetings, it became apparent that a specific engagement plan to connect with Indigenous Peoples was needed, and an Indigenous Engagement Plan was developed. Indigenous Peoples and communities have faced systemic barriers in BC and across Canada, and as a civilian oversight of police body serving the public, the IIO has a responsibility to operate in a culturally sensitive way while respecting that the cultures of Indigenous Peoples are diverse. A 'one size fits all' approach is therefore not appropriate.

Among the key commitments of this plan is to collaborate with Indigenous Peoples to create new processes and improve current IIO practices to build trust in police accountability with Indigenous communities. Additionally, another goal is to work in partnership with Indigenous groups and communities to decrease barriers to employment at the IIO for Indigenous Persons, as well as making policy recommendations that will result in improved outcomes for Indigenous Peoples who may interact with the criminal justice system. Further, engagement under the plan will allow the IIO to seek input in specific investigations about recommendations that might be made by the IIO in any Public Report or future reports to help improve police practice to reduce the likelihood of a similar event in the future.

Other outreach efforts were conducted with police agencies and associated groups. These initiatives encompassed various groups, including new police

recruits, to ensure early comprehension of the IIO's mandate amongst officers at the beginning of their careers. Additionally, critical incident commanders of major police events, who would play a role in the more intricate IIO investigations, were also engaged. Such outreach endeavors serve to enhance understanding

of the IIO's mandate and its contribution to police accountability, particularly amongst individuals who might find themselves subject to an IIO investigation or involved in providing evidence during investigations, potentially in situations of heightened stress.



APPENDIX A: TERMINOLOGY

ADVICE FILES

Advice files are assigned file numbers for administrative purposes in cases where it is evident that there is no connection between the action or inaction of a police officer and the death or injury of a person, or if the injury does not meet the threshold for serious harm as defined in the *Police Act*. In these instances, the file is concluded immediately and is assigned a number without undertaking further investigation.

AFFECTED PERSON

An Affected Person (AP) in an IIO investigation refers to the individual who may have suffered serious harm or died in a police-involved incident. If an AP dies, the families are also considered APs. The IIO uses the term “Affected Person” instead of labels such as “victim” or “suspect” to maintain neutrality that is appropriate and consistent with the IIO mandate to conduct fair and impartial investigations.

AFFECTED PERSONS LIAISON

The IIO has two full-time Affected Persons Liaisons (APL) to ensure frequent and ongoing contact between the Investigators and the Affected Persons or their family if the Affected Person is deceased.

The APLs work one-on-one with the Affected Person and/or their family to ensure they receive regular and accurate information and are updated on the progress of the investigation. Additionally, the APLs can refer Affected Persons and/or their family with resources in their community, based on individual needs and preferences.

CHIEF CIVILIAN DIRECTOR (CCD)

The IIO is led by a Chief Civilian Director (CCD) who must not have ever served as a police officer. The CCD’s responsibility is to provide oversight to each investigation and make the final decision on the conclusion of the file with consideration of the evidence presented and of the input of the Investigators and General Counsel. The CCD is eligible to be appointed to serve a maximum of two five-year terms by Order in Council.

CONCLUDING AN INVESTIGATION

Upon conclusion of each investigation, the CCD considers, based on the facts, if an officer’s actions or inactions are lawful or if there are reasonable grounds to believe that a police officer may have committed an offence. If reasonable grounds exist, the CCD may refer the matter to Crown Counsel (BC Prosecution Service) for consideration of charges. It is the responsibility of Crown Counsel to decide if charges will be laid.

If the CCD determines the facts do not support a referral to Crown Counsel, a public report may be issued which presents the chronology of the events, facts gathered and the rationale for the decision. In some circumstances, when it may not be in the public interest to issue a public report the IIO will close a file with a brief concluding media release, or without making additional information public.

CONCURRENT INVESTIGATIONS

IIO investigations are often conducted concurrently with other agencies’ investigations including the BC Coroners Service in the case of a fatality, or a police agency when the Affected Person is facing criminal charges related to the same incident.

CROWN COUNSEL

Crown Counsel are prosecutors who work for the BC Prosecution Service under the Ministry of Attorney General. The BC Prosecution Service operates independently of Government and within the BC justice system. They also operate independently of the IIO.

INDEPENDENT INVESTIGATIONS OFFICE (IIO)

The Independent Investigations Office (IIO) of British Columbia is a civilian-led police oversight agency responsible for conducting investigations into incidents of death or serious harm that may have been the result of police actions or inactions, whether they are on-or-off duty. The IIO's jurisdiction extends over all police agencies throughout British Columbia. Investigators travel across the province to conduct investigations as required.

INVESTIGATIVE STEPS

The IIO's investigative steps include, as required: ensuring that the scene is secured, preserving and obtaining evidence, identifying Affected Persons, locating witnesses, conducting interviews, confirming the nature of the involvement of a police officer(s), designating subject and witness officers, conducting neighbourhood canvasses, analyzing evidence and seeking forensic assistance.

INVESTIGATORS

IIO Investigators consist of both non-police and police-trained civilians. Approximately half of IIO Investigators have a policing background. Investigators without policing backgrounds hold significant experience in a range of investigative, legal, regulatory, and enforcement agencies. The IIO also has a specialized forensics team who perform scene examinations, along with monitoring and reviewing the work of police forensic personnel to ensure that scene processing and evidence collection is conducted to best practices.

MANDATE

The IIO is mandated to conduct investigations into police-related incidents of death or serious harm. The IIO's jurisdiction extends to all police agencies throughout the province, whether they were on-or-off duty at the time of incident. Per the *Police Act*, police agencies are required to notify the IIO of an incident that may fall within its jurisdiction.

NOTIFICATION & INITIAL INVESTIGATION

When there is an incident involving a police officer or an agency member, the police agency is required to notify the IIO.

Upon notification of an incident by police, the IIO immediately has jurisdiction. The primary focus of all IIO investigations is to establish if the incident falls within the IIO's mandate. It must meet a two-part test:

- 1) Is there serious harm or death as defined by the *Police Act*?
- 2) Is there a connection between the death or serious harm and any actions or inactions of a police officer(s)?

If an initial investigation determines that the incident does not meet the IIO's mandate, the IIO will usually conclude the file. When the IIO continues an investigation, the investigation will determine whether or not the actions/inactions of a police officer(s) were reasonable and proportionate, given the circumstances. The investigation will also determine whether the police action was lawful or if there are reasonable grounds to believe that the subject officer(s) may have committed an offence.

POLICE AGENCY

A police agency is an organization consisting of law enforcement officers. In British Columbia, police officers include municipal police forces, such as the Vancouver Police Department, all BC RCMP detachments, Metro Vancouver Transit Police, and the Stl'atl'imx Tribal Police.

SERIOUS HARM

Serious harm is defined as per the *Police Act* as an injury that may result in death, may cause serious disfigurement, or may cause substantial loss or impairment of mobility of the body as a whole or of the function of a limb or organ.

SPECIAL PROVINCIAL CONSTABLES

The IIO's jurisdiction includes any officer who operates in British Columbia. Examples of Special Provincial Constables include officers from outside of BC who are in the province conducting an investigation and enforcement officers within various branches of government, such as the Gaming and Enforcement Branch.

SUBJECT OFFICERS

Subject Officers are defined in a memorandum of understanding between police agencies and the IIO as police officers whose presence, action, or decision is reasonably believed to have been a contributing factor in the death or serious harm of any person, and has been designated as a Subject Officer by IIO Investigators. Subject Officers have the same rights as any other Canadian who may have committed an offence, including the choice to stay silent and refrain from providing notes, documents, or statements to the IIO.

WITNESS OFFICERS

Witness Officers refer to police officers who were involved or present during the incident but are not believed to have caused the serious harm or death. Witness officers are compelled to cooperate in an IIO investigation, which may include being interviewed and/or submitting notes and documents.



APPENDIX B: STATISTICAL DATA

IIO INVESTIGATIONS – FIREARM CLASSIFICATION IN FISCAL YEAR 2021-2022

| Case Number | Incident Date | Incident Classification | Agency | Status ¹⁸ |
|-------------|--------------------|-------------------------|---|---|
| 2022-057 | April 1, 2022 | Death | RCMP – Surrey | Closed with Public Report |
| 2022-060 | April 2, 2022 | Death | RCMP – Campbell River | Investigation in Progress |
| 2022-071 | April 8, 2022 | Death | RCMP – Surrey | Investigation in Progress |
| 2022-091 | April 27, 2022 | Death | Municipal – Vancouver Police Department | Investigation in Progress |
| 2022-100 | May 5, 2022 | Death | Municipal – Vancouver Police Department | Investigation in Progress |
| 2022-114 | May 20, 2022 | Serious Harm | RCMP – Barriere | Investigation in Progress |
| 2022-119 | May 24, 2022 | Serious Harm | RCMP – Surrey | Investigation in Progress |
| 2022-136 | June 13, 2022 | Death | RCMP – Campbell River | Investigation in Progress |
| 2022-150 | June 28, 2022 | Death | Municipal – Saanich Police Department | Closed with Public Report |
| 2022-169 | July 11, 2022 | Serious Harm | RCMP – Prince George | Investigation in Progress |
| 2022-180 | July 16, 2022 | Serious Harm | Municipal – Vancouver Police Department | Closed with Media Release (public report to follow conclusion of court proceedings) |
| 2022-189 | July 23, 2022 | Death | RCMP – Nanaimo | Closed with Public Report |
| 2022-194 | July 25, 2022 | Death | RCMP – Langley | Investigation in Progress |
| 2022-201 | July 30, 2022 | Serious Harm | Municipal – Vancouver Police Department | Closed with Public Report |
| 2022-212 | August 6, 2022 | Serious Harm | Municipal – Vancouver Police Department | Investigation in Progress |
| 2022-220 | August 15, 2022 | Death | RCMP – Kamloops | Investigation in Progress |
| 2022-231 | August 30, 2022 | Serious Harm | RCMP – Houston | Closed with Media Release |
| 2022-245 | September 13, 2022 | Death | RCMP – Keremeos | Investigation in Progress |
| 2022-275 | October 18, 2022 | Serious Harm | RCMP – Burnaby | Closed with Media Release (public report to follow conclusion of court proceedings) |
| 2022-297 | November 12, 2022 | Death | RCMP – North Vancouver | Investigation in Progress |

¹⁸ Status as at March 31, 2023. For the most recent status, please refer to the IIO's cases page: <https://iiobc.ca/cases/>

APPENDIX B

| | | | | |
|----------|-------------------|--------------|---|---------------------------|
| 2022-313 | November 28, 2022 | Serious Harm | Other – Metro Vancouver Transit Police | Investigation in Progress |
| 2022-334 | December 14, 2022 | Death | RCMP – Creston | Investigation in Progress |
| 2022-341 | December 19, 2022 | Unknown | RCMP – Merritt | Investigation in Progress |
| 2023-033 | February 9, 2023 | Death | Municipal – Vancouver Police Department | Investigation in Progress |
| 2023-074 | March 16, 2023 | Death | RCMP – Prince George | Investigation in Progress |
| 2023-087 | March 28, 2023 | Serious Harm | RCMP – North Cowichan/Duncan | Investigation in Progress |



IIO INVESTIGATIONS REFERRED TO CROWN COUNSEL FOR CONSIDERATION OF CHARGES BY FISCAL YEAR

IIO INVESTIGATIONS REFERRED TO CROWN COUNSEL FOR CONSIDERATION OF CHARGES IN FISCAL YEAR 2017-2018

| Case Number | Incident Date | Incident Classification | Involved Agency | Date Referred to BC Prosecution Service | Date of BC Prosecution Charge Assessment Decision | Charges | Outcome |
|-------------|------------------|-------------------------|-----------------------------------|---|---|---|--|
| 2015-096 | July 3, 2015 | Serious Harm | Salmon Arm RCMP | May 18, 2017 | May 16, 2018 | No charges approved | Not applicable |
| 2015-102 | July 11, 2015 | Serious Harm | Prince George RCMP | May 24, 2017 | October 18, 2017 | No charges approved | Not applicable |
| 2016-006 | January 15, 2016 | Serious Harm | New Westminster Police Department | August 14, 2017 | October 17, 2019 | No charges approved | Not applicable |
| 2016-039 | March 1, 2016 | Serious Harm | Vancouver Police Department | January 9, 2018 | June 29, 2018 | CCC 267(b) Assault causing bodily harm | Acquitted |
| 2016-048 | March 15, 2016 | Death | Surrey RCMP | October 12, 2017 | March 25, 2019 | No charges approved | Not applicable |
| 2016-153 | August 6, 2016 | Serious Harm | Lumby RCMP | June 23, 2017 | August 1, 2017 | MVA 144(1)(a) Driving without due care and attention | Guilty plea MVA 168(a) Unsafe U-turn |
| 2017-028 | March 25, 2017 | Serious Harm | Prince Rupert RCMP | January 17, 2018 | March 22, 2018 | MVA 144(1)(a) Driving without due care and attention | Acquitted |
| 2017-068 | June 21, 2017 | Serious Harm | Langley RCMP | March 21, 2018 | January 15, 2020 | No charges approved | Not applicable |

CCC – Canadian Criminal Code

MVA – Motor Vehicle Act

Unless otherwise noted, one officer was charged in cases where charges were approved.

The status of investigation referred to the BC Prosecution Service is as at March 31, 2023. For files where a charge assessment decision is pending or a court process is in progress, click the link in the table relevant to that file to access the IIO website cases page to see if an update is available.

IIO INVESTIGATIONS REFERRED TO CROWN COUNSEL FOR CONSIDERATION OF CHARGES IN FISCAL YEAR 2018-2019

| Case Number | Incident Date | Incident Classification | Involved Agency | Date Referred to BC Prosecution Service | Date of BC Prosecution Charge Assessment Decision | Charges | Outcome |
|-------------|-------------------|-------------------------|-----------------------------|---|---|---|---|
| 2015-042 | March 1, 2015 | Serious Harm | Burnaby RCMP | June 22, 2018 | June 7, 2019 | No charges approved | Not applicable |
| 2015-116 | August 13, 2015 | Death | Vancouver Police Department | February 28, 2019 | December 16, 2020 | No charges approved | Not applicable |
| 2016-051 | February 18, 2016 | Serious Harm | Prince George RCMP | June 18, 2018 | June 8, 2020 <i>Note: 3 officers charged</i> | 2 officers charged with: <ul style="list-style-type: none"> CCC 267(b) Assault causing bodily harm | Stay of proceedings |
| | | | | | | 1 officer charged with: <ul style="list-style-type: none"> CCC 267(a) Assault with a weapon CCC 266 Assault CCC 139(2) Obstruction of justice | Court process in progress |
| 2017-051 | May 24, 2017 | Serious Harm | Vancouver Police Department | February 12, 2019 | September 24, 2021 <i>Note: 3 officers charged</i> | 1 officer charged with: <ul style="list-style-type: none"> CCC 267(b) Assault causing bodily harm | Court process in progress |
| | | | | | | 2 officers charged with: <ul style="list-style-type: none"> CCC 266 Assault | Court process in progress |
| 2018-004 | January 6, 2018 | Serious Harm | Vancouver Police Department | November 8, 2018 | January 25, 2019 | CCC 249(3) Dangerous driving causing bodily harm | Guilty plea to MVA 144(1)(a) Driving without due care and attention |
| 2018-039 | March 30, 2018 | Serious Harm | Chilliwack RCMP | November 21, 2018 | March 27, 2019 | MVA 144(1)(a) Driving without due care and attention | Guilty plea |

IIO INVESTIGATIONS REFERRED TO CROWN COUNSEL FOR CONSIDERATION OF CHARGES IN FISCAL YEAR 2019-2020

| Case Number | Incident Date | Incident Classification | Involved Agency | Date Referred to BC Prosecution Service | Date of BC Prosecution Charge Assessment Decision | Charges | Outcome |
|-------------|--------------------|-------------------------|-----------------------------|---|---|--|---|
| 2018-056 | May 10, 2018 | Serious Harm | Grand Forks RCMP | September 23, 2019 | November 24, 2022 | No charges approved | Not applicable |
| 2018-075 | June 29, 2018 | Serious Harm | Vancouver Police Department | May 2, 2019 | June 28, 2019 | MVA 144(1)(b) Driving without reasonable consideration | Dismissed |
| 2018-087 | July 29, 2018 | Serious Harm | Vancouver Police Department | April 17, 2019 | July 25, 2019 | MVA 144(1)(a) Driving without due care and attention | Guilty plea |
| 2018-112 | September 12, 2018 | Serious Harm | Vancouver Police Department | April 3, 2019 | September 12, 2019 | MVA 144(1)(a) Driving without due care and attention | Guilty plea |
| 2018-148 | December 8, 2018 | Serious Harm | Kamloops RCMP | November 4, 2019 | June 17, 2020 | CCC 249(1)(a) Dangerous driving | Not guilty |
| 2019-078 | May 18, 2018 | Serious Harm | Vancouver Police Department | May 9, 2019 | May 17, 2019 | CCC 249(3) Dangerous driving causing bodily harm | Guilty plea to MVA 144(1)(a) driving without due care and attention |

IIO INVESTIGATIONS REFERRED TO CROWN COUNSEL FOR CONSIDERATION OF CHARGES IN FISCAL YEAR 2020-2021

| Case Number | Incident Date | Incident Classification | Involved Agency | Date Referred to BC Prosecution Service | Date of BC Prosecution Charge Assessment Decision | Charges | Outcome |
|-------------|-------------------|-------------------------|------------------------------|---|---|---|---------------------------|
| 2017-083 | July 19, 2017 | Death | Prince George RCMP | May 27, 2020 | February 1, 2023 <i>Note: 5 officers charged</i> | 2 officers charged with: ▪ CCC 236(b) Manslaughter | Court process in progress |
| | | | | | | 3 officers charged with: ▪ CCC 139(2) Attempting to obstruct justice | Court process in progress |
| 2019-013 | December 2, 2018 | Serious Harm | Nanaimo RCMP | April 20, 2020 | October 8, 2020 | CCC 267(b) Assault causing bodily harm | Acquitted |
| 2019-112 | June 9, 2019 | Serious Harm | Vancouver Police Department | December 15, 2020 | May 19, 2022 | CCC 266 Assault | Court process in progress |
| 2019-116 | July 1, 2019 | Serious Harm | Langley RCMP | April 1, 2020 | July 31, 2020 | No charges approved | Not applicable |
| 2019-197 | October 16, 2019 | Serious Harm | Vancouver Police Department | December 14, 2020 | Charge assessment pending | Not applicable | Not applicable |
| 2019-231 | December 22, 2019 | Serious Harm | Kelowna RCMP | September 30, 2020 | Charge assessment pending | Not applicable | Not applicable |
| 2020-002 | January 7, 2020 | Serious Harm | Surrey RCMP | July 16, 2020 | February 23, 2021 | No charges approved | Not applicable |
| 2020-164 | July 12, 2020 | Serious Harm | Abbotsford Police Department | February 19, 2021 | October 20, 2022 | CCC 267 Assault causing bodily harm | Court process in progress |

IIO INVESTIGATIONS REFERRED TO CROWN COUNSEL FOR CONSIDERATION OF CHARGES IN FISCAL YEAR 2021-2022

| Case Number | Incident Date | Incident Classification | Involved Agency | Date Referred to BC Prosecution Service | Date of BC Prosecution Charge Assessment Decision | Charges | Outcome |
|-------------|-------------------|-------------------------|--|---|---|--|---|
| 2019-201 | October 28, 2019 | Death | RCMP – Salmon Arm & Sicamous | December 10, 2021 | Charge assessment pending | Not applicable | Not applicable |
| 2020-042 | February 26, 2020 | Serious Harm | Municipal – Abbotsford Police Department | April 15, 2021 | June 23, 2022 | CCC 267(a) Assault with a weapon CCC 267(b) Assault causing bodily harm | Court process in progress |
| 2020-045 | March 2, 2020 | Serious Harm | Municipal – Abbotsford Police Department | April 22, 2021 | January 5, 2023 | No charges approved | Not applicable |
| 2020-046 | March 3, 2020 | Serious Harm | Municipal – Vancouver Police Department | June 15, 2021 | Charge assessment pending | Not applicable | Not applicable |
| 2020-067 | April 12, 2020 | Death | RCMP – Prince George | March 28, 2022 | Charge assessment pending | Not applicable | Not applicable |
| 2020-068 | April 14, 2020 | Serious Harm | RCMP – Sicamous | October 22, 2021 | September 29, 2022 | No charges approved | Not applicable |
| 2020-110 | May 31, 2020 | Serious Harm | RCMP – Williams Lake | April 8, 2021 | Charge assessment pending | Not applicable | Not applicable |
| 2020-138 | June 23, 2020 | Serious Harm | RCMP – Kamloops | October 13, 2021 | Charge assessment pending | Not applicable | Not applicable |
| 2020-183 | July 30, 2020 | Serious Harm | RCMP – Prince George | February 23, 2021 | Charge assessment pending | Not applicable | Not applicable |
| 2020-285 | October 25, 2020 | Serious Harm | RCMP – Williams Lake | October 14, 2021 | Charge assessment pending | Not applicable | Not applicable |
| 2020-302 | November 4, 2020 | Serious Harm | Other – Metro Vancouver Transit Police | September 28, 2021 | May 18, 2022 | CCC 320.13(2) Dangerous driving causing bodily harm | Court process in progress |
| 2021-157 | June 19, 2021 | Serious Harm | RCMP – Langley | December 6, 2021 | June 7, 2022 | MVA 144(1)(a) Driving without due care and attention MVA 181(a) Failure to use due care to avoid a pedestrian | Guilty plea to MVA 181(a) Failure to use due care to avoid a pedestrian |

IIO INVESTIGATIONS REFERRED TO CROWN COUNSEL FOR CONSIDERATION OF CHARGES IN FISCAL YEAR 2022-2023

| Case Number | Incident Date | Incident Classification | Involved Agency | Date Referred to BC Prosecution Service | Date of BC Prosecution Charge Assessment Decision | Charges | Outcome |
|-------------|--------------------|-------------------------|------------------------------|---|---|---|---------------------------|
| 2020-232 | September 20, 2020 | Serious Harm | Vancouver Police Department | June 24, 2022 | February 10, 2023 | No charges approved | Not applicable |
| 2021-012 | January 12, 2021 | Serious Harm | Chilliwack RCMP | June 9, 2022 | November 3, 2022 | CCC 244(1) Discharging a firearm with intent to wound/disfigure CCC 268(1) Aggravated assault CCC 86(1) Careless use or storage of a firearm | Court process in progress |
| 2021-089 | March 6, 2021 | Serious Harm | Abbotsford Police Department | April 13, 2022 | Charge assessment pending | Not applicable | Not applicable |
| 2021-097 | April 17, 2021 | Serious Harm | Nanaimo RCMP | August 3, 2022 | Charge assessment pending | Not applicable | Not applicable |
| 2021-179 | July 8, 2021 | Death | Campbell River RCMP | Pending submission | Not applicable | Not applicable | Not applicable |
| 2021-198 | July 22, 2021 | Serious Harm | Vancouver Police Department | January 25, 2023 | Charge assessment pending | Not applicable | Not applicable |
| 2021-258 | September 15, 2021 | Serious Harm | Port Moody Police Department | April 7, 2022 | Charge assessment pending | Not applicable | Not applicable |
| 2021-295 | October 27, 2021 | Serious Harm | BC Highway Patrol | June 15, 2022 | Charge assessment pending | Not applicable | Not applicable |
| 2021-332 | December 3, 2021 | Serious Harm | Kamloops RCMP | January 16, 2023 | Charge assessment pending | Not applicable | Not applicable |
| 2022-093 | April 29, 2022 | Serious Harm | Prince George RCMP | July 7, 2022 | August 11, 2022 | MVA 144(1)(a) Driving without due care and attention | Court process in progress |

DISTRIBUTION OF INVESTIGATIONS BY AGENCY (Excluding advice files)

| RCMP | District | Freq |
|----------------------------------|----------------|------|
| Barrière Detachment | Southeast | 1 |
| Bella Coola Detachment | North | 1 |
| Boston Bar Detachment | Lower Mainland | 1 |
| Burnaby Detachment | Lower Mainland | 7 |
| Burns Lake Detachment | North | 1 |
| Campbell River Detachment | Island | 4 |
| Chetwynd Detachment | North | 1 |
| Chilliwack Detachment | Lower Mainland | 2 |
| Clinton Detachment | Southeast | 1 |
| Comox Valley Detachment | Island | 4 |
| Coquitlam Detachment | Lower Mainland | 8 |
| Cranbrook Detachment | Southeast | 4 |
| Creston Detachment | Southeast | 1 |
| Dawson Creek Detachment | North | 1 |
| Elk Valley Detachment | Southeast | 1 |
| Fort St John Detachment | North | 2 |
| Houston Detachment | North | 2 |
| Kamloops Detachment | Southeast | 8 |
| Kelowna Detachment | Southeast | 6 |
| Keremeos Detachment | Southeast | 1 |
| Kitimat Detachment | North | 2 |
| Ladysmith Detachment | Island | 1 |
| Langley Detachment | Lower Mainland | 5 |
| Integrated Police Dog Service | Lower Mainland | 1 |
| Masset Detachment | North | 1 |
| Merritt Detachment | Southeast | 1 |
| Mission Detachment | Lower Mainland | 2 |
| Nanaimo Detachment | Island | 3 |
| North Cowichan/Duncan Detachment | Island | 7 |
| North Okanagan Detachment | Southeast | 2 |
| North Vancouver Detachment | Lower Mainland | 2 |
| Penticton Detachment | Southeast | 2 |
| Prince George Detachment | North | 6 |
| Prince Rupert Detachment | North | 2 |
| Quesnel Detachment | North | 1 |
| Richmond Detachment | Lower Mainland | 1 |
| Ridge Meadows Detachment | Lower Mainland | 3 |
| Salt Spring Island Detachment | Island | 1 |
| Smithers Detachment | North | 1 |
| Squamish Detachment | Lower Mainland | 2 |
| Surrey Detachment | Lower Mainland | 13 |
| Tsay Keh Dene Detachment | North | 1 |
| Whistler Detachment | Lower Mainland | 1 |
| White Rock Detachment | Lower Mainland | 1 |
| Williams Lake Detachment | North | 7 |

TOTAL 126

| Municipal | District | Freq |
|--|----------------|------|
| Abbotsford Police Department | Lower Mainland | 7 |
| Delta Police Department | Lower Mainland | 1 |
| Nelson Police Department | Southeast | 1 |
| New Westminster Police Department | Lower Mainland | 2 |
| Saanich Police Department | Island | 6 |
| Saanich Police Department & Victoria Police Department | Island | 1 |
| Vancouver Police Department | Lower Mainland | 53 |
| Victoria Police Department | Island | 6 |

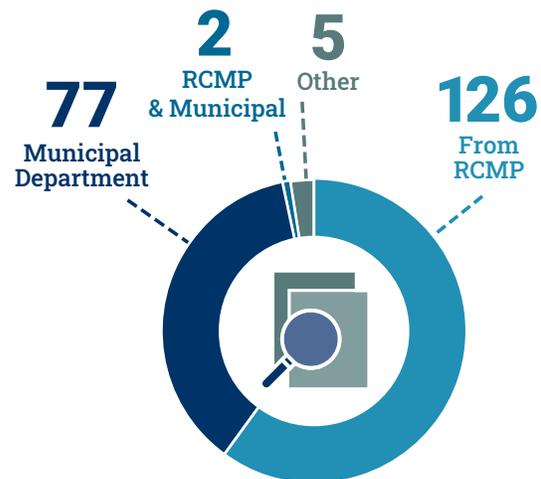
TOTAL 77

| RCMP & Municipal | District | Freq |
|----------------------------------|----------------|------|
| North Vancouver RCMP | | |
| Vancouver Police Department | Lower Mainland | 1 |
| West Vancouver Police Department | | |
| Burnaby RCMP | | |
| Vancouver Police Department | Lower Mainland | 1 |

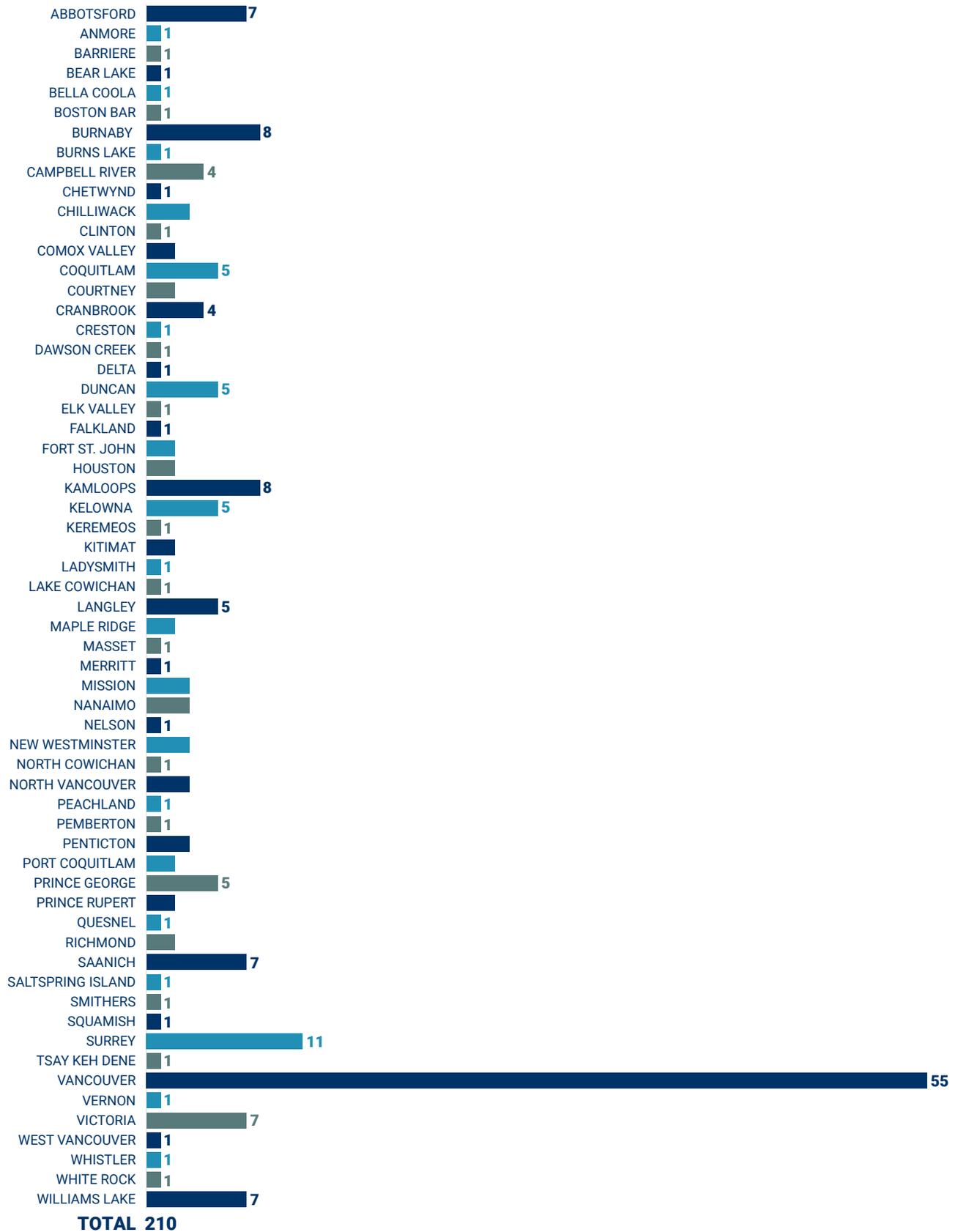
TOTAL 2

| Other | District | Freq |
|-----------------------------------|----------------|------|
| BC Highway Patrol | Lower Mainland | 2 |
| Metro Vancouver Transit Police | Lower Mainland | 2 |
| St'l'at'imx Tribal Police Service | Southeast | 1 |

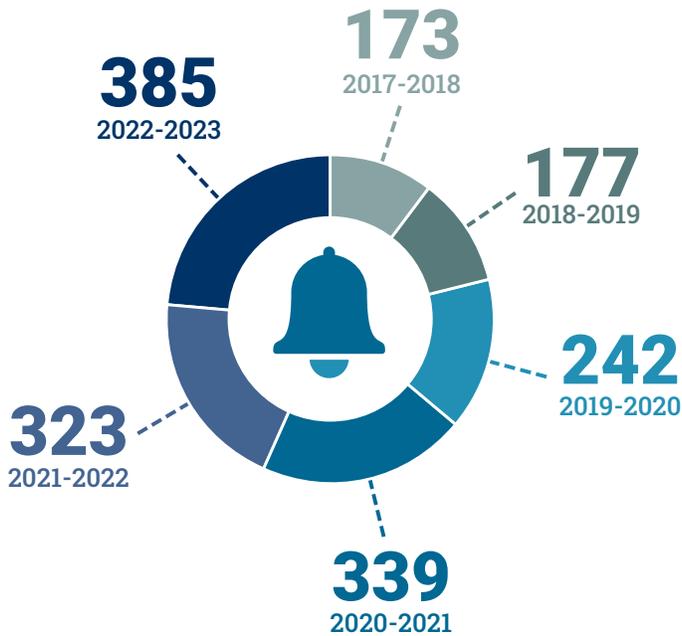
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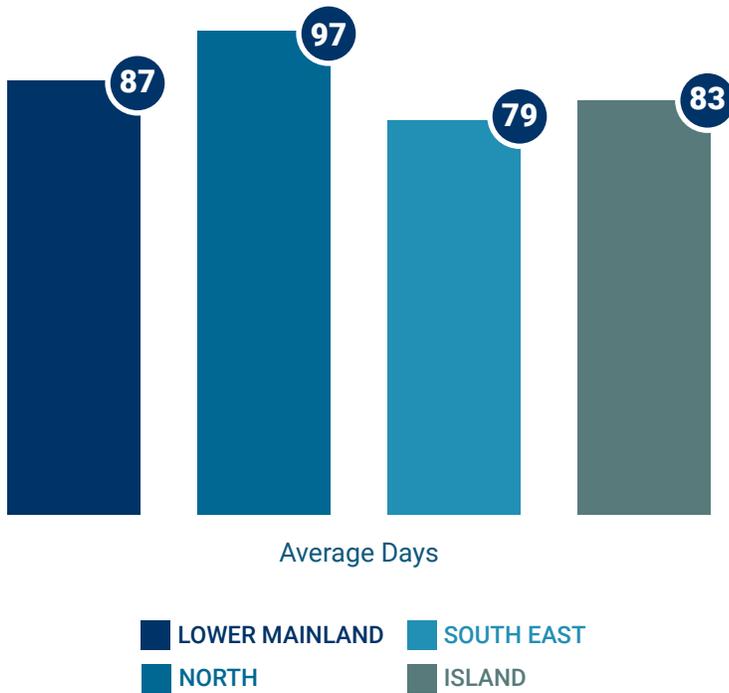
DISTRIBUTION OF INVESTIGATIONS BY LOCATION



TOTAL NOTIFICATIONS BY YEAR



AVERAGE DAYS TO CONCLUDE AN INVESTIGATION IN FISCAL YEAR 2022-2023, BY REGION



This data has been corrected to March 31, 2023 (all investigations that were still open on that date were marked concluded for statistical purposes to portray the most accurate data possible). As those investigations are concluded, the number of days to conclude an investigation will increase.



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