

4.

OLD BUSINESS

A. Disclosure of Crime Victim Info under FIPPA – Legal Opinion – ADMIN/Dir. Kevin Begg

In relation to the Information and Privacy Commissioner's letter of concern re the sharing of police information to victim service workers and their access to PRIME, the legal opinion Kevin has asked for is still pending. Bob Rich advised that he has a memo from the VPD Information and Privacy Coordinator which looks at the legal issues involved.

Action: DCC Bob Rich will email members a copy of the memo and will seek to meet with the I&P Commissioner to discuss his concerns face to face.

B. Public Safety coordination Protocol – First Nations – C/Cst. Jim Cessford

Jim checked with everyone to see if anyone had concerns about signing the protocol. Hearing none, he agreed to contact Byron Boucher and arrange to have Vancouver, Delta, West Vancouver, Central Saanich and Abbotsford sign off with 1st Nations.

Action: C/Cst. Jim Cessford to contact the RCMP to arrange for the above municipal agencies to sign off on the protocol.

C. Comms Centre E-Mail Addresses – DCC Bob Rich

As requested by the RCMP, an emergency email addresse to contact all 911 and dispatch communication centres in the Province is now complete and is in the package for everyone's use.

5.

NEW BUSINESS

A. Monthly Report – Ministry of Public Safety and Solicitor General – ADM/Dir. Kevin Begg

BC Gov't Consult

Pawn Shop – The City of Langley has a model Scrap Metal By-Law which will only collect descriptions of property bought by the store and will no longer collect the personal information of the vender. It has gone to first reading.

Taser – The Minister sent a letter to all the Chiefs on December 21st. He is asking that the police establish a working group with PSD to examine CEW practices including one use of force continuum, discussion on where the CEW fits on that continuum and standardization of training, which indicates policies/practices. PSD still supports the use of the Taser and will be in contact to set up this group.

Enhanced Road Safety – We have sent out an expression of interest to vendors to develop a profile on how we can increase the number of intersection camera systems. Looking to go to new technology (digital) and more cameras at more sites. It is possible that the cameras could be used to assist in active enforcement. One example - the Patulla Bridge, where the violator could be pulled over and processed by a police officer who is linked to the wireless camera system and located safely off the bridge.

Christmas Counter Attack – Will consolidate 2007 statistics and share with us.

PRIME - The final phase of rollout is anticipated to be completed by March, at which time BC will be 100% on PRIME. Improvements in CAD capacity were implemented prior to Christmas, but we still had issues over New Years. Resolving the capacity issues is still being worked on and is a priority and in fact a senior programmer from Versaterm has been relocated to Surrey to deal with this. The Data Warehouse project - It is hoped to have this up and running by the end of April 2008. Once the technical issues have been resolved the next step will be to implement the other agencies who are interested in receiving our RMS information for Crime Analysis purposes. Interested agencies should contact Prime Corp in order to participate. Once the project has been completed there is a possibility in using the data for other initiatives.

Part 9 - The drafting of the legislation is still in process and we will have the Police Act Sub-Committee review it once that has been completed.

Integration - Last week the Lower Mainland Chiefs and the RCMP met to discuss how to deepen integration in the Lower Mainland. PDS has partnered with SFU to put on a forum on Regional Policing which will be held at the Wosk Centre on February 6th, 2008. This forum will consist of two sessions. It will be opened by the Minister. There will be a key note speaker (Former Chief of Ottawa) and a panel of Chiefs chaired by former Chief Bob Stewart, followed by an open dialogue with the audience which will include mayors, MLAs, MPs, and police chiefs.

B. JIBC Update - Superintendent Axel Hovbrender was not able to attend.

C. Crown Police Liaison Committee Issues - C/Cst. Ian Mackenzie

- **CPLC Membership and attendance** - Ian encouraged the BCAMCP members to attend. The CPLC requires a new Chair. C/Cst. Ian MacKenzie to ensure everyone is on the mailing list.
- **Use of Motor Vehicle Act s. 67 Warning Cards** - Discussed how the Officer's are to use the card and asked that we ensure this is being done in our departments.
- **Lack of Police Expert to Provide Evidence of Cellular Phone Tower Sites** - Crown Counsel is very concerned that the police expert may be retiring. D/C/O Jim Purney advised that the current expert is not retiring yet and he is fact mentoring another person to develop this expertise. Jim had copies of the expert's resume for members to peruse.

D.

S.13

Action: Put over for the next meeting.

1. **ADDITIONS TO AGENDA**

DCC Bob Rich asked for any additions to the Agenda:

- 5H Ecomm Radio Issues – C/Cst. Kash Heed

2. **MINUTES OF BCAMCP MEETING**

- A. Adoption of January 8th, 2007 Meeting Minutes – Central Saanich, – Victoria.

Motion:

That the minutes of the BC Association of Municipal Chiefs of Police Meeting of January 8th, 2008 be adopted as circulated.

Moved: D/C/Cst. Doug LePard Seconded: C/Cst. Paul Hames

3. **PRESENTATIONS**

BC Gov't Consult

- A. **Crown Counsel Security - Mr. Carl Prophet & Mr. Bob Gillen/Assistant Deputy Attorney General**

C/Cst. Ian Mackenzie introduced guests, Mr. Carl Prophet and Mr. Bob Gillen. Mr. Gillen was unable to attend the meeting in person but did participate via teleconferencing.

S.15

Mr. Prophet's contact information:

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1101 – 865 Homby Street
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Telephone: (604) 660-4832
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Note: Specific information about how the system worked was provided – that information has been left out of these minutes.

4. **OLD BUSINESS**

A. **OPCC Protocol Development regarding External Investigation - D/C/Cst. Clayton Pecknold**

D/C/Cst. Clayton Pecknold provided a draft schematic and overview of how the Police Act Subcommittee saw this protocol working. After discussion, C/Cst. Kash Heed requested the proposal be put into a written process for review.

Action: Insp. Sheila Sullivan will write up a draft protocol.

B. **Disclosure of Crime Victim Info under FIPPA - Legal Opinion - ADM/Director Kevin Begg**

DCC Rich distributed a legal opinion written by the VPD Information and Privacy Coordinator.

S.14

Action: Update from PSD on next steps.

C. **Use of Sheriffs Service for Executing Outstanding Warrants - C/Cst. Ian Mackenzie**

Mr. Begg advised the Court Services do not want to expand the mandate.

Action: Mr. Begg will provide a copy of letter.

5. **NEW BUSINESS**

BC Gov't Consult

A. **Monthly Report – Ministry of Public Safety and Solicitor General – ADM/Dir. Kevin Begg**

Witness Protection Grant Agreement – The current Protection Program was established in February, 2005. This program provides additional protection beyond what is available under the Federal Protection Program. It was a two year pilot and is now in its third year. The Program is being reviewed and PSD will be conducting a variety of meetings and will be looking for the departments' input on the program, ie: strengths and weaknesses.

Police Act Recommendations – Progress is being made on the drafting and we are close to having it completed. PSD will be in contact with D/C/Cst Clayton Pecknold to consult in the next few weeks. Mr. Begg asks that everyone be as flexible as possible when working to set up a date. We are working to have it tabled by April or early May. Ms. Sajko indicated that it could be ready sooner.

B. **Proposed Amendments to Emergency Vehicle Driving Regulation – Insp. Sheila Sullivan**

Emergency Vehicle Driving Regulations are under review and there was some discussion that they were undertaking and involved in the rewriting. Mr. Begg stated that there was a presentation given at BCACP and there was some concern regarding the number of pursuits going up. The BCACP Traffic Sub-Committee has been considering the need to provide more training on the Regulations.

C/Cst. Kash Heed asked if there is a Provincial policy coming out. Mr. Begg replied that they are not coming out with a Provincial policy however they are reviewing it.

Action: A/Commiss. Al Macynyre will bring someone from the Sub-Committee to the BCAMCP.

C. Secondments – C/Cst. Derek Egan

C/Cst. Egan advised that there has been an increase of secondments over the past 10 years and he believes there needs to be a consistent approach to how we do municipal secondments. The concern is the cost of recruiting and training along with the gaps of officers leaving. D/C/Cst. Rich indicated that as part of looking at Retention/Training/Recruiting, the VPD is going to conduct their own audit of secondments.

One issue we have is that the most talented members are seconded and then the departments are left to work with new recruits. Mr. Begg agreed that this is a very complex area and explained that they do try to offset municipal costs in some areas where they can.

C/Cst. Ian Mackenzie believes, given the pressures on recruitment and retention, that we are going to see a reduction in secondments. D/C/Cst. Pecknold asked if anyone has done an analysis of the true costs or is this something that we should do. D/C/Cst. Rich stated that the work being done by PSD around integration is very important.

Action: Chief MacKenzie will contact the chair of the municipal chief's finance group to ask for input on the costs to municipal departments when increasing/maintaining secondments.

D. "2008 BCAMCP/BCAPB Joint Meeting Topics for Discussion" – D/C/Cst. Bob Rich

D/C/Cst. Rich explained that the BCAMCP meet with BCAPB once a year to have meaningful discussions and asked for agenda items. Supt. Axel Hovbrender suggested a good focus would be Recruitment, Retention & Training.

C/Cst. Dan Maluta explained that he took the minutes of the last meeting and suggested that there be a viable agenda especially if the group was going to meet for 2 to 3 hours. C/Cst. Dan Maluta requested the BCAMCP sponsor a room for the joint meeting. Guests speakers were lined up. (Four officers will be sitting on a panel. The members will be from Port Moody, Nelson, Saanich and the VPD.)

Motion: C/Cst Dan Maluta requested a motion be passed to the group to sponsor a room for the board meeting.

Moved: C/Cst Paul Hamea Seconded: C/Cst. Ron Gaudet

E. Police Academy Update – Supt. Axel Hovbrender

This year there will be approximately 160 – 180 recruits going through the Police Academy compared to last year's 138. They will be adding field training courses as well and will be delivering the courses on both the Mainland and the Island.

One significant challenge will be finding enough evaluators given the number of people going through. Also, there is an approximately 40% turnover rate in instructors and the Academy is looking for new instructors so please encourage your staff to apply. Supt. Hovbrender pointed out that it would be beneficial to have instructors from as many departments as possible.

Individual course certificates will no longer be handed out. Letters will replace this process.

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*****AMENDMENT*****

Recruiting, Retention & Training – D/Cst. Bob Rich

BC Gov't Consult

Mr. Begg informed everyone that the audit report is in the process of being finalized and that he will try to review it asap and he will check the terms of reference in relation to the exemption process. Mr. Begg hopes that one recommendation to come out of this audit is more flexibility for processing exempt candidates (refer to last minutes).

Ms. Sajko asked the BCAMCP members how applicants applying from other countries were being handled.

- C/Cst. Ian Mackenzie indicated background investigations are completed prior to applicants for his department coming to Canada.
- C/Cst. Jim Chu described how former UK members are usually exempted from Block III by the Police Academy, based on performance and qualifications.

C/Cst. Ron Gaudet reminded everyone that the legislation dates back to 1978 and that the training rules have not been updated. Mr. Begg advised that there will be changes once the audit is completed. The audit is with the JI and they will come up with recommendations. Mr. Begg will set up a time line in early March/April and set up a meeting with the Solicitor General.

Action: C/Cst. Kash Heed and D/Cst. Doug Lepard will prepare a backgrounder prior to

going to the Solicitor General. A/Commis. Al MacIntyre to find out who the contact is regarding pension portability.

Motion: That the BCAMCP urges the Ministry of the Solicitor General to remove the fee for recruit training at the Police Academy, J.I.B.C.

Moved: C/Cst. Kash Heed **Seconded:** D/C/Cst. Doug LePard

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Action: A/Commis. Al MacIntyre will bring someone from the Sub-Committee to the BCAMCP.

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One issue we have is that the most talented members are seconded and then the departments are left to work with new recruits. Mr. Begg agreed that this is a very complex area and explained that they do try to offset municipal costs in some areas where they can.

C/Cst. Ian Mackenzie believes, given the pressures on recruitment and retention, that we are going to see a reduction in secondments. D/C/Cst. Pecknold asked if anyone has done an analysis of the true costs or is this something that we should do. D/C/Cst. Rich stated that the work being done by PSD around integration is very important.

Action: Chief MacKenzie will contact the chair of the municipal chief's finance group to

3.

OLD BUSINESS

A. OPCC Protocol Development Regarding External Investigation – C/Cst. Kaeh Heed

Insp. Sheila Sullivan has completed and forwarded the first draft to standardize this protocol. It has been forwarded to D/C/Cst. Bob Rich and will be sent to the Police Act Sub-Committee for review.

~~Action: Item to be carried over~~

B. Disclosure of Crime Victim Info under FIPPA – Legal Opinion – Executive Director Sandra Sajko

Mr. Begg was not in attendance. Ms Sajko stated she would try to have a summary prepared before the next meeting.

C. Emergency Vehicle Driving Regulation – Future Training Initiatives – A/Commissioner Al Macyntrye

BC Gov't Consult

A/Commis. Al Macyntrye was to bring someone from the Sub Committee but opted not to at this time and suggested the committee wait for their next report. A/Commis. Macyntrye explained that PSD is working on a blended policy that would work for all police in BC.

There was discussion about the different policies within that exist in the different jurisdictions. Suggestions were to propose a policy that would be standardized. C/Cst. Heed asked if we were looking for amendments to EVO. Ms. Sajko informed everyone that she would confirm this but did say that PSD wants to have a standardized policy in the Province. The triggering event of when to chase or not to chase currently still allows for member discretion. Ms. Sajko explained that PSD will be in contact with Insp. Sullivan given her previous work in this area.

D. Secondments – Costings – C/Cst. Ian MacKenzie

C/Cst. Mackenzie advised that Shelly Bercell from his Department has been asked to take this to the next meeting of police finance managers to identify what the true costs of secondments are.

D/C/Cst. Rich advised that D/C/Cst. Bob Rolls is doing a review of secondments in the VPD.

C/Cst. Zapotichny made an official announcement last Friday that [S.22(1)] will be going to Kabul for one year on a secondment. He will be responsible for the Criminal Investigations Division. Dave Jones will be the A/DCC.

E. J.I. Report – Supt. Axel Hovbrender

Supt. Hovbrender advised that five Commissioned Officers are going to Afghanistan.

4.

NEW BUSINESS

A. Monthly Report – Ministry of Public Safety and Solicitor General – Executive Director Sandra Sajko

BC Gov't Consult

2500 Federally Funded Police Program – Ms Sajko talked about the Federal funding

announcement. There are no details as of yet.

Audio Visual Recording Equipment (Holding cells and Interview Rooms) - The committee had their first meeting in February. One issue will be what facilities the standards apply to – just municipal police service facilities, or does it include RCMP municipal detachments? C/Cst. Cessford has an IT person on a committee in his department and indicated that he will move ahead with this once he knows what the standards are.

Crime Act Bill – New Federal Legislation which includes:

- Escalating sentencing
- Raising the age of consent (fourteen – sixteen)
- Reverse bail provisions in certain circumstances
- Amendments to impaired and dangerous driving provisions (not yet proclaimed)

This came into force on February 28th, 2008. D/C/Cst. Rich asked Ms. Sajko for an information package. Ms. Sajko does not believe a draft standard has been prepared but possibly a preliminary one only. She will follow up.

B. "Primecorp Board of Directors Appointment for Mainland PD's – C/Cst. Ian Mackenzie

C/Cst. Mackenzie explained that the Primecorp Board deals with the budget and governance for PRIME. He added that we need to identify who would like to sit on the board. C/Cst. Mackenzie indicated that this position should be a Chief or Deputy.

D/C/Cst. Rich expressed that this is an important area and explained the options are Delta, New Westminster, and West Vancouver. D/C/Cst. Rich asked if the committee wanted to send out emails to find out who is interested. The Board was created for the legal entity to roll out PRIME. The Board deals with high level strategic issues and budgeting. Any cost items will have to go directly to the Board.

C/Cst. Cessford wanted to know how often the Board meets. A/Comm. Macyntrye explained the board meets five to six times per year. C/Cst. Egan asked the committee if anyone knew of a Deputy that had experience with Prime within our departments. C/Cst. Egan reminded everyone that we should be looking at someone who is in it for the long haul.

Action: DCC Bob Rich will send an email to the local departments asking if they have someone who can sit on the Primecorp Board of directors Appointment for Mainland PDS's.

C. Request To Have Someone from Olympic Security Group Provide the BCAMCP With a Regular Monthly Status – C/Cst. Bob Kind

C/Cst. Kind asked the committee if they felt everything was on track? With only two years away from the Olympics, should we have someone attend the BCAMCP meeting so they can provide us with updates to confirm that we are in fact ready for the Olympics. Does the committee as a group collectively need to do something to assist? D/C/Cst. Rich expressed his concern with the lack of budget.

A/Comm. Macyntrye stated that we are ahead of Vanoc. A/Comm. Macyntrye suggested A/Comm. Bud Mercer, a delegate or one of the four Supt.'s could attend the meetings to provide the committee with a monthly briefing.

B OPCC PROTOCOL DEVELOPMENT REGARDING EXTERNAL INVESTIGATION

Due to D/C/C/ Pecknold's absence, this was tabled to the next meeting.

C/C Parker will follow up with D/C/C Pecknold for the status.

Action Tabled to next meeting.

C SECONDMENTS

Still pending the Finance Manager's Meeting to determine the true cost of secondments to agencies.

Action: Tabled to next meeting.

D BC FEDERAL TELEMARKETING

C/C Mackenzie gave a legal opinion on the report, which was sent off to legal council who concurred with the comments.

S.14

Action: Tabled to next meeting.

BC Gov't Consult

E RECRUITING FEES

Kevin Begg advised that the Minister has been briefed and some proposals will be put together to see if he is prepared to address with the Treasury Board. The Throne speech alluded to a community safety program. Should know by the fall what we are going to put out as a platform for the next election.

A/Commissioner MacIntyre was asked about financing recruits at the Depot. A/Commissioner MacIntyre advised that it is anticipated that they are going to be remunerated as they were in the past; Presently everything is paid for, meals and accommodation, plus there is no charge for tuition. A/Commissioner MacIntyre is not aware if they get paid trips home.

Superintendent Hovbrender advised that the class starting next week will be a class of 24, and will start looking at requests for the fall which could be a class of 48. Would like to have some understanding of what costs are going to be associated with classes prior to September.

Action: CARRY OVER TO NEXT MEETING, probably July meeting.

F SHARED PLANNING, RESEARCH AND POLICY POSITION

C/C/ Mackenzie had no further update. Past discussions concluded that everyone thought it was a good idea. A business case needs to be written.

Kevin Begg advised that in addition to coordinating amongst departments, part of [redacted] position is research. Kevin Begg advised that if there is a common interest he could see what research dollars could be directed to the BCAMCP.

Action: Carry over to NEXT MEETING

G PIPA REGARDING THE WILD COYOTE BAR SYSTEM

This will be discussed further when C/C Chu returns to the meeting room.

C/C Parker asked for any comments on the letter that went out. It was agreed to table to the next meeting when D/C/C Rich is in attendance.

Action: Carry over to next meeting

Break - 9:50 - meeting resumed at 10:10 a.m.

H INCORPORATION OF BC MUNICIPAL CHIEFS UNDER SOCIETIES ACT

C/C Maluta attended the last meeting via teleconference. He is finding it extremely cumbersome to get the BCAMCP into the Subscribers Act.

C/C Egan and C/C Mackenzie voiced their concerns about becoming a Society, need to be very cautious.

C/C Maluta is not aware of any other police associations across Canada that had gone in this direction.

The BC Chiefs crest was not granted by the Crown. The intention was to get a formally credited badge granted by the Crown under the Chief Herald that would be the insignia of the BCAMCP. C/C Maluta will make further inquiries.

Action Tabled to NEXT MEETING

4.

NEW BUSINESS

BC Gov't Consult

**A MONTHLY REPORT - Kevin Begg, Minister of Public Safety & Solicitor General
Police Act**

Kevin Begg advised his department is working on moving this through the legislature.

The Legislation Review Committee has targeted the end of June, if not it will be tabled in the Spring session, 2009.

CONDUCTED ENERGY WEAPONS

Kevin Begg was invited to speak on behalf of Police Services during the Braidwood inquiry. Mr. Begg's statement will focus on policing policy and the evolution of policing standards. Put it into historical context where they were prior to the Opal Commission.

Police Services gave Braidwood a written submission which included their position on CEW's which is to strike a balance with officer and public safety. Want to try and come up with a consistent threshold of use by all police agencies.

Mr. Begg will not comment on the tactical use of the weapon, he will only answer questions on policy process.

Sandra Sajko advised that legal council want to find a medical expert. The goal is to try and assist police with the continued use of Tasers, trying to prepare everyone for things that may go against us.

A team out of Ottawa, Inspector Lightfoot and a sergeant, are doing the presentation for the RCMP. [redacted] 22(1) has been in Ottawa working with this group as well as a Canadian Police research group. Everyone is on board about not developing contradictory messages from the

police community.

Still working on streamlining and strengthening standards in the Audit process and developing some amendments to the Police Act. Hoping to have Part 8 and 9 ready to forward at the same time.

USE OF FORCE DATA COLLECTION

New forms are in circulation for the collecting of annual data, Use of Force, Deaths in Police Custody, etc.

Data collected under authority of BC Police Act Use of Force Regulation Section 12. Work is continuing on a template known as SB-OR to be implemented in PRIME. In the interim this form will be used to gather the data.

At the June 2007 meeting of the BCACP Darrin Hoffman, Police Services presented an analysis of BC Police Pursuits. As a result of this meeting BCACP were asked to come up with some options to improve pursuits which was presented to the BCACP later in 2007.

Still some disparity on the conduct of pursuits. Police Services have undertaken to set up a working group to enhance police pursuit guidelines so they will be uniform across the province

Agencies should have received the letter asking for a person to be identified as a contact person.

REVIEW OF POLICE TRAINING AT JIBC

Conducted a comprehensive review of police training and education offered at the Justice Institute. The first phase is complete and a draft been sent to key stakeholders for review. The second phase is expected to be completed in the Fall of 2008. Majority of material from the recruit training program has been analyzed and advanced training is being considered.

PROVINCIAL STANDARDS FOR AUDIO AND VIDEO RECORDING EQUIPMENT

Last Fall working groups assisted Police Services in developing provincial standards with respect to placement of audio and video recording equipment in police buildings that were recommended from the Bush enquiry.

Working group had two successful meetings and anticipate will meet two or three more times in the coming months to discuss security, privacy, retention and storage of video recordings. Terms of Reference should be finalized by the end of 2008.

Chief Mackenzie had heard that the RCMP were not allowing site visits. A/Commissioner MacIntyre commented that he does not believe this to be the case.

ROAD SAFETY UPDATE

Superintendent of Motor Vehicles had a surplus in funding. Surplus was given to Police Services to install video cameras in cars. A total of 33 in-car videos for 11 municipal departments were purchased.

IMPACT MOU DISTRIBUTION

The IMPACT MOU has been distributed for signature. A significant change in the MOU is replacing an expiry date with a cancellation clause, section 13.4 been amended to read 180 days for termination. No need to seek renewal of MOU when next funding is negotiated. This is a step towards harmonizing Integrated agreements.

SMOKING IN CARS LEGISLATION

New legislation prohibits smoking when a child under 16 is in a vehicle parked or on a public roadway. It is the responsibility of local police and RCMP to issue a violation ticket. Mr. Begg will advise what the fine will be as soon as he has the information.

PRIME UPDATE

Several updates with respect to PRIME.

Final phase of roll out completed on March 31, 2008 with Kelowna, Westbank and Peachland going live.

Discussion on the use of PRIME during the Olympics and what incremental capacity will be required. Appears two CAD's will be operating, one for the Integrated Security Unit and one for main policing. This will be funded through the Olympic budget.

Concern around the sharing of private files and municipal files. The working group for this project agrees that the best approach is for each agency to have access to all its information obtained in PRIME and individuals will be responsible for internal access and security measures when creating management reports. Trying to formalize the process to identify problems with the system making sure there is a way to track and correct them.

Auto log searches PRIME BC, however, there are issues with timely completion. Requests for these logs requires expert to pull from the files, 15(1) depending on the complexity of the search. Volume of requests continues to rise and can take [redacted] Will require one to two full time staff members added to the current staffing levels to the IT support team.

Next meeting - Items for discussion:

1. Increase staffing of current PRIME IT support team. Funding for additional positions as per cost recovery process.
2. Provide agencies with capability to do their own searches. PRIME will initiate a small project to set the design and costs of the solution and request funding to design the program. The program needs to support the agencies, plus agency personnel require training. Complex enquiries still need to be done by a qualified person.

Action Table at next meeting

LEGISLATION PROV MVA

On April 30, 2008, the Attorney General announced an amendment to the Motor Vehicle Act. Drivers involved in an accident must report to an agency, (to be identified at a later date) not to the police. With this amendment high risk drivers can be punished. Sandra Sajko assured the committee that there is no additional work involved for police. An information package will be issued shortly.

BILL C-2

Chiefs should have received a letter re: Bill C-2 Tackling Violent Crime Act. Asked Crown as they analyze the bill to identify changes that police may need to take to support Crown in prosecution

End of Kevin Begg's Report

ROUND TABLE

C/C Mackenzie questioned the role of IRSU and asked if the government was going to review that model. C/C Mackenzie does not think it is giving adequate support to Abbotsford Police Department.

Kevin Begg advised that an independent review was carried out on the island and showed positive results, however, he will look at doing an evaluation. The intention was to do an evaluation after the unit was stabilized, see if it needs tweaking. We will look for a new strategy if necessary.

INTEGRATED GAMING ENFORCEMENT TEAM

Jim Chu advised that he is looking for a representative from this board. Two positions need to be filled, one on the board, and one on the committee.

TABLED TO NEXT MEETING

JIBC UPDATE

Mr. Hovbrender attended a meeting to discuss the needs on municipal departments and talked about some of the challenges provincially and nationally which will be discussed at the Police Board meeting.

Some of the items discussed were:

- Projected recruits
- New driving facility in Maple Ridge
- Range

C/Chu advised that the contract has been awarded for a new range, off Great Northern Way. Work will commence 15 months from now.

MOTOR VEHICLE INCIDENT RESPONSE PROTOCOL

Kevin Begg received a copy of the draft MVIR to improve emergency response time resulting from accidents. There is a need for mapping equipment, possible crash reconstructionists from municipal and RCMP agencies. Payment for emergency flagging at the scene has been recently resolved. Minister of Transportation agreed to pay \$5,000 a year.

Convened a stakeholder working group to develop a high level Ministry response protocol. The group suggested a group of first line responders be brought together to discuss proposed MVIR training and implementation strategies. Protocol was sent out to Chiefs for endorsement and assistance in implementing this program. Mr. Begg asked committee members to review and bring back to the next meeting.

Action: Carried over NEXT MEETING

SUPERINTENDENT AXEL HOVBRENDER

Some capital expenditures were used to purchase PRIME computers so information can be entered directly into PRIME after a simulation. Computers should be up and running in the next couple of months.

Developing a video in relation to the enhancement of relations with urban aboriginals and police. Video gives an historical viewpoint of aboriginals on the west coast. Hope to get this up and running in June 2008 and will become part of training for recruits. \$100,000 was budgeted for this funding, separate from Police Services funding, with funds donated from a JI Victim Services Program for \$20,000, a grant from Vancouver Foundations for \$25,000 and also some other agencies.

Dealing with some issues regarding the scope of the wireless system working in vehicles in the parking lot. Trying to replicate real life as much as possible for the recruits by including the vehicles and computers in the cars. Similarly with use of the force they wear body armour which helps them recognize the mobility issue.

Conducted a simulation with blocks 1 and 3 working together. See whether block 3 would accept a leadership role. Worked out very well.

Mr. Hovbrender is preparing a business case for advanced training in relation to PRIME to forward to Police Services.

CIVIL FORFEITURE GRANT

Committee discussed applications for the Civil Forfeiture Grant.

Nelson Police Department were not successful. Superintendent Hovbrender worked with a community partner to obtain the grant. It was an indirect grant.

C/C Zapotichny received some funding through Victim Services, to address elder abuse.

KEVIN Begg stated NWPS was the only agency who received the grant.

Kevin Begg, Superintendent Hovbrender and Sandra Sajko departed the meeting and the tele-conference with A/Comm Macintyre was terminated.

MOVED by C/C Dan Maluta, Seconded by Chief Officer Bob Kind to Adjourn the Regular Agenda.

Action: C/Csts. Chief Chu, Jim Cessford, Dan Maluta and Bill Naughton will represent the Association at the Inquiry. Each Department will provide examples of CEW use to Volker Helmuth to provide context to the written submission.

4. **OLD BUSINESS**

A. **OPCC Protocol Development regarding External Investigation – C/Cst. Kash Heed**

D/C/Cst. Clayton Pecknold reviewed Insp. Sullivan's draft report. C/Cst. Pecknold suggested that we should continue with the report and has updated the sub committee.

Action: D/C/Cst. Bob Rich will contact Dirk Rynveld to keep him apprised on the work being done and the Police Act Sub-Committee will continue work on this. Carried over.

B. **BC Gov't Consult
Disclosure of Crime Victim Info under Fippa - Summary of Legal Opinion - ADM/Director Kevin Begg/Ex. Director Sandra Sajko**

Mr. Kevin advised that Suzanne Daleine, who manages victim services for PSD met with the Privacy Commissioner. The Commissioner took the position that he would like to work collaboratively with Mr. Begg and the Chiefs in order to ensure services to victims were not curtailed. Mr. Begg explained that he saw this as positive feedback and will work with Suzanne and will take the lead with the Commissioner.

Action: D/C/Cst. Bob Rich will contact Suzanne Daleine.

C. **Secondments – Costing – C/Cst. Ian Mackenzie**

C/Cst. Ian Mackenzie asked Shelly Brucell from his Department to work with the municipal departments finance group to determine the true cost of secondment replacement training and they would be getting back to us.

Action: Carried Over.

D. **Primecorp Board of Directors Appointment for Lower Mainland PD's – D/C/Cst. Bob Rich**

D/C/Cst. Rich went around the table and asked for volunteers. Mr. Begg expressed how important this position was. D/C/Cst. Dave Jones put his name forward.

E. **May 2nd – Joint Meeting with BCAMCP/BCAPB AGM & Conference Board – C/Cst. Dan Maluta**

C/Cst. Brad Parker will be chairing the May 2nd, 2008 joint meeting with BCAMCP/BCAPB AGM & Conference Board in D/C/Cst. Rich's absence.

C/Cst. Maluta updated everyone on the companion program planned for the May 2nd weekend. There was a discussion about how formal an agenda we wanted for this meeting and it was agreed that the meeting should be relatively informal.

F. **Federally Funded Police Officers – Request update from PSD – D/C/Cst. Bob Rich**

Mr. Begg provided an update on the \$53M assigned to BC. The Federal Government is setting up a trust account for each province that opted in and the trust fund will dictate how the money is going to be spent. Mr. Begg advised that they need to go to cabinet but due to the Solicitor General's resignation everything has been put on hold. This should be revisited over the next two weeks.

A trust account will be in place and accessible for five years. The focus will be to fund Provincial public safety initiatives around the gang violence problems. Mr. Begg explained this decision should not change with the new Minister.

The integrated model for organized/gang crime in the Province was raised. Mr. Begg explained he would update everyone as soon as decisions are made by Government. The Federal Government has to have the budget approved in Parliament in late May or early June. The money should be in hand sometime in June.

C/Cst. Ian Mackenzie discussed the meeting that the Chiefs had had with the Deputy Minister and the lack of consultation that followed with how this money was to be used and how an integrated organized crime model would be set up. The issue of the impact of the RCMP contract and the governance issues that it raises was discussed.

Mr. Begg explained that in discussions with the Minister, after the Federal announcement, he was very supportive of increasing organized/gang crime enforcement and also wanted to provide more anti-gang prevention programs for schools. In terms of the model, there will be more meetings to continue dialogue on structure and governance.

C/Cst. Chu suggested that he could arrange a meeting to discuss the following items:

- Stay with what we have
- Have the RCMP run it
- Have an independent Chief model and board

It was agreed, there should be further discussion. Chief Chu will get a document together and set up meeting with Mr. Begg. Ms. Sajko asked if this meeting should be opened to Island Chiefs. Mr. Begg advised he would be open to any discussion.

G. **BC Federal Telemarketing – C/Cst. Ian Mackenzie**

Discussed the legal opinion - page 5 and 6 is the summary. D/Cst. Egan suggested it be carried over to the May 2nd meeting in Nelson meeting.

Action: Carried Over.

5. **NEW BUSINESS**

A. **Monthly Report – Ministry of Public Safety & Solicitor General – ADM/Director Kevin Begg**

Nothing to report. Covered under other items.

adequately investigate the crash scene, giving the investigation priority over the effort to clear the highway. The intention of the protocol is to coordinate the best practices standards with other agencies and arrive at a master agreement among all stakeholders.

A workshop will be set up at the BCACP meeting on June 18, 2008 to discuss the protocol. Sandra Sajko will distribute copies to all those in attendance for their review prior to the workshop.

4. **NEW BUSINESS:**

BC Gov't Consult

A. **Monthly Report – Ministry of Public Safety & Solicitor General - Executive Director PSD Sandra Sajko**

Sandra Sajko indicated a detailed Monthly Report would be presented at the BCACP meeting on June 18, 2008.

On June 23, 2008, PSD and C/Cst. Zapotichny will review the first draft of Part 9 of the *Police Act* Legislation reflecting the Josiah Wood recommendations.

The review of police training at the JIBC will be finalized. An implementation plan is being drafted.

B. **Motor Vehicle Incident Response Protocol - ADM/Director Kevin Begg**

Duplicate of 3M. Please see 3M.

C. **Municipal Police Officers Role on Full Time Secondment – A/Comm. Al Macintyre**

A/Comm. Macintyre reported on the RCMP's second phase of a three phase analysis of Municipal police officers roles on full time secondment. In this phase of analysis, mock call-outs were staged in order to evaluate any delays or problems in response. Because an emergency can happen in any jurisdiction, Municipal Departments wished to participate in this evaluation.

Two problems became evident in these mock call-outs:

S.15(1)

A discussion ensued regarding whether an emergency trumps all jurisdictional entitlement. The governing secondment MOU's stipulate that members may return

ACTION: D/C/Cst. Pecknold will report back to the meeting in September.

BC Gov't Consult

B. Secondments – Costing – Sandra Sajko

Clarified there is no funding formula to backfill positions that are seconded to the Aboriginal Policing Unit in Squamish. However, in the Lower Mainland IRSU MOU, there are provisions where province will pay in the first year if new recruits are required to backfill the seconded positions (e.g., training costs covered) or if the backfill costs more (i.e., more senior officers used to backfill seconded positions). This is also the case in the IMPACT MOU however the backfill costs are covered on an ongoing basis. There is no common template for MOUs for how funding is structured.

C. Recruiting - Sandra Sajko

Reported that the issue of recruit fees has been raised in budget discussions and at this point there is no consensus in Government. However, PSD will keep this issue on the table, continue to monitor and report back to Ministry Executive and Treasury Board staff any negative impacts the tuition fee has on recruitment. At this point, it will be some time before any decision may be made on removing the tuition fee, however PSD will continue to work with BCAMCP on this issue.

D. Shared Planning & Research & Policy Position

C/Cst Parker provided a brief review of the proposed position, that the VPD had offered to house the employee at the VPD and he advised that he volunteers to research the costs associated with creating a position and provide a recommendations for a cost sharing agreement for each participating agency.

C/Cst Bill Naughton suggested that Police Services Department has the responsibility to develop consistent policies for high risk issues such as pursuits and that police departments have the responsibility to create all other operational and administrative policies.

ACTION: C/Cst. Parker to present his research on the financial costs for the position at the next meeting.

E. Prime Coordinator - Sandra Sajko

A business case has been developed for a PRIME training coordinator position and will be tabled at Governing Council and then Board of Directors of PRIME for approval.

F. BCAMCP Coat of Arms

C/Cst Dan Maluta deferred this matter to the next meeting.

G. Crown/Police Liaison Meeting

Approval of Police Reports to Crown Counsel: D/C/Cst. Doug LePard was absent from the meeting but he will meet with Crown Counsel on this issue at their meeting in November 2008.

H. IGET (Integrated Gaming Enforcement Team)

C/Cst Brad Parker volunteered to be the BCAMCP representative on the Board of Governors for IGET.

NEW BUSINESS

**A. Monthly Report – Ministry of Public Safety & Solicitor General
Sandra Sajko, Police Services Division, reported on the following information:**

1. Update on the Police Act

Thanked the Police Act Committee (Sheila Sullivan, Bob Rich, Clayton Pecknold and Lorne Zapotichny) for attending a confidential meeting in Victoria last month to provide their feedback on our first complete draft of the legislation regarding the Wood Report recommendations. It was a productive meeting and PSD anticipates having a final draft in September 2008. Once the final draft is completed, representatives from Police Services Division will contact the Committee for further confidential consultation.

2. 2500 Police Officers – Police Officers Recruitment Fund

BC's share of the federal funding for the Police Officer Recruitment Fund is \$53 million. Municipal Chiefs of Police will be contacted shortly for a meeting to discuss implementation planning including the creation of a working group.

3. Crime Data & CCJS - Information

The 2007 police-reported crime data is in the process of being finalized by Statistics Canada.

A preliminary look at the data shows that the reporting of *Criminal Code* offences went down 7% in 2007 (from 491,970 recorded in 2006 to 457,008 in 2007). Decreases in property (-8%) and "other" crimes (-8%) were major factors in CC declines. Similarly, the crime rate decreased 8%, from 114 offences per 1,000 populations to 104.

Drug crimes, on the other hand, increased 12% (+3,002 offences) resulting in a 10% increase in the drug crime rate. Major increases in drug possession offences were responsible for this rise.

The Canadian Centre for Justice Statistics (CCJS) will release its national crime picture publication on July 17th, and we expect to release B.C.'s data towards the end of July.

4. Use of Force - Aggregate Data

As reported previously, Police Services Division has sent out new enhanced survey forms for the collection of aggregate annual use of force data. These new aggregate data collection forms do not impact on the development or the implementation of SB-OR reporting. We are still waiting for a number of departments to send the completed forms back to us.

5. Police Pursuits

Police Services Division is setting up a working group whose purpose is to enhance current police pursuit guidelines by developing policy that can be uniformly applied across the Province. Police agencies have nominated a participant on the working group and important background material has been sent to each participant.

Unfortunately, the meeting of this working group was delayed due to a lot of work in the last two months being dedicated to CEW issues. The first pursuit working group meeting is now scheduled for early September as a number of key participants are away over July and August.

6. Control Energy Devices (Tasers)

The Braidwood Inquiry has an extension for their study commission report until November 30, 2008. The second phase of the Braidwood Commissions of Inquiry is scheduled to begin on October 20. This phase will focus on the events surrounding the death Robert Dziekanski at Vancouver airport last year.

The FPT ADM PI created an ad hoc working group on CEWs. The working group has compiled information and analysis of current studies, policies and practices on the use of CEWs across Canada. This will be presented to the Justice Ministers in September. Part of the working group's mandate was to develop guidelines that could be applied nationally. However, any work in this area is expected to be delayed until after the Ministers meeting in September and the completion of the Canadian Police Research Center (CPRC), CPC and Braidwood reports.

As discussed last month, the issue has recently been raised that, under the *Criminal Code*, CEWs may be classified as restricted firearms (rather than just prohibited weapons) if the CEWs have a cartridge attached. CEWs have previously always been considered as prohibited weapons by the police community and not a firearm. PSD has requested formal legal advice from counsel regarding [REDACTED] S.14

7. MVIR Protocol

At the BCACMP meeting last month it was decided that this issue should be dealt with at the BCACP, perhaps through the traffic safety committee.

However, Mark Medgyesi, Ministry Executive Director for Strategic Initiatives has since planned a meeting at the end of this month to obtain approval for the MVIR Protocol from senior police and government officials including:

- o David Morhart, Deputy Solicitor General,
- o Gary Bass, Deputy Commissioner "E" Division,
- o Chief Constable Bob Rich (representing municipal police), and
- o Representatives from the Ministry of Transportation and BC Ambulance Service.

8. Expedited Response Pilot Project (Sea to Sky protocol)

The working group for the Sea-to-Sky Pilot Project for Expedited Response is being led by Mark Medgyesi.

The working group met on July 8 and the following items have been identified under the Action Plan:

- o Resolving the maintenance contractor's role in traffic management, communications and flagging (including payment).
- o Developing and implementing a training module for all emergency services, supervisor, crew chiefs, and police.
- o Creating an inventory and listing geographic locations of resources for flagging, towing, police, coroner, ambulance, fire analysts etc.

- o Identifying other emergency responders that need to be involved from time to time; for example Department of Fisheries and Oceans, Conservation officers, and ICBC.
- o Indemnification of emergency respondents who may be operating outside their jurisdiction, for example West Vancouver Fire Department.
- o Identification of "hotspots" and problem areas on the highway.
- o Establishment of a formal command and communication structure.
- o Other project options include exploring the creation of an "emergency response team" that meets in a set location and travels as a group to the motor vehicle accident side.

Measures will be used to assess effectiveness and sustainability of the project, as well as potential expansion to other areas of the Province. The next meeting is scheduled for July 22 to review progress and implementation. West Vancouver Police and RCMP are involved.

9. Prime BC Update

PRIME Managed Services is continuing to optimize the system and look for specific ways to improve service. It has addressed several of the issues, such as access to the training data base and system stabilization, raised by Victoria Police Department and [REDACTED] S.15 [REDACTED] As a result, agencies report that the system is more stable and reliable.

The data warehouse project is proceeding and the testing is going well. The Vancouver Island Region replicated environment has been set up and production data is being tested. It is anticipated that the pilot project will be completed by the end of the summer.

The RCMP Phase II implementation (including JUSTIN, property and document imaging modules) is well underway with no delays in any district.

Work has been done in anticipation of the 2010 Olympics' CAD requirements. At this time, we are waiting for a decision from ISU Steering Committee regarding a commitment to fund a dedicated CAD server.

10. Com Tech Arrest Booking program is linked to PRIME

It is anticipated that the Comnetix-based arrest and booking project will be started during the summer and you will be kept advised of its progress. This project is a module within PRIME that offices use to capture all the data on prisoners and it is automatically linked with a photo. Comnetix is the company that provides the software.

C/Cst. Rich welcomed Chief Officer Ward Clapham to the table in his new role as South Coast BC Transportation Authority Police Service Chief Officer.

3.

PRESENTATIONS

A. PSD Presentation – Justice Institute Report

PSD presentation by ADM-Director Kevin Begg, Jane Naydiuk, seconded member from Saanich PD to PSD, and Lynn McNally, Director of Standards and Evaluation Unit. They have been involved in the JIBC audit. Also present was Sandra Sajko, Executive Director of Police Services.

ADM-Director Begg started by talking about the Police Standards project, part of a larger project to update policing standards. (See PSD PPT for notes). ADM-Director Begg answered questions after the presentation. Concern raised was if there were standards that impose significant costs on departments. ADM-Director Begg advised they would look at whether there was a critical risk involved before putting a standard in place: the more you add policy and standards, you potentially increase costs and those two things need to be balanced so that costs aren't increased unnecessarily. Regarding non-compliance, need to have a menu of options to address non-compliance, not just s. 17 of Act. The proposed regulations are essentially modeled on Ontario's. The Quebec model is based on population of the community – not the model being followed here. However, there will be recognition that a small department may not be able to do what a large department can do. An example of a Regulation could be that PDs must have CCTV in jail. You might have accompanying guidelines setting out specifications and retention schedules, etc.

RCMP: The RCMP are not legally subject to provincial regulations. The practice has been that where Province brings in place policies, e.g., VAWIR, the RCMP normally adopts the policy as a supplementary policy. A/Commr. Mercer advised that E Division agrees with the importance of consistent policy in the province, and that E Division is often the source of national policy because of its size. The intention is to include RCMP in stakeholder discussions in hopes of consistency across the Province. There was agreement of the importance of consistency provincially and even nationally for important issues, e.g., Taser use. PSD will provide an opportunity for the PDs to comment on draft legislation in the same way an opportunity was provided for comment on changes to Part 9.

ACTION: It was agreed that the BCAMCP should submit a letter advising that that the Association was in general agreement by Sept 30.

B. Policing Standards Project

ADM-Director Begg presented on the audit of the JIBC, and the goals re ensuring JIBC provides excellent training. (See PPT for details.) Discussion: Should the committee be composed of voting and non-voting members? e.g., PRTC should be able to give input, but not have a "vote" on training for municipal PDs. JIBC is the provider and the municipal reps are the customers. PSD was receptive to this input and would consider it when creating the terms of reference.

H. FOIPPA requests for identifying salary information about members of the BC Federation of Police Officers

Brief discussion – Victoria on hold, VPD has already released the info without names except for senior staff. Translink released all their members' info with names without consultation. S.22(1) phoned Port Moody and said he was writing a letter of complaint to the Privacy Commissioner.

I. UCR Requirements and Training – Insp. Sheila Sullivan

Insp. Sullivan not present. PSD has been in touch with UCR people in Ottawa and they will be bringing some training around UCR scoring.

5. NEW BUSINESS

**A. BC Gov't Consult
Monthly Report – Ministry of Public Safety and Solicitor General and Police Services Division – ADM/Director Begg**

Domestic violence assessment. Will make a presentation tomorrow regarding BSAFER risk assessment tool. There is a plan to move forward to develop the training we want.

Use of Force Aggregate Data Collection. Survey form has been enhanced. Summaries will be compiled for BC overall and for each individual department. Still waiting for Victoria and Central Saanich to send their forms in.

Police Sector Council Occupational Standards Project. PSD and police both have representatives on the committee. HR tools for Constable to Inspector ranks. Measurement of KSAs. Not committed to adopting results, but following closely. ADM-Director Begg is on the Board of Directors of Police Sector Council and encourages support of their work.

Municipal officers secondment to Integrated Witness Protection Section. Looking for another candidate but no applications have been received. Discussion of challenges to provide more seconded bodies, funding, etc.

B. BC Missing Person's Centre – Request for Secondment – C/Supt. Dick Bent

Dick Bent not present, defer.

C. Police Protocol Guidelines for Third Party Reporting - D/C/Cst. Mike Chadwick

D/C/Cst. Mike Chadwick gave an update, asked that the guidelines be taken back and ensure they're in each municipal department's policies. D/C/Cst. Chadwick will follow up with an email to everyone (VPD has already complied) requesting their policies that reflect these guidelines.

BCAMCP

B. C. ASSOCIATION OF MUNICIPAL CHIEFS OF POLICE

Fairmont Hot Springs Resort
Tuesday, September 16, 2008 @ 9:30 am

CLOSED MINUTES

Present:

C/Cst. Bob Rich - Chair	Abbotsford PD
D/C/Officer Jim Purney	CFSEU-BC
D/C/Cst. Clayton Pecknold	Central Saanich PD
C/Officer Ward Clapham	GVTAPS
Kevin Begg, ADM-Director	Ministry of Public Safety & Sol Gen - PSD
Sandra Sajko Executive Director	Police Services Division
C/Cst. Lorne Zapotichny	New Westminster PS
D/C/Cst. Chris Rattenbury	Port Moody PD
D/C/Cst. Mike Chadwick	Saanich PD
D/C/Cst. Doug LePard	Vancouver PD
Interim D/C/Cst. John Ducker	Victoria PD
C/Cst. Kash Heed (via teleconference)	West Vancouver PD
Insp. Sheila Sullivan (via teleconference)	West Vancouver PD

Minutes taken by D/C/Cst. Doug LePard.

Closed Meeting called to order at 9:30 am

Provincial Organized Crime Initiatives

Discussion on the new proposed organization for new organized crime overall agency. C/Cst. Rich raised the concerns about who will be making the decisions and that the Board have the right amount of power.

BC Gov't Consult

ADM-Director Kevin Begg advised there's no perfect structure, it will depend on the people on the Board. PSD will participate in the Board by monitoring the Board, ADM-Director Begg attends the meetings, and wants to ensure the independent departments have a say in how things are run. Board will meet regularly. Over time the Board meetings decreased in frequency at CFSEU.

Regarding a Chief Officer, there will still need to be one. OCA will remain an organization that can be hired to and for other reasons (pension, etc). There is an exemption to the Budget Transparency Act. All options are open for Chief, i.e., new hire or secondment from RCMP or a municipal department. Funding will flow through the provincial policing budget.

BCAMCP Closed Meeting Minutes
September 16, 2008
Fairmont Hot Springs Resort

Cup done ✓

[Handwritten signature]

D/C/Cst. Pecknold raised the issue of the irritants created by funding flowing through PPSA, gave example of IRSU, e.g., that when it flows through the PPSA that it will be bound in RCMP policies. ADM-Director Begg responded that issue of RCMP policies is front and centre regarding the negotiations on the provincial contract. Discussed recommendations of the Brown Report. PSD will be hammering these things out with the Federal government, noted the delay in moving with provincial initiatives because of federal policies. Strong commitment from federal government to work with the Province on these issues. But they have strong policies, significant legal opinion behind them to mitigate liability.

S.16

C/Cst. Rich raised the issue of what are the fundamental issues the municipal chiefs want to bring to the table as concerns regarding making the new organization work, that we should put a lot of effort into the issue. D/C/Cst. Pecknold agreed we should put the issues on the table early when designing governance so that we're not fighting about them down the road. Agreed we need to have an open debate because of the significant degree of power the C/O of E Division will have, so what power will the Board have: hiring/firing the Chief Officer? So, should the BCAMCP get together prior to Oct 10 to iron out positions.

ADM-Director Begg advised the purpose of the meeting should be to establish the terms of reference for the Board.

Discussion of the staffing of CFSEU and staffing issues related to new organization, problems with management structures historically, the rationale for the current hiring structure in OCA which allows us to keep pensionable members in policing.

C/Cst. Rich proposed that interested parties from the BCAMCP Chiefs meet prior to Oct 10 to identify those issues that need to be on the table, that it's a big deal to get this right. C/Cst. Heed asked if we could see the proposed org chart. ADM-Director Begg said it will be available on Oct 10. C/Cst. Rich will contact Michael Thompson to get that.

Appointment of Police Complaint Commissioner

C/Cst. Rich raised the issue of the reappointment of the OPCC and that this group supports such a re-appointment. ADM-Director Begg advised the *Police Act* doesn't allow it, but that the other Officers of the Legislature have had their legislation changed to allow reappointment. An item in the RFL that has gone forward included a change in that part of the *Act*. Delays in drafting legislation (which AG will not

allow to be contracted out). Drafting has been slow, as has consultation process. Now there will be no fall sitting, so the legislation will be tabled in the spring and this legislation will be on it. Current appointment expires February 12, 2009 and new legislation won't be tabled until February 20. Committee of Legislature may make some interim decision. It's an all party committee so difficult to get consensus. C/Cst. Rich advised that the police community understands the current PCC's interest in seeing the new legislation come to life and supports him being able to see that through.

Meeting adjourned 10:20 am.

4.

NEW BUSINESS

BC Gov't Consult

A. Monthly Report – Ministry of Public Safety and Solicitor General and Police Services Division – ADM-Director Begg

Sandra Sajko gave an update as ADM-Director Kevin Begg was absent.

- 1) Court scheduling during the Olympics. PSD has been asked by the judiciary to wait to make an announcement as they want the message to be consistent.
- 2) Review of police training at the JIBC. Holding off until Issues are identified regarding curriculum and the direction the Province wants to take. Being reviewed by the Police Training Governance Steering Committee. They are asking for representation from the BCAMCP on the JIBC Board of Governance. ADM-Director Begg wants to meet with the Chiefs before meeting with the larger group. One hour will be scheduled at the November 18 BCAMCP meeting for this item.
- 3) Proposed amendments to Police Act. Sandra thanked everyone for the positive feedback. Further discussions are pending with the BCAPB and Tom Stamitakis for BC Federation of Police Officers. Proposed changes have been well received. Will keep BCAMCP up-to-date.
- 4) Audio/Visual Recording Equipment – Standardizing policy in police buildings. Proposed standards will be brought to November 18 meeting. Issue regarding retention period for keeping these videos. Sandra will respond.
- 5) 2007 Crime Data data was released in August and is on the PSD website.
- 6) Regional Profile Publications – Check out website.
- 7) Use of Force Reporting – Data has been collected from almost all departments, just waiting for Victoria. D/C/Cst. Ducker advised he will take care of this.
- 8) PRIME continuing to improve. CAD for Olympics to be staged in a few weeks.
- 9) C/Cst. Rich asked about timing for Part 9 of the Police Act. Sandra advised that the Minister is hoping to have it on the Spring Legislature Session. The Minister's intention is to stay as close as possible to Joe Wood's report. C/Cst. Rich mentioned the one concern that the process for initiating a complaint must be carefully drafted so that we don't have to investigate an increase in frivolous complaints.

B. Nominating a Municipal PD Representative to sit on the RCMP Regional Learning Investment Management Board – C/Cst. Rich

MOTION: That Axel Hovbrender be the BCAMCP representative.

Moved: C/Cst. Maluta **Seconded:** C/Cst. Hames

CARRIED

Axel feels there is no conflict of interest and would be acting as an observer only.

D/C/Cst. Jones asked about requirement for PD's to upgrade their technology and concerns regarding whether the justice system will be up to same standard. C/Cst. Egan commented on acquiring the ability to convert various types of software for use by other users and courts.

S/Sgt. Darrell McLean raised concerns regarding maintenance of equipment, storage, monitoring policy, under what circumstances can you monitor activity in cellblock, funding for updates, modifications and upgrades as required.

Insp. Sullivan suggested a phased-in implementation and expects their department will require an additional IT person and equipment.

A/C/Cst. Naughton suggested that the life of the equipment would be 2-3 years before an upgrade is required and suggested that risk analysis be done on situations to determine what needs to be video-taped as there may be a need to vet part of video for civil suit purposes.

ADM-Director Begg advised that these areas of the policy will be reviewed to mitigate burden on departments. This will be brought back at the February BCAMCP meeting. Tanya advised that most departments are already very close to compliance and that it may be possible to implement the Regulations in phases to mitigate the overall cost, which PSD is sensitive to also.

LUNCH – 12:05

Re-convened – 12:25

5. NEW BUSINESS

A. Monthly Report – Ministry of Public Safety and Solicitor General and Police Services Division – ADM-Director Kevin Begg

BC Gov't Consult

ADM-Director Begg advised that PSD is moving forward on the final consultation draft of the *Police Act* changes. He anticipates meeting during the second week of December and PD's have been contacted to set this up. The discussion will include issues around Part 9 options raised by Dirk Ryneveld.

B. Two Provincial Positions – Integrated Sexual Predator Observation Team

No one is able to provide members for these secondment vacancies.

C. CACP Membership – C/Cst. Rich

S.13

S.13

AMENDED MOTION: That the BCAMCP bring this Item forward to BCACP for discussion to determine if it's appropriate for the CACP to continue with this form of fundraising.

Motion was then CARRIED.

**D. Invitation to Chiefs re: Proposed Amendments to Police Act
– ADM-Director Begg**

BC Gov't Consult

ADM-Director Begg asked for participants for a committee to review the proposed changes. C/Cst. Rich, D/C/Cst. Pecknold, C/Cst. Zapotichny and Insp. Sullivan will participate.

E. Criminal Charges Against Police Officers – FOI – C/Cst. Rich

Does BCAMCP want a unified response, or individual responses from each department? C/Cst. Naughton will provide the coordinating role amongst the FOI Coordinators to provide a unified response.

F. Police Salary – FOI Appeal – C/Cst. Rich

C/Cst. Naughton will coordinate a response for this request also. The Information and Privacy Commissioner will likely to be unsympathetic to Departments' refusal to comply. It is suggested that a single representative provided a unified response from BCAMCP with a written submission to be provided. C/Cst. Rich believes it is important that our members know that the BCAMCP did all they could to refuse to provide this information.

MOTION: That the BCAMCP will hire a lawyer to provide a submission on their behalf which will be coordinated by A/C/Cst. Naughton of the Victoria PD.

Moved: C/Cst. Rich **Second:** C/Cst. Cessford

CARRIED

B. C. ASSOCIATION OF MUNICIPAL CHIEFS OF POLICE

Victoria Marriott Inner Harbour Hotel

Tuesday, November 18, 2008 @ 9:30 am

CLOSED MINUTES

1. **ADDITIONS TO AGENDA**

2. **ADOPTION OF MINUTES**

Motion: That the Closed minutes of the BC Association of Municipal Chiefs of Police Meeting of October 15, 2008 be adopted as circulated.

Moved: C/Cst. Zapotichny Second: D/C/Cst. Chadwick CARRIED

3. **OLD BUSINESS**

- A. **Police Officer Recruitment Fund Initiative – Update – C/Cst. Rich**
Nothing to update at this time.

4. **NEW BUSINESS**

S.16

- BC Gov't Consult
B. **Media Comments about the West Vancouver Police Act Investigation**
ADM-Director Kevin Begg has met with lawyers and is working on legislation on Part 9 amendments for the Spring session. He commented that the media were the ones that put 22(1) name in the papers.

C/Cst. Rich commented on the pressure the media stories put on the external DA approach.

This portion of the meeting was adjourned at 10:10 am.

3.

OLD BUSINESS

BC Gov't Consult

A. Proposed Amendments to Police Act – ADM-Director Begg

ADM-Director Begg advised that two meetings are scheduled - December 12 to review Policing Standards and Enforcement and December 17 to review the Complaint Process.

Insp. Sheila Sullivan, C/Cst. Lorne Zapotichny, D/C/Cst. Clayton Pecknold and C/Cst. Bob Rich will form the committee to review the Complaint Process. The BCAMCP have agreed with the Wood recommendations. The committee's mandate is to provide input to ensure that is what is implemented and not beyond.

C/Cst. Cessford commented on the recently published OPCC Annual Report. He took exception to a comment made by PCC Dirk Ryneveld that police do not support oversight, which in fact police do support it. C/Cst. Cessford wrote a letter to Ryneveld expressing his concerns in this regard.

ADM-Director Begg advised that candidates are currently being interviewed for the position of Police Complaint Commissioner.

B. CACP Membership

C/Cst. Rich advised that A/Commr. Peter German, the RCMP representative for the CACP, will raise it with the CACP. Peter Cuthbert, President of the CACP raised it with D/C/Cst. Mike Chadwick and further discussion will be brought forward at the BCACP meeting in February. Steven Chabot of the CACP wants the support of the BCACP.

C/Supt. Fraser McRae affirmed that the RCMP are also uncomfortable with this type of fundraising.

4.

NEW BUSINESS

A. Monthly Report – Ministry of Public Safety and Solicitor General and Police Services Division

ADM-Director Begg had no updates.

BC Gov't Consult

C/Cst. Lorne Zapotichny commented on the fundraiser for the JIBC Foundation which was held on December 3. ADM-Director Begg commented that some salaries at the JIBC are paid from Provincial Advanced Education funds. Sheriffs, Paramedics, Fire, Police and Corrections Academies, are paid through grants to the JIBC. PSD, Ministry of Health, Education Ministries pay these grants. Revenue is also raised from tuitions.

PRTC in Chilliwack is federally owned and the JIBC pays fees to hold certain courses there.

B. Consultations to Prepare for Witness Protection Roundtable

C/Cst. Rich advised that Insp. Rob Rothwell of VPD is representing the BCAMCP at the meeting which is being held today.

C. BCAMCP Training Sub-Committee

Police Training Governance Steering Committee

The following is the final structure of the steering committee:-

- ADM-Director Begg – Chair
- Director of the JIBC Police Academy – non-voting
(BCAMCP want to add a JIBC Board Member/Police Representative – non-voting)
- OIC Pacific Region Training Centre (PRTC) – non-voting
- Chief or Deputy Chief of Vancouver PD – voting *(BCAMCP recommend D/C/Cst. Bob Rolls or Insp. Steve Schnitzer)*
- Four Chiefs or Deputy Chiefs:- voting
BCAMCP recommend:-
 - C/Cst. Jamie Graham (or designate) – Victoria PD*
 - C/Cst. Ron Gaudet – Oak Bay PD*
 - Supt. Rich Drinovz – Delta PD*
 - C/Officer Ward Clapham – South Coast Transportation Authority PS*
- BC Police Association Representative – voting
C/Cst. Rich to contact Tom Stamitakis, President of Vancouver Police Union, to ask him to designate a representative.

D. Amanda, Savanna, Rowen and Serena: From Loss to Learning

BC Gov't Consult

Report recommends that the Ministry of Public Safety and Solicitor General, Police Services Division provide training, consultation and investigation assistance to police.

ADM-Director Begg commented that there are often unique details for these types of incidents that police may not be always aware of which may cause gaps in investigations. There is concern that children may die without a proper investigation. The report recommends that a structure be established to conduct a special investigation on those deaths. ADM-Director Begg not sure if this is a reality that deaths by violence are actually missed. In these particular cases, details were overlooked as suspicious circumstances were not recognized in the first instance.

C/Cst. Cessford recommended that the BCAMCP invite Mary Ellen Turpel-Lafond to attend a BCACP meeting. ADM-Director Begg will bring her as a guest for his portion of the BCACP agenda at February's meeting.

E. Update on RCMP Testing of X-26 Tasers

Taser Model X-26 was identified in the CBC story.

C/Cst. Rich commented that testing must be carefully conducted. ADM-Director Begg commented that Tasers manufactured prior to January 1, 2006 should be pulled from use and tested. Regular calibration should also be conducted on all Tasers.

D/C/Cst. Pecknold commented that it's important that we protect the right for PDs to use Tasers and testing protocols need to be implemented.

C/Cst. Cessford commented that CPRC conducted a review but it was put on hold during the controversy.

C/Cst. Zapotichny commented on a Taser presentation at the recent IACP Conference. There is some concern about it changing chemical levels in humans that have been tasered, i.e. potassium levels. Medical people were present at the session.

C/Cst. Rich inquired if it was prudent to move to provincial testing? ADM-Director Begg commented on the need meet manufacturers specifications. C/Cst. Zapotichny would like to see appropriate terms of use for police. They want direction as this situation has created so much uncertainty. The sooner this is resolved the better.

C/Cst. Rich wants a consensus from the Chiefs that all Departments will pull X-26 Tasers units produced prior to January 1, 2006 and arrange for testing.

C/Supt. Fraser McRae advised that the RCMP conducts ongoing testing to ensure that Tasers are operating correctly.

ADM-Director Begg added that all Provinces and Territories are awaiting results from the National Research Council for direction of what the rest of Canada will do. Police need to demonstrate to the public that Tasers are being used properly.

D/C/Cst. Pecknold would like to have protocols in order to prevent having to remove devices from use.

C/Cst. Rich will contact S.22(1) to advise that the BCAMCP is working with the Province to ensure the devices are being used within the guidelines.

ADM-Director Begg advised that a Press Release will be issued instructing police to pull all X-26 Tasers produced prior to Jan 1, 2006 for testing. All other Tasers will be tested once the X-26 testing is completed. PSD will provide information on who will conduct the testing and re-calibration so that there is consistency.

C/Cst. Rich will be the BCAMCP contact for the media and Chiefs may refer calls to him if they wish.

C/Cst. Cessford advised that Delta will be doing some Press Releases this week advising the public that they are working hard on catching criminals which has resulted in 100 or so charges. D/C/Cst. Beaudoin commented on the IGTF-JMT meeting yesterday that went very well. D/C/Cst. Lucy commented that IGTF will be presenting some focused plans in January. ADM-Director Begg commented that the Province funds some of these investigations.

ADM-Director Begg commented on PORF funds being available for about 3 years and that they are still reviewing what projects to fund. Some projects are also funded by the Federal Treasury Board. PSD oversees policy and discussion continued regarding policy initiatives and looking at a different structure.

C/Cst. Rich commented that the Gang problem and growth should be the most important issue at this time. PSD needs to meet with the RCMP to determine how the positions will be filled.

C/Cst. Rich commented on the success of the APD Drug Squad in relation to gang activities.

S.15(1)

Closed meeting adjourned at 10:00 am.

The Police Training Governance Steering Committee (PTGSC)

~ Defining Scope & Membership

Police Services Division
Standards & Evaluation

The Review Of Police Training At The JI Police Academy

- The review components:
 1. Identification of the major issues
 2. Assessment of curriculum
 3. Recommended strategies for enhancing police learning in future

BC Gov't consult

Why is the PTGSC Important ?

“What new officers learn from the Police Academy curriculum serves as the foundation for effective change in policing.”

- Dr. Michael Birzer (1999)

Curriculum / Learning Context

- Content
- Teachers
- Students
- Milieu (Environment)

BC Gov't consult

Future Direction : Making learning a priority

- **Mission – Vision – Values**
- **Provincial Learning Strategy**

Future Direction

■ Police training and education must be:

- Defensible
- Accessible
- Effective

PROVINCIAL LEARNING STRATEGY

Steering Committee: Structure

- BCAMCP Training Sub-Committee Chair
- Police Representative from the JIBC Board of Governors
- Director of the JIBC Police Academy
- OIC Pacific Region Training Centre (PRTC)
- BCACP Training Committee Representative
- Chief or Deputy Chief Vancouver Police Department
- Four additional Chiefs or Deputy Chiefs, including:
 - Two from Vancouver Island & two from Lower Mainland or Nelson

See find 7
on Page 9

Steering Committee: Structure

- Kevin = Chair
- BCAMCP Training Sub-Committee Chair - delete
- Police Representative from the JIBC Board of Governors – delete or invite as needed (or even after the fact as non-voting member)
- Director of the JIBC Police Academy – non-voting
- OIC Pacific Region Training Centre (PRTC) – non-voting
- BCACP Training Committee Representative - delete
- Chief or Deputy Chief Vancouver Police Department - voting
- Four additional Chiefs or Deputy Chiefs, including:
 - Two from Vancouver Island & two from Lower Mainland or Nelson
- BC Police Association Rep - voting

See final 8
on page 9

Steering Committee: Final Structure

2008 11 18 BCAMCP

- Kevin / Chair
- Director of the JIBC Police Academy – non-voting
- OIC Pacific Region Training Centre (PRTC) – non-voting
- Chief or Deputy Chief Vancouver Police Department - voting
- Four additional Chiefs or Deputy Chiefs, including:
 - Two from Vancouver Island & two from Lower Mainland or Nelson
- BC Police Association Rep - voting

PSD Contact

Jane Naydiuk

250.356.6550

Jane.Naydiuk@gov.bc.ca

BC Gov't consult

4.

NEW BUSINESS.**A. Monthly Report – Ministry of Public Safety and Solicitor General and Police Services Division.**

Mr. Begg gave an update on the Taser Testing. He advised that the testing will be done ASAP and in a manner that is comprehensive and will stand up to public scrutiny. He explained that independent testing protocol will be finalized in mid January. Mr. Begg gave an overview of a step by step testing protocol for tasers. C/Supt. Bent explained that he has had some discussions about a device that will measure the status of tasers that will eliminate having to send tasers out for testing. Mr. Begg advised that the testing will commence at the end of January and there should be a two week turn around time. A lengthy discussion ensued in relation to guidelines, common testing protocol, time lines and costing.

C/Cst. Chu requested an update on PORF (Police Officers Recruitment Fund). Mr. Begg advised that the one time funds (\$52,000,000.00) are to be used to expand the resources to fight organized crime. He gave a brief explanation on the use of the funds and how the units would be operated

Mr. Begg spoke briefly on an information item. He indicated that there has been a move by the government to try and consolidate or integrate all the areas of the ministry to deal with violence against women and children. An inter-ministry meeting was held which brought in various agencies that deal with victims and they have now established a deputy ministers lead on this and are creating a steering committee at that level. The idea is to take immediate action against violence against women and develop strategic responses. He gave an overview of the committee's mandate.

C. Police Academy Update – Axel Hovbrender.

Mr. Hovbrender gave an overview of what is happening at the Police Academy. He spoke on the following programs:

- Recruit enrolment
- Training during the 2010 Olympics
- Driver Training
- PRIME Training
- Web Casting
- Aboriginal Recruit Training Video

- Fund Raising
- Assessment Centre
- Advanced Training
- Victoria Campus
- Ontario Police College – Ontario Police Management Course
- Research Initiatives

D. Criminal Justice Portal – Mark Tatchell

Mr. Tatchell gave a brief overview of the Criminal Justice Portal. He advised that this initiative is being modeled after the UK's version and it is hoped that the Portal will provide a gateway for citizens to future electronic justice services. Mr. Tatchell asked for support for the project from the Municipal Chiefs.

C/Cst. Graham indicated that this is an excellent initiative and he will work on behalf of the BCAMCP.

E. CACP Taser Summit – C/Cst. Parker

A lengthy discussion took place in relation to the upcoming CACP Taser Summit and the need for a BCAMCP representative to attend with S.15(1). It was agreed that a representative would attend. This issue will be tabled and C/Cst. Parker will get back to the group with a rep.

F. BCAMCP Financial Year End Report.

C/Cst. Hames provided the group with the year end BCAMCP Financial Statement and requested that it be adopted. He advised that the invoices for 2009 have been sent out and there has been no increase in dues.

MOTION: By C/Cst. Derek Egan, seconded by C/ Cst. Jim Cessford that the BC Association of Municipal Chiefs Financial Statement year end statement be adopted. CARRIED

S.13

Motion WITHDRAWN.

B. Statements by Commissioner Regarding TASER Use

Discussion ensued about the recent comments made by RCMP Commissioner William Elliott regarding TASER use. Commissioner Elliott called several Chiefs in order to clarify his statement to the media. The consensus was that things will remain status quo; however some departments are initiating proactive AED training for their members. ADM-Director Begg advised that it is possible that policies relating to training standards and use of force thresholds may eventually end up being the same across the nation.

BC Gov't Consult

Page 2

The mandate of the MOU includes:

- [REDACTED] S.15(1) [REDACTED]
- Training of operators and investigators
- [REDACTED] S.15(1) [REDACTED]
- 60 day reports forward to the Operations Committee for review
- System in place regarding suspensions, removal and conduct
- Approval of operational plans to ensure they meet standards
- Duties of the NCO; every dept should have a liaison officer who will attend a bi-annual meeting
- Collection of reporting operator assessments
- Forward LOA to the requesting department when a formal request for a member is made
- Psychological services

A/Commr. Al McIntyre advised that he would research the accreditation differences between the RCMP training versus municipal as the RCMP do not currently recognize the municipal training.

Contact info: [REDACTED]

4.

OLD BUSINESS

A. Privacy Complaint ([REDACTED] S.22(1) Appeal)
- Update from D/C/Cst. Naughton

D/C/Cst. Naughton advised via email that although he is not optimistic that it will be successful, the argument is still being formulated to put forth to the commissioner that the names of members who make over \$75,000/year should not be released. C/Cst. Graham advised that he has spoken to the lawyer that is representing the BCACP and the lawyer is clear on the importance of this issue.

B. Audio Visual Recording Standards
- Update from ADM-Director Begg

BC Gov't Consult

Based on the findings from site visits and discussions with the working group, the proposed regulations have been finalized. It is anticipated that it could be approved by cabinet by the Fall of 2009. These new standards will help ensure the standardized application of the technology throughout the Province, increase accountability and public confidence.

It has been recognized that this will create a financial burden therefore a scaled implementation has been endorsed by the Minister.

A three year phase-in will allow for complete compliance regarding video surveillance:

- Fall 2010: prisoner booking and release areas, external interview rooms
- Fall 2011: cell block (cells, hallways, drunk tanks, elevators, holding/observation/interview rooms)
- Fall 2012: fingerprint rooms (for prisoners), BTA rooms

There are 4 exceptions where recording is not required:

- during solicitor/client meetings
- confidential source interviews with other police members
- interviews with other police members
- victim or witness may choose not to be recorded if they sign a request

Based upon the Information & Privacy requirement, the data will be held for one year, however clarification is required regarding when the year mark starts. ADM-Director Begg will seek to clarify this issue and will report back.

5.

NEW BUSINESS

- A. **Monthly Report – Ministry of Public Safety and Solicitor General and Police Services Division**
- Update from ADM-Director Begg

TASER Testing

The province sent over 200 pre-2006 TASERs (129 were the M26 model and 82 were the X26 model) from the municipal departments, Sheriffs and Corrections to MPD technologies in Ottawa for electrical output testing and to determine whether the weapons were performing to the manufacturer's specifications.

They were recently returned to the JIBC and can now be collected. Final results will be available in the next two weeks but they cannot be put back into service until the report concludes they have met the specifications. Work will continue on the issue of regular calibration testing and updates will be provided. He advised that anecdotally, he does not anticipate a media issue surrounding this given the test results.

Domestic Violence E-Learning Project

Work is being done towards creating a standardized course; the project is moving along well and cooperation has been good on all fronts. Extensive background work was done and it was recommended that the introductory course on domestic violence also be made mandatory. It will ensure that all officers meet the standard required for these types of investigations. Officers have two years to complete the two courses (Threat Assessment & Risk Management and Domestic Violence) and there are 5 hours of study time. Pilot and launch will be June of 2009; completion due in 2011. The course is free and on-line.

**B. Proposed Amendments to Police Act
- Update from ADM-Director Begg**

ADM-Director Begg thanked the working group for their dedication and feedback into the final draft of the changes to the Police Act based on the Wood Report. A proclamation date will be set if it gets through and passed by the Legislative.

The contemporaneous oversight issue is being looked into with respect to having a software system to allow monitoring of files. He attended a presentation by Versaterm regarding the use of PRIME and the possibility of setting up a separate server at the OPCC office once the new version is available. A presentation regarding this will be made at the meeting in April.

**C. Top Secret Security Clearances for Integrated Units
- A/Commr. McIntyre**

A Municipal member made Tom Stamatakis aware of the fact they were being asked by the RCMP to undergo an on-line secret security clearance process. A direction was issued by Mr. Stamatakis to the OIC of the Gang Task Force that the members he represented would not be securing this clearance as there is no need for it since they have already been cleared in their departments. A/Commr. McIntyre advised that they needed to validate the clearance because they are bound under national security regulations. He also noted that this requirement is outlined in the MOU's.

Everyone is still working on their projects at this point and things are being risk managed. D/C/Cst. LePard will review the correspondence from Mr. Stamatakis.

**D. Proposal for a meeting between BC Chiefs and Alberta Chiefs
- D/C/Cst. Pecknold**

He would like to propose a meeting where BC and Alberta chiefs meet to discuss common issues. Mike Voight is the chair for Alberta and is supportive thus far. It will be discussed further tomorrow at the BCACP meeting.

E. BCAPB Meeting – C/Cst. Rich

For information: The BCAPB conference is being held this weekend in Vancouver. There will be a joint session between the Chiefs and Police Boards where amendments to *Police Act* in reference to regulatory power will be discussed. C/Cst. Rich suggested that the governance of organized crime integrated teams also be added to the agenda.

4.

OLD BUSINESS

- A. **Privacy Complaint** (S.22(1) Appeal)
No update available

- B. **Audio-Visual Recording Standards – Update – ADM-Director Begg**

Following up on a question about why PDS is recommending a 1 year retention period for video surveillance.

The basis for our recommendation that departments keep video surveillance recordings for one year comes from relevant case law and from B.C.'s Freedom of Information Legislation.

Section 31 of *Freedom of Information and Protection of Privacy Act* (FOIPPA) says that public bodies must ensure that personal information, if used in a decision that affects someone, is to be retained for at least 1 year after being used so that the affected individual has a reasonable opportunity to obtain access to that personal information.

In a presentation to the AVR working group last year, the Executive Director of the Office of the Information and Privacy Commissioner stated that surveillance video should be retained for 1 year. Our recommendation is consistent with this view.

5.

NEW BUSINESS

- A. **Monthly Report – Ministry of Public Safety and Solicitor General and Police Services Division – ADM-Director Begg**

Taser Testing

ADM-Director Begg gave a brief update on the Taser testing. We are still waiting for the report from the testing facility. By now you all should have taken back into your possession the Tasers that were tested. Please remember that the weapons should not be put back into services until we have received the final test reports (assuming of course that the reports confirm that the weapons are performing within specifications).

Legislative update – Smoking in Vehicles with Children present

ADM-Director Begg gave a brief legislative update regarding smoking in vehicles with children present. It is expected that this week government will issue a news release about bringing into force amendments to the *Motor Vehicle Act* that make it an offence to smoke when a child under the age of 16 is present. The fine will be \$109.

Police Pursuits

ADM-Director Begg spoke about police pursuits. The Police Services Division set up a Pursuit Working Group last year. The purpose of the working group was to discuss Pursuit Policy with a view to create a minimum standard which could be applied to enhance Provincial Guidelines for Pursuits.

Although some police agencies have recently tightened their pursuit policies, there is a disparity between departments on some key issues regarding police pursuits.

The Pursuit Working Group met a number of times in the Fall and Winter of 2008. Agreement in principle was reached that pursuits should only be initiated for:

- o Situations where the driver or passenger has committed, or is about to commit, an indictable (dual procedure) offence and immediate apprehension is required to prevent imminent harm to a person;
- o And that possession of stolen vehicles, *Motor Vehicle Act* offences and municipal by-law offences do not in themselves constitute offences that pose an imminent harm to the public and therefore do not justify pursuits.

A number of issues associated with pursuits were also discussed, and require further consideration by the Working Group, such as Pursuit Tactics (for example Ramming) and Inter-Jurisdictional Pursuits.

S.13

Therefore the Solicitor General will be sending a letter to all of you requesting that, in the interim, all police agencies whose current pursuit policies do not meet these minimum threshold/standards, amend their policies accordingly.

Some agencies have recently amended their pursuit policies to incorporate the above limitations, while other agencies currently have even more restrictive pursuit policies. For those agencies, no further amendments are necessary.

A/Comm. Macintyre advised that the RCMP pursuit policy meets or exceeds standards across Canada.

Use of Force Reporting

Joel Johnston, on behalf of the Province, has been working toward developing standardized, computerized, incident-based Use of Force reporting, known as Subject Behaviour-Officer Response (SBOR).

The Final Template has been agreed to by Use of Force experts around the Province. The RCMP will be collecting the same type of data and are currently running a Pilot Program for their SBOR System.

Joel has created a Working Group which will develop a detailed training package for SBOR. After the training has been created, a Pilot Project will be implemented, prior to full roll out of SBOR.

The Province has given the go ahead to proceed with this project at this time.

ADM-Director Begg will ask Joel to give a more detailed update on the SBOR at an upcoming meeting of this group.

Please note that PSD staff will continue to request aggregate Use of Force data from each department until SBOR is fully implemented. After that time, PSD will require access to the SBOR data.

ACTION: Joel Johnston to attend future meeting.

Comprehensive Plan to Tackle Gang Crime

ADM-Director Begg provided an update about the Government's plan to address gang crime. You may be aware of the Premier's announcement of a seven-point plan to tackle gang crime.

This involves:

- o More police officers and prosecutors;
- o More jails and secure courts;
- o Tougher laws;
- o A crackdown on illegal guns;
- o Outlawing armoured vehicles and body armour; and
- o A new gang hotline and rewards program.

We have developed an action plan to support this initiative and have already begun to take steps including:

- o Meeting with the Chief Firearms Officer; and
- o Having preliminary discussions with senior police officers on how we can restructure the governance of the organized crime units to be under a single authority.

Contemporaneous Oversight - Police Complaint Review

As you know, Mr. Josiah Wood's report on the review of the police complaint process in B.C. identified a need for contemporaneous oversight of police complaint investigations by the Office of the Police Complaints Commissioner (OPCC).

The IPDMA system, a single agency complaint tracking application currently used by Saanich, New Westminster and GVTAPS, was reviewed for contemporaneous oversight but was not considered a suitable solution.

PRIME was also considered, as it is rolled-out province wide and is an enterprise solution built on an enterprise platform. We entered into discussions with Versaterm to explore the potential of using PRIME in this capacity. One of their representatives met with the Office of the Police Complaints Commissioner to determine their needs and, further, to review the complaint processes already in place by the Vancouver Police Department.

At the conclusion of their review, a presentation was provided by Versaterm to both PSD and the OPCC and we are of the opinion that PRIME meets the majority of the requirements for contemporaneous oversight. The functionality that will be included with 7.1 will enhance that capacity.

As a follow-up to the presentation, I have asked for a detailed breakdown of infrastructure, training and support requirements and costs from Versaterm. Once that information is obtained, I will arrange a meeting of all stakeholders to review Versaterm's proposal and the associated costs.

Road Safety Helicopter

ADM-Director Begg advised that B.C. has acquired a second traffic safety helicopter (Air Two) to expand its multi-jurisdictional surveillance and provide enhanced tactical support to traffic enforcement and auto crime units in the Lower Mainland.

Air Two was delivered to "E" Division Air Services in January and on February 28 at a media event in Richmond, the Solicitor General formally announced the acquisition of the helicopter to the public. Like Air 1, the new helicopter is a Eurocopter EC-120B Colibri equipped with specialized technology, including high-power lights and infra-red cameras for tracking suspects at night. As you know, our first traffic safety helicopter, a.k.a 'Air One' became operational in early 2006.

Based on the early successes of Air One, in December 2007 the Province in partnership with ICBC approved funds to purchase a second traffic safety helicopter for the Enhanced Traffic Enforcement program. The primary mandate of the traffic safety helicopter program is to support enhanced traffic units and operations targeting vehicle pursuits, organized street racing, stolen vehicles, and aggressive and impaired drivers.

The second Eurocopter EC-120B Colibri, will serve municipal police departments and the RCMP jurisdictions in the Lower Mainland. Scheduling for Air One and Air Two is coordinated by RCMP Air Services with a view to equitable sharing between Lower Mainland police/municipal jurisdictions. The helicopter has been detailed with the police crests of the RCMP and Independent Municipal departments.

Intersection Safety Camera (ISC) Upgrade and Expansion

The current Intersection Safety Camera program is a cost effective and successful enforcement tool that has proven to reduce the carnage at intersections. The old system is in the process of being replaced with digital technology. The updated and expanded program should yield better results than the old 'wet film' system produced.

The new camera technology is currently in proof of performance phase, and as part of the program upgrade PSD wants to ensure it gets police input on site selection criteria. Ken Davies; a member of the upgrade team, will be the point of contact for the consultation process as PSD begins to collect feedback on site selection. A letter formally introducing Ken Davies and asking each Department to identify a staff contact will be sent shortly.

Real Time Identification

C/Cst. Egan asked about this and commented that he's already being billed, but heard that there was a one year set-off for this project. A/Comm. Macintyre will follow-up and advise.

PRIME

ADM-Director Begg advised that the PRIME Levy may need to be increased. He is waiting for an update from the Finance Committee which is still in dialogue with Ottawa. The target is for the change to be included in the 2010 Budget.

Davies Report

Tabled in Cabinet – Will be released on March 12.

David Morhart

The Director of Police Services position has been moved to David Morhart, but ADM-Director Begg's job does not change. David Morhart, as Chair of the Justice Development Commission, has significant powers and is to work as a broker between the Justice section, policing, Crown, Courts, Corrections, i.e. someone who can work with those areas to streamline them and create efficiencies. Although the Justice Administration Act is legally binding, David will be working with Crown to identify legislative issues. He will be meeting with the BCAMCP in the future to discuss the capacity of Crown, bail and other issues.

B. Proposed Amendments to Police Act – Update – ADM-Director Begg

On Wednesday, March 4, legislation to revise the police complaint process was introduced. Key people have worked hard on this project for two years and I would like thank the working group who spent many hours providing us with their expertise and feedback:

- o C/Cst. Lorne Zapotichny
- o C/Cst. Bob Rich
- o D/C/Cst. Clayton Pecknold
- o Insp. Sheila Sullivan

Two separate pieces of legislation were introduced on Wednesday.

Bill 6 has the title "Police (Misconduct, Complaints, Investigations, Discipline and Proceedings) Amendment Act" and supports the recommendations made by Joe Wood.

The second piece of legislation, Bill 7, is titled "Police (Police Complaint Commissioner) Amendment Act" and changes the terms of the PCC. These amendments bring the appointment of the PCC into line with other officer of the legislature. Although the PCC's term is reduced from six to five years, the amendments allow for a second five-year appointment. Currently Stan Lowe will serve six years under his existing appointment with possible reappointment for a further four years.

C. PD Undercover Courses – A/Comm. Macintyre

Discussion regarding the comparison between RCMP and Municipal Training. Copies of an email from A/Comm. Macintyre were provided which will be filed with the minutes.

D. Volunteer Record Check Fees – C/Cst. Cessford

Various responses to C/Cst. Cessford's inquiry revealed that most Municipal Departments charge a reduced fee for Volunteer Record Checks, with some waiving the fee. Some waive the fee on a case by case basis, depending on the type of organization and whether the service they provide have a relationship to policing.

E. Metro Mayor's Meeting – April 4 – C/Cst. Cessford

C/Cst. Cessford advised that LMLD jurisdiction Mayors and Chiefs are invited to a meeting at the JIBC Police Academy on April 4 from 9:00 am – 3:00 pm.

2) Municipal UCO Team – Funding – ADM-Director Begg

ADM-Director Begg will be looking at the budget next week and will report back at the next meeting.

5.

NEW BUSINESS

**A. Monthly Report – Ministry of Public Safety and Solicitor General
- ADM-Director Begg**

Government dropped writ

MLA's cease to be MLA's as of yesterday (April 14 – 30 days before election). Ministers are now only permitted to talk to government staff when it is essential to fulfill their duties until after the election. Ministers maintain their portfolios until a new cabinet is appointed following the election.

Liquor Offence Fines

C/Cst. Graham asked where the proposal to raise the fines in the LCLA is at. ADM-Director Begg will check and report back.

In-Car Cameras

The government has recently approved funding of \$1.8 million for the purchase and installation of in-car digital video recording devices, or in-car cameras, for all B.C. traffic vehicles. This funding will bring deployment of cameras in RCMP traffic cars to 100% and the Solicitor General wants to ensure that with this new investment, municipal police have the same level of support and protection for their traffic officers and vehicles.

We know that in-car cameras provide officers with an additional tool in the collection of evidence for prosecuting dangerous drivers, especially in impairment-related cases. They also serve as a 'silent' partner with respect to officer safety, and raise the level of public confidence that officers are following procedures. In-car cameras are a proven road safety and enforcement tool, and we expect to see a reduction in trials and an increase in convictions as a result of this initiative.

The Police Services Division Road Safety Unit has developed key performance indicators to evaluate the use and outcomes of this enforcement tool for police, Crown Counsel and the Province. These indicators include officer safety, increase in traffic stops, use of video evidence, police complaints, reduction in officer court time, dispute rates, conviction rates, kinds of offences leading to successful convictions from video evidence, and training for officers and Crown Counsel.

If you have any questions about this grant, please contact Jan Staples or Stacey Perri, of the Police Services Division Road Safety Unit.

A/Commr. Macintyre commented that 400 of the RCMP's BC fleet of 2,000 vehicles have these units installed so far. He will provide specs to anyone interested.

Traffic Fine Revenue

On March 23rd, Government announced that more than \$63 million in traffic fine revenue would be returned to local governments. This is an increase of more than \$2 million from 2008. Traffic Fine Revenue returned to municipalities is intended to support police and public safety. It may be helpful when reviewing budgets and resource needs to keep this source of municipal funding in mind.

To answer any questions regarding the amount of ticket fine revenue that will be given to each municipality in 2009, please use the following reference list:

Abbotsford – \$ 2,543,789	Port Moody – \$ 550,877
Central Saanich – \$ 294,078	Saanich – \$ 1,735,188
Delta – \$ 1,922,102	Vancouver – \$ 15,723,893
Nelson – \$ 224,289	Victoria – \$ 2,487,380
New Westminster – \$ 1,444,675	West Vancouver – \$ 970,155
Oak Bay – \$ 299,424	

Taser Testing

Police Services Division received the results of the X26 Taser testing. You have all been sent the results for your department as well as a copy of the Lab Report from MPB Technologies.

Five (5) X26 municipal police department Tasers failed the testing - two (2) from Vancouver, and one (1) each from New Westminster, Port Moody and Saanich.

As stated in ADM-Director Begg's email, your departments can put all of the other X26 models back into service. The Tasers that failed to meet the test protocol must be destroyed, or repaired and retested, before going back into service.

PSD needs confirmation of destruction or repair. If you decide to repair the Taser then you will have to have the device tested by MPB Technologies (at your expense) before it can be put back into service.

PSD are still waiting for the results from the M26 Taser testing and will get that to you as soon we have it.

Also, as discussed at one of our previous meetings, PSD will be asking that all Tasers manufactured post-2006 be tested. PSD staff still needs to establish a contract with MPB Technologies and coordinate this testing so I do not expect we will be asking for these Tasers from you until well after the X26 Tasers are returned.

Police Complaint Commissioner Amendment Act

ADM-Director reported on a few legislative updates.

Amendments to the *Police Act* to change the term length and reappointment of the Police Complaint Commissioner received Royal Assent on March 31. These bring the terms and reappointment of this office into line with other officers of the Legislature. The major changes are the reduction of the Commissioner's term from six to five years and the ability to re-appoint for a second five-year appointment. Commissioner Stan Lowe will serve six years under the terms of his existing appointment but there will be the possibility of his being reappointed for a further four years in order for the total term to be ten years.

Police Amendment Act - (Misconduct, Complaints, Investigations, Discipline and Proceedings)

Amendments to the police complaint process under Part 9 of the *Police Act* received second reading on March 31, but died on the books. It is interesting to note that the opposition stated that they have been waiting a long time for these amendments and further that they commented on it being a comprehensive piece of legislation.

"Slow Down, Move Over" Regulation to Protect Emergency Workers

Under the *Motor Vehicle Act*, drivers are required to yield the right of way to approaching emergency vehicles that have their lights and sirens on.

However, the safety of emergency workers will be enhanced on June 1 when a new regulation will require drivers to slow to prescribed maximum speeds when approaching a stopped emergency vehicle which has its lights flashing. This will be 70 km/hr on highways where the speed limit is 80 km or higher, and to 40 km/hr where the limit is below 80.

The penalty for not slowing down is a \$173 fine which includes the victim surcharge.

Smoking in Vehicles

A reminder that the amendments to the *Motor Vehicle Act* that make it an offence to smoke in a vehicle when a child under the age of 16 is present came into effect on April 7. The fine for this offence is \$109.

The Role of Government During and Post-Election

A Provincial election is scheduled to be held on Tuesday May 12th, 2009. Leading up to the election, the public service will move into "caretaker" mode, which means Government is to avoid implementing major new policy initiatives or entering into commitments that might bind the incoming administration. During this period, the Deputy Solicitor General will respond to routine correspondence and handle day-to-day issues.

B. Proposed Amendments to Police Act – Update – ADM-Director Begg

Covered in above update.

C. Missing Persons Centre – Email from Supt. Russ Nash and Source Witness Development position – A/Commr. Macintyre

Discussion regarding the current difficulty in staffing these positions. The RCMP needs to know the commitment from Municipal PDs. Municipal PDs need to work these into their budgets.

Discussion regarding having a template of various positions. A suggestion was made to have Departments make a commitment to fill the various positions and if they can't fill it, then it would be up to them to solicit other PDs.

A/Commr. Macintyre will report back with options.

C/Cst. Zapotichny left meeting @ 11:30 am.

D. MVIR Strategic Protocol – D/C/Cst. Chadwick

S.22(1) wants to formalize this MOU. It started out as a pilot for the Sea to Sky highway to clear the highway more quickly following an incident, but is now being proposed to be used in all jurisdictions.

C/Cst. Rich advised that he met with Supt. Andy Hobbs (VPD) regarding some suggestions and concerns with the MOU.

Recommendation – To add Municipal names and amend all references of RCMP to be more generic.

Any further input is to be directed to C/Cst. Rich so that a final document can be prepared and brought to the next meeting.

BC Gov't Consult

E. Sheriff Services Mandate – C/Cst. Rich

An Abbotsford deputy sheriff is proposing that Sheriff Services to take over serving of Summons, Subpoenas, etc., as well as execute arrest warrants.

Management Staff of Sheriff Services are looking at finding additional meaningful work for Sheriff's to conduct. ADM-Director Begg commented that the AG office is looking at this and there is some talk about moving it under ADM-Director Begg. Any change is a long way off. There is nothing to indicate at this time that Government would suggest that Sheriffs execute warrants. ADM-Director Begg commented that Sheriff Services are short of staff and their budget is thin and he doesn't know how they could accomplish it anyway.

F. Municipal Secondments to Provincial Units

Covered in Item 5.C.

G. Crown / Police Liaison Committee (of the BCACP)

Copies of CPLC April 3 Meeting Minutes were distributed.

H. MVA – Crashes Section 6(20)

C/Cst. Rich referred to a new M.V. Section that dictates that officers are obligated to write a 6020 report if they attend an MVA and there is any injury. C/Cst. Rich will forward section to ADM-Director Begg who will check it out and report back.

I. Investigations – Police Investigated Shootings

C/Cst. Rich raised the issue of PDs doing investigations on each other for police shootings or in-custody deaths.

Question raised:- Is the appointed investigating police officer independent of the department being investigated? If so, is their Chief then responsible for the investigation?

D/C/Cst. Rolls agreed that the investigator should report to their own Chief.

C/Cst. Chu of Vancouver PD is automatically appointed. It is recommended that an Island Chief be appointed. C/Cst. Chu recommended that C/Cst. Rich be appointed. C/Cst. Chu commented that the Board Executive Director should be hired soon so that minutes and records can be kept. ADM-Director Begg advised that budget deliberations are in progress for the new unit. He commented that some things will be on hold until the new Cabinet is appointed. ADM-Director Begg will be following up on that and may have to apply for money from the PORF funds.

BC Gov't Consult

MOTION: To appoint C/Cst. Rich to the CFSEU Board.

Moved: C/Cst. Cessford Seconded: C/Cst. Maluta

CARRIED

Note: Island Chiefs met after this meeting and selected C/Cst. Hames as the Island Chief for the Board.

C/Cst. Chu commented that selecting a Chief Officer should occur prior to developing a strategic plan. C/Cst. Cessford added that the Board needs to be set up before progress can be made in other areas.

BC Gov't Consult

ADM-Director Begg advised that [REDACTED] S.16 [REDACTED] He would like another meeting in early June so that the newly appointed Minister can be brought up to date on the progress.

D/Officer Purney advised that they have been drafting out some preliminary requirements, i.e. vehicles, equipment, office requirements, just so they have something ready to share with the Board once it's formulated.

A meeting will be set up for early June.

ADJOURNMENT

Meeting adjourned at 10:00 am.

S.3(1)(c)

5. H. **McNeil Decision - D/C/Cst. LePard**

D/C/Cst. LePard referred to the CPLC minutes of April 3, 2009. D/C/Cst. LePard will be working with Crown Counsel on a protocol in response to this new case law.

4. **OLD BUSINESS**

A. **Privacy Complaint [S.22(1)] Appeal) – D/C/Cst. Naughton**

D/C/Cst. Naughton was absent so there was no update available.

C/Cst. Rich advised that the BCAMCP does not have sufficient funds to continue paying the legal fees. Therefore, each department will share the cost with their portion being based on their authorized strength.

B. **Provincial Undercover Program Funding – D/C/Cst. Chadwick**

BC Gov't Consult

ADM-Director Begg advised that funds may come from PORF. He advised that there will most likely be two positions funded, which leaves three more in the request. Another issue is about providing funding to the JIBC for Undercover Operators training.

D/C/Cst. LePard emphasized the need for the unit to be able to work more efficiently with full-time positions. If the team was better staffed, there would be less draw of staff from Municipal Departments.

ADM-Director Begg commented that although it has been said that PORF funds [S.13, S.15, S.16, S.17]

[redacted] The Province would take over funding after that. Some of the funds will be required for facility costs to provide satellite offices in Kelowna and Prince George.

C/Cst. Maluta commented on the great work [S.15(1)] and encouraged ADM-Director Begg to continue with the program if at all possible.

C. MVIR Strategic Protocol – MOU – D/C/Cst. Chadwick

MOTION: That we adopt the protocol as forwarded to us by the Provincial Government.

Moved: D/C/Cst. Chadwick **Seconded:** C/Cst. Egan **NOT CARRIED**

Protocol raises concern when dealing with road closures and investigations that impact the scene and prohibit the flow of traffic. This became an issue with some incidents on the Sea to Sky highway and on some of the bridges.

After further discussion it was decided to table the Motion for further review before a decision is made about signing the MOU.

D. Filling Municipal Secondments – C/Cst. Rich

C/Cst. Rich discussed the vacancy rate on a chart that was provided by A/Commr Macintyre. The chart does not show which positions are filled by the RCMP.

D/C/Cst. LePard discussed the difficulty of filling positions, especially for smaller departments. C/Cst. Chu commented that secondment funds do not actually completely fund the position that is being loaned to the seconding unit.

D/C/Cst. LePard commented on the difference between Integrated Units and secondments to various units. He commented on the "requirement" and level of commitment to second members, as there can be consequences if Municipal members do not send members to these positions.

BC Gov't Consult

ADM-Director Begg commented on the value of integrated units and appealed to departments to support the practice of seconding members to the various units. D/C/Cst. Pecknold commented that he had asked the Municipal Finance Group to do an analysis of the true costs to the agencies. He doesn't think that it has been resolved.

C/cst. Egan commented on an entry on the chart regarding the Abbotsford police dog. It's not a true secondment, just an agreement with the RCMP.

C/Cst. Cessford wants clarification on which units members should be seconded to and where individual departments' priorities should be.

D/C/Cst. LePard commented that vacancies could be because there were no applicants. C/Cst. Rich added that you can't force members to go. C/Cst. Egan commented that it is important to provide the manpower so that we can take advantage of these specialty units.

Action: A Committee will be set up to meet with A/Commr Macintyre, which will include C/Cst. Cessford, Insp. Doug Walcott (New Westminster PD) an Island Chief and C/Cst. Rich, to come up with some draft business rules.

E. **RTID Billing – C/Cst. Rich**

Clarification required for this billing. C/Cst. Egan explained that the software is provided for your Department. It's then up to each Department to provide their own hardware to operate it. A one time capital cost of \$56 per sworn member will be required, with \$13 per sworn member per year for the yearly maintenance.

5.

NEW BUSINESS

BC Gov't Consult

A. **Monthly Report – Ministry of Public Safety and Solicitor General and Police Services Division – ADM-Director Kevin Begg**

ADM-Director Beg provided the following information:-

Domestic Violence e-learning Project

PSD has been working towards creating a standardized and performance based-online training program on domestic violence investigations and domestic violence threat assessment and risk management. This course is being built specifically for front line police officers and supervisors in the province of BC. The project is in its final stages and PSD has had tremendous support and cooperation from a wide variety of stakeholders across BC.

PSD has consulted with subject matter experts from municipal departments and the RCMP, MCFD, Crown, Corrections and Victim Services. The courses being created will be mandatory and there will be a two year compliance deadline.

PSD was planning to pilot these courses in June of 2009 but due to a variety of factors, including the launch of the SB-OR training pilot, it is necessary to delay the launch until September.

In September 2009 PSD will be introducing two e-learning courses for all police in BC:

Course 1: The fundamentals of domestic violence investigations in BC – 3 hours
Mandatory before taking Course 2.

Course 2: An Introduction to domestic violence threat assessment and risk management - 2 hours

Recruits at the JIBC will also be taking these courses along with an additional classroom component that will make the learning more relevant at their level of experience.

RCMP cadets coming to BC will be taking these courses during their field coaching period.

Crisis Intervention Training

A question was raised about when the CIT will be available and C/Cst. Rich commented it is not ready yet. He will contact Jane Naydiuk for an update.

B. Police Act (Misconduct, Complaints, Investigations, Discipline and Proceedings) Amendment Act

ADM-Director Begg advised that the amendments to the police complaint process under Part 9 of the *Police Act* received second reading on March 31, 2009. As the amendments did not go on to the third reading or debate process prior to the House rising, the amendments will need to be re-introduced. It is difficult to comment much further on the amendments and timing until after the election. ADM-Director Begg advised that amendments to the Police Act could still be done if necessary but would need to be taken care of as soon as possible.

C. Recruiting – Intake Standards – C/Cst. Maluta

S.22(3)(d)

D. Keep of Prisoners Program – C/Cst. Maluta

C/Cst. Maluta raised the issue of working under the same agreement for the past seven years and questioned whether the rates be increased? C/Cst. Chu suggested that a letter be sent to the BCACP for this issue to be raised at their committee.

MOTION: That the BCAMCP request the BCACP to write to Bill Young of Corrections to point out that no change has been made for seven years and that the funding model for the Keep of Prisoners Program funding should be revisited.

Moved: C/Cst. Maluta **Seconded:** C/Cst. Chu

CARRIED

E. Chief Electoral Officer / BCAMCP – MOU – D/C/Cst. Pecknold

Changes to Elections Act resulted in the Chief Electoral Officer needing to vigorously enforce the Act. The RCMP have already signed the MOU and are willing to take on more complicated investigations.

MOTION: That C/Cst. Rich will sign the MOU on behalf of BCAMCP.

Moved: C/Cst. Chu **Seconded:** C/Cst. Zapotichny

CARRIED

Page 6

F. Suppression of Members' Addresses by Motor Vehicle Branch – C/Cst. Rich

C/Cst. Rich advised that a member will be meeting with Mike Thompson, PSD. ICBC is willing to work with police trying to have their personal information suppressed on their license. Representatives are working on a solution. ICBC, at this point, is focused on police officers in specific roles, rather than all members.

G. Code 3 Driving – Public Safety Lifeline Volunteers – C/Cst. Rich

C/Cst. Rich referred to a memo provided by S/Sgt. Tom Chesley of the Abbotsford Police Department.

BC Gov't Consult

The Province has volunteer responders to serious MVI's (road rescue). There is a liability concern regarding them initiating a code 3 response, using laws of life, etc. [REDACTED] S.14

Impaired Driving – Video Tapes

C/Cst. Rich asked D/C/Cst. LePard to raise this at a CPLC meeting. C/Cst. Rich advised the current protocol is that Abbotsford's Admin Crown will be advised that video tapes exist and Defence Counsel can view them at APD if they wish.

Coroners Agreement

[REDACTED] S.14

As this is a BCACP initiative, this will be followed-up further at their meeting.

6. **CORRESPONDENCE** – None received

7. **OTHER BUSINESS** - None

ADJOURNMENT

Regular meeting adjourned at 12:41 pm.

S.13

4.

NEW BUSINESS

BC Gov't Consult

A. Monthly Report – Ministry of Public Safety and Solicitor General and Police Services Division

MV6020 – Accident Reports

ADM-Director Begg absent at this point – See his report later in the minutes.

This issue was raised because of the MVAct's requirement for police officers to issue a ticket if they respond to an accident scene where injuries or property damage have occurred. Mark Tatchell commented that the requirement has always been there to complete an MV6020 for the purpose of recording data and for the information of ICBC. That provision has not changed. Consequences for failure to complete have always been there, but never pursued against a member if they didn't complete the MV6020. C/Cst. Rich commented that the impact is a PD is being dictated on how members get deployed. He does not want to see members attending minor crashes. Mark Tatchell stressed that this is not new, it has always been there but it may need some amendments. C/Cst. Graham would like to leave it up to the discretion of the attending member.

B. Proposed Amendments to Police Act

ADM-Director Begg absent at this point – See his report later in the minutes.

6.

OTHER BUSINESS

ADM-Director Begg provided the following updates:-

Taser Testing

ADM-Director Begg reported that the Province recently received the results of the testing for the M26 Tasers. Overall, there was an 80% failure rate of the 128 Tasers that were sent for testing from the municipal police departments, BC Corrections and Sheriffs. All except one of these failures was due to being under specifications. The largest impact of these failures was on Sheriffs who had 90 of the 128 M26s tested. The BCAMCP were all sent letters advising the results for their individual agency as well as a copy of the entire test report. As noted in this correspondence, the Tasers that failed must be either destroyed, or repaired and retested. Those that passed can be put back into service.

The Solicitor General responded to the recent testing information by directing that all M26 Tasers be pulled from service. The RCMP and Stl'Atl'Imx were the only police agencies to have any M26's that had not been tested. 'E' Division advises that they have taken 558 M26s out of service for testing. Stl'Atl'Imx has also removed its Tasers. PSD will proceed with coordinating the testing of the post 2006 X26s later in the Fall.

Subject Behaviour Officer Response (SBOR)

PSD is currently coordinating training for the piloting of the SBOR template in PRIME for the municipal police agencies.

The notion of standardizing police reporting of incidents where force is used by police has been a long time coming. It is anticipated that SBOR reporting will significantly improve the quality and consistency of the data collected and that it will also assist in the future with the development of use of force policy and training.

In April, PSD staff began discussing SBOR training roll out with your departmental training officers. Today - at the JIBC - the first "train the trainer" SBOR sessions are underway.

The SBOR instructors selected by your training officers will, over the next number of months, be providing standardized training to about 2500 members across your agencies.

The RCMP is currently conducting its own implementation and training pilot. The RCMP is utilizing the SBOR reporting template; however, they are reporting at a higher threshold and they are not capturing the data on PRIME.

The reporting threshold PSD selected for the municipal police pilot is physical control-soft. This means that the SBOR report must be filled out anytime an officer uses "physical control" as defined by the national use of force framework.

This threshold excludes: "routine" handcuffing; passive escorting; and drawing a weapon in of itself (not displayed/pointed).

The RCMP is capturing their data at the higher threshold of physical control-hard which are control techniques intended to stop a subject's behaviour or to allow application of a control technique and have a higher probability of causing injury. Examples include empty hand strikes such as punches and kicks and vascular neck restraint.

It is anticipated that there will be some questions about the SBOR pilot and we expect there may be concerns about additional workload due to the decision to choose physical control-soft as the reporting threshold.

This was a carefully considered decision and was based on the following rationale:

- Existing provincial policing standards require it. (Standard A1.2.9 requires that a report be submitted whenever an officer applies force through a weapon, or through any means, other than routine handcuffing or low level of restraint);
- Ten out of thirteen police agencies already require reporting at this level in their written policy.
- There is buy-in from the Use of Force working group led by Joel Johnston to have reporting at this level.
- In a non-policing setting, the use of physical control- soft would be equivalent to an assault. It is reasonable to expect officers to document and account for their actions when the use this approach to control a situation.
- Collecting data at this level will ensure that the data captured in this pilot is in full context. This will allow us to more accurately demonstrate relative levels of force usage and injuries associated to all levels of force.

At the end of the pilot, PSD staff will evaluate the pilot data – both ours and that of the RCMP - and at that point PSD will decide what the minimum reporting threshold will be for BC and determine the appropriateness of the data collection mechanisms.

The next steps in this project are to "train the trainers" as noted. One training day is today, with two others to follow resulting in 52 persons trained. Instructor training is being conducted by Joel Johnston along with the PRIME BC training coordinator and the PRIME BC policy officer. We anticipate that once the trainers are trained, the majority of members will be trained by November 2009. PSD will pilot the template for six months and then conduct an evaluation. ADM-Director Begg will provide progress as this initiative moves along.

MV6020 Accident Reports

Further to the update in May regarding changes to the Motor Vehicle Act (s. 249) and police accident reports, ADM-Director Begg reiterated the importance of the accident report or MV6020 form as it's also known. The MV6020 provides the province and police with critical data about motor vehicle fatalities and serious injury crashes. Officers who attend a collision **MUST** complete an MV 6020 and forward it to ICBC – this is especially important in the case of a fatality or serious injury.

C/Cst. Rich responded that the wording in the MVA is too broad and is advocating it to be amended.

ACTION:

Bring forward to future meeting.

Update on Police Act Legislation

The House is scheduled to sit beginning in late August with the plan of sitting until November, so we are heading into a new legislative calendar for all legislation. It is too early to comment much further regarding the plans for the Police Act Legislation.

ADJOURNMENT

The BCAMCP Regular meeting was adjourned at 12:49 pm.

Standing Items for future meetings:-

- 1) *PSD Monthly Update – ADM-Director Begg*
- 2) *Proposed Amendments to Police Act – Update – ADM-Director Beg*
- 3) *Privacy Complaint – S.22(1) Appeal) – D/C/Cst. Naughton*

Bring forward items for next meeting:-

- 1) *NcNeil Policy and Procedure – D/C/Cst. LePard*

BC Gov't Consult

✓ 'BLAPE

BCAMCP

Susan Wilms

From: Perri, Stacey SG:EX [Stacey.Perri@gov.bc.ca]
Sent: Tuesday, May 12, 2009 10:21 AM
To: Susan Wilms
Subject: 2010 BCAPB AGM & Conference
Follow Up Flag: Follow up
Flag Status: Red

Good Morning Susan,

As you may be aware, Abbotsford Police Board has agreed to host the 2010 BCAPB AGM and Conference. With Dorothy's assistance, I have made contact with the Ramada Plaza in Abbotsford and have tentatively confirmed Thursday, April 15th afternoon, Friday, April 16th full day, Saturday, April 17th half day for our conference.

The BCAPB would once again like to co-host the joint dialogue session between the Municipal Chiefs and the BCAPB membership and were hoping to hold this session on Thursday, April 15th in the afternoon.

Question: The April 2010 BCACP meeting is scheduled for April 14-15 but a location has not yet been determined. I am assuming that the BCAMCP would hold their meeting on April 13th but am not yet aware of the 2010 dates. Would it be possible for the BCAMCP to meet in Abbotsford on April 15th in the morning and/or would consideration be given to holding the BCAMCP and BCACP meetings in Abbotsford in April 2010.

If this is not possible, I will seek alternate meeting dates for the BCAPB conference, perhaps the following week, April 22-24.

I appreciate any assistance that you can provide in consulting with both the BC Chiefs and Municipal Chiefs - thanks so much Susan.

Stacey

BCAMCP Agenda Attachment
June 16, 2009

5/13/2009

Item 4. E.

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3.

NEW BUSINESS

S.15

BC Gov't Consult

ADM-Director Begg advised that joint Centres (especially in the USA) tend to work very well and there should be a governance structure that gives other agencies representation. He agreed that a meeting, rather than a phone conference, should take place to discuss this further and will call one with the Chiefs. He will determine who else should attend and request that this be added to the agenda.

Meeting adjourned at 10:00 am

3.

PRESENTATIONS

A. Police Academy Funding Cuts – Mr. Axel Hovbrender

Verbal approval was previously given for the status quo budget (\$1.75 million to provide Assessment Centre, Advanced and Recruit Training). Shortly thereafter, they were advised that the provincial treasury had cut all grants and that \$150,000 of that funding was frozen. Given the expenses already committed to, two additional issues arose; the Provincial Undercover Level II course (\$70,000 grant) and the Provincial U of F Coordinator position. The budget cut to the Police Academy amounted to \$240,336 (14%). This amount covers half of recruit training and the Assessment Centre.

A brief fiscal history and review of the pressures facing the JIBC was provided:

- *Wages and benefit cost increasing*
- *Limited ability to increase revenues*
- *Capital costs associated to new technologies*
- *Ammunition costs increasing rapidly*
- *Increasing complexity requiring additional training (i.e.: domestic violence)*

Some mitigating has been done thus far:

- *Surpluses transferred from Security Program training (approx. \$100,000)*
- *Examination of seconded model*
- *Download of some student costs onto recruits (i.e.: books)*
- *Fee for Service offerings from Advanced programs*
- *One-day workshops offer potential profitability*
- *CPKN partnership*
- *Move to "electronic resources" (memory sticks vs. binders)*

A Police Services audit took place in 2004 and the conclusions were:

S.16, S.17

Some differences and inequities regarding the PRTC (provides advanced training only) and JIBC funding were reviewed.

The options for this fiscal year include:

S.13

Next fiscal year options (these need to be discussed at a higher level):

S.13

Use of Force Coordinator:

- *It is the first time it has been linked to the Police Academy budget*
- *Further potential cuts would be needed in order to sustain this position*

Action:

- *Implementation of Police Training Review*
- *Governance Steering Committee should be formed*
- *Sustainable funding requirement*

BC Gov't Consult

ADM-Director Begg reported that it is yet to be determined if the \$150,000 will remain frozen as the budget will not be tabled until the last week of August. He agreed that better funding is required. With respect to the PRTC funding; he advised that it is a federal entity and the cost comes to the province when provincial officers are brought in for annual qualifications. The rest of it is federal; he disagreed that there is an issue with transparency regarding funding.

D/C/Cst. LePard agreed with Mr. Hovbrender that funding for the PRTC does appear confusing. He also agreed that training should not be decreased. He asked about the outcome of the audit; ADM-Director Begg advised that it went to the steering committee for review and it showed a need for more funding. However, until the funding situation can be sorted out with the government, there is very little that can be done during this financial crisis.

C/Cst. Graham questioned whether some of the JIBC training could be sent to the PRTC instead. Mr. Hovbrender advised he looked at that option however, the largest portion of the training is recruit training which could not be supported by the PRTC. He also commented on the Assessment Centre and how valuable it is, however, it might be better to have it come from the home department.

D/C/Cst. Pecknold reported that the governance structure is key and questioned where the steering committee for this has gone. ADM-Director Begg advised that it has been stalled due to lack of funding. C/Cst. Rich suggested that it is important for the Chiefs to come forward with their concerns to the higher levels regarding the cuts. Ms. Naydiuk will provide information regarding the work done to develop a subcommittee.

D/C/Cst. LePard advised that approximately 25% of VPD members have completed the VPD Crisis Intervention Training (40 hour course based on the Memphis model) but have since deferred further training because of concern that there was no guarantee that the training would be grandfathered to meet the provincial standard. They are committed to providing the training to all members, however VPD is concerned that the 40 hours may not be recognized and is looking for assurance that it will be prior to continuing. Ms. Naydiuk advised that it would not be guaranteed as it is not based on the number of hours but rather the learning objectives. She indicated that they are waiting on VPD to provide them

with high level learning objectives and expected outcomes and will advise them if they are on the right track as soon as possible.

B. McNeil – Policy and Procedure – D/C Cst. LePard

D/C/Cst. LePard introduced Kristie McCann (analyst from the Planning & Research Division) and Dawn Boblin (Operational Legal Advisor) from Vancouver PD, both of whom he sat with on a subcommittee of Crown Council. The committee was formed to create a model for potential policy and procedure based on the McNeil ruling. Although the number of members who have committed serious misconducts is very small, there is a sense of urgency to recognize a more formal process. The intent is to have all agencies in BC using the following suggested protocol, with minor adjustments to be made by individual departments. The premise of this is that if it is seen by the courts as reasonable, then they will, in a sense, endorse it because the McNeil ruling is relatively vague on how it could be implemented.

S.13

The question was posed regarding protocol when this involves a seconded officer; it was determined that it would be the responsibility of the department that the member is seconded to fill out the necessary paperwork, however, consultation between the home department would have to take place in order to confirm record status.

In light of the current discussion, the form will be further refined and circulated, however the endorsement of this in principle is being requested at this time. The VPD Union has been consulted and is supportive.

Motion: To endorse the general principles of this policy to comply with the McNeil decision on behalf of the BCAMCP.

Moved: C/Cst. Graham **Seconded:** D/C/Cst. Chadwick **CARRIED**

Any further questions and concerns should be directed to D/C Cst. LePard and he will forward the request to Kristie McCann for response.

4.

OLD BUSINESS

A. Privacy Complaint – 22(1) Appeal – Re: Invoices from Lawyer Municipal Chiefs Assessment – S.14 – C/Cst. Rich

There is currently a bill for S.14 and another one between S.14 is expected. There are no funds for this therefore an assessment is being done. He recommended that this assessment be accepted in order to replenish the coffers. It was agreed that all departments will receive and accept it.

C/Cst. Hames questioned why the departments should be paying into this in the likely event that we will not be successful. C/Cst. Rich advised that there is still a possibility of winning and it is in the best interest of the members to protect their privacy.

BC Gov't Consult

B. Code 3 Driving – Authorizations for other Agencies – Mark Tatchell

Mr. Tatchell reported that Search and Rescue (S&R) vehicles can respond to Code 3 as long as they do not violate the MVA however, police do not have the authority to authorize S&R to drive Code 3. A form is to be modified to clarify this issue and a rep from the BCAMCP is required to provide input. C/Cst. Rich advised that this a process issue and he has put forward S/Sgt. Tom Chesley

from his department. It was agreed that S/Sgt. Chesley would be a good fit as he is currently involved with S&R and would have a clear understanding of the issues.

5. **NEW BUSINESS**

BC Gov't Consult

A. **Monthly Report – Ministry of Public Safety and Solicitor General and Police Services Division – ADM-Director Begg**

ADM-Director Begg had to leave the meeting; Mr. Tatchell provided the report on his behalf:

Braidwood Inquiry

The first phase of the Braidwood Inquiry report was delivered to the province on June 22, 2009. The Phase 1 report looks specifically at the use of CEWs in BC.

There is a process under the Public Inquiry Act that must be followed before the report will be released publicly; this includes getting direction from Cabinet. ADM-Director Begg will advise when the Phase 1 Report will be made public. The second phase – which is examining in detail the death at YVR – is still ongoing and that report will be released later this year.

SBOR

As from previous BCAMCP updates, PSD has been coordinating initial training for the piloting of the SBOR template (subject behaviour-officer response) for collecting use-of-force data in PRIME.

SBOR is here to stay and SBOR reporting will significantly improve the quality and consistency of use-of-force data in BC, and will provide valuable information for the future development of use-of-force policy and training. SBOR also provides internal accountability within each agency.

Train-the-trainer sessions were held last month and all SBOR instructors (approx 45) selected by your training officers have been trained. Depending on your agency's specific schedule, these instructors will soon begin in-house sessions to teach your officers how to use SBOR.

In preliminary discussions with training officers from every agency, all but two agencies anticipated having all their members trained by November 2009. Based on this information a target date of December 1 has been set for the start of the pilot data collection program.

ADM-Director Begg's staff will commence a 4-month pilot data collection process occurring between December 1, 2009 and April 1, 2010. At the end, the pilot staff will evaluate the data, including data from the RCMP and will be seeking feedback and comments from all the agencies. Based on this, the Province will then make final decisions regarding reporting threshold, other reporting

3.

NEW BUSINESS

A. Kennedy Report – C/Cst. Rich

C/Cst. Rich began discussion regarding a report by Paul Kennedy on Police Investigating Police – Final Public Report. This report addresses Police Involved Shootings and In-Custody Death investigations.

An email from C/Supt. Callens suggests that Municipal Departments may be asked to investigate RCMP members who are involved in these types of incidents. A procedure needs to be implemented on who should investigate police who are involved in criminal investigations.

C/Cst. Cessford suggested creating a unit that would be independent of police for more serious incidents. Departments could continue to investigate minor incidents and Police Act complaints.

BC Gov't Consult

ADM-Director Kevin Begg agreed and commented that there have been discussions with the Minister's office and the RCMP. Section 4.1 of the Police Act provides the ability for Police Services Division to set up any kind of specialty unit as required. Alberta uses a civilian, (i.e. a former prosecutor or judge), to head up its unit to provide independence. Police officers are then seconded to the unit to conduct investigations. He suggested that this is a model that could be considered.

D/C/Cst. Jones added that many Departments currently use Lawyer S.22(1) for consultation on these types of investigations.

C/Cst. Cessford advised that he was interviewed by the Vancouver Sun regarding an RCMP investigation and was asked about a special investigation unit and he stated that police should not be investigating themselves. Most Chiefs agree as it has become a "no win" situation for their Departments.

BC Gov't Consult

C/Cst. Hames asked if the Alberta model was paid for by government and ADM-Director Begg affirmed that it was. It was suggested that it may be possible that S.16 and certain costs could be covered by Province i.e. a person to head up the unit.

The Kennedy report suggests that the RCMP should investigate Municipal police and vice versa.

BC Gov't Consult

ADM-Director Begg commented that the RCMP may be agreeable to a Special Investigation Unit.

C/Cst. Cessford encouraged the BCAMCP to come up with a plan and be pro-active. We could go public and advise that we are working with ADM-Director Begg to develop a process to work with the RCMP in the future.

D/C/Cst. Jones asked if a National RCMP process needs to be followed?

C/Cst. Rich commented that if a Municipal unit looked after Municipal Departments then the same perception ensues. He suggested that the Province and Departments (RCMP and Municipal) meet to discuss forming a unit and that the BCACP should be asked to pass a Motion in that regard.

BC Gov't Consult
C/Cst. Lepine believes that the RCMP wants to move forward with this quickly. ADM-Director Begg advised that A/Commr. Gary Bass agreed that this model appears to fill the need.

D/C/Officer George Beattie commented that the unit would still be police investigating police and it wouldn't change the public's perception. ADM-Director Begg stressed that the unit would be given independence by appointing a head that has no police background, but is a former Judge or Prosecutor.

ADM-Director Begg asked for representatives from the BCAMCP to meet within the next few weeks to have a plan ready to present to the government.

The agreed upon Committee:

C/Cst. Bob Rich – Team Leader, with C/Cst. Jim Cessford, D/C/Cst. Bob Downie, Supt. Steve Schnitzer (VPD Rep), D/C/Cst. Dave Jones and D/C/Officer George Beattie. Arrangements will be made for this group to meet in the very near future.

B. ViCLAS

C/Cst. Cessford reiterated that in 2000, the BCAMCP made a commitment to achieve 100% compliance in filling out ViCLAS booklets. He added that he will be providing a presentation at the BCACP meeting in the morning.

He read stats for each Department and commented on the very low compliance rate in 2009 to date. He again stressed the importance of submitting the reports.

In the Province of Ontario, Departments are fined for non-compliance.

There is a time-line of 30 days for filing booklets for reportable offences. ViCLAS will be providing the ability to report electronically starting next year.

C/Cst. Lepine provided some tips to keep on top of ViCLAS. He recommended that Departments check the scoring on their files as sometimes a scoring error can occur or the status of a file may change after initial investigation and the score is not amended.

ADJOURNMENT

Meeting was adjourned at 10:05 am.

4.

OLD BUSINESS

A. Privacy Complaint – S.22(1) Appeal) – D/C/Cst. Naughton

D/C/Cst. John Ducker advised there is a Hearing with an Examination for Discovery to exchange information on October 7. He will report back at the next BCAMCP meeting.

C/Cst. Cessford commented that they are doing a great job and thanked VicPD for handling this on behalf of the BCAMCP.

B. BC Municipal Undercover Program – Resource Request – D/C/Cst. LePard

BC Gov't consult

Funding Request:-

Supt. Rob Rothwell understands that presentations have been provided in the past which resulted in a resource request to operate the unit more effectively. Supt. Rothwell asked ADM-Director Begg if there are any PSD funds available to increase the number of positions for this unit.

ADM-Director Begg will follow-up with A/Commr. Al Macintyre regarding funding for 5(1) positions, but not the originally requested 15(1)

Allocation of Chair:-

Supt. Rothwell advised that Insp. 15(1) of VPD is currently seconded to CFSEU-BC and is the Chair of the BC-MUP. He raised the issue that, as this is a Municipal Undercover Team, that the Chair should come from a Municipal agency. He suggested that VPD's Major Crime Inspector's office could be the Chair or any other Municipal agency that would like to assume the Chair position. Supt. Rothwell advised that Insp. Mike Porteous is the current VPD Major Crime OIC and that he is accredited and qualified.

MOTION: That Insp. Mike Porteous of Vancouver PD's Major Crime Unit be the Chair of the Municipal Undercover Program.

Moved: Supt. Rothwell **Seconded:** C/Cst. Hames **CARRIED**

5.

NEW BUSINESS

BC Gov't consult

**A. Monthly Report – Ministry of Public Safety and Solicitor General and PSD
– ADM-Director Kevin Begg**

ADM-Director Begg's notes have been inserted to form part of the Minutes.

Implementation of Braidwood Report

ADM-Director Begg advised that he will be giving a presentation at the BCACP meeting tomorrow regarding the Braidwood report and the Government's response to it, but did want to touch on a couple of key areas now.

Page 3

The title of Braidwood's Phase 1 report - *Restoring Public Confidence: Restricting the Use of Conducted Energy Weapons in British Columbia* - pretty much sums up the themes of his recommendations.

There are 19 recommendations in the report that cover a number of issues. Many of these recommendations concern threshold and circumstances of use, centralized policy and training as well as the need for comprehensive data collection and analysis.

The report was presented to the provincial government and the government endorsed the report and its recommendations. PSD is now working towards its implementation.

Two general areas of Braidwood's recommendations are being implemented immediately:

- those that surround the threshold of use, and
- the requirement to send Use of Force reports to the Province for data analysis.

BCAMCP members have all received a letter from the Solicitor General advising that the province requires that all agencies immediately implement the recommendations surrounding the threshold and circumstances of use.

Each Department also received a letter from ADM-Director Begg's office requesting that - beginning this month - all Use of Force reports be forwarded to his staff in Vancouver.

The purpose of collecting this data is to fulfill Braidwood's recommendations to analyze aggregate trends in order to guide policy and training. By asking for all Use of Force data - and not just CEW reports - CEW use can be examined as part of the spectrum of Use of Force options.

PSD is not interested in tracking the activities of individual officers and any data stored will be stripped of any personal identifiers. ADM-Director Begg will discuss this a bit more in his comments concerning the upcoming SB-OR pilot. He then spoke on the key message in the Braidwood Report. That is what he refers to as the "**Braidwood Mandate**" which will lead to a shift in the predominant governance model of policing.

The move will be towards greater authority for the provincial government in setting policy. Ultimately, Braidwood concludes that matters of policing policy are matters of public policy. The provincial government has strongly endorsed this principle and it is on that basis that Police Services Division has developed its Implementation process and plan. Implementation of the Braidwood Recommendations will be a complex process that will not happen overnight or even in the short-term.

The Braidwood Recommendations extend beyond immediate operational concerns and encompass a shift toward a greater role for the provincial government in setting policing standards. Such a shift requires legislative and regulatory reform which can be multifaceted and resource intensive. There are also a number of other complex recommendations.

The BCAMCP will be consulted and play an important role in the implementation.

Process for Implementation:-

- There will be a Braidwood Implementation Advisory Committee that oversees the implementation of the recommendations.
- This Committee will be chaired by ADM-Director Begg with PSD resource staff.
- Membership will include either the Chief or Deputy Chief from each of the independent municipal police departments as well as either the Chief or Deputy Chief from St'Ati'Imx Tribal Police Services and the Transit Police.
- In addition, there will be two representatives from the RCMP and one from Public Safety Canada. This is because it is anticipated that the policies and standards developed by BC will be followed by the RCMP in BC and may well be adopted nationally.
- A number of Working Groups will be established that feed up to the Advisory Committee. Likely Working Groups include: policy/standards, use of force data, training, among others.
- Membership will depend on the topic matter. The Working Groups will not be entirely composed of "subject matter experts" but may include a variety of stakeholders.
- While we would like to achieve consensus on all decisions around implementing Braidwood, that is not likely to happen. Final decisions at the Advisory Committee will be made by the ADM or the Solicitor General where consensus cannot be reached.

In the past we have proposed striking a Police Training Governance Steering Committee to deal with ongoing training issues. This proposed committee will be subsumed under the BIAC structure while we move through the implementation of Braidwood. Many of these issues are inter-related and we decided it would be prudent to deal with these issues when we already have everyone at the table.

Discussion:-

Chief Rich commented the committee is the same one used for the JIBC Audit where it's primary issue was governance – not sure how it is connected to Braidwood audit implementation.

ADM-Director Begg commented that many issues will be the same for both committees.

C/Cst. Cessford asked if an audit had been done on training Municipal recruits as it may be time to look at this issue – i.e. firearms qualifications, as well as Use of Force etc...He also commented that maybe Tasers need to be pulled.

ADM-Director Begg responded that the threshold of use is different in each Department and it's important to develop a common standard – that is moving the oversight from the department to the province. Developing a policy with a civilian element will end up with a common policy for standard use of equipment, etc. Braidwood recommends that training needs to be standardized.

Mr. Hovbrender asked if this would be like the former BC Police Commissioner.

D/C/Cst. Drinovz then asked if the new standards for policing have been moved forward. ADM-Director Begg replied that this was on now hold since the Braidwood inquiry was announced.

SBOR

ADM-Director advised that the province is piloting a standardized SBOR Reporting template which collects Use of Force incident information as a structured text page in the PRIME RMS.

The SBOR Reporting template itself was distributed to departmental PRIME coordinators on July 16th for loading onto the PRIME system, along with a letter to police agencies explaining the Pilot. The loading of the PRIME template is to be coordinated with the training of members which is on-going at this time.

Some agencies have already completed member training on the new SBOR template and it is anticipated that all departments will have trained 80% of their members by December 1st for the Pilot except for Vancouver who have indicated that they are training 130 members in two Districts to satisfy their participation in the pilot.

Data collection for the Pilot will begin on December 1st. Participation in the Pilot is very important as the data collected from the SBOR template, along with agency consultation, will determine the feasibility of capturing the data, the appropriate application through which to collect it, as well as to help us develop reporting policies and training requirements for Use of Force reporting in the Province.

Just to be clear about this Pilot – it is different than PSD's recent request to Departments to provide copies of all Use of Force Reports starting in September of this year. The Directive for a copy of all Use of Force Reports is a consequence of a recommendation from the Braidwood Report which calls upon the Ministry to develop a CEW incident reporting and data-collection system *without delay*.

The province has expanded this to include all Use of Force Reports because we recognize that CEW incidents cannot be analyzed or reviewed in isolation from other Use of Force options.

ADM-Director Begg's office requested that any Use of Force report completed from September 1st onward, whether it is in the new SBOR template, or some other reporting platform, be forwarded to his office. Eventually the results of the SBOR pilot will inform PSD's approach to addressing the Braidwood recommendation.

Force Response Options Instructor Certification - FROIC

ADM-Director Begg advised that his office has received communication from Joel Johnston indicating that BCAMCP agencies have expressed an overwhelming demand for a FROIC course to be delivered at the JIBC.

ADM-Director Begg's understanding is that, in the absence of a planned FROIC course, some departments are considering running in-house training programs or sending prospective instructors to the Washington State Criminal Justice Training Centre. Braidwood recommended that the provincial government set CEW-related province-wide standards for CEW training. It is clear that FROIC will form the basis for the province to develop and establish a provincial standard for training and certifying instructors for Use of Force and CEWs. However, at the moment, FROIC is not the provincial standard because there has not yet been the time or capacity (especially since the release of Braidwood) for that work to be undertaken.

As discussed in his comments about the implementation of the Braidwood recommendations, it will take some time to develop training standards that will be done in consultation with BCAMCP agencies. Use of Force and CEW training, including the training of instructors, will be an integral part of the implementation of the recommendations so as to ensure consistency of officer training. We don't want to stand in the way of your departments' need to fulfill operational needs and replace and/or train Use of Force or CEWs instructors.

ADM-Director asked if Joel Johnston should to go ahead and put on a FROIC course. It is important to understand that the course will essentially be filling a gap until such time when a provincial standard is developed and approved by the province. That means that some additional or remedial training may be required in the future for those participating in a FROIC course. PSD can't endorse the FROIC course as the provincial standard is not set at this time, but will not stand in the way of having it run if required.

Discussion:-

Mr. Hovbrender acknowledged that FROIC is not a provincial standard but he stands behind the training.

ADM-Director Begg asked for feedback regarding whether PSD should we go ahead with FROIC and move forward. The consensus of the BCAMCP was yes.

Lynne McNally advised that a new Training committee - Braidwood Implementation Advisory Committee (BIAC) will actually consist of two committees, one with and one without the RCMP. The Committees will deal with Use of Force training first. PSD needs to review the Use of Force Regulation. C/Cst. Rich suggested the two Committees - one for Braidwood and one for the JI - meet separately and have separate minutes, even if the meetings are held the same day.

Mr. Hovbrender commented that Corrections and Sheriffs Branches are also impacted by Braidwood.

B. Proposed Amendments to Police Act – Update – ADM-Director Begg

ADM-Director Begg advised that on August 25th, the BC Government delivered the throne speech which stated the Province's intention to re-introduce the Police Act Amendments regarding the complaints process this Fall. He will keep the BCAMCP posted regarding when the Bill is reintroduced.

Mr. Hovbrender commented that the Police Academy is looking at Police Act training and has reviewed preliminary budgetary costs. They have approached a few people regarding providing similar training that was as was done in 1998 when the revised Police Act was implemented at that time.

C. Implementing Braidwood – C/Cst. Rich
Covered in Item 5.A.

D. 2010 BCAMCP Meeting Schedule – Discussion and Approval – C/Cst. Rich

Draft schedule was approved – pending confirmation of BCACP schedule. Susan Wilms will send out a revised schedule once meeting rooms and locations are confirmed.

E. Consultation on driver's licence scanning in bars – C/Cst. Rich
(Privacy Commissioner ruling on the Wild Coyote case)

Supt. Rothwell advised that info obtained from scanning driver's licences can be maintained by the establishment for 24 hours and the information can be shared with other establishments if the client is deemed violent or otherwise undesirable from a safety perspective. He commented that an extension to hold the info for 48 hours can be made if a production order is in the process of being obtained.

C/Cst. Rich commented that the BCACP has a Legislative Committee which can be used to get involved in these types of situations. Supt. Rothwell recommended keeping the status quo for the time being.

F. BCACP – Body Armour Committee – Approval of Representatives

A new committee is being formed to review the sale and distribution of unlicensed body armour. C/Cst. Bob Rich and Mr. Axel Hovbrender would like their names put forward for this committee. The BCAMCP agreed and approved.

G. Info sharing protocol with BC Municipal Police – Office of the Representative for Children and Youth (RCY) – D/C/Cst. Pecknold

A sample of an Approval for Information Sharing Protocol between the RCMP and RCY was provided. The BCAMCP approved that a similar protocol be put in place for the BCAMCP and RCY. C/Cst. Hames will relay this to D/C/Cst. Pecknold.

H. IRSU – C/Cst. Rich

BC Gov't Consult

C/Cst. Rich commented that he disagrees with the way Abbotsford is included in the current IRSU model and feels funds could be utilized in a broader method. He would like to see Abbotsford's share of funds be used to provide additional Traffic members for APD. S.15

Mark Tatchell advised that the MOU with ICBC is up for renewal at the end of the year. PSD is trying to ensure that public interest is maintained so that public money flows to particular projects. He commented that they S.16 and questioned if there are ways to enhance or improve the IRSU model.

C/Cst. Chadwick stated that now IRSU is working very well in the Capital Region.

Supt. Rothwell added that receiving CounterAttack funding is dependant upon being part of IRSU. VPD is not part of IRSU.

Gabi Hoffmann commented that a review of CRD IRSU showed the program to be very effective. She advised that a Fraser Valley review is being written which will include a crash analysis.

C/Cst. Parker advised that traffic incidents are down by 30%, especially alcohol related incidents and that IRSU has been very proactive in Port Moody.

C/Cst. Gaudet advised that participating Departments need to have more influence on the JMT staff of IRSU to ensure they receive their share of enforcement programs for their communities.

2.

ADOPTION OF MINUTES

Motion: That the Minutes of the BC Association of Municipal Chiefs of Police Regular Meeting of September 15, 2009 be adopted as circulated.

Moved: C/Cst. Gaudet

Seconded: C/Cst. Zapotichny

CARRIED

3.

PRESENTATIONS

A.

BC Gov't Consult

1/6 Time Served Parole Rule –

Guests: Peter Stabler, Chronic Offender Crown Counsel, and Jonas Dow

C/Cst. Rich introduced Peter Stabler and Jonas Dow.

Mr. Stabler discussed the issue of non-mandatory minimums for Fraud cases.

The following is a resolution that Mr. Stabler is proposing be adopted:-

BE IT RESOLVED THAT Notwithstanding the Corrections and Conditional Release Act that where an offender receives on or after January 1, 2010 a sentence of two years or more, on conviction for an offence set out in Schedule 1 of this section, that was prosecuted by way of indictment, the offender shall serve one half or 16 months of the sentence whichever is greater before being eligible for any form of parole and that where the offender receives a sentence of less than two years the offender shall serve two thirds of the sentence before being eligible for any form of parole. And that the court in determining a fit sentence shall, having regard to the circumstances of the commission of the offence and the character and circumstances of the offender and the need for deterrence and denunciation of the offences set out in Schedule 1, take into account both the overall fit sentence and ineligibility for parole specified by this section in arriving at a fit sentence for the offender.

Judges need to look at eligibility for parole when determining sentences. For a Federal sentence, the offender is out in 1/6 of the time or 6 months served, whichever is more. This rule relates to fraud and identity type crimes. Mr. Stabler commented that courts are dealing with fraud from all over the world. The current sentence of 6 months does not discourage recommitting the same crime.

He stated that for Provincial Parole, 1/3 of the sentence or 6 months served is starting to become the norm.

Mr. Stabler works with Municipal Police and the RCMP. He believes the new Parole rules do not support police and courts. Early parole release does not serve the public well. He is concerned about keeping criminals in jail long enough so that it becomes a deterrent to recommit upon release.

S.13, S.15

C/Cst. Graham recommended that this motion should go to the BCACP also for referral to the Law Amendments Committee. He suggested it will be tough to get the Act changed. The drive should be through the Law Amendments Committee. He commented that 100% of people who apply for Pardons receive them as there is no one to step up and deny the request.

BC Gov't Consult

Mr. Stabler added that notwithstanding the Act, a Judge can order that an offender can use half of sentence served toward Parole and can override the Conditional Release Act.

D/C/Cst. Pecknold is on the Law Amendments committee and commented that CCRA has just completed a full review. The LAC agrees on mandatory minimums. They will be meeting with Judges in Montreal for a Chronic Offenders Symposium next year. He will invite the BCACP to identify areas to include on agenda for this national symposium.

C/Cst. Chu commented that if we don't parole offenders there won't be enough room in prisons to keep everyone in custody. Mr. Stabler commented that it costs more in policing costs and insurance when offenders are released and re-offend.

BC Gov't Consult

Mr. Stabler relayed a situation where an offender of fraud and identity theft crimes received 1/6 time and was out more than once.

S.15

C/Cst. Graham commented that a proposal needs to be delivered to politicians.

C/Cst. Rich asked if D/C/Cst. Pecknold could assist the BCAMCP with developing a response. To be brought forward to BCACP in November.

4.

OLD BUSINESS

A. Privacy Complaint – S.22(1) Appeal

C/Cst. Graham reported that this is progressing well and will report further developments as they occur.

B. Pacific Region Training Centre – Structure and Funding
Guest: C/Supt. Bill Dingwall

C/Supt. Dingwall and A/Commr. Macintyre are Co-Chairs of the Learning Investment Unit. This Unit provides oversight to the Government for training and incremental requests in the Region. Training that takes place at PRTC is funded on a cost recovery basis.

The PRTC facility is 70 acres of owned property and 10-15 acres of leased. A 25 year master capital plan is in place. There was contemplation toward collaboration with Corrections and CBSA but it is not currently advancing. The PRTC is

Page 3

working on having an indoor range with funding being sought from Ottawa and is hopeful that it will be completed in 3 years. The buildings are currently being re-roofed with costs being covered by Ottawa. RCMP members receive training with Municipal, Provincial and Federal resources. When a Provincial member receives training, funds come from Provincial portion of funding, etc. PRTC has approx 110 staff. In addition, there are IT staff, Hotel staff, and Corp Commissionaires who provide security. Food services are contracted out.

BC Gov't Consult

D/C/Cst. LePard asked about JIBC funding. Mr. Hovbrender commented they receive approximately 1.75 m for recruit training of which approximately \$200,000 to 300,000 goes to Advance Training. D/C/Cst. LePard questioned ADM-Director Begg regarding equality for all police, regardless of whether they're RCMP or Municipal. ADM-Director Begg commented that Municipal police and Municipal RCMP are paid for by their own municipality; Provincial RCMP are paid for by the Provincial Government.

C/Cst. Graham asked if the Island can form its own unit on the South Island. C/Supt. Dingwall commented that they are currently trying to secure training locations off-base from PRTC.

BC Gov't Consult

Mr. Hovbrender commented on Ontario's Major Case Management course which is recognized as being very good and is offered through CPC. Unfortunately the RCMP does not recognize the course which indicates that mandatory standards are necessary. C/Supt. Dingwall advised that PRTC has made big investments in Management and Leadership courses to encourage members to use PRTC instead of traveling to CPC in Ottawa.

C/Supt. Dingwall commented that RCMP medical exams are done at PRTC. It is cost effective to cover medical tests, hearing tests, lab tests, etc. all in one location. D/C/Cst. Pecknold asked about PRTC's medical costs and C/Supt. Dingwall advised it costs \$1,000 plus transportation and accommodation. A/Commr. Macintyre added that a member spending one full week at PRTC can obtain all annual qualifications and medical, which saves money in the long run.

C. BC Independent Investigative Unit – Update

C/Cst. Rich, D/C/Cst. Pecknold and D/C/Cst. Sweeney have held a preliminary meeting for this committee. C/Cst. Rich invited anyone to stay for the 11:30 meeting today. He advised that concepts are being developed. One idea being discussed is splitting costs for members, vehicles and Admin support amongst all the participating Departments / Detachments.

D. BC Municipal Undercover Program – Funding

D/C/Cst. LePard advised that the details of the MOU have been worked out. ADM-Director Begg commented that it may be a few more weeks before it's confirmed. D/C/Cst. LePard added the demand is very great for the services of this unit. VPD is currently funding a third position.

5.

NEW BUSINESS

BC Gov't Consult

A. Monthly Report – Ministry of Public Safety and Solicitor General and Police Services Division

Braidwood – CEWs

ADM-Director Begg stated that in August he wrote a letter to all the Chiefs requesting that all Use of Force reports completed from September 1, 2009 and onward be forwarded to Police Services Division. This directive is pursuant to the Braidwood Inquiry recommendation calling upon my Ministry to develop a province-wide data collection process for the reporting and analysis of CEW incident without delay.

The Chiefs were asked to designate someone from their Department who would be responsible for forwarding these reports and have them contact PSD staff. PSD has heard from most of the departments but there are still some that have not yet responded. Those departments who have not yet responded will be receiving an email from ADM-Director Begg's office this week.

Taser International has issued a training bulletin in which it recommends that officers not aim at the chest when deploying a CEW. ADM-Director Begg asked that officers be made aware of this bulletin. Joel Johnston will follow up with Departments' trainers and/or use of force coordinators. This issue will be reviewed carefully in the process of amending the provincial standards and the use of force regulation as PSD implements the Braidwood recommendations.

PSD are preparing to initiate the first meeting of the Braidwood Report Implementation Committee. PSD staff will be in contact in the next few weeks to establish a date for the meeting and canvas for agenda items.

Discussion:

C/Cst. Graham asked if the names of members could be withheld from the "Use of Force Reports". Lynne McNally affirmed that names are not included on stats but a unique identifier for the department is used.

Video Surveillance Regulation

ADM-Director Begg advised that in the next week or so, Chiefs can expect to receive a letter from the Solicitor General with an update and details regarding the Video Surveillance Standards.

At least nine of the 11 departments have made significant efforts toward compliance with the proposed standard. Three of those departments have indicated to PSD staff that they have already reached full compliance.

The implementation timelines were extended over a three-year period to address concerns raised by some departments around costing. PSD is requesting that departments continue to move toward full compliance with the Standard, pending regulation.

Domestic Violence E-Learning Project

ADM-Director Begg was pleased to announce that course one of the Police Services Division Domestic Violence eLearning program has just been through a successful pilot review and later this month, the course will be launched and become accessible to police across BC. The course is called **Evidence-based, Risk-focused Domestic Violence Investigations**. It was built using systematic curriculum design, professional curriculum developers and a variety of subject matter experts from across the province.

These Domestic Violence subject matter experts came from your police agencies, the RCMP, MCFD, Crown Council, Corrections and Victim Services.

The course we are releasing emphasizes the importance of:

- thorough evidence-based investigations,
- continual risk assessment in all phases of investigation and follow-up,
- it encourages interagency cooperation, and
- stresses the necessity of keeping victim safety at the centre of decision making at all times.

This course will be required learning for all police who investigate or follow-up Domestic Violence cases and for those who supervise this group. PSD is anticipating about 4800 learners will fall into this target group across BC. All learners in Municipal and RCMP agencies will be required to complete this course prior to November 2011. This course will become part of recruit training at the JIBC and part of the RCMP field coaching program for new cadets posted to BC.

The course will be accessible to officers 24 hours a day, on-line, from the Canadian Police Knowledge Network website. It will take learners about 4 hours to complete. While 4 hours may not seem like much time, if you were to attempt to cover this same material in a traditional training forum it would take about 10 hours of face-to-face class time. PSD has already been in contact with training officers about the launch of the course and the on-line registration of the required learners has begun. This is the first project of this type for Police Services Division and it could not have been accomplished without the support and cooperation of Municipal police training sections and the experts from those agencies. PSD is planning to build a second course that will focus more specifically on Domestic Violence Risk Assessment and you will be updated on the progress of this next phase of the project.

Police Sector Council Competency Based Management Project

ADM-Director Begg provided an update on the Competency Based Occupational Standards Project that is just being wrapped up by the Police Sector Council.

He first introduced this topic to the BCAMCP last September and knows that a few departments have had members on the national steering committee for this project. PSD staff have also been represented there.

This Police Sector Council Competency Based Management initiative has now produced a nationally validated Framework of Occupational Standards for policing and also an accompanying Competency Based Management Guide and Toolkit .

This set of documents provides information that can assist your organization in building a systematic and defensible system for hiring, assessing performance and for promotion of police constables, sergeants, staff sergeants and inspectors.

To access the Competency Based Management Framework, Guide and Toolkit please contact Portia Dewhurst directly at the Police Sector Council or contact my staff member Jane Naydiuk and she will provide you with further information.

B. Proposed Amendments to Police Act – Update

Police Act

ADM-Director Begg advised that the amendments to the *Police Act* received first reading on September 17th.

D/C/Cst. Pecknold advised that after second reading, it will go back to committee before 3rd reading. ADM-Director Begg is expecting 2nd reading next week and hopes it will be passed in November. Proclamation will possibly in the Spring. D/C/Cst. Pecknold recommended that Departments ensure they have sufficient funds in their budgets as higher costs could be incurred for discipline proceedings.

Distracted Drivers Legislation – (Cell Phone Ban)

ADM-Director Begg advised that the Ministry will introduce new legislation under the *Motor Vehicle Act* to target distracted drivers. The Government is working towards introducing legislation to ban cell phone use while driving a vehicle. He was unable to provide the details related to the penalty as the legislation is still being drafted, however is hopeful that the legislation will be introduced as early as this Fall.

Discussion:

A/Commr. Macintyre asked if there will be any exclusions for emergency providers and ADM-Director Begg advised that this issue is on the table also. C/Cst. Graham commented that there would be a need for police to use cell phones while driving for work purposes. C/Cst. Rich added that he would like the BCAMCP to be part of developing the final Regulation. ADM-Director Begg encouraged the BCAMCP to provide input and C/Cst, Graham offered to coordinate their response.

C. Graduation of Class 127 on October 30

Axel Hovbrender advised that the next Recruit Graduation will include a special presentation during the ceremony and invited everyone to attend.

D. Replacement of Datamaster with Intoximeter

C/Cst. Maluta raised discussion regarding the Datamaster which is seemingly becoming defunct. It appears to be a National issue looking for a new instrument. Police have been using the Datamaster for a longtime which is well accepted in court. A new instrument would require training and building trust in court. It could cost \$1.7 m to install Intoximeter. The Datamaster has never been a problem.

C/Cst. Chadwick added that he understands that the ability to service Datamaster will not be available in three years. It requires frequent calibrating and maintenance. The Intoximeter is less expensive and requires less maintenance. RCMP E Division is looking for a financial commitment from the BC Government to purchase new equipment. A/Commr. Macintyre believes the issue is due to service. The Intoximeter is being suggested as a long term solution to replace the Datamaster as they need replacing. Mr. Hovbrender is working with Traffic Safety Committee to develop training standards. It will be a burden on all Departments to re-certify everyone and it will be problematic if there's a lack of funding.

E. MOU with OPCC re: Criminal Investigations

D/C/Cst. LePard asked for a consensus on this MOU. C/Cst. Graham had some concerns and is waiting for a submission from Steve Ing, of Victoria PD before suggesting an amendment. C/Cst. Graham advised that he will probably not use the OPCC but would prefer to get an independent legal opinion on such matters.

The MOU provides the BCAMCP with the option of soliciting an opinion from the OPCC. It is not a direction, but a choice. D/C/Cst. LePard advised that he sent a file to the OPCC for a review and was advised that they were satisfied that the member's conduct was appropriate in the circumstances. The file was then sent to Crown and was concluded.

D/C/Cst LePard will ensure the wording is worked out and get the MOU ready for the BCAMCP to sign.

F. Sheriffs – 2010 Olympic Security

BC Gov't Consult

D/C/Cst. Sweeney advised of a project that Police Services is working on for the IOC. During the Olympic Games, the Province of BC are using the Robson Square complex as a provincial pavilion, media centre and presentation zone. The Vancouver Art Gallery is included in the zone. The Province did not provide any security for the area and are now working on giving jurisdiction to the Sheriffs by swearing them in as Special Municipal Constables under the BC Police Act. Sheriffs are willing to take on this role with the caveat that they must be armed. They want the ability to arrest, but not have to present the files to Crown Counsel. He advised that f VPD members will be provided for patrolling the area for traffic.

2.

ADOPTION OF MINUTES

Motion: That the Minutes of the BC Association of Municipal Chiefs of Police Regular Meeting of October 14, 2009 be adopted as circulated.

Moved: C/Cst. Graham **Seconded:** C/Cst. Zapotichny **CARRIED**

3.

PRESENTATIONS

A. **Solicitor General – Kash Heed**

Sol-Gen Heed began by congratulating C/Cst. Jim Cessford on receiving the "Citizen of the Year" award in Delta.

Sol-Gen Heed recognizes that he is responsible for the policing in BC and wants the most effective, transparent and accountable forces. They are currently negotiating with the RCMP and are working towards a contract where the Province is a partner rather than a "customer". There is a desire to coordinate services and he feels that all Chiefs have a major influence in this transition and indicated that he will be very receptive to feedback from them.

C/Cst. Rich questioned what Sol-Gen Heed envisions in the next several years. Sol-Gen Heed advised that he has passed amendments to the Police Act and will introduce more changes related to use of force and pursuits. He also reported that they want to coordinate resources and create a central agency to deal with gangs and organized crime. He acknowledged that separate agencies are costly to maintain.

C/Cst. Graham questioned the status of the civilian body oversight of police investigations. Sol-Gen Heed reported that a committee has been struck but he wants to wait for reports such as Braidwood to come out before implementing changes.

Mr. Hovbrender posed a question regarding standards for policing throughout BC. Sol-Gen Heed acknowledged the pressures the JIBC faces and spoke briefly on the issue of domestic violence. He congratulated the departments who have created dedicated units to this and indicated that steps will be taken to ensure consistency in training throughout the departments.

E. BC Police Training Governance Steering Committee

Another meeting is being planned for December and the representatives are as follows:

Vancouver A temporary Inspector will be assigned -
Supt. Schnitzer will attend normally

Island – C/Cst. Gaudet and D/C Cst. Naughton

Mainland – D/C Cst. Rich Drinovz and Chief Officer Ward Clapham

PRTC – C/Supt. Bill Dingwall

F. 1/6 Parole Rule – Update

D/C/Cst. Pecknold was not available to provide an update. Tabled to the next meeting.

G. Independent Investigative Unit Proposal – Update

ADM-Director Begg advised that until the Braidwood Report is released, further movement on this will not take place.

5. NEW BUSINESS

BC Gov't Consult

A. Monthly Report – Ministry of Public Safety and Solicitor General

Counter Attack:

The Enhanced Road Safety overtime CounterAttack funds were traditionally released only for the Christmas CounterAttack season. This year, \$250,000 will be provided to independent police departments for a summer CounterAttack campaign. Earlier this Fall, a second round of grants was released totaling almost \$700,000 to independent police departments for their Christmas CounterAttack campaigns. These funds ensure that the departments have the resources to identify and remove impaired drivers from our roads, especially around the traditional holiday season. These campaigns are very effective at reducing drinking and driving and although they cannot guarantee that funds will be available every year, they are trying to rectify the situation and ensure stable funding for this important initiative.

Police Act:

The Police Act (regarding the police complaint process) received Royal Assent on October 29th. There are a number of regulations (mostly consequential) that need to be done before the Act comes into force and his office is currently working on these. An enforcement date is expected sometime in the Spring of 2010.

B. Proposed Amendments to Police – Update

C/Cst Rich advised the Independent Investigation Unit issue has been put on hold until the Braidwood report is released. ADM-Director Begg reported that the background work is still being done.

C. Disclosure to Police Services of Use of Force Reports – C/Cst. Graham

ADM-Director Begg advised that when the data is sent in, the identifier need not be included. There needs to be some quality control in order to ensure that multiple submissions referring to the same file is not generating duplication of data. Their office is not interested in identifying the individual involved and it was agreed that the file number would be used as the identifier.

D. Ethics Commissioner (or Advisor)

The concept of a police Ethics Advisor was discussed. A Port Moody Board member brought the idea forward to the Port Moody PD and referred to the Vancouver PD model. C/Cst. Graham advised that H.A.D. Oliver was consulted while he was in Vancouver and was very helpful when dealing with ethical dilemmas.

E. Traffic Collision Reporting Threshold – MV6020 Accident Reports

There is a provision in the MVAct that members must submit 6020's if they attend an accident with substantial damage and injuries and if they do not, they are subject to being ticketed. C/Cst. Graham will bring this issue to the BCACP Traffic Safety Committee and suggest that an amendment be brought forward.

F. Change of Amber Alert Criteria in Ontario - Information

Ontario has recently changed their criteria and discussion ensued as to whether or not a working group should be struck to reconsider ours. It was agreed that we have not encountered any significant issues therefore things will remain status quo.

G. Elections – 2010 & 2011 BCAMCP Executive – C/Cst. Rich

There will be no meeting in December. The following members were acclaimed for their positions effective January 1, 2010:

President: C/Cst. Brad Parker (no other nominations)

Vice President: C/Cst. Jamie Graham (no other nominations)

Secretary Treasurer: C/Cst. Paul Hames (no other nominations)

- D/C/Cst. Pechnold offered his assistance to Mr. Brantingham on the complexities around the Police Act and Disclosure.

Mr. Brantingham asked for volunteers to form a sub-committee to assist in the Feasibility Study for laying the first ground work. The following volunteered to form the committee:

1. C/Cst. Lepine
2. D/C/Cst. Naughton
3. D/C/Officer Beattie
4. C/Cst. Brad Parker
5. A/Comm Al Macintyre (or designate)

Mr. Bent, Mr. Brantingham and Ms. Holmes left the meeting at 11:50 am

4. OLD BUSINESS

A BC Municipal Undercover Program – Update on funding - TABLED

This item was tabled to the next meeting, however, Mr. Tatchell advised that the funding for this program depends on the 2011 budget which is not available at this time.

Presently there is one body on loan, in addition to Mike Serr's position. C/Cst. Chu will get the details and draft a memorandum.

B OPCC/BCAMCP MOU – Update on final version for signing

The OPCC have reviewed the document and their input changed a few sections. The goal is to have the document signed off today. D/C/Cst. Lucy circulated copies of the OPCC-BCAMCP MOU for signature. All in attendance agreed to sign the document. The MOU will be forwarded to those individuals not in attendance.

Committee members do not want to see the document go public at this time. D/C/Cst. Lucy will follow up with the OPCC to determine if the document will be released and will report back.

Follow up next meeting

5. NEW BUSINESS

BC Gov't Consult

A MONTHLY REPORT – Mark Tatchell, Ministry of Public Services & Solicitor General, joined the meeting at 10:25 a.m.

CEWS/BRAIDWOOD UPDATE

The Province is moving ahead with implementing the recommendations laid out in the Phase 1 report by Justice Braidwood.

Mr. Tatchell gave a quick update on a couple of key activities around implementing Braidwood's recommendations that have occurred since the last time this group met.

Page 4

- Braidwood recommended that PSSG encourage the Minister's Federal, Provincial and Territorial counterparts to develop and fund a national research program for CEWS that promotes independent, science-based, and peer reviewed research.
- To this end, PSD sent a letter to the Federal Government in November 2009 encouraging the development and funding of such a program. PSD is also involved in a FPT CEW working group which is working on developing national research priorities, as well as potential national guidelines around CEWS.
- With regard to training, PSD recently received some limited contract funding to assist with this portion of the Braidwood recommendations.
- Linda Waddell has been contracted to assist our staff with this process. Linda Waddell and her team most recently worked with PSD on the online Domestic Violence Project.
- The first major training project is a review of the Force Response Options Instructor Certification or FROIC course at the JIBC. We are conducting this review to ensure it meets the provincial learning strategy goals of being defensible, effective and accessible. Mr. Tatchell will keep the committee updated as we move through this process.

FRASER VALLEY INTEGRATED ROAD SAFETY UNIT

An evaluation of the Fraser Valley Integrated Road Safety Unit (FV IRSU) has been completed and is ready for public release by the Solicitor General.

In 2009, the Road Safety Unit, Police Services Division, conducted an evaluation of the Fraser Valley IRSU to:

- Assess whether the change in the delivery of enhanced traffic services has altered traffic outcomes in the Fraser Valley by comparing 2003 activity with 2008, following the full implementation of the Integrated Road Safety Unit (IRSU) model in the region; and,
- Evaluate the Unit's operations, management, communications and strategic directions.

Overall, in 2008 the Fraser Valley IRSU:

- Wrote over 30,000 *Motor Vehicle Act* (MVA) violation tickets and *Criminal Code* charges combined.
- Focused enforcement efforts on speeding (49% of tickets issued), seatbelt violations (18%), intersection offences (11%), and impaired driving enforcement (3%).

- Averaged 1 violation ticket per working hour.

When comparing the 2003 CounterAttack (CA) and Targeted Traffic Enforcement Partnership (TTEP) traffic enforcement programs to 2008 initiatives, the FV IRSU:

- Worked double the hours, and was over 4 times more productive in police activity.
- Generated approx \$2.7 million more in traffic fine revenue than in 2003.
- Issued 8 times more Criminal Code charges than CA and TTEP combined than in 2003; in 2008 FV IRSU issued 192 Criminal Code charges.
- Issued double the violation tickets and Criminal Code charges per working hour from 0.48 tickets per working hour in 2003 to 0.88 tickets per working hour in 2008.
- Was 24% more cost effective in terms of cost per ticket; in 2003 the cost per ticket was \$92.35 in comparison to \$70.51 in 2008.

Comparing the 2002/2003 average to the 2007/2008 average, the Fraser Valley Region showed a:

- 14% decrease in motor vehicle fatalities;
- 17% decrease in the number of injured victims;
- 12% decrease in the number of casualty crashes; and,
- 23% decrease in the rate of injured victims per 100,000 population

In officer interviews:

- 93% felt that the integration was working well at the Fraser Valley IRSU;
- 77% responded that they had enjoyed their time working for the Fraser Valley IRSU; and,
- 100% of members said they felt safe on the job.

The evaluation makes 18 recommendations for improvement in 7 operational, governance and administrative areas including: program operations, staffing policies and procedures, communications, data-driven enforcement, administration, equipment, and governance.

Given the marked improvement in officer activity and efficiency against crash and fatality reductions in priority areas, the evaluation concludes that the IRSU model is working well in the Fraser Valley, and is achieving far greater road safety benefits in a more cost effective way than previous overtime programs.

CEW TESTING

To complete our commitment to testing CEWS, the Province has signed a contract with MPB Technologies to test the post-2006 Tasers that have not yet been tested. As you know pre-2006 Taser models were tested last year.

The lab at MPB Technologies was fully booked during January. This means that CEW testing has now been deferred until March, due to the Olympics.

Joel Johnston will be in contact with each agency to co-ordinate and organize the shipping to and from the lab.

PAUL KENNEDY'S CPC REPORT

Paul Kennedy, Chair of the Commission for Public Complaints against the RCMP (CPC), released his report into Robert Dziekanski's in-custody death on Tuesday December 8, 2009.

Overall the report is critical of the RCMP. Some of the key findings of the CPC report were:

- Use of the CEW was premature and inappropriate.
- The CEW was used multiple times without effort to determine whether there was need for further use.
- The RCMP members failed to provide an appropriate, measured & coordinated response.
- No meaningful attempt was made to de-escalate the situation.
- The members should have actively provided first aid and monitored Mr Dziekanski's condition.
- The four members inappropriately met alone prior to providing any statements.
- The versions of the members was not credible.
- The senior on-scene RCMP member should not have been present at the IHIT briefing.

The CPC report contains recommendations regarding how serious incidents involving police should be investigated and by whom.

The CPC report also contains a number of recommendations regarding raising the threshold for use of CEWS and improving training, which are consistent with the phase 1 Braidwood Report Recommendations.

TRAINING BULLETINS

PSD is working in a variety of areas to address what Braidwood's Report identified as a lack of detailed Provincial standards and rules regarding policy, training and reporting. While Braidwood was only speaking about CEW'S in his report, we know that a lack of clear standards is an issue in other areas as well. PSD is working on rebuilding the policing standards and related regulations. This is a large and complex project that will likely take years to complete.

In the meantime, police officers still have to navigate in a challenging and very public environment. As we wait on the legislative process to unfold, we will be doing what we can to communicate our position clearly.

Directive letters will be coming from Mr. Tatchell's office with respect to the Braidwood Recommendations.

PSD are about to issue **Provincial Training Bulletins**. These are short memos that address specific issues that PSD want to see included in training at the Police Academy and in some cases at the in-service level. These bulletins will be issued as topics arise and will be circulated to the Police Academy and to all agencies.

The first bulletin should be out in the next few weeks. It will be on the topic of *Pursuit Driving* and will provide the specific learning objectives that have arisen from the recommendations of the Provincial Pursuit Working Group. The second bulletin is about CEWS.

SBOR/USE OF FORCE REPORTING

PSD will be piloting a SBOR reporting template in PRIME for all independent municipal Police Departments.

Agencies were required to have 80% of applicable officers complete training by December 1st, 2009. Most agencies have reached this target.

Data collection for the SBOR reporting pilot project began on December 01, 2009 and will likely continue through to March 2010. At that time, PSD staff will be evaluating SBOR to inform future program developments.

Please note that the SBOR pilot is related to - but separate from - the Use Of Force reports being forwarded to PSD as a result of Braidwood recommendation #16.

All Use Of Force Reports are still required to be submitted to PSD.

This means that Reports of Force completed by officers in alternative formats - such as in the narrative of the G.O. in PRIME or a CEW incident form - need to be sent to PSD in addition to any completed in the SBOR template.

PHASE 2 DOMESTIC VIOLENCE E-LEARNING PROJECT

In December 2009, phase one of PSD'S Domestic Violence E-Learning Project was made available for all police across BC.

Phase One is an introduction to evidence-based, risk-focused Domestic Violence Investigations. This course is receiving attention across Canada. To date, Alberta, P.E.I. and the NWT are in the process of acquiring access to the course for their police officers.

Development of Phase Two of this project is now underway. This will be a more in-depth look at Domestic Violence risk assessment for front line police.

Development of this course is a joint effort using resources from PSD and PRTC. Subject matter expertise will be drawn from the JIBC, Police, Crown and academic experts in the field of threat assessment and risk management.

As was the case for Phase One – Phase Two will be mandatory training for all frontline police in BC. Mr. Tatchell will keep everyone updated as this project proceeds.

B PROPOSED AMENDMENTS TO POLICE ACT UPDATE

Mr. Tatchell gave an update on the work being done with respect to Bill 7 which contains amendments to the Police Act regarding the changes to the Police Complaint Process.

Before the amendments can be implemented PSD need four forms prescribed by Bill 7:

1. Notice to appear at a Discipline Proceeding,
2. Notice of a Discipline Proceeding,
3. Findings of a Discipline Authority at a Discipline Proceeding, and
4. Disposition Record

An e-mail was sent out by PSD on December 23rd, 2009 inviting your participation to consult with the Ministry on these. PSD is working to bring the Act into force as quickly as possible.

Agenda Item for next meeting

GANGS AND GUNS

Introduced a Body Armour Control Act in October, hope to bring the Act into force in the Spring.

Next phase looking at marijuana legislation and mandatory gun shot reporting.

Finished consultation with the Health Sector around mandatory gun shot reporting and hope to move that along. There is similar legislation in Alberta, Saskatchewan, Ontario, Manitoba, and Nova Scotia.

Brainstorming around vehicles that are modified to conduct illegal activity on armoured vehicles, i.e. secret or hidden compartments. A number of US states

D POLICE PROTOCOL FOR REQUEST FOR INFORMATION – SECTION 10 ORDER

The representative for Children and Youth (RCY) are asking for the support of municipal policing agencies to adopt a standardized letter, a similar protocol that they have adopted with the RCMP.

If everyone agrees with the attached format D/C/Cst. Pechnold will relay the information to them and it will be implemented.

MOTION: THAT the BCAMCP approves the Police Protocol, Request for Information Section 10 Orders format, for Rollout.

Moved: D/C/Cst. Naughton

Seconded: D/C/Cst. Downie
CARRIED

BC Gov't consult

E DISTRACTED DRIVER – NEWS RELEASE SBOR ROLL-OUT

Mr. Tatchell re-iterated that NO tickets are to be issued during the month of January, just warning tickets. Some jurisdictions were writing tickets. Tickets are to be issued commencing 01 February 2010.

Mr. Tatchell left the meeting at 10:55 am.

F ETHICS ADVISOR

Transit Police are looking at hiring an external Ethics Advisor and asked if any other agency had such a position and also if anyone would be interested in a shared position. The Transit Board wants to see if there is any interest from other agencies.

22(1)

G TRANSIT POLICE – LEADERSHIP DEVELOPMENT PROGRAM

Transit Police are holding monthly leadership training and development sessions at their administrative buildings in New Westminster, and extended an invitation to all to attend, and also to extend the invitation to training officers and other key people. Sessions do not have to be held at Transit Police Headquarters. Down the road outsiders may be brought in. C/Officer Clapham will keep everyone updated via e-mail.

A. None

4.

OLD BUSINESS

A BC MUNICIPAL UNDERCOVER PROGRAM – UPDATE ON FUNDING

Supt. Rothwell briefed the BCAMCP on the status of the BCMUCP.

An application was in to Police Services to increase the size of the BC Municipal Undercover Program, first of all by five (5) and then by three (3) members. Supt. Rothwell is asking for support from the BCAMCP to determine the status of the program from Police Services, and to secure the funding.

Presently there is one Acting Sgt. and one Acting Corporal in the Unit, however, a S/Sgt. is needed to look after the administrative tasks. With only two investigators the program is hampered and can only do a small part of what they want to accomplish. In 2009 alone the number of files increased by 22% with a number of great successes. BCAMCP agreed that most have used and benefited from the program.

C/Cst. Graham suggested that a letter be sent from the BCAMCP to Police Services, requesting clarification on whether or not they will provide the funding for the BC Municipal Undercover Program, and when it will be available.

Supt. Rothwell will draft a letter for C/Cst. Parker's signature.

BC Gov't Consult

Mr. Hovbrender advised that Police Services no longer fund the Undercover Operator Training at the JIBC. Police Services cancelled the funding after the program was provided.

Motion:

THAT the BCAMCP forward a letter to Police Services requesting the status of the BC Municipal Undercover Program, and when the funding will be made available.

Moved: C/Cst. Maluta Seconded: C/Cst. Graham....CARRIED

Meetings with Solicitor General

Further to this discussion, C/Cst. Cessford would like the BCAMCP to have structured meetings with the Solicitor General, invite him to come and talk to us on topical issues. Meetings could be quarterly or every six months.

ACTION

D/C/Cst. Pecknold is meeting with the Solicitor General on 23rd March, and will use this opportunity to raise this issue.

BC ASSOCIATION OF MUNICIPAL CHIEFS OF POLICE

Central Saanich
Tuesday April 13, 2010 at 9:30 am

CLOSED Meeting - NOTES

Present:

D/C/Cst. Rick Lucy
C/Cst. Paul Hames
D/C/Cst. Lyle Beaudoin
D/C/Cst. Rich Drinovz
Kevin Begg, ADM-Director
Lynne McNally
D/C/Cst. Dave Jones
C/Cst. Ron Gaudet
C/Cst. Brad Parker
D/C/Cst. Chris Rattenbury
D/C/Cst. Bob Downie
C/Officer Ward Clapham
D/C/Officer George Beattie
D/C/Cst. Steve Sweeney
C/Cst. Jamie Graham
C/Cst. Jamie Graham
Insp. Jim Almas

Abbotsford PD
Central Saanich PD
Delta PD
Delta PD
Ministry of Public Safety & Sol Gen - PSD
Police Services Division
New Westminster PS
Oak Bay PD
Port Moody PD
Port Moody PD
Saanich PD
Transit Police
Transit Police
Vancouver PD
Victoria PD
Victoria PD
West Vancouver PD

Meeting called to order at:- 9:40 am

1. **ADDITIONS TO AGENDA**
 - A. RESIGNATION OFS ²²⁽¹⁾
 - B. VICTORIA POLICE DEPARTMENT – INTERNAL COMPLAINT
 - C. CFSEU

2. **NEW BUSINESS**

A CHANGES IN GOVERNMENT - SG

Committee asked Mr. Begg if he had any update on the recent resignation of the Solicitor General.

Mr. Begg advised that he has no further information and assumes that in the interim the Attorney General will manage both Ministries until the end of this session of the House. He does not imagine that they will do any major shuffle of ministers in the middle of a session.

Mr. Begg also advised that he believes that everything that was on the docket will proceed as planned. Some positions on certain things may change in the future with a different Minister.

Mr. Begg added that he has never seen a Minister resign and come back to that portfolio.

B VICTORIA POLICE DEPARTMENT – VIDEO ON U-TUBE

C/Cst. Graham spoke on the recent Victoria Police Department incident that was captured on U-tube.

The criminal investigation is being done by VPD, the internal investigation by Calgary Police Service and D/C/Cst. Jones is the Discipline Authority.

S.13

Lynne McNally, PSD joined the meeting at 10:10 am.

C

CFSEU

Mr. Begg advised that the Minister was frustrated thru the inability of the former board to come to a decision on some things so decided he was going to civilianize the board. The board is now polarized.

The next round of appointments will be at the end of this year. The board would make the decision on the Chief Executive Officer. Mr. Begg advised that it will be discussed with the new Minister.

3. OLD BUSINESS

A. None

B. Approval of Notes from Closed Meeting 13 April 2010

training - \$400,000-\$500,000.

Moved: D/C/Cst. Downie Seconded: D/C/Cst. Rattenbury CARRIED

3. PRESENTATIONS

A. None

4. OLD BUSINESS

A **MCNEIL POLICY**

D/C/Cst. Bob Downie spoke with Brian Rendall at the Criminal Justice Branch regarding our commitment as BC Chiefs to follow the VPD model of the McNeil Policy. Crown are looking for some consistency that goes across their desk.

D/C/Cst. Downie suggested interested departments form a small working group to harmonize the part that Crown will see to ensure we are all consistent.

The following motion was put forward:

Moved by D/C/Cst. Downie Seconded by C/Cst. Graham Carried:

THAT the BCAMCP form a working group to manage disclosures for the McNeil Policy for municipal police departments.

Committee agreed that the Deputy Chief Constables from each agency will form the Committee. Deputy Chief Constables will contact D/C/Cst. Downie.

B BC Gov't Consult **PROVINCIAL SHERIFFS & FIREARMS OFF SITE**

D/C/Cst. Sweeney briefed the group on an issue that evolved from a situation when the judiciary held a conference in Vancouver and wanted to have some armed security at the Conference. VPD carried out a threat assessment and deemed it did not validate providing that level of protection, so the late Hugh Stansfield declared the site a *courthouse* for the purposes of the conference and used Sheriffs.

There is a conference coming up in a week and they are planning for Sheriffs to provide armed protection in a plain clothes capacity which is not an area they have any kind of training in. D/C/Cst. Sweeney has concerns about this and feels it could be problematic.

ADM-Director Begg advised that both the Union and management are trying to make the role of Sheriffs a little broader than what they are currently providing, and that the current Attorney General is in support of that. All agreed there are some advantages in the long run, however, it has to be worked out in conjunction with police.

ADM-Directo. Begg suggested inviting Rob Wood and Dave Maedel to the BCACP meeting and do a presentation on where they are going. Dave Maedel is an associate member of the BCACP.

C/Cst. Graham, C/Cst. Parker and D/C/Cst. Sweeney will arrange to meet with them prior to the June BCACP meeting, and establish what their presentation is.