

A small working group was formed in the past to discuss many of these issues, and Mr. Begg suggested reconvening the group. ADM-Director Begg will contact Tanya Allen to reconstitute the group to go through the regulations one more time before it goes to regulation.

D/C/Cst. Downie will sit on the committee.

## **G. MUNICIPAL SECONDMENT PLAN – PBL CONTRACTS**

The PBL Contracts are still a work in progress. A/Comm McIntyre asked to keep him posted if any inter-departmental trades occur. If there is no interest in certain positions, the RCMP will staff the positions themselves. The Ports will be kept separate.

## **5. NEW BUSINESS**

### **A. MONTHLY REPORT FROM POLICE SERVICES DIVISION**

#### **• BRAIDWOOD UPDATE**

The Province is moving ahead with implementing the recommendations laid out in the Phase 1 Report by Justice Braidwood. ADM-Director Begg gave an update on a couple of key areas:

In late December or early January the SG directed all police agencies in BC to immediately implement Braidwood's recommendation 15, to immediately withdraw and send for testing any CEW that has been used in an incident involving serious injury or death.

In January the former Braidwood Advisory Committee and SABR were amalgamated into one committee, to be called BRIC. Five representatives from the policing community have been selected to participate. The first meeting takes place today, 13 April 2010.

In February, agencies were requested to provide names for subject matter experts on either CEWs and/or Crisis Intervention. PSD has been working closely with our selected contractor – Linda Waddell – and have initiated working groups on these subjects to assist with designing Crisis Intervention and CEW training course content.

Some draft *Provincial Policing Standards* related to Braidwood's Recommendations have been prepared by PSD staff and will be discussed at this afternoon's BRIC meeting.

#### **• USE OF FORCE DATA**

Braidwood recommended that, without delay, the Province develop a province-wide CEW incident report form and that completed forms be forwarded to the Ministry for entry into a province-wide electronic system for the reporting and analysis of CEW incidents.

The Province extended the scope of this recommendation to include all Use of Force reports.

Effective 01 September 2009 all completed Use of Force reports must be forwarded to PSD on a monthly basis. Most agencies are meeting this request

The SBOR Reporting template is a structured text page in the PRIME RMS, however, the SBOR text page cannot be mined for data at this time. PSD indicated that it would conduct a pilot of the SBOR reporting template this year in order to finalize the template and establish it as the provincial standard for Use of Force Data Collection.

The province asked that 80% of police officers be trained on how to complete the SBOR Report template by December 1, 2009, which is when data collection for the pilot also began.

As of December 1, 2009, those officers in your department that are trained to use the SBOR Reporting template should be entering their Use of Force information using this template.

This SBOR Reporting template will fulfill the first component of Braidwood's recommendation. Once completed, the SBOR template will result in a finalized and mandatory province-wide Use of Force report form.

Agencies will be consulted during the SBOR pilot evaluation. Important information from the SBOR pilot data will be used to make decisions such as the reporting threshold (currently set at physical control-SOFT).

In order to meet the Braidwood mandate of a stand-alone internal database, the province had to develop a stand-alone internal database to meet those requirements.

The information that your departments have been sending to PSD staff is populating a new internal database created by PSD called the BC Force Incident Database (BC FID).

This database has been constructed and tested over the past few months. Selected data from completed SBOR reports received from your agencies are currently being entered into BC FID. This aggregate data will allow analysis and reporting on use of force, and specifically CEW use, in the future.

A/Comm McIntyre reported that the RCMP built a stand-alone database. They have a monitoring system for Use For Force including a whole litany of things to monitor performance, to get early warning signs

- **CEW TESTING**

Last year the Province sent all pre-2006 CEWs for testing of their electrical output to MPB Technologies. The remaining CEWs (post-2006) are currently in the process of being tested.

The first batch, containing 174 CEWs from various police agencies, was sent to the laboratory on March 30, 2010 and testing began last week.

The final batch of the remaining CEWs (approx. 70) is scheduled to be tested at MPB Technologies the week of May 3 - 7, 2010.

As soon as the test results are received, PSD will contact everyone to advise that the CEWs which passed inspection can be put back into service.

- **DOMESTIC VIOLENCE TRAINING PROGRAM**

In December of 2009 PSD launched its online Domestic Violence Program for all frontline police and supervisors in BC. Over 5000 police officers in BC should have taken these courses by November 2011.

Course One - *Evidence-based, Risk-Focused Domestic Violence Investigations*, emphasizes investigational practices that focus on identifying and documenting risk factors and is available on line for your officers.

Course Two - *Domestic Violence Investigations: An Introduction to Assessing and Risk and Safety Planning*, is in development and expected to be completed this fall.

As a result of the BC Domestic Violence Action Plan announced in January of 2010 a third level of advanced training for domestic violence specialists is also under development.

- **POLICE ACT AMENDMENTS REGARDING RECOMMENDATION 10**

Regarding Braidwood Recommendation #10, the Province is working in the spirit of this recommendation on proposing changes to the Police Act with regard to how standards are set.

- **ROAD SAFETY**

**Intersection Safety Camera Upgrade - Communications Release Strategy**

Site selection for the new 140 camera intersection safety camera program has now been completed and a contract with the new vendor (Redflex) has been reached, enabling implementation of the new digital cameras and back end ticketing system to begin.

This week a letter detailing the sites for each community was sent from PSD to all Chiefs of Police in communities that will have cameras under the new program outlining the process for selection and sites for their region. The anticipated start date for the ticketing system will begin in December 2010.

**Counterattack 2009/10 Results**

In 2009, Police Services distributed two rounds of contracts to independent municipal police departments for Summer and Winter CounterAttack.

The total value of these agreements for CounterAttack in 2009/10 was \$948,100.

The total amount spent on CounterAttack deployments by all departments in 2009/10 was \$848,613.00:

- \$192,375.00 for Summer CounterAttack

- \$656,236.00 for Winter CounterAttack

The 2009/10 Winter CounterAttack campaign saw an 11% increase in the number of violation tickets issued:

- 423% increase in the Impaired Driving charges
- 131% increase in the number of 24-Hour suspensions issued to drivers compared with 2007/08.

#### **CounterAttack Hourly Rate Chargeback Rate**

ADM-Director Begg understands there has been a request to increase the hourly charge back rate for Enhanced CounterAttack enforcement, as the current s.16, s.17 no longer represents an hourly cost-recovery rate.

ADM-Director Begg suggested the BCAMCP submit a proposal to Mark Tatchell outlining what the BCAMCP think would be an agreeable rate of reimbursement.

#### **• GUNS AND GANGS**

On February 13, 2009 the Premier announced a comprehensive public safety package to strengthen B.C.'s fight against *Gang and Gun Violence*. There are three components to the plan:

##### **(1) Body Armour Control Act**

On October 29, 2009, the Province passed the Body Armour Control Act, restricting the sale and purchase of body armour in the province as part of the 7-Point Plan on *Gangs And Guns*. Under the Act, police have the ability to seize body armour that is illegally sold or possessed. Workers whose jobs require them to wear body armour will be exempt from having to carry a permit. They include police officers, sheriffs, corrections officers, conservation officers, armoured car guards, security guards, security consultants and private investigators. Highlights of the Act include:

- Controls on the possession of body armour, giving police the authority to seize body armour from those who are not authorized to possess it.
- Licensing businesses and their employees who sell body armour, under the Security Services Act.
- Requiring body armour applicants to obtain permits that prove a reasonable need for the possession of body armour.
- Requiring applicants to undergo a criminal record check.

Individuals found in contravention of this Act can be fined up to \$10,000 and incarcerated for up to six months. Businesses found in contravention of this Act can be fined up to \$100,000 and their officers incarcerated for up to six months. Businesses and individuals in possession of body armour, once the Act is brought into force, will have six months to comply with the legislation. The legislation is the first of its kind in Canada.

Work is underway on the proposed policy framework under the Body Armour Control Act. Once this work is complete the Act will be brought into force by Regulation.

##### **(2) Armoured Vehicles**



Work is also underway to address armoured vehicles to:

- Enhance public safety by prohibiting anyone from owning and operating armoured vehicles, except by regulated exemption, or with a permit for legitimate purposes.
- Prohibit the after-market installation of secret compartments in vehicles under any circumstances. There will be no exemptions or permits allowed for this type of vehicle modification.
- Require armoured vehicle applicants to obtain permits that prove a reasonable need for the possession of an armoured vehicle.
- Require applicants to undergo a criminal record check to possess or operate an armoured vehicle.
- Introduce penalties including jail time for those who are found in contravention of the law.

This work is expected to be completed this Spring.

### **(3) Gunshot And Stab Wound Reporting**

All health facilities will have to report treatment of any patients with gunshot wounds. A consultation document was prepared and distributed to agencies consulted.

Subsequently, the Ministry examined information regarding the prevalence of knives and other similar instruments used in homicides and violent crime and, based on that examination, is proposing that the scope of the proposed legislation be broadened to include stab wound reporting.

Three provinces have enacted mandatory gunshot wound reporting legislation: Ontario, Nova Scotia, and Quebec. Three other provinces have chosen to mandate reporting of both gunshot and stab wounds: Saskatchewan, Manitoba and Alberta. Alberta's legislation will be proclaimed April 1, 2010.

The application of similar legislation is being reviewed possibly for implementation in BC in the Spring.

## **B. PROPOSED AMENDMENTS TO POLICE ACT - UPDATE**

D/C/Cst. Sweeney asked for the status on training for the new Police Act. ADM-Director Begg will need to talk to Stan Lowe. D/C/Cst. Downie had a half morning session with the OPCC last fall.

C/Cst. Parker and D/C/Cst. Pechnold met with Kash Heed who advised them to contact the OPCC for additional training.

## **C POLICE ACT MEDIATION REI**

D/C/Cst. Downie updated the group on the *Request of Interest for Mediation*. A collection process will be researched and will possibly include different rates for different regions. D/C/Cst. Downie will keep the BCAMCP updated.

## **D PMPD POLICE SERVICES UNION – LETTER RE LIMITED RADIO COVERAGE**

Port Moody has identified 54 *bona fide* gang members living in the Newport Village area of Port Moody. These gang members conduct their business in the underground parking lots as there is no radio or cell phone coverage in that area of the buildings.

C/Cst. Parker met with the Solicitor General on this issue.  
This is a big concern for the Union as it is becoming an officer safety issue. It is a building code issue and ONNI Corporation are not willing to assist until it is legislated.

6. **CORRESPONDENCE**

**A. LETTER TO KEVIN BEGG RE; BCMUCP EXPANSION FUNDING REQUEST**

C/Cst. Parker asked ADM-Director Begg if he could comment on the funding issue for the BCMUCP. The BCAMCP deem this an important matter and C/Cst. Parker asked ADM-Director Begg if there was any other avenue this group could take to assist the BCMUCP.

C/Cst. Parker also asked if it would be beneficial to send a letter to the PORF Committee.

ADM-Director Begg advised the funding issue is in the hands of the Treasury Board and could possibly be on hold until the 2011 budget discussions.

ADM-Director Begg could offer no further assistance and suggested there was nothing preventing the municipalities from funding the program, which would possibly be the response from the PORF Committee.

C/Cst. Parker thanked ADM-Director Begg for the information.

**B. LETTER TO C/CST. GRAHAM RE: COUNTER ATTACK & TTEP RECOVERY**

Letter To C/Cst. Jamie Graham, Chair of the BCACP Traffic Safety Committee re: Counter Attack and TTEP Recovery rates.

**ADJOURNMENT**

Meeting adjourned at 12:22 p.m.

**Motion: To adjourn the BCAMCP Regular meeting.**

**Moved: D/C/Cst. Jones Seconded: D/C/Cst. Lucy**

**CARRIED**

**C. VIDEO SURVEILLANCE**

The guidelines that came out from Police Services relating to videotaping in interview rooms morphed to also include working rooms. If a person in the room, who is not detained, does not want to be video- taped they have to sign a waiver stating this.

D/C/Cst. Downie does not think this was the intent and asked for clarification from ADM-Director Begg.

Mr. Begg will talk to Tanya Allen, Program Manager at PSD to see if there is some leeway to interpret this and will report back.

**ACTION:** ADM-Director Begg will check with Tanya Allen, PSD, and update the committee.

**D. PBL CONTRACTS**

A/Commissioner McIntyre will continue to send the PBL Contracts out on a monthly basis.

**E. BC MUNICIPAL UNDERCOVER PROGRAM**

D/C/Cst. Lemcke asked for an update on the status of funding for the BC Municipal Under Cover Program (BCMUCP).

Superintendent Rothwell clarified that the BCMUCP is looking for S.15(1) people. S.15(1)

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BCAMCP asked ADM-Director Begg if there was a time line for a decision on funding for the BCMUCP from the Treasury Board?

ADM-Director Begg: The budget process starts in June with the Treasury Board putting in formal submissions again, and is supposed to be finished by Christmas. We will know in November whether they will continue funding the program. Formal budget appropriation is in February. Until Treasury approves the budget, PSD are not prepared to authorize funding when it is not known if the funding will disappear on us.

D/C/Cst. Lemcke asked if the BCAMCP was satisfied leaving two bodies in the program, and as there is no guarantee of funding from the Treasury Board should we be going back to our respective Councils asking for more money, planning a business case for a worse-case scenario?

A/Comm Macintyre advised that it is unlikely the RCMP would fund the program, as currently only one of the officers meets the training required by the RCMP – a 3-week training course.

D/C/Cst. Jones asked if we could request funding from PORF?

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ADM-Director Begg reiterated that he stated a few meetings ago PSD would direct funding into this program, and that he will be going again to the Treasury Board.

D/C/Cst. Jones – When the funding comes through is it specific that it goes to BCMUCP?

ADM-Director Begg – We may not get the 30% – but we think the BCMUCP is a good program and we want to support it.

C/Cst. Parker finds the situation with the Treasury Board frustrating and feels the delays do not assist the operational necessity, and stated that the BCAMCP supports the BCMUCP and is here to ensure the program continues one way or the other

**ACTION:** D/C/Cst. Lemcke suggested he will ask Mike Serr to provide a draft on total costs for running a fully staffed BCMUCP in 2011.

*New Business Items were re-shuffled due to time constraints of some members.*

5. **NEW BUSINESS**

A. **NON RETURNABLE WARRANTS – D/C/Cst. Lemcke**

D/C/Cst. Lemcke advised the Con-Air Program is performing well and has lots of support. The program received \$40,000 a few months back from Civil Forfeiture Funding. The Province of Alberta is now involved.

D/C/Cst. Lemcke would like to start a working group to work towards a provincial funding initiative where any agency in the province can say they have a person in custody and use the program. The group would consist of RCMP, Sheriffs, Crown and representatives from municipal agencies to start looking at how this will work. D/C/Cst. Lemcke recommends that VPD represent the municipal agencies.

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

**THAT a member of the Vancouver Police Department represent the Municipal Chiefs on a Non-returnable Warrants Working Group.**

*11:15 am Break. Meeting reconvened at 11:25 am*

B. **SHERIFF'S DUTIES**

Discussion on the Sheriff's Union requesting an expansion their duties. Committee asked ADM-Director Begg if he had any update.

ADM-Director Begg advised that a directive came down from the SG and AG's office for PSD to meet with the RCMP for a pilot of this. With the SG no longer in office, the AG has put this on hold for further discussion.

C/Cst. Graham advised that the Traffic Safety Committee discussed this at length and a motion was passed to invite them to do a presentation at the BCACP meeting in Kelowna. The Traffic Safety Committee was unanimous against the proposal.

C/Cst. Parker had heard that on May 17<sup>th</sup> 12 Deputy Sheriffs are being trained at the JIBC on a 3 week course and asked ADM-Director Begg if that was facilitated by the Province?

Abbotsford and Saanich, as well as Prince George, and Kelowna.

- The research study is being supported by a number of partners, including OSMV, Police Services Division, Transport Canada, MADD Canada, BCAA Traffic Safety Foundation and others.
- Police Services Division will again be providing overtime contracts for police to assist the researchers in the participating jurisdictions.
- Officers will randomly select and direct vehicles into a parking lot where trained researchers will advise the motorist that a survey is being conducted ask if they would like to volunteer. Any individual who blows .08 or over will be offered a safe ride home, either by a sober passenger in their vehicle or a free cab ride provided by the study team.
- The research teams will set up in three different, randomly selected, locations per night from 8:45pm to 3:15. Two officers per municipality per night will be required to assist with the conduct of those surveys.
- Correspondence and contracts for the participating jurisdictions have been prepared and should be at your departments this week.
- The proposed schedule is:  
June 2-5 – Vancouver & Abbotsford  
June 9-12 – Kelowna & Prince George  
June 16-19 – Saanich



A/Comm McIntyre suggested that Inspector Kevin MacLeod would be the RCMP's representative on the committee.

**Motion: THAT a sub-committee be formed from the BCAMCP, including representation from the RCMP, to dialogue and enter into discussion with the BCPA on the BCPA Position Papers.**

Moved: C/Cst. Zapotichny

Seconded by D/C/Cst. Pechnold

Members will include: D/C/Cst. Pechnold, D/C/Cst. Downie, D/C/Cst. Jones, D/C/Cst. Lemcke and Inspector Kevin MacLeod from the RCMP.

D/C/Cst. Pechnold will contact Tom Stamatakis, BCPA, regarding forming a sub-committee.

#### **F. BCAFIS UPDATE**

VPD are trying to clarify some of the issues surrounding BCAFIS and Morphotrak, and determine exact costs. Looking at getting the technical experts to agree and then make a business decision on the best system.

To be discussed further at the next meeting.

#### **G. BC MUNICIPAL UNDERCOVER PROGRAM**

D/C/Cst. Lemcke provided C/Cst. Parker with a spread sheet and costs to fully fund the BCMUCP. The projected annual costs would amount to half a million dollars. VPD have submitted a request to their Council for \$250,000.

BCAMCP are unanimous in their support of this important program. All agencies benefit.

AXEL Hovbrender stated that training costs were not factored in - \$70,000 for level 2 operator training.

##### **BC Gov't Consult**

ACM Director Begg advised that he will still be pursuing funding from the Treasury Board and will not have an answer on this until November. ADM-Director Begg advised that they have just been audited and one of the things in dispute with the Comptroller General is the funding of municipal programs directed at provincial force funding.

C/Cst. Graham encouraged all members to go to their respective funding sources and fight for funds to support the BCMUCP. The following motion was put on the table:

**Motion: THAT the BCAMCP support and endorse the BCMUCP, and, that the BCAMCP approach their respective funding sources to get funding to support the BCMUCP.**

Moved: C/Cst. Graham

Seconded: D/C/Cst. Jones

#### **DISCUSSION**

The BCAMCP also asked ADM-Director Begg to still push towards obtaining funding for the BCMUCP from the Treasury Board.

5.

**NEW BUSINESS**

**A ADM-Director Kevin Begg's Monthly Report – See APPENDIX 1 – Page 9**

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**B. Braidwood Report # 2 – INDEPENDENT INVESTIGATION OFFICE**

The following discussion arose from ADM-Director Begg's report – Braidwood Recommendation #2 on the implementation of a new Independent Investigation Office (IIO) to handle criminal investigations of the Police Act.

BCAMCP asked ADM-Director Begg why the Minister did not acknowledge that the municipal agencies had worked with the RCMP on these recommendations. The public should be reassured that we are in agreement with this process.

ADM-Director Begg advised that it was in the briefing material that was put forward and does not know why it was not used.

D/C/Cst. Pechnold sent out press releases after the news release. C/Cst. Chu also talked with the press.

ADM-Director Begg advised the IIO will take only the criminal aspects. The Police Act cases will remain with the originating agency.

C/Cst. Chu would like to see the IIO take all the Police Act complaints. It will be very onerous on VPD and may have to double the size of their Professional Standards Section.

ADM-Director Begg advised that if the IIO took all the cases they would probably bill the agency.

C/Cst. Graham informed ADM-Director Begg that the BCAMCP will have to discuss this further and that this message be forwarded to the Minister.

This item is on the BCACP agenda for Thursday for active members only.

C/Cst. Chu proposed that the BCAMCP's response to the province's decision to create an IIO is that we want all investigations to go to the IIO. C/Cst. Chu will write a report and share it with the committee.

*After this discussion ADM-Director Begg continued with his report.*

11:25 break for lunch. Meeting reconvened at 11:50 pm

**B. COUNTER ATTACK AND TTEP RECOVERY**

The \$17 per hour no longer covers actual costs. The analysis is about \$17 per hour.

ADM-Director Begg advised that [REDACTED] \$17 [REDACTED]

C/Cst. Graham will monitor another contract in the fall.

**E. SAANICH POLICE SERVICE**

C/Cst. Chadwick advised that the final auditor's report was in regarding the [S.22(1)] FOI request. [S.22(1)] made an FOI application to get all names of police officers and civilian staff that made more than \$75,000 in one year.

The criteria of *undercover* is in dispute. Has to be decided around the table what is the criteria for undercover, i.e. youth liaison officers are not undercover they are plain clothes officers. We will interpret this in our favour liberally.

D/C/Cst. Pechhold advised that already there is a bill for [S.14] plus another [ ] which will put the accounts into the red.

C/Cst. Graham will contact Tom Stamatakis to see what their intentions are and hopefully will have an answer by Thursday. We have 60 days to respond

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**F. NELSON POLICE DEPARTMENT**

C/Cst. Maluta asked ADM-Director Begg if he had any update on the Sherriff's traffic initiation. The BCAMCP supports the idea that there may be areas where the sheriffs could provide more support to policing.

ADM-Director Begg advised that the Sheriff's Union approached the AG and then the RCMP were approached to see if they would run a pilot project. There are a lot of issues that need to be addressed for this to move forward.

**G. FAIL TO APPEAR**

C/Cst. Graham hopes to have a motion on the Fail to Appear issue tomorrow from the BCACP.

ADJOURNED AT 12:35

Meeting adjourned at 12:35 p.m.

The minutes will be changed to reflect this.

3. **PRESENTATIONS**

None

4. **OLD BUSINESS**

A. **PBL Secondments**

No discussion.

B. **S.22(1) FOI Request**

C/Cst. Chadwick advised that the deadline for disclosure on the S.22(1) FOI is 26 July 2010. C/Cst. Chadwick is looking for a common definition of the criteria for someone working undercover vs someone working plainclothes. Important to have a consistent approach.

C/Cst. Graham contacted Tom Stamatakis during the break. Mr. Stamatakis advised that the BCPA are not pursuing this matter any further. BCAMCP agreed that no further discussion is required on this issue.

5. **BC Gov't Consult**

**NEW BUSINESS**

A. **ADM-Director Kevin Begg's Monthly Report – See APPENDIX 1 – Page 5.**

During ADM-Director Begg's report the sudden departure of S.22(1) was discussed.

ADM-Director Begg reiterated that Police Services were not consulted about the decision to terminate S.22(1), however, stressed that there was no allegation of impropriety, rather a difference of philosophies. Mr. McGee had a conflict with S.22(1) on a difference in vision.

Jane Naydiuk advised that it was made clear in a review of the Academy that people are split with what their vision is. S.16

BCAMCP agreed it was important to have some focus to move forward. Committee will invite Mr. McGee and C/Supt. Bill Dingwall to a future meeting to determine what Mr. McGee's philosophy is, what are the short term goals, who is Acting Director.

**ACTION**

Chief Officer Clapham will invite Jack McGee to the next BCAMCP meeting. C/Cst. Graham will call C/Supt. Bill Dingwall.

Regarding the questionnaire that Police Services will be sending out shortly regarding police training, Jane Naydiuk advised that the results of the questionnaire should be available mid-August.

**APPENDIX 1**  
**C. MONTHLY REPORT FROM ADM-DIRECTOR KEVIN BEGG**  
**POLICE SERVICES DIVISION**

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**JI Police Academy**

ADM-Director Begg was as surprised as everyone else to hear that [S.22(1)] had been removed as Director of the Police Academy. Mr. Begg wanted to say how appreciative Police Services Division is of [S.22(1)] contribution to police training in the province.

Police training has been discussed in this forum before. But, I think it is important to review some of the activities that PSD has been involved in around police training over the last number of years:

- PSD staff conducted a review of police training at the Academy. The report was in two sections. The first concerned the identification of issues and the second was a curriculum review.

As you know, the *Review of Police Training* report was never released as a public document; however, copies of the report were circulated to the BCAMCP training committee and the recommendations were presented to this group some time ago. Our report found that the Police Academy has:

S.16, S.17

- In the last year, the Police Training Governance Steering Committee (PT) was established as a first step toward working through the issues identified in the *Report*.

Membership on this Committee includes representation from the municipal departments, as well as from the Police Academy, PRTC, RCMP and the Police Union. Currently the representatives from the municipal departments include: C/Cst. Ron Gaudet, D/C/Cst. Rich Drinovz, C/Officer Ward Clapham, and Steve Schnitzer, as well as a representative from VicPD (former D/C/Cst. Bill Naughton).

The first meeting was held in April and the second meeting will be scheduled for September.

- Most recently, PSD posted a job for a Training Coordinator position to assist Jane Naydiuk with implementing the *Provincial Learning Strategy* – which is, that all police training must be Defensible, Effective and Accessible.

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- Jane has been seconded from Saanich for a number of years. Jane is integral to the successful "rebuild" of police training in the province.

As unfortunate as S.22(1) departure is, I see this as an opportunity for us to reconsider the relationship between the province, the Chiefs and the Justice Institute. More importantly, I see this as an opportunity for the BCMACP to contribute to where we go from here.

One of the steps we are taking is to have the BCACP training committee subsumed into our PT Committee. A core mandate of the PT Committee is to review Police Academy governance and funding models.

Before the September meeting I would like to get all of your views on current police training issues so that we can adequately address all the concerns and shape a vision for the future of police training.

Later this week you will be receiving an email from my office asking you to respond in writing to 5 or 6 questions. These questions all concern the future of police training in the province. Please take the time to answer the questions and respond to my office. If you delegate this task, please note that whatever response we receive will be considered a response from you. The deadline for responding will be around the middle of August. This shouldn't be too onerous. Remember – if you don't respond, we can't hear you and we can't consider your point of view. Just a final note on the Police Academy:

I have recently approached the JI looking for some office space for some of my staff who are involved in use of force and/or training issues. There is some misinformation out there that PSD is coming to the PA to do an "investigation" of some sort. Not true. The facts are that we are running out of space in our Vancouver office. But, more importantly, PSD staff are embarking on a process of creating binding standards for a variety of training related matters. I think that it would invaluable for my staff to become more familiar with the activities and influence of the Police Academy as they engage in this process.

**Body Armour Legislation**

At our meeting last month I provided you with a summary of the Body Armour Control Act. The Act came into effect on June 21, 2010, and I will briefly review the highlights:

- Anyone who sells or possesses body armour must now have a licence. Exemptions are police officers, sheriffs, conservation officers, and security businesses.
- Out-of-province visitors can apply to the registrar for a 90 day permit for exemption from licensing.
- Police can seize unauthorized body armour from a person, which may result in fines: a maximum \$10,000 for an individual and \$100,000 for a business.

Licensing is being administered by Security Programs and Police Technology. If you require further information please contact Sam MacLeod.

F. **Major Case Management with Major Crimes**  
**-C/Cst. Jamie Graham**

C/Cst. Graham raised this issue as a result of the 4 part series the Victoria Times Colonist newspaper is doing regarding regionalization. Ontario departments are mandated to document their issues on software which looks for trends and similarities. We have PRIME and the RCMP uses DNR3 - both systems have their advantages regarding proactive or reactive linking of information. VPD also uses a data warehousing application. C/Cst. Graham wishes to raise this issue with the BCACP for further discussion in order to be better prepared for possible media inquiries resulting from the final outcome/review of the Pickton case. The question was raised as to whether or not consideration should be given to the creation of a subcommittee in order to explore this entire issue further. C/Cst. Cessford reminded the table that ViCLAS stats must be kept up to date by the departments.

6. **CORRESPONDENCE**

No correspondence.

7. **OTHER BUSINESS**

No other business.

**ADJOURNMENT**

**Motion:** To adjourn the BCAMCP Regular meeting.

**Moved:** C/Cst. Graham **Seconded:** D/C/Cst. Downie

**CARRIED**

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**APPENDIX 1**

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

**A.**

***Braidwood 1***

Implementation of the recommendations from Justice Braidwood's first report is moving along quite well. This afternoon we will be meeting with the Braidwood Recommendation Implementation Committee (BRIC) to finalize some of the province-wide standards related Braidwood's recommendations.

We have now drafted seven *Binding Standards* regarding:

1. CEW Threshold and Circumstances of Use
2. CEW Testing
3. A Weapons Approval Process
4. CEW Operator Training
5. Internal CEW Controls and Monitoring
6. Medical Assistance to CEW Discharges
7. Crisis Intervention and De-escalation Training

We are also currently developing a standard relating to Use of Force Data Collection.

With regard to the Data Collection itself, the PSD internal use of force database – BCFID – now has 1350 separate use of force reports from departments since the SG's directive was sent out last September. Over the coming months we will begin to run preliminary analyses on the data.

In the Training portfolio, my staff has been working on the development of both CEW Operator Training and Crisis Intervention and De-escalation Training. The development of these courses is progressing well and both should be available to relevant officers in the New Year.

With respect to the finalizing of the CEW binding *Provincial Policing Standards*, this Association appointed 6 representatives to BRIC – including Jim Cessford, Lorne Zapotichny, Del Manak (who replaced Bill Naughton from Victoria), Jeff Sim (who replaced Steve Schnitzer from Vancouver) and Bob Downie. Our expectation is that these BRIC members represent the views of the municipal police departments.

Having said that, it also our intention to circulate all of the *Standards* to all departments after my staff have incorporated relevant comments or revisions gathered during today's BRIC meeting. This will give all police agencies an individual opportunity to respond to my office with any comments.

The deadline for locking down the *Standards* is November so there will be some short turn-around dates. BRIC will meet – likely for the last time – on November 19, after which the *Standards* will be submitted for inclusion in the *Police Act*. At that time, the *Standards* become binding on all police agencies.

#### ***Domestic Violence Training***

In December of 2009, PSD launched the first phase of our domestic violence training program. Course one is a four hour on-line course called *Evidence-based, Risk-focused Domestic Violence Investigations*. This was envisioned as a way for us to provide all BC police officers with access to the most current information and resources available to address DV in our communities

All front-line police officers and their supervisors in the province of BC are required to take this course by November 2011. The learner reviews for this course have been excellent and several other provinces and territories (AB and NWT, NB) have heard about our course and are currently working to adapt the content for use in their respective jurisdictions. To date – 70 % of the total target police audience has successfully completed this course. This includes over 3000 RCMP officers - that is 89% of the RCMP target audience.

Only 340 of the target municipal police officers have taken the course (25%). In other words, your departments are quite a ways behind the RCMP in terms of learner completions. I encourage you to remind your members to register with the Canadian Police Knowledge Network and complete this course as soon as possible.

#### ***Police Academy***

Police Services Division conducted a review of the Police Academy a few years ago. We were unable to release the report for a number of reasons, but we were able to identify a

number of significant issues and make recommendations. We have discussed these recommendations with this group and Jane Naydiuk presented the findings to you last year.

Broadly speaking, the findings included:

S.16, S.17

These are significant findings that will require all of us to work together to find solutions. PSD has moved forward in attempting to address some of the issues, but we need your assistance to continue this process. To date, we have:

- Established a program manager position to deal with police training development and curriculum issues (Jane is that manager).
- Struck the Police Training Governance Steering Committee which met for the second time yesterday. We are still working through the terms of reference and scope of the Steering Committee.
- Most recently, we have initiated an internal project to review the funding and governance model of the Police Academy.
- As a first step in this review, we circulated a quick survey to the Chiefs to get a sense of the issues and positions out there.

Lynne McNally discussed the results of the Chief's Survey Themes. PLAID has been initiated to determine what other agencies are doing. They would like to strike a committee with the Chiefs to discuss funding and how to move forward. The recommendations that concern governance and funding will be implemented by this new committee. She specifically requested the participation of VPD and VicPD.

**ACTION:**

- C/Cst. Parker will send Ms. McNally a copy of the names that get collected for this committee.

***Standing items for future meetings:-***

- 1) PSD Monthly Update – ADM-Director Begg
- 2) Proposed Amendments to Police Act – Update – ADM-Director Begg

***Bring forward items for next meeting:-***

- 1) BCAFIS Update
- 2) Independent Investigation Office

***Bring forward items for future meetings:-***

- 1)

***Next meeting:*** October 13, 2010



11:45 a.m. - Break for lunch  
Meeting re-convened at 12:06 p.m.

**E. TRAFFIC SAFETY-ADMINISTRATIVE SANCTIONS**

C/Cst. Graham addressed the group on an issue that came up at the Traffic Safety Committee and will be discussed at the BCACP meeting tomorrow, that has the propensity to cause some issues.

The current IRP legislation gives police the authority to immediately issue a 3 day suspension, plus tow a car if an individual blows a warn. The issue is the Approved Screening Devices (ASD's) have a built in margin of error at the low end reading

C/Cst. Graham has been assured this variance was built into the legislation, and that these instruments have had this variance since 1975. Up until 3 months ago the warning had little significance, now with warn readings, penalties are so serious people are waiting to challenge.

Inspector Diack agrees that we have an ethical dilemma. We are putting our officers on the road with an ASD that you cannot be certain if the reading is 0.05 or 0.08. C/Cst. Graham believes that we may have to recalibrate all these ASDs, and send them back to the factory.

A development of a fund to pay back all the tow bills was on the table, and then taken off the table. We have a business case with Dav Tech, ready to pull them in but we were asked to wait.

S.13

ADM Director Begg advised that this is being handled by Steve Martin, Superintendent of Motor Vehicles, and the official position last night was no comment. The direction is to seek further legal advice. This is a police decision at this stage. The whole enforcement of this legislation is in jeopardy. The next amendment is not until Spring 2011.

BCAMCP agreed to have a collaborative response in the event this goes public and to come up with some consistency on how to deal with cars that have been towed. The previous fines become a government problem.

**F. LAW ENFORCEMENT TORCH RUN**

A workshop is scheduled for 22 November 2010 in Burnaby. The program has been on the decline and D/C/Cst. Beaudoin and D/C/Cst. Lucy asked for support from each agency to recommit to this event.

**G. REGIONAL CLIENT CONSULTATION COMMITTEE**

D/C/Cst. Beaudoin addressed the group on an issue that came up at the last meeting of the above committee relating to a new threshold for DNA samples measuring in pictograms.

With this new scientific development samples that were previously of insufficient DNA concentration for analysis can now be utilized for further analysis in unsolved cases

The plan is for a sub-committee to be formed comprising of two Municipal Police

Department members, two RCMP members as well as the General Manager of the National Forensic Services Laboratory in Vancouver.

The committee has developed a great methodology with a turnaround time sometimes of two weeks. A/Comm Henschel from Ottawa will be coming out to address the committee

The RCMP lab will have a system in place by February 2011.

H. **PRIME BOARD OF DIRECTORS.**

[REDACTED] S.22(1) will be retiring at the end of January 2011 and is looking for a Chief from Vancouver Island to assume his position on the PRIME BC Board of Directors. C/Cst. Hames has put his name forward as a potential candidate to sit on the committee.

[REDACTED] S.22(1) will forward this information to [REDACTED] S.22(1)

I. **LAWFUL ACCESS**

C/Cst. Cessford updated the group on steps taken re Lawful Access, and changes in Canadian technology to de-code and intercept transmissions. Presently there is no technology in place to de-code blackberries.

Changes in the law need to be more consistent with the new technology. When interceptions are authorized the Federal Government should be paying, not the police.

[REDACTED] S.22(1) started the project back in 1989. D/C/Cst. Pecknold is working with the legal committee of the BCACP.

D/C/Cst. Pecknold advised that there was an announcement from the federal government dealing with lawful access which is the third time legislation has been introduced. At one time it required police to get a warrant to access customers' names, this was successfully lobbied to get that removed. This is good news and hopefully the legislation will be passed.

D/C/Cst. Lemcke advised that the Law Amendments Committee meets on December 6<sup>th</sup>

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J. **IIO UPDATE**

ADM Begg advised that the target date is for the February legislation. Legislation will be passed sometime between February and beginning of June with a target hiring date of June. The office project team is scoping out office space logistics with a location in the lower mainland close to air transportation. The IIO will be civilian led with seconded officers, with a team of approximately 20 people, possibly 4 teams with 5 officers, or vice-versa.

The expectation is to be up and running in Fall 2011 with an effective date to be determined later on.

ADM Begg advised that Cabinet is looking at a number of options for funding and his sense is the government is leaning towards provincial funding. This still has to go to Cabinet and the Treasury Board to be ratified.

A draft will come to the BCAMCP for a consultation session

Dr. Gabi Hoffman stated that the BCAMCP was asked if there was any interest in the Force Options Instructor Course and the feedback received was that the interest wasn't there at that time, however, Dr. Hoffman does agree that there is a need to have provincially forced training for instructors.

ADM Director Begg advised that the curriculum has to be re-developed to set standards for all courses and that process is underway.

Lynne McNally cannot give a date when this will be completed. One of the definitives at the Police Academy is [REDACTED] S.16, S.17

[REDACTED] We have to find money to pay for those positions. The province is in the process of hiring a curriculum developer. We need in house resources to keep them up to date make sure the curriculum is legally defensible. FROIC information is being reviewed.

D/C/Cst. Drinovz advised that a number of this committee sit on the Police Governance Training Standards Committee and are working with Police Services on these issues.

A/Director Ciaccia requested agencies contact him if anyone is interested in sending someone to the JIBC for the Understudy Program. The JIBC cannot pick up their wage, but they bring value back to their home agency.

Dr. Gabi Hoffmann asked if there was an interest to have a Use of Force course before Joel Johnston leaves?

BC Chiefs are interested and C/Cst. Parker asked the membership to contact A/Director Ciaccia directly before the end of the year.

C. **IIO**

ADM Director Begg reported that HR people have been hired to scope out the Director for the IIO and the position should be filled by June 2011. The process will commence in January 2011 sitting with representatives from the policing community. The position will report to the AG. The IIO will be an investigative unit staffed by seconded officers. Currently there are still some issues around the forensic area.

ADM Director Begg advised that the mandate for the IIO is to deal with deaths while in custody and serious injury. We have to get the structure up and running and then return to the question of the IIO taking all complaints.

*Break 11:05 a.m. Meeting resumed at 11:20 a.m.*

D. **LETTER FROM VANCOUVER POLICE UNION RE: SECTION 117 REVIEWS**

Discussion on the letter from Tom Stamatakis regarding the appointment of retired judges to conduct reviews under Section 117 of the Police Act. The appointment of the judge as DA implies that the decision has already been made.

D/C/Cst. Downie will add this to the committee agenda for the January meeting and will arrange to meet with Tom Stamatakis beforehand.

E. **GANGSTERS IN HOSPITAL**

C/Cst. Graham reported that due to the recent gang related shootings in Vancouver, over 100 people have been bumped from surgery. Doctors were upset that some had fake BC Care Cards, some cannot pay, plus some have not paid previous bills.

D/C/Cst. Lemcke advised that substantial injuries were received due to the high caliber of the weapons that were used.

**Monthly Report ADM-Director Kevin Begg –  
Submitted by Standards & Evaluation Unit**

*The Spirit Has No Color*

Police Services Division is working in collaboration with the JIBC Police Academy on a provincial training project intended to promote positive police / aboriginal relationships. This project is based on a remarkable video that has recently been produced here in BC. The video is a joint production with the JIBC Police Academy, 42<sup>nd</sup> Street Consulting and Orca Productions.

The video is called: *The Spirit Has No Color*. It is set in metro Vancouver but the content is relevant to agencies who police aboriginal populations in both urban and reserve settings anywhere in BC. The film is meant as a beginning for conversations. It takes a very balanced and non-judgmental look at the challenges both police and aboriginal people face in modern society.

PSD is in the process of purchasing a Provincial license for the video and developing a discussion guide to accompany this video. This guide will assist your training officers or community liaison officers with managing the sensitive and potentially emotional content.

Each agency and every detachment of the RCMP in BC will receive a copy of this video and the Discussion Guide to be used as part of your annual departmental training regime or for community based presentations in your jurisdiction.

*Use of Force Coordinator Position*

The Provincial Use of Force Coordinator position has been funded by the government for the previous five years. The position has been held by Staff Sgt Joel Johnston from the Vancouver Police Department. This position was funded through the grant from the government to the Police Academy, and the position was housed at the Justice Institute.

The position was originally anticipated to provide subject matter expertise to government about use of force matters, as well as to assist municipal departments in sharing information, and coordinating their approach to use of force training, knowledge and tactics.

The needs of the government in terms of the Use of Force Coordinator position have recently changed.

The Braidwood mandate has created a greater shift toward greater authority for the provincial government regarding policing policy, through setting provincial standards; as well as the importance of viewing police policy through a "civilian lens". Ultimately, policing policy is a matter of public policy.

There must be a careful balance between police operational independence and the government's ability to direct policy through this "civilian lens".

The advice and counsel that police leaders provide to us about policing issues is taken very seriously, and close consultation with the police is a critical element of this. However, we balance that view with information we get from other stakeholders such as community groups, human rights organizations, academics, and others.

I believe the BRIC consultation process has been an effective example of how this can work. There is no longer the need for government to fund one position dedicated to use of force advice from an operational police officer.

In addition ADM-Director Begg spoken again about the Provincial Learning Strategy (all training must be Defensible, Effective and Accessible), and the new Police Learning and Development Project (PLAD),

which will address the ongoing challenges in the areas of funding, governance and curriculum development at the Police Academy.

Everyone is aware of the budget pressures that the government, and everyone else, is facing at this point in time and we are obliged to make the best possible use of the limited funds that are available to us.

The government will not be able to fund the position of Provincial Use of Force Coordinator, after the end of the fiscal year on March 31, 2011. Instead the portion of the Police Academy grant that was previously used to fund this position will be used to support the Police Academy.

With regard to Use of Force matters, we will of course, continue to consult with you and obtain advice from your subject matter experts, possibly through a standing committee.

Finally, if you find sufficient value in the continuation of the position of Use of Force Coordinator, then you may wish to consider funding this position yourselves in order to represent the BCAMCP on matters related to use of force.



program is, what would serve us all well to move forward, if money was put into the undercover operations collectively what would they suggest would be the priority'. The date to get back with the report is 01 March 2011.

#### **TABLED TO NEXT MEETING**

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#### **B. USE OF FORCE INSTRUCTOR RE-CERTIFICATION**

Dr. Gabi Hoffman distributed copies of a *Provincial Force Response Options Instructor Certification Process* that was prepared by Joel Johnston and his Use of Force working group:

Lengthy discussion on Items 3B & 3C – Use of Force Instructor/Recertification Process and Use of Force Coordinator.

Discussion ensued around the vacancy when Joel Johnston's position terminates and the need to get a plan in motion. The current re-certifying process for Use of Force Instructors appears to be all over the map with no consistent standards set.

Dr. Gabi Hoffman looked at time lines to bring existing material in keeping with the provincial learning strategy and advised that it is not something that can be done in the next 12 months.

The existing re-qualification under FROIC states:

1. To anticipate a minimum of Use Of Force options annually, and
2. To operate as a primary instructor for delivery of one Force Options Training annually within your agency.

Lynne McNally advised that the current position had not been very productive. PSD's position is the Use Of Force Instructor course for core advanced training should be housed at the Police Academy so it is standardized. The \$200,000 that would have gone to the Use of Force Coordinator position should be enough to run the course at the Academy with funds left over for the Academy to use on other programs. PSD receive 2 million in grant money and from that grant a Use of Force Instructor will be put in place within the next 12 months.

A/Director Ciaccia advised that the JI are happy to house that position providing the funding and infrastructure is there and would like to see the position up and running sooner than later. He was told that it would be a week long program.

D/C/Cst. Jones favours the idea of having a Use of Force Coordinator for BC Chiefs with the individual acting as spokesperson for Chiefs in court/civil matters.

The working group are not actively meeting on a regular basis, however, A/Director Ciaccia will talk to S.22(1) to try and re-engage the group to

Victoria Council are meeting tomorrow to decide whether they are putting a bid in; all indications are that they will. Proposals have to be in by 20 April 2011. The current agreement between Victoria and Esquimalt ends December 13, 2013.

ADM-Director Kevin Begg was asked for his opinion.

ADM-Director Begg felt that as the current federal policy states there is no expansion of contracts, the RCMP bid will probably not go anywhere, and the current situation could remain status quo. The bottom line is that no police officer is going to be out of work should Esquimalt move their services elsewhere.

5. **CORRESPONDENCE**

A.

S.22(1)

6. **ROUND TABLE**

A. **Victoria Police Department – D/C/Cst. Manak**

S.22(1)

B. **West Vancouver Police Department - D/C/Cst. Almas,**

ADM-Director Begg was asked if anything has come out of PSD yet regarding SBOR reporting.

Dr. Gabi Hoffman advised that things have been delayed slightly, with discussion happening at the BRIC Committee. Things may be amended slightly.

C. **West Vancouver Police Department - C/Cst. Lepine**

C/Cst. Lepine asked ADM-Director Begg if he could comment on the Minister talking about reviewing the Immediate Roadside Prohibition (IRP).

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ADM-Director Begg advised that it is similar to the disputed ticket situation; it had not been thought through well enough when the legislation was put through. There is now a lawsuit challenging the legislation because of potential violations of the charter, and the Minister is still working through how you would have a dispute mechanism that would accommodate whether we would be in a position to challenge charter issues. This is the issue they are struggling with at the moment.

If anyone has a concern please let ADM-Director Begg know.

C/Cst. Lepine advised that he hopes it is not being interpreted that police are *locking horns* with the Minister. When it came up at the BCACP meeting it was put to us that this was an opportunity for the Chiefs to show support for the government initiative.

The media put their own spin on it, then we received notice last Friday that there was a challenge. Apparently C/Cst. Graham who sits on the Traffic Safety Committee has been on the telephone with the Minister on this issue.

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ADM-Director Begg stated there are two issues:

S.14

Further, courts will be able to attach a condition to require offenders to provide bodily samples on demand or according to a schedule in order to ensure compliance with the conditions.

Policing and Security Programs, Corrections, and Criminal Justice Branches of the BC Government are forming a provincial implementation committee to scope out and address issues relating to the implementation of Bill C-30 in the Province.

At this time, Police Services Division is seeking police representatives to join the Shoker implementation committee.

My office will send an email in the coming days to request participation on this committee. The estimated time commitment is approximately 3 hours per month for 9 months.

4) **THE SPIRIT HAS NO COLOR**

Police Services Division will soon be launching a provincial training project intended to promote positive police / aboriginal relationships.

The Spirit has No Colour training project is based on a remarkable film that has recently been produced here in BC. The film is a joint production with the JIBC Police Academy, 42<sup>nd</sup> Street Consulting and Orca Productions.

The film is set in metro Vancouver but the content is relevant to agencies who police aboriginal populations in both urban and reserve settings anywhere in BC.

The workshop package we have created pairs this film with a facilitator guide that is meant to establish a starting point for conversations on the topic. The workshop takes a very balanced and non-judgmental look at the challenges faced by both police and aboriginal people in modern society.

This workshop is now a part of recruit training and the JIBC police academy. In addition, we have just concluded a very successful pilot of the workshop at the Saanich Police Department.

We are now preparing to launch the project across BC. Each of your agencies and every detachment of the RCMP in BC will soon receive a DVD and facilitator guide.

This package will provide you with the materials to deliver a 2-3 hour workshop in your agency. The material can also be adapted for use in community based presentations in your jurisdiction.

We look forward to getting your feedback on what we think is a very worthwhile project.

5) **INDEPENDENT INVESTIGATIONS OFFICE**

We are working on developing the legislation. We will be following the same process that we did with the previous amendments to legislation and we will doing the confidential consultations. We will keep you posted on this process the best that we can

7.

**ADJOURNMENT**

Motion to adjourn

Moved by: D/C/Cst. Lemcke      Seconded by: C/Cst. Lepine      CARRIED

*Meeting adjourned at 11:50 a.m.*

H. **TELECONFERENCE**

Tabled to next meeting.

Teleconferencing used to take place a few years ago. C/Supt. Armstrong will discuss it with A/Comm Callens.

6. **CORRESPONDENCE**

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- A. Letter from new former D/C/Cst. Pecknold
- B. Invitation to Change of Command Ceremony at New Westminster Police Service

7. **ROUND TABLE**

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A. **C/CST. HAMES**

The Association has an outstanding bill for S.14 resulting from a legal opinion for Bill Naughton. Currently there is \$4800 in the bank account. C/Cst. Hames asked for support of the BCAMCP to pay this outstanding bill.

**ACTION:**

C/Cst. Hames will pay the outstanding invoice.

B. **C/CST. CESSFORD**

C/Cst. Cessford read in the Blue Line that the RTID will be delayed for two years and asked if that was correct. A few agencies have already received bills for the system.

**ACTION:**

C/Cst. Hames will bring this up at the PRIME Board meeting next week.

C. **D/C/CST. BEAUDOIN**

Congratulated VPD on their 125<sup>th</sup> year Anniversary.

The Torch Run will be coming to a town near you June 7-10th. The expectation is to raise \$125,000 this year. Law Enforcement has been the biggest supporter of the Special Olympics.

D. **A/DIRECTOR CIACCIA**

The 2011 Leadership Conference was a great success with approximately 730 delegates. It may be a two day event in a couple of years.

**USE OF FORCE RE-CERTIFICATION**

A Use of Force re-certification course is scheduled for 20 June 2011. Training officers should receive something information very soon. S.22(1) will be involved drafting the syllabus. The course can accommodate 15, and could go as high as 24 if needed. A/Director Ciaccia is looking for space at the JIBC. The course is for current Use of Force officers who need a top up.

E. **BC Gov't Consult**

**C/CST. LEPINE**

Supt. Tonia Enger met with the Public Safety Minister Shirley Bond during the Leadership Convention. The Minister is committed to enhance communications between her office and the two Chief's committees. Supt. Enger discussed the IRP program with the Minister, who advised her to push for the program and to discuss it with your MLAs if given the chance.



B. **D/C/CST. DOWNIE - UPDATE ON MCNEIL COMMITTEE**

D/C/Cst. Downie advised that as it is difficult to get people together this time of the year he requested individuals send him copies of disclosures to Crown. So far the forms are consistent in getting information to Crown.

With respect to the larger issue of how we are interpreting McNeil with respect to what is serious misconduct and determining what is relevant, agencies are not far apart. D/C/Cst. Downie has a high level of confidence that we are not too far away from what McNeil decided. Hopefully there will be some conclusions by the fall.

The CACP are trying to get funding for a national survey; see how it is being implemented across the country, as well as getting a position paper written from a national perspective.

D/C/Cst. Downie is planning on holding a meeting on the 22<sup>nd</sup> or 23 of June, 2011.

C. **C/CST. HAMES**

Inspector Mark Fisher (RCMP) has been appointed Chief Constable of Oak Bay Police Department and will assume the position in July.

6. **ADJOURNMENT**

**Motion to adjourn:**

**Moved by: C/Cst. HAMES      Seconded by: A/D/C/Officer MacDonald      CARRIED**

*Meeting adjourned at 11:16 p.m.*

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**MONTHLY REPORT – ADM DIRECTOR PECKNOLD**

1. **BILL 12** received Royal consent on 02 June 2011 with amendments to the Police Act to create the Independent Investigation Office (IIO).

ADM-Pecknold spoke to a number of the amendments:

Section 125 has an additional sub-section (1) regarding discipline proceedings. Now has a time period of 10 business days to make submissions to a DA. There may be a challenge with the time lines, previously Section 125 was silent on time lines

Section 141–10 business days which the adjudicator must provide notice and written reasons for the decision; again clarity of time lines.

Several amendments to Section 180 - Expunging members' service records of discipline. In the three years expungement period, requires a member to participate to expunge from a service record.

Section 180, new subsection, to ensure those complaints that are withdrawn from a complainant do not affect the expungement timeline, decision, or correction measure unfold due to unsubstantiated complaints. This is one of the primary concerns of the BCPA.

Two new paragraphs added to Section 181(1) - Record of complaints withdrawn by a complainant to be included in the service record. This amendment helps to provide a complete picture.

2. **IIO**

Part 7 of the Police Act, creates a skeletal framework for the IIO, the appointment of a

Chief Civilian Director which will fall under the Ministry of the AG. Location for the IIO, budget and staffing requirements are currently being worked out. Should happen in the coming months. Thanks to those who came to consult on it.

A lot of work still has to be done, re protocol procedures how the office will work. The legislation purposely built as a minimalist framework to create the office.

Coming out of Braidwood, the IIO has got most of the attention lately. Criticism of CEWS continue plus critical of the provincial government. First step the province took amended Section 40 of the Police Act, to establish policing provincial standards, use of force training facility and equipment. These recommendations were passed last June and will come into effect this fall. The amendment specifies must be approved by the SG. Further requests must be provided to the affected parties.

Police Services Division created an Advisory Committee -BRIC Committee. Through the work of that committee, a letter went to the Chair, asking for further consultation. A further letter went out to C/Cst. Parker and all the Chiefs asking that the BCAMCP set a committee to make further final consultations.

The standards concerning video surveillance came out of the death of Ian Bush. A committee was struck and agencies were given a three month timeframe to come into compliance with the recommendations for video surveillance.

3. **ADVISORY COMMITTEE ON POLICE STANDARDS (ACOPS)**

Because of the effect of the amendments to the Police Act, the existing training regulations no longer became enforceable. PSD staff have put together rules re training standards, which is open to further discussion. Use of Force Standards, replaces Use of Force Regulation.

Both of these standards are subject to continued consultation, at the BRIC committee and the ACOPS Committee (Advisory Committee on Police Standards). Hope to institutionalize these committees with you before they are implemented.

ADM Director Pecknold asked the BCAMCP to strike a committee to review CEW related standards, the ones already been signed off by BRIC. There are tight time lines. Met with Mr. Braidwood on the IIO and on the standards and he is very pleased with the response to both his reports, far exceeded his recommendations. The Minister wanted to make sure there was a broad consultation.

Question and Answer period followed.

What is the difference between the BRIC committee and the new committee?

ADM-Director Pecknold

Essentially it is a committee to offer Chiefs another opportunity to consult.

D/C/Cst. Downie

There is not a lot of room to change the standards that have been developed.

ADM-Director Pecknold

It is up to the Cabinet and the Minister, standards are approved by the Minister. We are shooting for fall implementation.

D/C/Cst. Ducker



Why not have the former BRIC form the ACOPS committee

ADM-Director Pecknold

BRIC committee established to review the standards around the recommendations that come out of Braidwood 1 CEW training. As a consequence amendments to the Police Act went beyond just a response to Braidwood. We want to make sure there is consultation on the full package going ahead.

C/Cst. Hames

Is there a live date for the IIO?

ADM-Director Pecknold

The Minister made a commitment that it would be up and running by the end of the year, The challenge is what do we do in the interim.

Does the Minister have an appetite to expand the IIO?

ADM-Director Pecknold

The minister would like to *walk before we run*. The BCAMCP need to collectively agree on the IIO.

ACOPS would depend on the subject matter being discussed, may be more police related if we need to bring in other parties we would, it would be a little bit more narrow than BRIC.

ADM-Director Pecknold

Because of the complexity of this, be some of the same people who sat on BRIC. Need quite a bit of time to bring the Minister up to speed before she signs off.

At the next meeting have a review of the existing BRIC committee, review whether that committee is comprised of people that can finish the work, or does it need more people for the ACOPS committee. ADM-Director Pecknold will send out a request for interest.

The following former BRIC committee members expressed their interest to sit on the ACOPS committee:

- D/C/Cst. Ducker
- D/C/Cst. Downie

and also suggested that the following members, absent today, but former BRIC members would probably want to sit on the committee:

- D/C/Cst. Manak
- C/Cst. Cessford

D/C/Cst. DUCKER asked what the rationale was to switch to the AGs Ministry, why create a dual reporting structure?

ADM-Director Pecknold

The government is following what Braidwood recommended. The IIO for all intents and purposes has all the powers and responsibilities of a police force to investigate, that is why it is housed under the Police Act and reports to the AG.

4. **COUNTER ATTACK**

\$425,000 has been allocated for Summer Counter Attack. Once we have reconciled the summer program, there will be a further \$325,000 for a Winter Counter Attack.

The charge back fee has been raised from S.17

ADM-Director Pecknold will be watching the criminal code charges as the IRP goes forward, monitoring to see what the difference is, how it impacts the Counter Attack budgeting.

C/Cst. Lepine advised that he and Supt. Tonia Enger met the Minister, and the last resolution that came out of the BC Chiefs February meeting was a suggestion to the government and the SG that they not think of the IRP until we have seen the wider picture. Can you comment on the whole IRP program, any discussion on changes coming?

ADM-Director Pecknold

There was some early discussion with former Minister Coleman. Not aware of any further appetite to tweak the IRP. The government is going the same sort of wait and see if there are any challenges.

5. **MOU WITNESS PROTECTION.**

The 2005 original agreement was signed with an indemnity agreement, for two years. The clause has remained unsigned. There are no changes required to the agreement and unless there are any concerns around the table, ADM-Director Pecknold wants to have the agreement re-signed to make sure it is validated and reinforced.

4.

#### NEW BUSINESS

A. **A COMMISSION FOR OFFICERS**

D/C/Cst. Lemcke is looking for an endorsement from the BCAMCP as well as the BCAPB to amend the Police Act to allow a Commission to be bestowed upon officers.

It is ceremonial and traditional, an acknowledgement when someone gets promoted to the rank of Inspector and above, acknowledges what got them there and follows the RCMP and other provinces; puts officers in a level playing field.

If the BCAMCP approve this a presentation will be made to the BCAPB, identify an MOA and amend the Police Act

*Break at 11:00 am*

*Meeting resumed at 11:19 am*

Discussion continued on the granting of a Queen's Commission resulting in the following motion:

**Motion:** THAT the BCAMCP recommend a change to the BC Police Act to allow the Lt. Governor in Council to authorize the issuance of a Commission under the Great Seal of Canada to all municipal officers, the rank of Inspector and above, in British Columbia.

**Moved:** D/C/Cst. Lemcke      **Seconded:** D/C/Cst. Beaudoin      **CARRIED**

D/C/Cst. Lemcke suggested writing to MP's in your area and can supply a draft of a letter he sent.

\*Queen's Diamond Jubilee Medal is 2013.

D/C/Cst. Lemcke will write a letter to the province and include the information that was in the Agenda package.

5.

#### ROUND TABLE

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A. **C/CST. LEPINE**

information coming out of the government re the IRP program; Rich Coleman threatened to make changes within the legislation but has since backed down, and is now commending the work that is being done.

C/Cst. Graham is still a little nervous about all the civil actions going on and asked the committee to tell your members that the more we get the better the statute looks; stats are impressive.

E. **D/C/CST. LEMCKE**

Thanked everyone who helped VPD out during the Stanley Cup Riots. 9 police injuries; no major injury or death to the public. D/C/Cst. Lemcke believes the operation was a success.

- 51 people involved in the investigation
- Photos are in the tens of thousands
- Over 5000 tips
- Approximately 1700 people have been identified
- Approximately 50 people have walked in. At that time we take their information

**ADM Director Clayton Pecknold  
Ministry of Public Safety and Solicitor General  
Police Services Division**

## **1. RIOT REVIEWS**

I would like to start off today's update with some information regarding the recent reviews of the June Stanley Cup riot in Vancouver. Three reports have been released in the last week or so concerning the riot.

The findings from all are fairly similar and there does not appear to be any major discrepancies. Generally speaking, all reports found that many more people than anticipated showed up in the downtown core, they showed up earlier than expected, and alcohol fuelled the troubles.

Between the three reports, there are more than 70 recommendations. Because the focus of each report is different, the recommendations are somewhat different in terms of scope. For the most part, the recommendations hit on similar themes:

- The need for more rigorous risk assessments and event planning processes;
- The need for more and better communication between all agencies;
- The need for regional cooperation amongst police agencies (for example, mutual aid frameworks, 'regional event public safety plans');
- The need to develop strategies aimed at reducing alcohol consumption and/or strengthening interdiction procedures;
- The need to involve the public through social media and volunteer programs; and
- The need to bring the NHL into the mix in terms of taking some responsibility for fan behaviour (for example, the NFL has a 'fan code of conduct') and/or providing funding for additional public safety at major sporting events such as the playoffs.

At this point, the Province is still looking at all of the Recommendations and discussing potential responses.

## **2. PROVINCIAL FUGITIVE RETURN PROGRAM**

Next I would like to update you on the Provincial Fugitive Return Program. As we all know, criminals don't respect municipal and provincial borders and fugitive return initiatives send a clear message that they will not be able to hide from accountability in British Columbia.

Through funding from the Civil Forfeiture Office, the Vancouver and Victoria police departments have been conducting fugitive return (CONAIR) initiatives for several years.

We want to build on these successes by expanding the program provincially. To that end, a provincial coordinator within the RCMP's Major Crimes Section has been appointed to work with all police jurisdictions on rolling out the program provincially.

The coordinator will liaise with RCMP and municipal police jurisdictions to develop a provincial list of candidates for the program based on criteria and priorities developed by a Joint Management Team.

The Joint Management Team comprised of representatives from the RCMP and VPD (the municipal police representative), will establish provincial program priorities and criteria, review and approve the provincial fugitive list, and make funding decisions as needed.

The coordinator will help facilitate fugitive returns by liaising with police agencies and will act as Crown Counsel's single point of contact. The BC Sheriff Service, under the provincial Court Services Branch, has agreed to transport fugitives under the program.

Funding will be available through the provincial coordinator and the Joint Management Team to pay for the return of those fugitives identified on the provincial list.

All police departments and detachments in BC continue to have the option of returning any fugitive at their own cost as well.

A Memorandum of Understanding outlining the roles and responsibilities of agencies involved and the funding mechanism, is being developed. As we move forward on this initiative, I will update you on our progress.

### **3. MARIJUANA GROW OPS**

Moving on to my next item, I would like to update you on a provincial initiative to tackle the issue of marijuana grow operations. Recently, a Provincial Working Group dealing with Marijuana Grow Ops – or "MGOs" – has been established.

The MGO Working Group is co-chaired by Sam MacLeod from my office and Inspector Keith Pearce from the RCMP; and includes representatives from police agencies, fire services, UBCM, Fire and Emergency Management, Conservation, Civil Forfeiture, real estate, BC Hydro, Canada Revenue Agency, Border Services and other provincial and federal government bodies.

Bob Rich is the BCAMCP representative on this working group.

The mandate of the *Provincial Marijuana Grow Operations Working Group* is to develop strategies to eliminate, disrupt or otherwise mitigate the effects of marijuana grow operations (MGOs) and illicit drug operations through a collaborative stakeholder approach.

The Working Group builds on the successes of the Cariboo Region Integrated Marijuana Enforcement (CRIME) Task Force to identify issues and stakeholder groups that lay the groundwork for effectively addressing MGO's in the province.

Some of the identified deliverables for the Working Group include: (1) an action plan to respond to identified issues that outlines the roles and responsibilities of agencies involved in the response, and (2) a summary report that details a multi-pronged provincial strategy on MGOs in BC.

The first meeting of the MGO Working Group occurred on July 14, 2011.

The next Working Group meeting is scheduled to take place September 20<sup>th</sup>, where the Terms of Reference for the Working Group will be finalized.



#### 4. RETENTION OF EVIDENCE

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Another committee that is being planned is a short-term advisory committee to provide information and feedback on retention of evidence policies and practices in BC.

The *Provincial Advisory Committee on the Retention of Evidence* will meet three to four times in October and November to participate in discussions around the potential for national standards on retention of evidence and exhibits for criminal trials.

Feedback from the BC Advisory Committee will be brought to a Federal/ Provincial/ Territorial Working Group that has been tasked with exploring this issue.

You will have already received an email from me requesting nominations for this committee - thank you to those who have sent us contacts from your agency. The BC Advisory Committee will be chaired by Tom Steenvoorden, from my office, and will include:

- o 1 rep from Courts;
- o 1 from Crown;
- o 2 from the RCMP;
- o 2 from your agencies; and
- o 1 from the Police Services Division, Standards Unit.

Even though this is a small committee with a short time commitment, we are hoping to capture a variety of views and experience with retention issues. We have asked for representatives from both operational and the policy backgrounds.

Some of the topics to be discussed at the committee meetings include:

- o Internal policies and practices for continuity, retention and disposal;
- o Whether there should be national standards;
- o Whether standards should apply to all offences or only the most serious;
- o Whether standards should apply to all evidence or only exhibits filed at trial;
- o How long the material should be preserved; and finally,
- o How and where the material would be retained and stored.

When the committee concludes its work, my staff will prepare a summary report of these discussions for presentation to the FPT Working Group.

#### 5. METAL THEFT

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Moving on, I would like to provide you with an update on the work my staff are doing to address the issue of metal theft.

Metal theft is a growing problem in the province and in recent years, there has been a proliferation of metal theft targeting utility systems and municipal infrastructure for their high copper composition (including wires, cables, transformers, lamp standards and other equipment).

The stolen metal, typically resold to scrap metal dealers, impacts critical services, threatens public safety, and imposes heavy costs. The consequences of metal theft include: loss of 911 service, service interruptions at police communications centres, power outages to homes and businesses, potential high voltage danger, and millions of dollars to repair the damage.



In recent discussions with police, members have indicated a desire for provincial assistance in closing the market for stolen metal as well as for finding other responses to this issue, especially those that would ensure the ability of police to respond in a timely and effective manner to incidents of metal theft.

The Ministry is working towards an integrated solution to address metal theft that is both operationally sound and fiscally prudent. Building on achievements made to date by police, local governments and industry, Government will closely examine its options to regulate the scrap metal industry.

As part of a broader approach to tackling metal theft, the Province will also work with the federal government to increase sanctions under the *Criminal Code* for tampering with critical infrastructure.

Further, the Province will continue to support the efforts of community partners, including Crime stoppers and Telus, in raising public awareness of the metal theft issue in B.C. communities.

Over the coming months, my staff will map out our options to regulate the scrap metal industry and will assess the possibility of pursuing provincial legislation. As we move forward, I will provide you with regular updates.

#### Discussion during ADM-Director's Report

C/Cst. Rich talked about *pawned goods*. One option is to pass provincial legislation to deal with all of that in one shot.

ADM Director Pecknold advised that the industry told us what is important is the transaction; they have given us a lot of ideas. When the decision is made around legislation there will be an opportunity for us to determine what makes the most sense operationally.

D/C/Cst. LePard met with Kevin Begg on this issue a few years ago relating to the legislation and will forward this report to ADM Director Pecknold.

## **6. FEDERAL FISHERIES OFFICERS**

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My final item for today is a quick status update from our Special Provincial Constable program.

170 Federal Fishery Officers in BC are soon to become Special Provincial Constables under Section 9 of the *Police Act*.

Their appointments will effectively be the same as Conservation Officers, where they can respond in exigent circumstances when an appropriate police response is required. Jurisdictional police will be CONTACTED TO ASSUME RESPONSIBILITY FOR ANY INVESTIGATIONS OR FURTHER ACTION REQUIRED.

These appointments will be signed off in the coming weeks.

## **7. RE-ORGANIZATION**

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ADM Director Pecknold advised of some re-organization in his office:

Sam MacLeod will be Executive Director of Policing, Security and Law Enforcement Operations, primarily operational initiatives, to make sure we are hearing what you have to say.

The other position created is Finance and Policing Infrastructure through Perry Clark. His job is to make sure things like PRIME are economically viable, keeping an eye on how we are managing infrastructures through the province.

ADM-Director Pecknold left the meeting after his report.



July 25, 2011  
Ref. 468093

Tom Stamatakis, President  
British Columbia Police Association  
202-190 Alexander St  
Vancouver BC V6A 1B5

Dear Tom Stamatakis,

Thank you for your suggestions in your June 3, 2011 letter regarding the British Columbia Police and Peace Officer's Memorial Service. I apologize for the delay in responding.

I agree with you that the BC Police and Peace Officer's Memorial Service is an important annual event for the province's policing community. The ceremony serves as a reminder to the police and public alike of the service and sacrifices of law enforcement officers. As such, it is my understanding that the British Columbia Association of Chiefs of Police (BCACP) members endorsed the establishment of the BCACP Police and Peace Officer's Memorial Steering Committee at the June 14-16, 2011 BCACP meeting in Prince George. This Memorial Committee is to be chaired by RCMP Superintendent Keith Robinson and will work to revitalize the Memorial Service and to ensure clarity and continuity of purpose for future memorial events. BCACP members recommended that the Committee's membership be representative of the RCMP, independent municipal police departments, the BC Police Association (BCPA), and the RCMP Staff Relations Representative (SRR) Program.

I hope that you or another BCPA representative will participate in these important discussions and assist the Committee in bringing forward any new proposals for the consideration of the BCACP membership.

Thank you again for sharing your thoughts with me on this important matter.

Yours truly,

  
Clayton J.D. Pecknold  
Assistant Deputy Minister  
and Director of Police Services  
Policing and Community Safety Branch

cc BCACP Membership

Ministry of Public Safety  
and Solicitor General

Policing and Security Programs  
Branch

Mailing Address  
PO Box 9288, Stn. Prov. Govt.  
Victoria BC V8P 9J7

Telephone: 250 967-1380  
Facsimile: 250 956-7317  
Website: [www.gov.bc.ca/pmg](http://www.gov.bc.ca/pmg)

SEP 7 6 2011

Chief Constable Brad Parker  
President, BCAMCP  
Port Moody Police Department  
3051 St. John's Street  
Port Moody BC V3H 2C4

File # \_\_\_\_\_  
☐ Action by \_\_\_\_\_  
☐ For info. \_\_\_\_\_  
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In February 2011, Chief Constable Wayne Holland, Nelson Police Department was appointed by the BCAMCP to represent the municipal chief's on the Road Safety Advisory Committee and IMPACT Policy Board. The membership from both groups sincerely appreciate the value of having the BCAMCP represented during discussions and also recognize that additional travel costs are incurred to travel to these meetings.

At the July 7, 2011 Road Safety Advisory Committee meeting, participants agreed to support a cost sharing arrangement with BCAMCP for travel costs incurred by the BCAMCP representative to attend these meetings. In recognition of the current representative being from Nelson, Police Services Division has agreed to assist by offsetting travel expenditures to a maximum of \$500 per meeting upon receipt of Chief Holland's detailed expense report. Any further cost sharing arrangements can be discussed amongst the BCAMCP membership.

If you have any questions or require further information please contact Jan Staples directly at 604-775-2108 or via email to [Jan.Staples@gov.bc.ca](mailto:Jan.Staples@gov.bc.ca).

Clayton J. D. Pecknold  
Assistant Deputy Minister and  
Director of Police Services  
Policing and Security Programs Branch

Cc: Chief Constable Wayne Holland

4.

## **NEW BUSINESS**

BC Gov't Consult

A.

### **MONTHLY REPORT – ADM Director Pecknold**

#### **Enhanced Traffic Enforcement – Counterattack Campaign**

Update on the Counter Attack Campaign. The PSD Road Safety Unit is providing \$610,100 for enhanced traffic enforcement to municipal police departments for the Winter Counter Attack campaign, being held from October 28, 2011 to January 2, 2012. The RCMP will also access Enhanced Road Safety Overtime funds for the same period, to support this annual provincial enforcement campaign.

We are monitoring how the return to Criminal Code processing for drivers blowing over .08 will impact resources during this campaign period.

#### **IRP DECISION AND APPLYING THE NEW APPROVED SCREENING DEVICE (ASD) THRESHOLD**

The recent BC Supreme Court Decisions, Sivia et al vs. BC (OSMV), has put renewed urgency behind the need for police to establish operational policy and procedures regarding the calibration of Approved Screening Devices (ASDs).

A working group comprised of Municipal and RCMP officers, lab technicians and government subject matter experts has been formed under the BCACP Traffic Safety Committee. This group will work together in the coming months to establish recommendations for province-wide protocols for ASD calibration, record keeping, calibration testing, training and certification, as well as recommend a process regarding IRPs that may be issued after an instrument has been found to be out of an acceptable calibration range.

The ASD Working Group recently held a meeting yesterday (December 12) in Delta. Further updates on this issue will be addressed at the next meeting.

#### **RIOT REVUE UPDATE**

As you know, the Province, the City of Vancouver and the Vancouver Police Board jointly sponsored an independent review of the 2011 Stanley Cup riot, co-chaired by John Furlong and Douglas Keefe. The purpose of the report was to examine the events around the 2011 Stanley Cup Riot and to make recommendations aimed at ensuring the safety and success of future public events and celebrations.

The co-chairs also provided 53 recommendations that are detailed, interconnected, and cover a variety of topics. Key recommendations centre around: alcohol, police planning, regional events, volunteers, media and coordination with TransLink.

The Provincial Government and the City of Vancouver are each primarily responsible for implementing about one-quarter of the recommendations. The other half of the recommendations fall to police, TransLink, and the group of partners as a whole. The partners include the City of Vancouver, the Province, police, fire, ambulance, TransLink, and so on.

There are also two recommendations that point to the media and two that point to the Canucks and NHL.

With regards to provincial implementation, I would like to draw your attention to some overarching initiatives that the Province is undertaking to implement the riot



recommendations.

Regarding alcohol, the Province's Liquor Control and Licensing Branch is working with partners, including police and transit officials, to find ways to better prevent and control the transportation of alcohol.

They are considering the riot review recommendations around search and seizure and are seeking legal advice on the existing powers and whether any new powers may be possible and warranted. Considerations for new powers for police would have to remain mindful of the balance between protecting public safety and respecting the rights of individuals.

As well, your agencies received communications from me last month requesting that you take into consideration the recommendation that police make greater use of attaching fines in addition to pouring out alcohol.

Many of the other recommendations point to increased collaboration, coordination, shared training opportunities and mutual aid from police across the region as well as other public safety partners including fire services, ambulance, E-Comm, and TransLink.

To this end, the Province is working with the partners to determine the best means of enhancing collaboration and interoperability throughout the region; more specifically, through training, sharing of police resources and enhanced communication.

#### Training

In the letter you received last month, I requested a contact from each agency to consult with us on in-house crowd management training and tactics. These discussions have begun and, at this point, we are just trying to get a better handle on what is involved with this type of training across the jurisdictions.

I have also been informed that the RCMP tactical troop and VPD public order unit have begun training together and are working to develop common tactics for use during joint operations.

The Integrated Partnership for Regional Emergency Management or "IPREM" – which is a joint effort between the Province and Metro Vancouver – will also be working with police and fire services, BC Ambulance, E-Comm and TransLink to look at mutual training possibilities and to ensure that each organization understands their role and that the equipment they use is compatible.

I support the inclusion of TransLink and the Transit Police Service where appropriate in these coordination and training exercises.

#### Sharing of police resources:

In addition to mutual training exercises, PSD staff along with IPREM partners are looking at ways to ensure that the public safety partners have a framework for providing mutual aid that can be pulled into place for regional events.

Work is currently underway to define what will be considered an "event of regional significance" that would necessitate mutual aid; and to better understand how such events would impact police agencies across the region.

The sharing of police resources is something that happens rather effectively at present. Having said that, a formal mutual aid agreement is something that needs to be discussed. Last week, I sent an email to Chiefs in the Lower Mainland requesting a meeting to discuss mutual aid. I have also invited Norm Lipinski to this meeting; and I look forward to engaging in this discussion with you during mid-January.

As we move forward with the implementation of the riot review recommendations, I will do my best to keep you informed of the progress and to include your agencies in the initiatives that may affect you.

Increased collaboration was one of the key messages coming out of the riot report and I look forward to working with you as we address the systemic challenges that came to light through the events surrounding the Stanley Cup Riot.

The goal of this entire initiative is, of course, to examine how best to minimize the likelihood of a repeat event. A strong focus on coordination and collaboration in security and event planning will help to ensure the delivery of safe and enjoyable civic celebrations in future.

#### **Transcription of Tapes**

There has been some disagreements over transcripts for the OPCC. C/Cst. Jones advised that the Act requires you to send either the transcript or the recording. All agreed that it is very costly to have tapes transcribed and we need to have clarity on what needs to be transcribed and what does not.

ADM Pecknold advised that there is a review of the Police Act, part 11 coming up and he is hearing that people are concerned about the costs to have tapes transcribed. He will contact Rollie Woods and attempt resolve this with him.

#### **Shoker Legislation**

Bill C30 passed which allowed probation officers to carry out bodily sampling. The BC Court of Appeal ruled it unconstitutional. The Court of Canada has drafted regulations detailing the samples to be taken, and the legislation will likely come into force in February 2012.

ADM Pecknold asked the committee how they would like to proceed around this legislation and suggested a small working group with police services staff, possibly include the sheriffs. If there are costs involved to sit on the group, police services will cover the costs.

VPD are interested and will identify someone to sit on the committee. Port Moody will also have representation on the committee.

#### **BC PRIME**

There was a joint BC PRIME strategic planning session held in November that was well attended by a good cross section of representatives which is looking at taking PRIME into the next generation.



At the UBCM Mayors spoke about their concern around the PRIME levy. Also the Premier spoke about her commitment to policing in BC over the next year, and also talked about guns and gangs, regionalization, issues around police governance and the structure of policing in BC.

#### **RIOT REVIEW**

D/C/Cst. Lemcke thanked everyone for their continued support; VPD could not do this without the assistance of other agencies. Calgary Police have sent an analyst to VPD to assist with forensic video. Calgary are paying the wages for the analyst.

#### **TICKETS**

Committee asked ADM Pecknold about all provincial tickets going to normal court.

C/Cst. Lepine advised that this came about by a motion from the BCACP for open liquor, and that it is time to revisit what the dollar figure is. It has just been raised to \$230. In Atlantic Canada it is \$600.

ADM Director Pecknold will take the suggestion back that tickets are high volume; any suggestion about taking the pressure off the courts will be championed.

C/Cst. Cessford asked about the status of traffic fine revenues and if it would continue. ADM Pecknold has been told nothing to the contrary on this.

#### **B. MULTI-AGENCY TRAINING FOR RISK MANAGEMENT – S.22(1)**

C/Cst. Lepine is looking at bringing S.22(1) to the lower mainland for either a one day, or two day seminar. His seminars are for corporals, sergeants and staff sergeants, to address some shortcomings, appropriate risk management, and their collective responsibility as supervisors. C/Cst. Lepine asked if anyone else was interested in their staff attending such a seminar.

The cost is \$6,000-\$7,000 for a one day session  
An extra \$5,500 for the same presentation over two days.

A number of people showed interest in this; C/Cst. Lepine will research this further.

#### **C. BC PRIME GOVERNANCE COMMITTEE**

C/Cst. Lepine asked if anyone was interested in sitting on the BC PRIME Governance Committee to replace S.22(1). At this time no one showed any interest; C/Cst. Lepine will bring it back for the January meeting.

### **5. ROUND TABLE**

#### **A. DELTA PD**

D/C/Cst. Beaudoin thanked C/Cst. Parker and Barbara Blackwood for their two year term on the executive.

D/C/Cst. Beaudoin also spoke on the new senior management team with RCMP, and the need to embrace this group.

#### **B. NEW WESTMINSTER POLICE**

NWPS were involved in an investigation for the RCMP and recently received a contract to sign for the investigation costs. The contract had an *all-inclusive* payment. C/Cst. Jones cautioned the committee about signing such a contract; if there are further costs involved with the investigation you would not get compensated if you had signed the contract.

The RTCC survey consisted of 41 stakeholders who were asked 12 questions regarding the current state of the PIC, proposals for revising the PIC's mandate, setup, target audience and operating procedures as well as the need for and viability of incorporating a RTCC in the PICs mandate. The Steering Committee visited several RTCCs in the USA and in Calgary and came up with 9 recommendations: a mandate, initial focus, physical location, determine clients, staffing a RTCC, RTCC models, chain of command/reporting, availability to confidential informant information, and a video wall.

Discussion ensued and additional information was provided.

S.15(1)

It would take approximately 1-1.5 years to implement. By pooling existing financial resources, the costs could be covered as it was based on the premise that there would be no new money and the reallocation of members. The current budget of the PIC is unknown because they are split up and do not have a set budget but they take direction from finance group. Most of the staff of existing RTCCs are typically scheduled from 9-5 however they do adjust for call patterns. 25% of the RCMP intel section staff were moved to PIC to populate it however they do their regular jobs as well.

The table agreed in principal that this endeavour warrants further consideration and discussions about funding and staffing issues will need to take place. If it is agreed to pursue this, an implementation team will need to be formed and Commanding Officer Callens has already agreed to provide a member. A municipal member would need to be identified as well.

Reference agenda attachments:

Report to BC Chiefs, PIC Study, PIC Study PowerPoint, Appendix C, Appendix L

BC Gov't Consult

2. **Monthly Report (ADM Pecknold)**

IRP - Update

First, I would like to provide you with a brief update on the Immediate Roadside Prohibition program, or IRP, which was challenged in BC Supreme Court in May of 2011.

On November 30, 2011, the BC Supreme Court issued a ruling that found the 'fail' provisions of the IRP unconstitutional; however, all other provisions of the IRP program remain in force. The Court suspended the declaration that certain parts of the "fail" IRP are unconstitutional until June 30, 2012. This is to give the legislature time to amend the Motor Vehicle Act (MVA). This ruling may seem counter intuitive, but the judge recognized the value of the program and was willing to allow the legislature time to fix some of the administrative problems.

The plaintiffs in the case also challenged the IRP provisions on matters of administrative law. However, issues related to administrative fairness were adjourned pending a determination of the constitutionality of the IRP provisions. As a result, there may be other court challenges on issues of administrative fairness of the IRP (and other MVA) provisions.

There continue to be range of other issues interlinked with this judgment and ongoing media coverage of IRP such as the accuracy of Approved Screening Devices (ASDs) and the type of review rights that affected drivers should have. Our current concern centers on the use of ASDs as evidentiary tools and the potential for public perception to be skewed by media stories about incorrectly calibrated/faulty ASD devices.

Delta PD (Sgt. Kevin Jones) spearheaded a police working group to take a look at how police departments and the RCMP calibrate ASDs, maintain records, as well as, issues around training and qualifications of certified technicians. The working group is meeting again on January 18th to discuss, among other things, whether ASD operational policies and procedures need to be standardized.

IRP is an important enforcement tool that has already saved over 40 lives in BC and we're all anxious to see the program weather the current difficulties and avoid any future legal challenges. Police will continue to be consulted as new legislative provisions are developed, in the meantime, we will continue to support you in any way possible to ensure the long term future of IRP.

#### Provincial Marijuana Grow-Ops Working Group - Update

Moving on to my next item, the Provincial Marijuana Grow Ops Working Group, co-chaired by the Ministry and RCMP, has been active since July, 2011. Bob Rich sits as your representative on the group. Partners include Canada Revenue Agency, Real Estate Board, Fire Commissioner's Office, UBCM, Association of Fire Chiefs, Ministry of Health, Ministry of the Environment, Ministry of Community and Sport, BC Hydro, SFU and BC Safety Authority.

There have been 4 meetings of the WG with the 5<sup>th</sup> meeting planned for next week, January 18<sup>th</sup>. Work to date has included a review of the Cariboo Region Integrated Marijuana Enforcement CRIME Task Force – a federally funded initiative that operated for 15 months and resulted in 68 searches of indoor MGO's with seizures of over 110,000 plants and 25 firearms and 70 people charged.

A catalogue of all relevant legislation that currently exists amongst partner agencies has been compiled and the relevant authority and power, including the ability to cost back for investigations and/or remediation for each agency has been identified. This will be subject to review and discussion at the next meeting.

The Abbotsford Police Department recently announced a grow op initiative and the WG has agreed to work with Abby PD and use this as a case study approach to MGO's. One of the goals of the case study is to collect relevant data of an "all agencies" approach to MGO's that looks not only at enforcement but also administrative processes (remediation, disclosure of property, restriction on occupancy, bylaw/building infractions, cost recovery, etc.).

S.16

In the end the goal of the working group is to produce an overall summary report that details a multi-pronged provincial strategy on how to address MGO's issues in BC, including a comprehensive media strategy to better inform and educate the public to the impacts of MGO's.

#### Metal Theft Legislation - Update

For my final item I would like to give you an update regarding the Metal Dealers and Recyclers Act, which received Royal Assent on November 24, 2011.

This legislation introduces tighter controls on scrap metal transactions occurring at dealers and recyclers throughout the province and establishes a provincial registry of metal dealers and recyclers who trade in selected metals that are known to be the target of thefts. Scrap metal dealers will be required to record both the seller and transaction information, and to report information on metal purchases to police on a consistent basis.

The specific details on the information to be collected and reported will be provided via regulations in the coming months. We will continue to consult with representatives of police, industry and other stakeholders as we develop the regulations. The Province will also pursue a broader approach with the federal government to push for increased sanctions under the Criminal Code for tampering with critical infrastructure.

2. **OPCC Decision: Criminal vs. Civil Trials (Chief Cst. Graham)**

*Refer to the Regular Minutes of January 10, 2012 for the background on this issue.* Chief Graham reported that the OPCC had put out either a directive or adopted a position instructing departments to refrain from proceeding with a *Police Act (PA)* matter if there is a parallel criminal one because the criminal investigation must be completed first. Discussion ensued and it was questioned whether or not the OPCC could/did order such a directive because the *PA* indicates that the DA can ask the OPCC to put a *PA* matter on hold until the criminal matter is complete; therefore it appears that discretion is with the DA, not the OPCC.

ADM Pecknold reminded the table that a special committee has been struck to review the post Woods amendments regarding discipline and suggested that concerns such as this one be brought forward to them.

**ACTION:**

- The Professional Standards Committee will raise this issue at the next meeting with the OPCC in order to gain clarification.
- Tabled the March meeting for an update.

3. **Video Conferencing (Deputy Chief Cst. Lucy)**

Consideration had been given to providing a video conferencing option for those members that cannot attend the BCAMCP meetings in person. Inquiries were made to the various departments as to their video conferencing capabilities and it was determined that it is not a viable option at this time.

4. **Lawful Access Update (Lemcke)**

Government has made the announcement that the bill is forthcoming and the CACP document was previously circulated for review. It simplifies things and it is critical that the police provide consistent messaging on this controversial issue. D/C Cst. Lemcke clarified that it actually does not give access but it does allow for preservation orders on demand. Everything else is by warrant and the process is actually more restrictive now because there are only designated people that can request them. An audit trail and a requirement to report out every year is also a new directive. The Privacy groups are pushing for each request to be done by warrant which would be nearly impossible for police agencies to handle. This topic will be discussed at the upcoming Reboot Privacy Conference in Victoria which D/C Cst. Lemcke and C/Cst. Graham are attending.

Reference attachment:

*Briefing Notes – Lawful Access Legislation (Feb 2012)*

**C. NEW BUSINESS**

1. **Monthly Report (ADM Pecknold)**

BC Gov't Consult

Subject Behaviour – Officer Response (SBOR)

You may recall that last summer I wrote to all of you advising of changes to the Subject Behaviour Officer Response template (use of force reporting) following an evaluation conducted by Police Services Division. At the end of last year, the revised SBOR template was sent to each of your agencies by PRIME Corp for loading onto your systems.



The updated template is considerably easier to navigate and should be much simpler for officers to complete. Agencies were also sent a list of Frequently Asked Questions and Answers (FAQ) which should assist with common questions and can be used as a training handout.

Please remind all officers in your agency that everyone who uses reportable force must complete an SBOR. This includes K9 handlers and ERT.

The Province has also submitted a change request to Versaterm to request them to improve the technological format of the SBOR template (e.g. by creating a details page). This would allow for improvements such as mandatory fields and would enable automatic data collection.

**Additional information, if needed:**

*Reportable force = an officer must complete an SBOR report at the physical control-soft level if that force response resulted in injury to the officer or the subject. An officer must complete an SBOR report regardless of injury, when physical control-hard force, or higher levels of force, were used. This is consistent with RCMP policy.*

*Injury defined as = "bodily harm that is not merely transient or trifling in nature, and which interferes with a person's health or comfort."*

**PSD Police Academy Update**

PSD has been working closely with the JIBC Police Academy to resolve issues around funding and governance. I'm pleased to say we have worked through the financial issues presented by the Police Academy and have gained a stronger understanding of how the budget works.

The Police Academy Chiefs Committee has been meeting regularly to provide governance and feedback to issues relating to police training at the Police Academy. Having municipal police executive feedback in this process has been invaluable for PSD and I hope this is a two way process which is helping with increased transparency etc.

A recent example of PACCs contribution to the process is their participation in reviewing the new draft of the Job Description for the Police Academy Director position. I'm working with Jack McGee and we will soon begin the process for hiring of the new Director after Frank's recent retirement. Steve Schnitzer is currently acting in this position. I anticipate this will be highly collaborative process.

I'm pleased to report that we have been able to strengthen the Police Academy resources through the secondment of a Curriculum Developer position from PSD resources. This has been a welcome addition to the PA in the area of developing and revising existing curriculum materials.

At this time, we are working with PACC and the JIBC to draft a new funding agreement for 2012-2013 fiscal year. I will keep you informed of significant developments.

ADM Pecknold also advised that the Strategic Plan on Policing is designed to engage the public in a discussion on all aspects of policing. PSD will do a separate consultation on policing and that information will feed into the Justice Reform initiative. The table agreed that it would be helpful to establish a committee to bring forward some key concerns and establish consistent messaging. This suggestion will be forwarded for discussion at the BCACP meeting being held tomorrow.

2. Retirement Plaques (Chief Cst. Lepine)

Because of the significant cost associated with the production of the plaques, it was questioned whether or not they should continue to be presented to retiring members. The large plaques cost approximately \$900 and each agency pays \$50 for the hat badge. There are several retirements coming up and it was questioned whether or not the funds for the plaques should come from the BC Chief's dues which would amount to approximately \$6000.

Discussion ensued and the table agreed that an appropriate and less costly alternative should be considered for future retirements. This suggestion will be brought forward for discussion at the BCACP meeting being held tomorrow.

**MOTION:** That options for an appropriate and less costly retirement memento be explored.

**Moved:** C/Cst. Cessford

**Seconded:** C/Cst. Hames

**CARRIED**

**ACTION:**

- Tabled the March meeting for an update.

3. Firearms in Court (Chief Cst. Graham)

A VPD member recently complied with a judge's request to remove his gun while he was in her courtroom. This has raised a significant concern with respect to overall safety issues and it led to the question about what policies departments have in place (if any) for carrying firearms while in the courtroom. D/C Cst. LePard and the RCMP are researching this issue and will speak with the Associate Chief Justices to get final clarification on this issue. C/Cst. Graham asked that the table ensure their departmental policies include a section which stipulates that firearms are considered a part of the uniform.

**ACTION:**

- Tabled to the March meeting for an update.

BC Gov't Consult

4. BC Government Reform Initiative of the Criminal Justice System (Chief Cst. Graham)

ADM Pecknold advised that the government has hired Geoff Cowper to review the province's justice system with a view to reform and improve it. His report is expected in July of this year. Gary McCuaig has been appointed to do a review of the charge approval process in BC.

5. Provincial Fugitive Return Program MOU (ADM Pecknold, Insp. Brendan Fitzpatrick)

ADM Pecknold circulated the completed MOU around the table for signatures and Police Services will ensure everyone receives a signed copy. The MOU outlines roles and responsibilities of agencies involved as well as the funding mechanism for the program. Funding is available through the provincial coordinator to pay for the return of those fugitives identified as provincial priorities under the program. All police departments and detachments in BC continue to have the option of returning any fugitive at their own cost as well. A provincial coordinator with the RCMP's Major Crimes Section was appointed to work with all police jurisdictions on rolling out the program provincially. The coordinator has been facilitating fugitive returns by liaising with police agencies across the province, Crown Counsel and the BC Sheriff Services who are transporting fugitives.

Over the last few months, a number of returns have been made based on the provincial list of program candidates which was established according to criteria and priorities developed by the Provincial Fugitive Return Program Committee. The significant successes achieved over the last few months are proof of the benefits of the program.



He thanked D/C Cst. Lemcke and his team for their invaluable assistance in rolling out a successful VPD program to the entire province. He also acknowledged the great work done by Cpl. Jennifer McDonald, Provincial Coordinator, in working with police agencies to identify provincial program candidates, and in negotiating returns with other provincial jurisdictions. It costs approximately \$3800 to move each fugitive.

Insp. Brendan Fitzpatrick, Operation Officer, E Division Major Crime Section provided an update on the program and returns made to date. Interprovincial discussions are still underway to keep streamlining the program and most agencies are cooperative but there are some examples out of Saskatchewan and Ontario where they were not. It was suggested that in these circumstances, a letter be written to the victims to advise them that their province is not willing to bring them back to face the charges. This may prompt the victim to put the pressure on the province instead. Approximately 50% of the warrants are out of Alberta and Sam McLeod advised that once the MOU gets signed, they will share it with them to see if further progress can be made between the two provinces. Chief Graham reported that the Downtown Victoria Business Association is very pleased with the success of the program and would like to help raise money for it.

6. **Patrol Based Training by BCACP Financial Crime Sub-committee (Deputy Chief Cst. Goerke)**  
Tabled to the March meeting.

7. **Queens Diamond Jubilee Medals (Chief Cst. Graham)**

The Governor General receives 60,000 of the Queens Jubilee medals for Canada. Each LG receives a portion and the MLAs distribute them. C/Cst. Graham would like to see municipal members become eligible to receive these medals, however they are currently only issued at the federal level. He has written to his local MPs regarding this issue and it now lies with the Premiers office. He encouraged the table to write to their MPs to garner the support of having municipal police officers recognized for their dedication to the Crown and the work they do as it relates to public safety.

8. **Monthly Financial Report (Chief Cst. Hames)**

C/Cst. Hames circulated the Financial Statement ending February 13<sup>th</sup>. D/C Cst. Downie will now take over as the BCAMCP Treasurer. Each department has submitted their dues and special assessment.

**MOTION:** To accept the Monthly Financial Report as presented.

**Moved:** C/Cst. Hames

**Seconded:** C/Cst. Jones

**CARRIED**

Reference attachment:

Financial Statement (Feb 13)

8. **Patrol Based Training by BCACP Financial Crime Sub-Committee**  
Tabled to the next meeting.

9. **Discussion on Building Public Trust (Chief Cst. Rich)**

C/Cst. Rich advised was asked by ADM Pecknold to form a working group to discuss crisis media management and the overall issue of how to regain public trust. A meeting was held on February 9<sup>th</sup> and this issue will be brought forward for discussion tomorrow at the BCACP meeting. There is an encouraging response from the RCMP and the

**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL  
POLICE SERVICES DIVISION**

**BC Association of Chiefs of Police  
Provincial Fugitive Return Program**

**Speaking Notes**

- I am pleased to announce that the Memorandum of Understanding for the Provincial Fugitive Return Program is ready for signature. The MOU outlines roles and responsibilities of agencies involved as well as the funding mechanism for the program.
- Funding is available through the provincial coordinator to pay for the return of those fugitives identified as provincial priorities under the program. All police departments and detachments in BC continue to have the option of returning any fugitive at their own cost as well.
- A provincial coordinator with the RCMP's Major Crimes Section was appointed to work with all police jurisdictions on rolling out the program provincially. The coordinator has been facilitating fugitive returns by liaising with police agencies across the province, Crown counsel and the BC Sheriff Services who are transporting fugitives.
- Over the last few months, a number of returns have been made based on the provincial list of program candidates which was established according to criteria and priorities developed by the Provincial Fugitive Return Program Committee.
- Inspector Brendan Fitzpatrick, Operation Officer, E Division Major Crime Section will be providing us with an update on the program and returns made to date.
- The significant successes achieved over the last few months are proof of the benefits of the program. I want to thank Deputy Chief Warren Lemcke and his team for their invaluable assistance in rolling out a successful VPD program to the entire province.
- I also want to acknowledge the great work done by Corporal Jennifer McDonald, provincial coordinator in working with police agencies to identify provincial program candidates, and in negotiating returns with other provincial jurisdictions.
- Police Services Division will facilitate the signing of the MOU and will ensure that everyone gets a signed copy.
- I would like to turn it over to Inspector Brendan Fitzpatrick from the RCMP for a status report on the program.

**ACTION:**

- Tabled to the June meeting for an update.

**C. NEW BUSINESS**

BC Gov't Consult

**1. Monthly Report (Sam MacLeod)**

**Information regarding Training in Domestic Violence:**

As you will recall the Evidence-based, Risk-focused Domestic Violence or DV I, is an on-line course that became mandatory for all front-line officers and supervisors in 2009. To date over 8,200 serving police officers in BC have taken the training. New police recruits and RCMP cadets coming to BC will be required to take this course on an ongoing basis. Versions of this course are now available in four other provinces and territories across Canada.

A second online course in this series, called Assessing Risk and Safety Planning in Domestic Violence Cases is now under development and we plan to launch the course this summer. We refer to this course as DV 2. It is also for all frontline police officers and supervisors – not DV specialists. It builds on the first course in the series and will include instruction on assessing risk, conducting tele-bail hearings and writing reports in domestic violence cases. As with DVI, this course relies on police subject matter experts to provide the content and is being developed in consultation with Crown, Ministry of Children and Family Development (MCFD), Victim Services and other stakeholders. This course speaks to our ongoing commitment to improve collaboration and a systemic capacity to respond effectively to cases of domestic violence in our communities.

**Potential questions/answers:**

*Who is on the working group?*

- reps from RDVU (Regional Domestic Violence Unit)
- reps from VPD DVU (Vancouver Police Domestic Violence Unit)
- rep from RCMP
- Crown /CJB (Criminal Justice Branch)
- MCFD (Ministry of Children and Family Development)
- Victim Services

*Is BSAFER covered in the course?*

No – this is not a course about the highest-risk cases where the use of BSAFER may be applicable. While the BSAFER risk assessment tool is discussed in this course, this is a course for frontline officers responding to all DV cases (before they know if they are highest risk or not) and it is intended to enable them to assess the risk and create a safety plan. Through this course, officers will be better equipped to assess risk and know when to refer or recommend a "highest risk" designation for a given case.

**Information from Road Safety:****1. PSD Grants to Municipal Police Departments to assist with the Purchase of Intoximeters.**

- The Integrated Road Safety Units generate about 25% of all traffic violation output in the province and have free access to independent municipal police department's Intoximeter equipment and facilities.
- PSD is providing financial support to facilitate replacement of old Datamaster technology. This will support local police and IRSU enforcement of impaired driving.

Allocations:

Department	# of units at July 2010	PSD 2012 contribution
Abbotsford	S.15	\$5,500
Central Saanich		\$2,750
Delta		\$5,500
Nelson		\$2,750
New West		\$5,500
Oak Bay		\$2,750
Port Moody		\$2,750
Saanich		\$5,500
Vancouver		\$8,250
Victoria		\$8,250
West Van		\$5,500
<b>Totals</b>		<b>\$55,000</b>

**2. Roadside Impaired Driving Survey to be conducted in five BC Communities this June**

- In support of the province's target to reduce impaired driving, the Ministry is again working with the Canadian Centre on Substance Abuse to conduct a night time roadside survey of BC drivers to test for the presence and prevalence of alcohol and drugs.
- This study has been conducted every 2-3 years for over a decade, building an excellent source of longitudinal data on impaired driving in BC. 2008 was the first time drivers were also tested for the presence of drugs. This year will be the third time drug information will also be collected. BC is the only jurisdiction in Canada conducting this type of survey on prevalence and types of driver impairment.
- This year's study will include five communities -- Vancouver, Abbotsford and Saanich, as well as Prince George, and Kelowna.
- The research study is being supported by a number of partners, including OSMV, Police Services Division, Transport Canada, MADD Canada, BCAA Traffic Safety Foundation and others.



- Police Services Division is providing overtime funding for police to assist the researchers in the participating jurisdictions.
- Officers will randomly select and direct vehicles into a parking lot where trained researchers will advise the motorist that a survey is being conducted ask if they would like to volunteer.
- Any individual with BAC>50 mg% will be offered a safe ride home, either by a sober passenger in their vehicle or a free cab ride provided by the study team.
- The research teams will set up in three different, randomly selected, locations per night from 9:00pm to 3:00 am. Two officers per municipality per night will be required to assist the survey crews.
- The proposed schedule is:
  - June 6-9 Vancouver & Abbotsford
  - June 13-16 Kelowna & Prince George
  - June 20-23 Saanich
- Correspondence and grants for the participating jurisdictions have been prepared and should be at your departments in the coming week.

**2. Gun Amnesty (Deputy Chief Cst. Lucy)**

The province is overdue for a gun amnesty which gives people the opportunity to safely and easily dispose of unwanted weapons and ammunition. D/C Cst. Lucy suggested that one should be planned for summer 2013. They were done in 1992, 1997 and 1998 and in 2006, a one month amnesty resulted in an excellent response from the public where over 3000 weapons and over 96,000 rounds of ammo were collected.

The gun amnesties were previously led by a member at NWEST and there is excellent template already established which would only need minor updating. All agencies in BC would have to be on board with this initiative but it would be easy to implement from a logistics and reporting standpoint because of PRIME. Official provincial approval is required and advertising will be necessary which cost approximately \$50,000 the last time this was done. D/C Cst. Lucy suggested that NWEST should be the lead on this and the table agreed. Police Services is supportive but it will still need to go to the Minister for endorsement.

**ACTION:**

- D/C Cst. Lucy will contact Insp. Jim Cunningham (RCMP member from NWEST and a member of the BCACP) to discuss the possible transference of this project.
- The will be brought forward to the BCACP for discussion.

**3. International Police Operations – UN Missions & WorkSafeBC Coverage (Chief Cst. Lepine)**

WVPD is currently working through an MOU with the RCMP in order to become a part of this operation. During this process, it was noted that there is a gap in the insurance coverage that could possibly negatively impact a member of any BC Municipal Police Department if they became injured or killed while



5. **Sheriff's Duties** (Chief Cst. Graham)

ADM Pecknold recently met with Kevin Jardine, ADM of Court Services, and he advised that Mr. Jardine has expressed an interest in meeting with reps of the BCAMCP in order to discuss items of mutual concern.

**ACTION:**

- C/Cst. Graham and C/Cst. Lepine will liaise further and set up a meeting between the three of them.

6. **Monthly Report** (ADM Pecknold)

**Commissioned Officers**

The Vancouver Police Department has proposed that the *Police Act* be amended to allow the Lieutenant Governor in Council to issue a commission under the Great Seal to each member who is first promoted to any of the following ranks (they will receive only one commission even if they proceed to higher ranks):

- Inspector
- Superintendent
- Deputy Chief
- Chief Constable

Granting commissions to senior officers acknowledge these officers' higher level of leadership and responsibility, as well as conferring dignity and respect to their positions. The Vancouver Police Department points out that failure to celebrate a member's achievement into the senior ranks, means that the Department misses out on an opportunity to strengthen its workplace by reinforcing its values and connecting members more closely to the organization. Currently Saskatchewan [*Police Act* s. 94.1(1)], Ontario Provincial Police [*Police Act* s. (18(30))], and RCMP (RCMP *P Act* s. 6(3)(b)) have commissioned police officers under the Great Seal. BC Police Services Division is currently exploring the matter. I am here today to consult with you all and obtain your feedback on whether the BCAMCP endorses such commission.

**Legislation**

Bill 41, the Miscellaneous Statutes Amendment Act (No. 2), 2012, was introduced in the legislature today by Minister of Justice and Attorney General Shirley Bond on May 1, 2012, which included changes to the *Police Act*. These Proposed amendments to the *Police Act*, if passed, will help to strengthen provincial standards for co-operation and intelligence-sharing among police agencies in complex, multi-jurisdictional cases. The changes will enable the provincial director of police services to set these standards, in turn ensuring police adopt common approaches that help to speed identification and apprehension of dangerous, repeat criminals. As well, consultation with the civilian director of BC's new Independent Investigations Office, appointed in December, has led to amendments that will enhance police co-operation with that office's investigations.

### **Federal Bill C-30**

The Shoker legislation, Bill 30, will reinstate the ability of courts to place abstention orders on recognisances, probation and conditional sentence orders. Under the legislation, the Attorney General of each province and territory must designate persons to carry out bodily sampling (blood, breath, urine, sweat, hair) whether it be police, probation officers or other designated persons.

The Bill C-30 Shoker Implementation Committee was formed last April and members from Vancouver, Port Moody and the RCMP sat as police representatives. Those initial consultations with police representatives indicated potential resourcing concerns relating to the collection and process of samples under the new legislation. The federal government has indicated to the provinces and territories that Bill C-30 could come into force in the next two months. Each of the provinces and territories are responsible for formulating their plans for implementation. In order for Police Services Division to review possible implementation, I just recently sent a note to BCACP chair Peter Lepine, to ask for the BCACP views on this legislation. I encourage everyone to look at the legislation so that you are aware of this legislation that is likely to come into force later this year.

### **Road Safety**

Last month, I sent out a letter and information package to you about the successful renewal of the Enhanced Traffic Enforcement Memorandum of Understanding (MOU) with ICBC. The new three-year enhanced enforcement MOU, reflects both the current fiscal environment and the signatories' desire for a renewed partnership based on transparency and accountability. That MOU provides dedicated, fenced-funding for IRSUs, IMPACT, the Red Light Camera Program, and training as well as CounterAttack and other front line traffic enforcement.

Under the terms of the new MOU, several traffic enforcement studies will be conducted this year, including a review of all provincial traffic resources as well as a forward-looking review of IMPACT – the Integrated Municipal Provincial Auto Crime Team, and a new Strategic Plan for provincial enhanced traffic enforcement program. If you haven't received that information, please let me know. We will be advising your departments of Summer CounterAttack allocations in the coming weeks, to again support the Province's goal of reducing impaired driving deaths by 35% by the end of 2013.

### **BC Policing Plan**

The ministry has recently launched a three month long public consultation on the future of policing in BC. Participants invited to take part in the round table discussions are subject matter experts from the social service sector, police, local governments and community leaders. Consultations have already occurred in Victoria, Nanaimo and Kelowna. Future consultations will be taking place in Vancouver, Surrey, Cranbrook, Prince Rupert and Prince George. The goal of these consultations is to facilitate discussions between various stakeholders on what policing should look like in the future. Based on the feedback provided, a 10-year policing strategic plan will be developed. In conjunction with the consultations, a blog will also be launched in the next few weeks to allow the public throughout the province to provide their thoughts and ideas.

#### **7. Bill C309: Masks and Disguises (Chief Cst. Graham)**

Chief Cst. Graham recently testified before the Parliamentary Committee in Ottawa in support of Bill C-309. It is a private members' bill that would give police the power to arrest anyone hiding their identity during a

**MOTION:** That the BCAMCP approve the recommended Board of Governance for the Real Time Intelligence Centre and the location at S.15(1)  
**CARRIED**

## C. NEW BUSINESS

BC Gov't Consult

### 1. Monthly Report (Sam MacLeod)

#### Road Safety Unit

The new provisions of the provincial Impaired Driving law regarding Immediate Roadside Prohibitions, or IRPs, came back into effect last week. Because IRP sanctions rely exclusively on the use of Approved Screening Devices at roadside, police processes – including training, calibration, record keeping and police use of ASDs – came under increased scrutiny.

A Working Group of the BCACP Traffic Safety Committee, comprising representatives of the RCMP, all Independent Municipal Police Departments, the RCMP lab, as well as OSMV and Police Services worked through the various issues to address the concerns raised by the Supreme Court. I have reviewed the Working Group's recommended new processes and training, including:

- ASD calibrator certification
- establishment and maintenance of ASD calibration logs per the method developed by the ASD Working Group
- documentation of remedial action taken to address out of calibration ASDs

I endorse the work of this group and would like to thank C/Cst Jaime Graham for his leadership and the individuals who served on this Working Group, especially Sgt Kevin Jones of Delta PD, as well as the many men and women who contributed their considerable time, knowledge and experience to improving this aspect of police training and procedures.

Going forward, all RCMP detachments and Independent Police departments are to provide, on a quarterly basis, copies of their calibration logs, documentation of remedial action regarding out-of-service ASDs, a list of certified calibrators, and the names of active ASD operators to Police Services and OSMV. Any and all other processes must



be discontinued, such as separate or unique record keeping by individual departments, to ensure one provincial approach and reduce the likelihood of further legal challenges.

### **Police Services Traffic and Road Safety Law Enforcement Memorandum of Understanding**

In early April, I sent correspondence to all the Chiefs advising that a new Enhanced Traffic Enforcement Memorandum of Understanding had been reached between Police Services and ICBC. The new three-year agreement, with an option to extend for an additional two years is consistent with provisions of the new RCMP contract and reflects the signatories' vision for a renewed partnership based on transparency and accountability.

This MOU represents annual budgets more in line with recent program capacity and expenditures, and will contribute close to 100 million dollars to enhanced enforcement over the next three years. Given the position of fiscal restraint for both ICBC and government, we believe the agreement is fiscally prudent and provides stable, sustainable program budgets, while reinforcing effective measurement, monitoring and evaluation of road safety enforcement.

We will continue to monitor and evaluate program activities – including a number of strategic initiatives to be undertaken this year, including a review of baseline traffic services in BC, a forward looking review of IMPACT – the integrated municipal/provincial auto crime team, a strategic plan for the entire enhanced enforcement program, and the creation of a new Governance Council to more closely oversee program activities and expenditures in relation to expressed program priorities.

Part of this ongoing commitment to enhanced traffic enforcement is dedicated funding for Summer CounterAttack. Next week, Minister Shirley Bond will join with law enforcement, ICBC and road safety partners to announce the kick off of Summer CounterAttack. One million dollars of dedicated overtime funding has been directed towards Summer CounterAttack from the MOU to help remove drivers impaired by alcohol and/or drugs off our roadways. This is also supported by paid advertising as are all the BCACP traffic campaigns.

### **Automated Licence Plate Recognition**

Recent attention to Automated Licence Plate Recognition, or ALPR, and deployment practices in BC, including misinformation on police use and retention of scan data, has lead me to request your cooperation in ensuring ALPR deployment in your departments and detachments complies with current provincial agreement of use. ALPR provides traffic enforcement officers with an invaluable tool to scan hundreds of licence plates per hour; the system sounds an audible alarm if a licence plate associated with CPIC or ICBC 'hot lists' is identified.

In preparation for use of ALPR in BC, consultations were held with the federal and provincial privacy commissioners. This process resulted in the current sanctioned range of use for ALPR technology in BC for traffic enforcement purposes only. 'Hot' licence plates are identified through information generated from CPIC or ICBC databases only. With the single exception of Amber Alerts, officers are advised that the system is not to be used for tracking or surveillance purposes. Non-hit data i.e. licence plates scanned in the course of a day, is to be purged from the system at the end of the shift.

The majority of ALPR units in BC are operated through the Enhanced Traffic Enforcement Initiative, however, several departments and detachments have purchased their own for which they receive data and technical support from E Division Traffic Services. As part of the agreement for technical support, agencies deploying their own ALPR units are required to abide by current operational policy and procedures.

I am aware that some law enforcement agencies are seeking to use ALPR more widely. However, until the case for expanded use has been put before both federal and provincial privacy commissioners, it is critical that ALPR deployment in BC continues to be conducted within approved parameters for traffic enforcement. It would be

regrettable to lose the use of this invaluable technology as a result of negative media coverage, an unfavourable court ruling or heightened concerns about privacy issues.

### Police Information Checks and the Information & Privacy Commissioner

In June 2008, the BCACP convened a Working Group to review the Criminal/Police Record Check process in British Columbia. The mandate of the Working Group is to develop guidelines to ensure a consistent standard of completing Police Record Checks in BC which they are near to completing. In November 2010, the BCACP endorsed the recommendations of the Working Group. One key recommendation was to include a search of PRIME as part of the record check process and not simply checks of charges and convictions through CPIC.

This recommendation was based on the fact that [REDACTED] S.15(1) [REDACTED] offences onto the system. It is also based on the fact that so many incidents do not get approved for charge or are diverted for a variety of reasons, therefore not showing up on CPIC even when the circumstances are serious and concerning.

The Working Group believes that including adverse contact from PRIME is necessary to give employers a complete picture of their applicant's history in order to determine impacts to their workplace, or, potentially, public safety. Since the recommendations were accepted, the Office of the Information & Privacy Commissioner (OIPC) announced an investigation into criminal record checks in BC and has now provided recommendations to the Working Group on the draft guidelines. The majority of the recommendations of the OIPC were adopted and related to ensuring that applicants had control of their own record and that they had recourse should they disagree with any of the information.

One issue that was not resolved was the OIPC's view that police agencies should provide the option of a check of charges and convictions only for those employers that request it. Ministry staff discussed this issue with the Working Group and I understand that they disagree with this option. The Minister of Justice has asked me to raise this issue with you to again review the Commissioner's request. [REDACTED] S.16 [REDACTED]

S.16

### Police Act

The *Police Act* amendments, brought into force May 31, 2012, build upon two significant provincial initiatives taken as a result of the recommendations made by Justice Thomas Braidwood: (1) the *BC Provincial Policing Standards*; and (2) the Independent Investigations Office (IIO).

Amendments to section 40 of the *Police Act* establish two additional standard-making authorities that authorize the Director of Police Services to establish binding provincial policing standards respecting cooperation between police and the IIO as well as cooperation and coordination among police in relation to complex investigations of serious crimes (i.e. major case investigations).

As the case with the provincial policing standards currently in force, the development of any additional policing standards, including those under the new standard-making authorities I have just described, would involve significant consultation. Police Services will form a standing advisory committee composed of representatives of the BC Association of Municipal Chiefs of Police, the RCMP and other stakeholders to consult on the development of further provincial policing standards.



Other amendments to the *Police Act* will support the IIO when it commences operations at the end of this summer. Specifically, the amendments do the following:

- Clarify who may serve as an IIO investigator
- Require that an officer cooperate fully with the IIO during an IIO investigation
- Provide that any statement an officer provides to the IIO is inadmissible in evidence in court in a civil proceeding against that officer
- Outline the chief civilian director's authority to provide information to the public concerning IIO investigations

Finally, an additional clarification amendment to section 180 under Part 11 ensures that records of an admissible complaint or investigation that result in no disciplinary or corrective measures are expunged from the service records of discipline of members.

Police Services Division undertook consultations over these amendments with representatives of the BC Association of Chiefs of Police, the BC Police Association, the Office of the Police Complaint Commissioner, the IIO, Justice Braidwood, the Office of the Information and Privacy Commissioner, BC Civil Liberties, and the Union of BC Municipalities. I would like to take this opportunity to thank those of you who participated in these consultations and for the comments and feedback you provided.

#### Offence Act

The *Offence Act* amendments, brought into force June 1, 2012, were primarily related to expanded sentencing options for the courts when dealing with provincial offences. The amendments allowed for flexible options ensuring offender's sentences fit the nature of the offence.

For example – for serious *Motor Vehicle Act* offences (undue care and attention), a combination of fine and probation or jail and probation can now be levied where previously, this sentence was not an option. In addition to the flexible sentencing, there were two specific amendments that affect policing; those being:

- **New offence** for failure to comply with a probation order; and
- **New arrest** (without a warrant) powers for dealing with persons not complying with a probation order.

These amendments will enhance the enforcement powers for managing persons in the community who are not adhering to the conditions of their provincial probation order.

#### 2012 Summer CounterAttack Distribution

- 2012/13 Ops Plan allocation for CounterAttack Overtime = \$1m

S.16, S.17

- Municipal amounts are based on actual strength of each department for 2010 (formula that has been used in previous years)
- Term for municipal MOUs June 28 to August 7, 2012

- Allocations as follows:

Department	# Hours	Funding Allocation
Abbotsford	S.16, S.17	
Central Saanich		
Delta		
Nelson		
New Westminster		
Oak Bay		
Port Moody		
Saanich		
Vancouver		
Victoria		
West Vancouver		

## 2. National Police Service (Chief Cst. Lepine)

Chief Cst. Lepine reported that the unexpected consolidation of the RCMP lab services from 6 to 3 was not discussed at the NPS table because it was addressed at the government level. At that level, strict confidentiality agreements are in place therefore NPS was not notified. They also had a very general and preliminary discussion at the last NPS meeting about possibly implementing, at some level, a cost for service for fingerprinting in order to generate more funds.

The Advisory Committee has acknowledged that changes need to be made to the current NPS system in order to create efficiencies and economic feasibility. Over the summer, they will be sending out a feedback document to each department across Canada in order to get input about the value of some of the services and programs. It was requested that the subject matter experts in the departments be consulted in order to get in-depth and accurate information. They expect the results to be completed and collated by the time they meet again in November. They will then provide the Commissioner of the RCMP with some guidance and suggestions in preparation for his discussions with the government.

## 3. Update: Meeting with MP Garrison on Bill C30 (Chief Cst. Graham)

A meeting was recently held between Chief Cst. Graham, Deputy Chief Cst. Lemcke, and MP Randall Garrison, the NDP Justice Critic. MP Garrison did not have any major concerns about the Bill, however there are 6 items that the legislation would allow for police to get information without warrants and his primary concern related to the section in the Bill that allows for the government, at will, to add additional items beyond the current 6. He would like to have some discussion around that particular point and Chief Graham and D/Chief Lemcke agreed that this was a reasonable concern.

D/Chief Lemcke advised that the Federal Privacy Commissioner, Jennifer Stoddart, is also interested in further discussing this Bill. She is of the opinion that those 6 items should require a warrant each and every time. Most courts are split on whether or not that is private information and the police are of the opinion that warrants should not be required each time. This is critical because it could significantly impede investigations and put the public at risk due to the delay that would be created while waiting for those warrants.

It is unclear at this point if this Bill will be coming back to the House in the fall but it is very important from the police perspective to keep it alive. MP Randall and Ms. Stoddart will be asked to ensure that they accurately portray the intent of this Bill (i.e.: refrain from calling it the "On-line Surveillance Bill") and discount the rhetoric and inaccuracies surrounding it when they refer or speak to this issue. This Bill does not allow the police to do any more than they are currently doing today – it only builds in accountability that does not currently exist.

#### 4. Dr. Plecas Staffing & Restructure Report for VicPD (Chief Cst. Graham)

Chief Cst. Graham gave a brief overview of the report prepared for VicPD by Dr. Plecas (RCMP University Research Chair in Crime Reduction & Director for the Centre for Criminal Justice Research at the UFV). VicPD has the highest criminal caseload per officer in the country and the report provided suggestions and recommendations on intel-led policing, restructuring, shifting models and enhancing effectiveness. Their Senior Management team is actively discussing the proposed suggestions and expects to make some decisions by the fall.

### ROUNDTABLE

#### VPD

- An update was provided on Project Reality and the progress of the investigation.
- There is a possibility that the personal insurance of members who are found at fault in a work related MVA will increase if they are with a private insurer. ICBC may be adopting this policy as well next year. This will affect the driver themselves, not the RO.

#### CSPD

- There are 4 First Nations bands in the peninsula and CSPD has teamed up with the RCMP to do some relationship building with them with an emphasis on suicide awareness.

#### JIBC

- The fall classes will be likely be full and there is little chance of cancelling them.
- The certified U of F Instructors course was supposed to begin 2 weeks ago but it has been postponed until October. The CEW portion will now be included during this 2 week course.
- The Police Leadership conference planning is underway and the website is ready for viewing. Registration is not yet available but an email notification will be sent out advising when it is.

#### WVPD

- They have been dealing with Bylaw officers who are trying to obtain Peace Officer status under the Criminal Code so that they can carry emergency equipment.

#### NPD

- Some of their Councillors are supporting the Stop the Violence BC motion (legalize marijuana). This movement wants to lower the TH levels and regulate much of it. The RCMP have done an excellent job on eradicating the outdoor grow ops where the TH levels are 15-18% but the grow ops are moving inside now where the TH levels rise closer to 40%. The potential for violence and drug rips is now



increasing exponentially. If any other agencies are approached on this issue, Chief Cst. Holland would be pleased to provide more insight and advice. This will likely be an agenda item at the UBCM as well.

#### RCMP

- David Eby (Executive Director of BC Civil Liberties) is involving the media to compare serious injuries between RCMP and municipal jurisdictions. This is a complicated issue due to the reporting regimes and thresholds within the organizations. The table will be kept apprised of the conversations that A/Commr. Beck is having with Mr. Eby.

#### VicPD

- Chief Cst. Graham is meeting with Dr. Tim Stockwell of CARBC regarding drug impaired driving as the numbers are very close to alcohol impaired driving. There is currently no way to test for this, therefore a motion will be coming forward to the BCACP to obtain an instrument that will allow for it.

#### SPD

- Their municipality has been doing an infrastructure replacement review over the last year and there is a possibility that the police/fire building will be replaced over the next couple of years. The budget process has also allowed for the hiring of 3 more members and one civilian. They also received commitment that if they become involved with the VIIMCU within the next year, further funding and additions to strength will be made available to them.

#### MJ

- Scrap metal regulations are coming into effect on July 23, 2012 and all dealers must be in compliance by that time, with the exception of being registered which will come into effect on January 23, 2013. Mobile operators cannot be regulated themselves but they must sell their scrap metal to a registered dealer. This new process will be reviewed in 6 months.

### FOLLOW-UP ITEMS

#### Chief Cst. Chadwick

- Camaso Court Ruling

#### Chief Cst. Jones

- *Police Act* – Presentation re: amendments

#### Deputy Chief Cst. Lemcke

- Commission for Officers

#### Chief Cst. Lepine

- Legal Costs Associated to Discipline Representatives
- Multi-Agency Training for Risk Management

#### Chief Cst. Rich

- Proposal for a BC Crime Reduction Initiative
- Provincial Marijuana Grow Working Group

## **BCACP Speaking Notes – June 19 – 21, 2012**

### **Road Safety Unit:**

As you are aware, the new provisions of the provincial Impaired Driving law regarding Immediate Roadside Prohibitions, or IRPs, came back into effect last week.

Because IRP sanctions rely exclusively on the use of Approved Screening Devices at roadside, police processes – including training, calibration, record keeping and police use of ASDs – came under increased scrutiny.

A Working Group of the BCACP Traffic Safety Committee, comprising representatives of the RCMP, all Independent Municipal Police Departments, the RCMP lab, as well as OSMV and Police Services worked through the various issues to address the concerns raised by the Supreme Court.

I have reviewed the Working Group's recommended new processes and training, including:

- ASD calibrator certification,
- establishment and maintenance of ASD calibration logs per the method developed by the ASD Working Group, and
- documentation of remedial action taken to address out of calibration ASDs.

I endorse the work of this group and would like to thank C/Cst Jaime Graham for his leadership and the individuals who served on this Working Group, especially Sgt Kevin Jones of Delta PD, as well as the many men and women who contributed their considerable time, knowledge and experience to improving this aspect of police training and procedures.

Going forward, all RCMP detachments and Independent Police departments are to provide, on a quarterly basis, copies of their calibration logs, documentation of remedial action regarding out-of-service ASDs, a list of certified calibrators, and the names of active ASD operators to Police Services and OSMV.

Any and all other processes must be discontinued, such as separate or unique record keeping by individual departments, to ensure one provincial approach and reduce the likelihood of further legal challenges.



## **ICBC /Police Services Traffic and Road Safety Law Enforcement Memorandum of Understanding**

In early April, I sent correspondence to all the Chiefs advising that a new Enhanced Traffic Enforcement Memorandum of Understanding had been reached between Police Services and ICBC. The new three-year agreement, with an option to extend for an additional two years is consistent with provisions of the new RCMP contract and reflects the signatories' vision for a renewed partnership based on transparency and accountability.

This MOU represents annual budgets more in line with recent program capacity and expenditures, and will contribute close to 100 million dollars to enhanced enforcement over the next three years.

Given the position of fiscal restraint for both ICBC and government, we believe the agreement is fiscally prudent and provides stable, sustainable program budgets, while reinforcing effective measurement, monitoring and evaluation of road safety enforcement.

We will continue to monitor and evaluate program activities – including a number of strategic initiatives to be undertaken this year, including a review of baseline traffic services in BC, a forward looking review of IMPACT – the integrated municipal/provincial auto crime team, a strategic plan for the entire enhanced enforcement program, and the creation of a new Governance Council to more closely oversee program activities and expenditures in relation to expressed program priorities.

Part of this ongoing commitment to enhanced traffic enforcement is dedicated funding for Summer CounterAttack. Next week, Minister Shirley Bond will join with law enforcement, ICBC and road safety partners to announce the kick off of Summer CounterAttack.

One million dollars of dedicated overtime funding has been directed towards Summer CounterAttack from the MOU to help remove drivers impaired by alcohol and/or drugs off our roadways. This is also supported by paid advertising as are all the BCACP traffic campaigns.

### **Automated Licence Plate Recognition**

Recent attention to Automated Licence Plate Recognition, or ALPR, and deployment practices in BC, including misinformation on police use and retention of scan data, has lead me to request your cooperation in ensuring ALPR deployment in your departments and detachments complies with current provincial agreement of use.

ALPR provides traffic enforcement officers with an invaluable tool to scan hundreds of licence plates per hour; the system sounds an audible alarm if a licence plate associated with CPIC or ICBC 'hot lists' is identified.

In preparation for use of ALPR in BC, consultations were held with the federal and provincial privacy commissioners. This process resulted in the current sanctioned range of use for ALPR technology in BC

for traffic enforcement purposes only. 'Hot' licence plates are identified through information generated from CPIC or ICBC databases only.

With the single exception of Amber Alerts, officers are advised that the system is not to be used for tracking or surveillance purposes. Non-hit data i.e. licence plates scanned in the course of a day, is to be purged from the system at the end of the shift.

The majority of ALPR units in BC are operated through the Enhanced Traffic Enforcement Initiative, however, several departments and detachments have purchased their own for which they receive data and technical support from E Division Traffic Services. As part of the agreement for technical support, agencies deploying their own ALPR units are required to abide by current operational policy and procedures.

I am aware that some law enforcement agencies are seeking to use ALPR more widely. However, until the case for expanded use has been put before both federal and provincial privacy commissioners, it is critical that ALPR deployment in BC continues to be conducted within approved parameters for traffic enforcement.

It would be regrettable to lose the use of this invaluable technology as a result of negative media coverage, an unfavourable court ruling or heightened concerns about privacy issues.

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### **Police Information Checks and the Information & Privacy Commissioner**

As some of you may remember, in June 2008, the BCACP convened a Working Group to review the Criminal/Police Record Check process in British Columbia. The mandate of the Working Group is to develop guidelines to ensure a consistent standard of completing Police Record Checks in BC which they are near to completing.

In November 2010, the BCACP endorsed the recommendations of the Working Group. One key recommendation was to include a search of PRIME as part of the record check process and not simply checks of charges and convictions through CPIC.

S.15

The Working Group believes that including adverse contact from PRIME is necessary to give employers a complete picture of their applicant's history in order to determine impacts to their workplace, or, potentially, public safety.

Since the recommendations were accepted, the Office of the Information & Privacy Commissioner (OIPC) announced an investigation into criminal record checks in BC and has now provided recommendations to the Working Group on the draft guidelines. The majority of the recommendations of the OIPC were adopted and related to ensuring that applicants had control of their own record and that they had recourse should they disagree with any of the information.

S.16

Ministry staff discussed this issue with the Working Group and I understand that they disagree with this option.

The Minister of Justice has asked me to raise this issue with you to again review the Commissioner's request.

S.16

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## Legislation

I would now like to discuss recent amendments to both the *Police Act* and the *Offence Act*.

### Police Act

The *Police Act* amendments, brought into force May 31, 2012, build upon two significant provincial initiatives taken as a result of the recommendations made by Justice Thomas Braidwood: (1) the *BC Provincial Policing Standards*; and (2) the Independent Investigations Office (IIO).

Amendments to section 40 of the *Police Act* establish two additional standard-making authorities that authorize the Director of Police Services to establish binding provincial policing standards respecting cooperation between police and the IIO as well as cooperation and coordination among police in relation to complex investigations of serious crimes (i.e. major case investigations).

As the case with the provincial policing standards currently in force, the development of any additional policing standards, including those under the new standard-making authorities I have just described, would involve significant consultation. Police Services will form a standing advisory committee composed of representatives of the BC Association of Municipal Chiefs of Police, the RCMP and other stakeholders to consult on the development of further provincial policing standards.

Other amendments to the *Police Act* will support the IIO when it commences operations at the end of this summer. Specifically, the amendments do the following:

- Clarify who may serve as an IIO investigator;
- Require that an officer cooperate fully with the IIO during an IIO investigation;
- Provide that any statement an officer provides to the IIO is inadmissible in evidence in court in a civil proceeding against that officer; and
- Outline the chief civilian director's authority to provide information to the public concerning IIO investigations.

Finally, an additional clarification amendment to section 180 under Part 11 ensures that records of an admissible complaint or investigation that result in no disciplinary or corrective measures are expunged from the service records of discipline of members.

Police Services Division undertook consultations over these amendments with representatives of the BC Association of Chiefs of Police, the BC Police Association, the Office of the Police Complaint Commissioner, the IIO, Justice Braidwood, the Office of the Information and Privacy Commissioner, BC Civil Liberties, and the Union of BC Municipalities. I would like to take this opportunity to thank those of you who participated in these consultations and for the comments and feedback you provided.

#### **Offence Act**

The *Offence Act* amendments, brought into force June 1, 2012, were primarily related to expanded sentencing options for the courts when dealing with provincial offences. The amendments allowed for flexible options ensuring offender's sentences fit the nature of the offence.

For example – for serious *Motor Vehicle Act* offences (undue care and attention), a combination of fine and probation or jail and probation can now be levied where previously, this sentence was not an option.

In addition to the flexible sentencing, there were two specific amendments that affect policing; those being:

- **New offence** for failure to comply with a probation order; and
- **New arrest (without a warrant) powers** for dealing with persons not complying with a probation order.

These amendments will enhance the enforcement powers for managing persons in the community who are not adhering to the conditions of their provincial probation order.

**BACKGROUND NOTE: 2012 Summer CounterAttack distribution**

- 2012/13 Ops Plan allocation for CounterAttack Overtime = \$1m
  - S.17 to RCMP, with 30% Federal contribution  
total RCMP allocation for ERSIE [redacted] full fiscal year)
  - [redacted] to Municipal police (no top up)  
hourly rate [redacted] hr
  - Winter allocations will be confirmed by Governance Council  
from any budget surplus identified in November
- Municipal amts are based on actual strength of each dept for 2010 (formula that has been used in previous years)
- Term for municipal MOUs June 28 to August 7, 2012
- Allocations as follows:

Department	# hours	Funding Allocation
Abbotsford	[redacted]	
Central Saanich		
Delta		
Nelson		
New Westminster		
Oak Bay		
Port Moody		
Saanich		
Vancouver		
Victoria		
West Vancouver		





VICTORIA POLICE DEPT.

JUN 28 2012

POLICE CHIEF'S OFFICE

JUN 19 2012

Chief Constable Jamie Graham  
Victoria Police Department  
850 Caledonia Avenue  
Victoria BC V8T 5J8

Dear Chief Constable Graham:

*Chief:*

I apologize for the delay in responding to your letter regarding the British Columbia Association of Municipal Chiefs of Police (BCAMCP) support for the Justice Institute of British Columbia's (JIBC) plan to offer public safety degree programs. As Minister of Justice and Attorney General, I support the notion of well trained police recruits and officers within municipal police departments.

The Ministry of Justice, through the Policing and Security Programs Division, provides the JIBC Police Academy with an annual grant of approximately \$1.9 million to support municipal police departments meeting the high standards of training required to serve and protect the citizens of British Columbia.

I do not have the authority to approve degrees; however, I note that you have also addressed this correspondence to my colleague, the Honourable Naomi Yamamoto, Minister of Advanced Education, who will be better placed to respond to your request for approval.

Thank you for writing; I appreciate hearing from the BCAMCP about their support for JIBC's proposed public safety program initiatives.

Sincerely,

Shirley Bond  
Minister of Justice  
and Attorney General

pc: The Honourable Naomi Yamamoto  
Mr. Jack McGee  
Ms. Lori Wanamaker  
Ms. Cheryl Wenezenki-Yolland

*Collette*  
*for the BCAMCP*  
*members.*  
*JG 2012-6-28*

Ministry of  
Justice

Office of the  
Minister of Justice  
and Attorney General

Mailing Address:  
PO Box 9044 Stn Prov Govt  
Victoria BC V8W 9E2  
e-mail: JAG.Minister@gov.bc.ca  
website: www.gov.bc.ca/justice

Telephone: 250-387-1866  
Facsimile: 250-387-6411

**ACTION:**

- Chief Cst. Graham will write to S.22(1) to formally advise that the BCAMCP is also supportive of continued research into this issue.

Reference attached correspondence:

120911 Letter to S.22(1)

**6. PEC/CISBC Inspector Position (Chief Cst. Graham)**

Insp. Jess Ram's term for the CISBC position is up in January and discussion ensued as to whether or not his replacement should be a Municipal or RCMP member. The table agreed that it is critical to have the appropriate person in the position regardless of where they come from. A/Commr. Rideout is prepared to continue on in his position as the PEC Chair and after some discussion, the table agreed to support this.

**ACTION:**

- CC Cessford will work with A/Commr. Rideout to establish a selection committee for Insp. Ram's replacement.
- Tabled to the next meeting for an update.

**7. CACP Conference Report (Chief Cst. Jones)**

CC Jones provided brief highlights of the CACP conference and advised that CC Chu has been elected as the President of the CACP. The 2013 CACP conference will be held in Winnipeg and the National Summit on the Economics of Policing will be taking place on January 16-17 in Ottawa.

**ACTION:**

- CC Jones will forward details to the table via email regarding the upcoming national summit.

**C. OLD BUSINESS**

BC Gov't. Consult

**1. Monthly Report (ED Sam McLeod)**

**BC Policing Plan – Guns & Gangs Focus Group**

The BC Policing Plan is a commitment to developing a strategic plan for policing in British Columbia. The Plan will be built using citizen engagement and stakeholder consultation to provide communities and interested parties with opportunities to assist in defining priorities, developing solutions, and influencing the development process.

Using the input received at the regional roundtables and blog, the Guns & Gangs Focus Group is tasked with examining whether current law enforcement and crime prevention initiatives and strategies are working, are there gaps in the current initiatives and strategies, what is missing, what are other jurisdictions doing? The Guns & Gangs Focus Group will take place in Vancouver on September 20, 2012 and will include representatives from CFSEU-BC, RCMP, Vancouver Police Department, Abbotsford Police Department, ICURS, Corrections, Criminal Justice Branch, Academics, etc.

The primary objective of the Guns & Gangs Focus Group is to develop strategic options for addressing gang recruitment and gang violence through-out British Columbia. Strategic options include both short-term and long-term strategies along with identification of potential performance measures for the strategies.

### **Organized Crime Summit**

Public Safety Canada is hosting the 2012 Organized Crime Summit "Leveraging New Technologies to Enhance Partnerships in Vancouver on October 23-24<sup>th</sup>, 2012. Given the broad representation from interested domestic and international players who intersect with Canada's criminal justice system, the 2012 Organized Crime Summit is well positioned to examine both the challenges and promising practices of integration, as well as how technology can improve or impede partnerships to combat organized crime.

Furthering the objectives of the 2010 Summit, those for the 2012 Summit include:

- identifying specific, concrete measures that could be taken to facilitate cooperation between actors at all levels, especially in the area of technology;
- increasing participants' collective understanding of the challenges and promising practices of integration, and consideration of how technology can improve or impede partnerships to combat organized crime; and
- promoting greater cooperation and collaboration amongst all participants

### **C-10**

- Bill C-10 Safe Streets and Communities Act is an Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts.
- The four components of the *Safe Streets and Communities Act* that have come into force or will be in the coming months are:

- **Increasing penalties for sexual offences against children**

*Into Force: August 9, 2012*

- Amendments to the *Criminal Code* (clauses 10 to 31, and 35 to 38, of the Act) which increase penalties for sexual offences against children, as well as create two new offences aimed at conduct that could facilitate or enable the commission of a sexual offence against a child.

- **Protecting Canadians from violent, repeat young offenders**

*Coming into Force: October 23, 2012*

- Amendments to the *Youth Criminal Justice Act* (clauses 167 to 203 of the Act) which better protect Canadians from violent and repeat young offenders, and make the protection of society a paramount consideration in the management of young offenders by the justice system.
- Will require police to keep record of any extrajudicial measures imposed on young persons so that their criminal tendencies can be documented (clause 190). Police or Crown prosecutors wishing to use the available extrajudicial measures must, in all cases, have reasonable grounds to believe that the young person has committed an offence. If the use of extrajudicial measures is contemplated, the police have discretion in deciding which measure they deem to be appropriate in each case.
- Extrajudicial measures available to police:

- Take no measures;
- Issue the young person a caution;
- Issue the young person a formal warning;
- Refer the young person to a program or agency in the community that may help him or her to stop offending; or
- Refer the young person to a program of extrajudicial sanctions.

In addition to documenting extrajudicial measures within the YCJA, the changes would require further training of police officers and it is unknown at this time if PRIME is capable of handling and tracking the extrajudicial measures.

o **Targeting serious drug crimes**

*Coming into Force: November 6, 2012*

- Amendments to the *Controlled Drugs and Substances Act* (clauses 32(1), 33, 39 to 47, 49 and 50 of the Act) which target organized crime by imposing tougher sentences for the production and possession of illicit drugs for the purposes of trafficking.
- Introduces mandatory minimum sentences for possession for the purpose trafficking of cannabis, may require more time for the preparation of disclosure materials, given the need to address and establish the presence of the aggravating factors.

o **Eliminating house arrest for serious and violent crimes**

*Coming into Force: November 20, 2012*

- Amendments to the *Criminal Code* (clause 34 of the Act) which eliminate the use of so-called "house arrest", or conditional sentences, for serious and violent crimes.

**Special Committee of the Legislature**

On May 31, 2012 a Special Committee of the Legislature was appointed to examine, enquire into and make recommendations with respect to the use of conducted energy weapons in BC. The Committee was also tasked with conducting an audit of the BC police complaint process which they have subsequently delegated to the Auditor General to complete on their behalf.

In order to support its mandate, the Committee will be soliciting and considering both written and oral submissions from any interested person or organization. More information should be available soon on the Legislative Assembly of BC website on how submissions to the Committee may be made.

**Integrated Teams Cost Sharing**

Further to previous discussions and correspondence on the inclusion of integrated teams under the PPSAs 70/30 cost share, effective April 1, 2012, the Integrated Homicide Investigation Team (LMD IHIT) will be billed back to municipalities at the 70/30 cost share. The intent was to provide the cost share to the participating independent police agencies as well, but we have had some resistance from the federal government about including the integrated teams under our Provincial Force Annex (authorized strength). Our current Annex A strength under the new Agreements include both the New West and Abbotsford positions (6).

RCMP Finance have applied the reduced cost share to the over 15K RCMP policed municipalities. The 20% difference is being held as a liability against the Provincial Business Line (PBL). Both this issue and the application of the cost share to independent policed municipalities will be the subject of discussions with



the federal government in the coming weeks and may become a disputed item under the new Agreement. Further, we are currently reviewing how the cost share will be applied to VIIMCU.

My staff will be developing a Policy Framework applicable province wide to assess which other specialized policing activities may be appropriate for inclusion under the Province's 70/30 cost share pursuant to the PPSA. To this end, the RCMP is currently conducting a review of existing specialized policing functions in the province which will inform the development of the framework.

#### **Baseline Resource Review (Road Safety Unit)**

In April of this year, Police Services Division advised the BCACP that a new three-year enhanced traffic enforcement MOU had been signed. Under the terms of the new ICBC/JAG agreement, Police Services is required to review baseline traffic resources. The review will pull together information on traffic resources, both current and for the last five years. A similar review was conducted in 2007. Sgt. Martin Dey Police Services Road Safety Police Liaison Officer, will be on lead for this project. He will be getting in touch with your departments in early September and requesting a point person from your traffic units or an individual who can provide data on traffic resourcing. I want to thank everyone in advance for assisting Sgt Dey with this information. The results of the review will be shared with the policing community and will inform our ongoing efforts to make BC's roads the safest in Canada.

#### **MOU & IRSU Spending**

Throughout August, there was keen media interest in enhanced enforcement budgets, discussion of how enhanced enforcement money was being spent, and requests for information relating to the Enhanced Enforcement program in general. This included articles and interviews implying that Integrated Road Safety Units (IRSUs) were being decimated and that road safety was being compromised. This is not the case.

As you may know, BC is the only province in Canada to have this kind of extra, dedicated, traffic enforcement. Every year since 2004, millions of additional dollars made available for targeted traffic enforcement throughout the province. The program supports numerous targeted enforcement campaigns, including summer and winter CounterAttack checks; it also provides for other types of special initiatives such as pedestrian safety enforcement.

For fiscal year 2012/13, the overall budget for enhanced enforcement was decreased slightly. However, the amount available to police this year is substantively the same as what was spent on average over the last few years. RCMP E Division Traffic Services is exploring ways to address any shortfalls. I understand that IRSU overtime budgets have been trimmed to bring them more into alignment with regular traffic unit budgets.

We do not anticipate any reduction in the quality or quantity of enhanced traffic enforcement we see on our roads. Those responsible for budgets and operational decisions are maximizing strategies and finding efficiencies. And with tools like IRP freeing up court and officers' time, it is anticipated that IRSU officers will produce similar levels of traffic enforcement.

#### **ALPR/OIPC investigation**

Automated Licence Plate Recognition has been operating in BC since 2006 when it was piloted by IMPACT primarily as a tool to identify stolen vehicles. Since then the deployment of ALPR has expanded and we've seen the focus shift from auto crime to road safety enforcement.



On several occasions over the past two years, articles on ALPR use in BC have drawn significant public interest. On July 30, 2012 the Office of the Information and Privacy Commissioner (OIPC) announced an investigation into Victoria Police Department's use of Automated Licence Plate Recognition (ALP). The primary goal of the investigation is to determine whether their use of the technology complies with the Freedom of Information and Protection of Privacy Act in BC.

A month before the OIPC began their review, I sent a letter to all BC Chiefs and RCMP E Division Traffic Services that reiterated the approved terms of ALPR use and data retention in the province.

I am aware that a number of agencies believe the current parameters of ALPR deployment are too narrow. Retention of non-hit data and use of ALPR for surveillance and investigation have been floated as options to consider should the policies be opened up for revision.

Our current position is that we support ALPR as a useful police tool aimed at removing unlawful drivers from the road. We also believe ALPR can contribute to making traffic policing safer for officers as well as the public. With information about the vehicle and/or driver provided by ALPR, an officer has information on the type of situation they may be dealing with and can take appropriate action.

Police Services had commenced an IRSU-specific ALPR review when the Privacy Commission announced its investigation. In partnership with RCMP, we are continuing with the data portion of the review. And a second phase, qualitative review will continue this fall.

We will continue to cooperate fully with the OIPC investigation and study any recommendations they produce. Until that time, ALPR deployment for traffic enforcement should continue and provincial guidelines observed. Any changes to ALPR use in BC will be considered in consultation with police as well as the federal and provincial privacy commissioners.

#### **Request for new BCAMCP Representative for Governance Council**

As I mentioned earlier, the renewal of the Enhanced Traffic Enforcement MOU has brought about a number of key changes. One of these is the creation of a new Governance Council to oversee program activities and expenditures in relation to expressed program priorities and benefits. This council must be in place by September 30, 2013.

C/Cst. Wayne Holland is currently the BCAMCP representative for both the IMPACT Policy Board and Road Safety Advisory Committee; those stakeholder committees will be maintained under the new MOU and we appreciate C/Cst. Holland's ongoing contributions. Earlier this month I sent correspondence to the Chair of the BCAMCP requesting that the association select a separate individual to represent its interests on the new Governance Council. The council is proposed to meet four times per year to ensure that all terms of the MOU are met, funds are spent in an open and transparent fashion on expressed program priorities, and to generally provide leadership and advice on the sustainment of the program.

I would like to take this opportunity to request that the BCAMCP select a representative to take on this responsibility. The first meeting for the Governance Council will be held in Vancouver on Wednesday Sept 19<sup>th</sup>.

2. **International Police Operations – UN Missions & WorkSafeBC Coverage** (Chief Cst. Graham) •  
CC Graham received a letter from CEO Dave Anderson of WorkSafeBC, advising that an MOU will be prepared by Insp. Rattray and § 22(1) for mutual consideration. There is no further update as to the status of the MOU at this time.

Reference attached correspondence:

120911 Letter from WSBC-IPOBP

BC Gov't Consult

3. **Sheriff's Duties** (Chief Cst. Graham) •

For information only. CC Graham shared a letter that was written to CC Lepine by ADM Kevin Jardine regarding the role of the Sheriffs. ADM Jardine advised that he, like the Minister, is against extending their role to traffic enforcement or any policing role that could place them in a pseudo or real prosecutorial role. However, there might be opportunities for greater cooperation with the police and he would be pleased to further investigate the possible role Sheriffs could play in assisting police with document service, enforcement of warrants, and potentially, the guarding of prisoners under arrest when escorted to hospitals for observation and medical attention. He also proposed a further discussion regarding coordinated emergency response to BC courthouses.

Reference attached correspondence:

120911 Role of Sheriffs

**D. ROUNDTABLE**

**Steve Schnitzer**

- The JIBC has facilitated the taping of an 8 minute video message by § 22(1). This message is intended for all police officers and RCMP members in BC and it gives an overview of the IIO investigative process and many of the elements agreed to in the MOU with police. He will forward the link via email for further distribution amongst the department members.

**A/Commr. Beck**

- They contacted IIO for the first time involving a shooting and everything has gone well so far. The incident took place in Prince George at 7:30pm and the IIO was on scene by midnight.

**Chief Cst. Cessford**

- He has renewed his term as CC with Delta PD for another 3 years.
- "Call 911" press conference is being held in conjunction with ICBC and MADD. Nanaimo and Coquitlam RCMP are involved as well.

**Chief Cst. Graham**

- VicPD will be publicly releasing a redacted version of their RFP regarding the policing of Esquimalt. Lee Doney is the provincially appointed negotiator to assist with this ongoing issue.

Regular Meeting adjourned at 11:30am.



August 10, 2012

Peter Lepine, Chief Constable, WVPD  
President, BC Association of Chiefs of Police  
1330 Marine Drive  
West Vancouver, British Columbia  
V7T 1B5

Dear Chief Constable Lepine:

Thank you for our recent meeting to discuss issues regarding the BC Sheriff Service. The purpose of this letter is to broadly reiterate our discussion and once again invite further conversation around the role of Sheriffs in BC's justice system.

The BC *Sheriff Act* confers on the Director of Sheriffs responsibility for the administration of the Act, the direction of sheriffs generally, and the establishment and maintenance of programs for the selection and training of sheriffs and other persons appointed under the Act. As Assistant Deputy Minister for Court Service Branch, I am also appointed Director of Sheriffs under the *Public Service Act*.

In fulfillment of the Act and in order to establish a strong accountability framework, I have recently delegated the day to day operations of the Sheriff Service to Dave Maedel, Chief Sheriff, while at the same time retaining authority over all sheriff selection, training and operational policy. In addition, [REDACTED] S.15(1)

[REDACTED] This arrangement maintains an appropriate separation between operations, policy and investigations, and consequently provides for effectively independent oversight of operations.

I recognize that there has been – and indeed continues to be – a public conversation regarding the role of BC Sheriffs in policing. In particular, I note that in the context of ongoing contract negotiations, the BCGEU has recommended that the BC Government use

.../2

Chief Constable Lepine  
Page 2

deputy sheriffs in traffic safety and enforcement ([http://www.bcgeu.ca/c1rally\\_120731](http://www.bcgeu.ca/c1rally_120731)).  
In response, the Attorney General has stated the following:

*"The sheriff traffic enforcement proposal is something we have looked at previously, but it is not something we are currently considering at this time. It's critical that, first and foremost, our courtrooms have the necessary number of sheriffs available to conduct their primary responsibilities, such as security and prisoner transport."*

I echo the Minister's position against extending the role of sheriffs to traffic enforcement or indeed any policing role that could place a sheriff in a pseudo or real prosecutorial role. As we discussed, both I and the judiciary are strongly of the view that sheriffs are officers of the court and should not undertake law enforcement activities beyond that necessary to ensure the security of the court. In addition, I have discussed these issues with Dave Maedel and he and I are in agreement.

This does not mean, however, that there might not be opportunities for greater cooperation between police forces in BC and the Sheriff Service to the benefit of both the organizations in question and the public alike. In particular, we would be very pleased to further investigate the possible role sheriffs could play in assisting police with document service, the enforcement of warrants and, potentially, the guarding of prisoners under arrest when escorted to hospitals for observation and medical attention. These activities are well aligned with the role of sheriffs as officers of the court and may assist in freeing up police resources for other priority activities during those times when sheriffs' workload would otherwise be at ebb.

I would also propose a further discussion regarding coordinated emergency response to BC courthouses. We have recently amended our local emergency procedures related to

S.15(1)

[REDACTED] Not only would this assist police forces in gaining a tactical understanding of their local court facilities, but it would also significantly enhance a coordinated response should such an emergent event occur. As you are aware [REDACTED]

S.15(1)

K

[REDACTED] and enhanced collaboration between the police and sheriffs will go a long way to increasing officer and public safety along with creating greater confidence and trust in the criminal justice system.

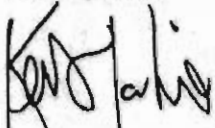
.../3



Chief Constable Lepine  
Page 3

In closing, let me once again offer my thanks to both you and Chief Graham for initiating and attending our recent meeting. I trust that it is but the first of many future productive and mutually beneficial discussions. I look forward to meeting again soon and invite you to contact Dave Maedel directly to follow-up on any of the proposed areas of cooperation or assistance.

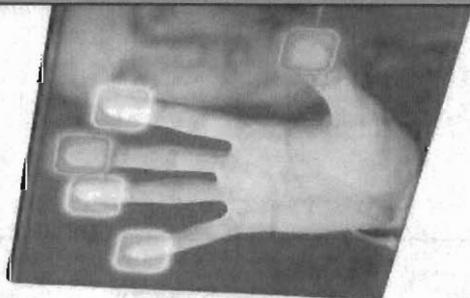
Best regards,



Kevin Jardine  
Assistant Deputy Minister  
Chief Court Administrator and Director of Sheriffs  
Ministry of Justice

pc: Jamie Graham - Chief Constable, VicPD; Chair, BCACP Traffic Sub-Committee and  
Director at Large  
Clayton Pecknold, Assistant Deputy Minister and Director of Police Services  
Dave Maedel, Executive Director and Chief Sheriff, Court Services Branch





S.15

eDisclosure in BC & the ICON II

BCAMCP

September 11 2012

## eDisclosure - Background

- In April 2006 Madam Justice Mary Ellen Boyd of the B.C. Supreme Court ordered the North Fraser Pretrial Centre to provide computer access to inmate Salvatore Ciancio so he could read Crown eDisclosure material before his trial began – the Court required the Centre to allow the inmate out of his cell at night to review his material on a Living Unit PC
- In December 2007 the Supreme Court of Canada refused to hear the Province's appeal of Justice Mary Ellen Boyd's "Salvatore Ciancio" April 2006 decision
- Since most evidence gathered by police is electronic and can include hundreds of hours of audio and video surveillance and thousands of documents, providing reasonable access for in-custody accused to large volumes of sensitive and confidential electronic evidence is problematic

## eDisclosure – Background

- Current correctional centre infrastructure does not:
  - support the requirement for in-custody accused to have reasonable secure access to view their confidential eDisclosure materials;
  - material cannot adequately secured from access by other inmates,
  - there is no way of identifying and authenticating in-custody accused who need to access their electronic material

## eDisclosure – Background

- At the moment eDisclosure material is provided to accused persons in custody on unsecured DVD's or external hard drives which require access to standalone computers in order to view the content
- Inmates will use Computers for Inappropriate or Criminal Purposes:
  - enable contraband USB devices & software
  - threaten witnesses, victims
  - coerce, intimidate and use other inmates
  - print, copy, distribute and publish sensitive material on the internet

## eDisclosure – Background

- Under ICON II, electronic devices (eDevices) connected to a secure network will replace unsecured standalone computers – this will protect disclosure from being copied, accessed or disseminated inappropriately by other inmates and protect victims and witnesses from harm
- Before access is granted in-custody accused will authenticate to a secure network using an eDevice and their biometric fingerprint – eDevices will be available for use in correctional centres living units and eventually all cells.
- The Ministry will collect and use digital (logarithmic) versions of client's fingerprints for authentication and identification purposes – the data will not include an image of the fingerprint, it will be encrypted to prevent loss, stored as a separate component within the larger government identity management solution and only used in accordance with FOIPPA.



## eDisclosure - Background

- By virtue of enrolling their biometric, inmates will also have self-serve, secure access to electronic services (eServices) through the touch screen eDevices where they can view personal information such as: their CORNET histories, trust account balances, sentence calculation details, probable discharge dates, upcoming court dates and visit schedules
- eServices will also enable inmates to make a medical request online to see the doctor, dentist, nurse etc.
- In BC communities, probation officers will gain an additional mode of supervision by enabling suitable clients to login to an eDevice with their biometric and account for their progress and compliance with court ordered conditions of supervision

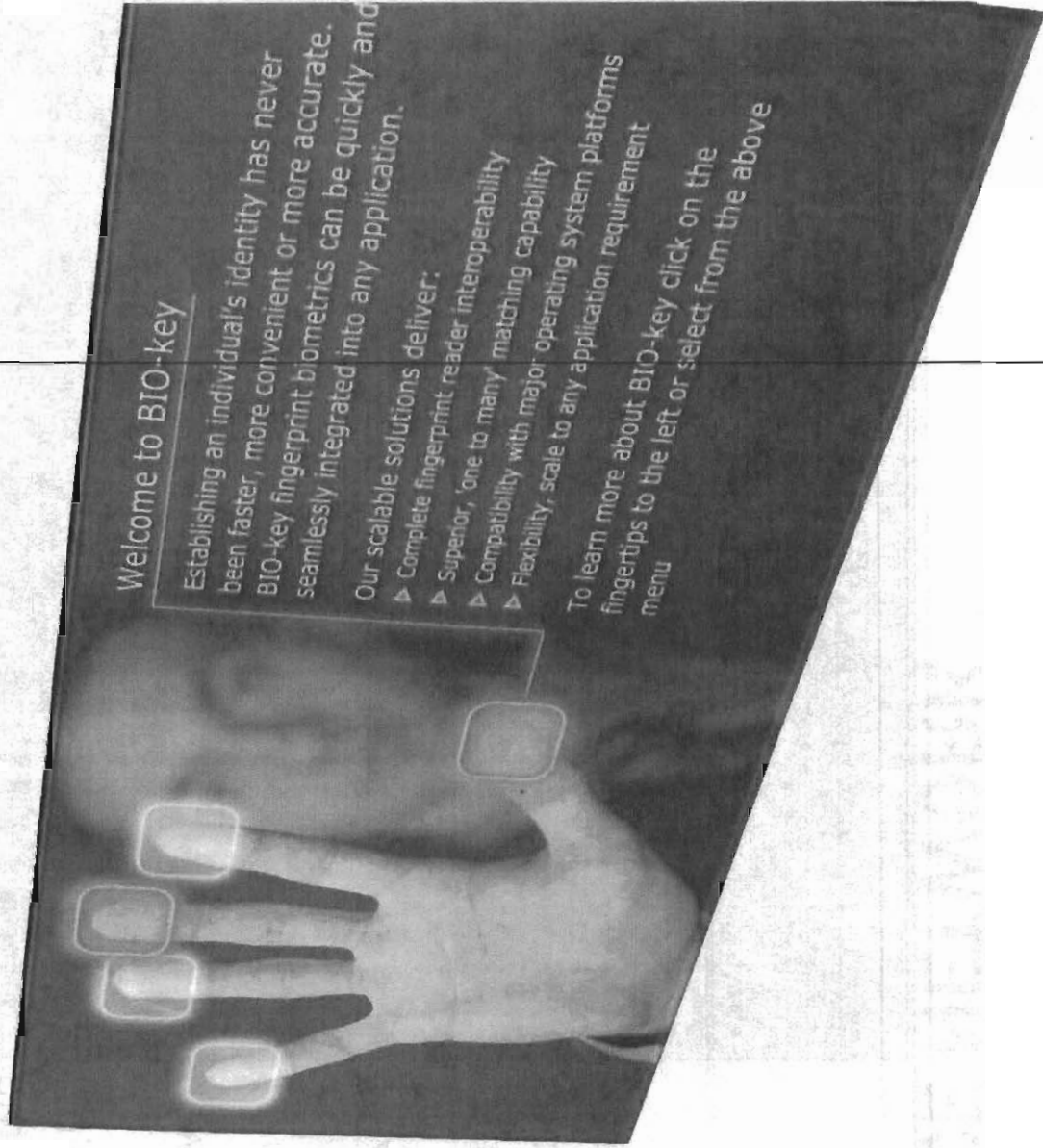
# IDENTITY MANAGEMENT & PROVISIONING

- Aligned with Corporate Architectures & Standards
- To be Built by SSBC
- Will Support Authentication and Authorization of Justice Participants for eCourt and other Future Justice eServices
- Includes Biometric Service
- Will Enable Significant Improvements to the Management, Quality and Cost of Justice Participant Identities

S.15

# BIOMETRICS

- Scalable 2 Factor Authentication Service Available to Broader Government
- Used to Authorise Access to Sensitive Data & Services
- Corrections Clients will be Enrolled on Admission
- Can be Used to Enhance Person Identification and Security
- Authenticate through an Approved Device
- Reviewed by OIPC



# SECURE JUSTICE NETWORK

- Built in Partnership with SSBC
- Designed to Support Future Justice Capacity (Video) and Security (CJB) Requirements
- Creating a Secure Client Zone
- Connecting Authorized eDevices to a Secure Network
- Connecting eDevices within the Secure Client Zone to the Data Centre

S.15



# CONTENT MANAGEMENT

- Justice Sector Solution and Backbone for eDisclosure
- Will be used initially by Crown and Corrections
- Designed to Support Sector Requirements
- Branch Collection Sites - Out of the Box or Custom Front Ends for Branch Business Needs
- Will be Enabled and Controlled through the Corporate IDM Services, including Biometrics

S.15



# Authentication

Enter your CS Number

01234567

1

2

3

4

5

6

7

8

9

Reset

0

Delete

OK

# Authentication

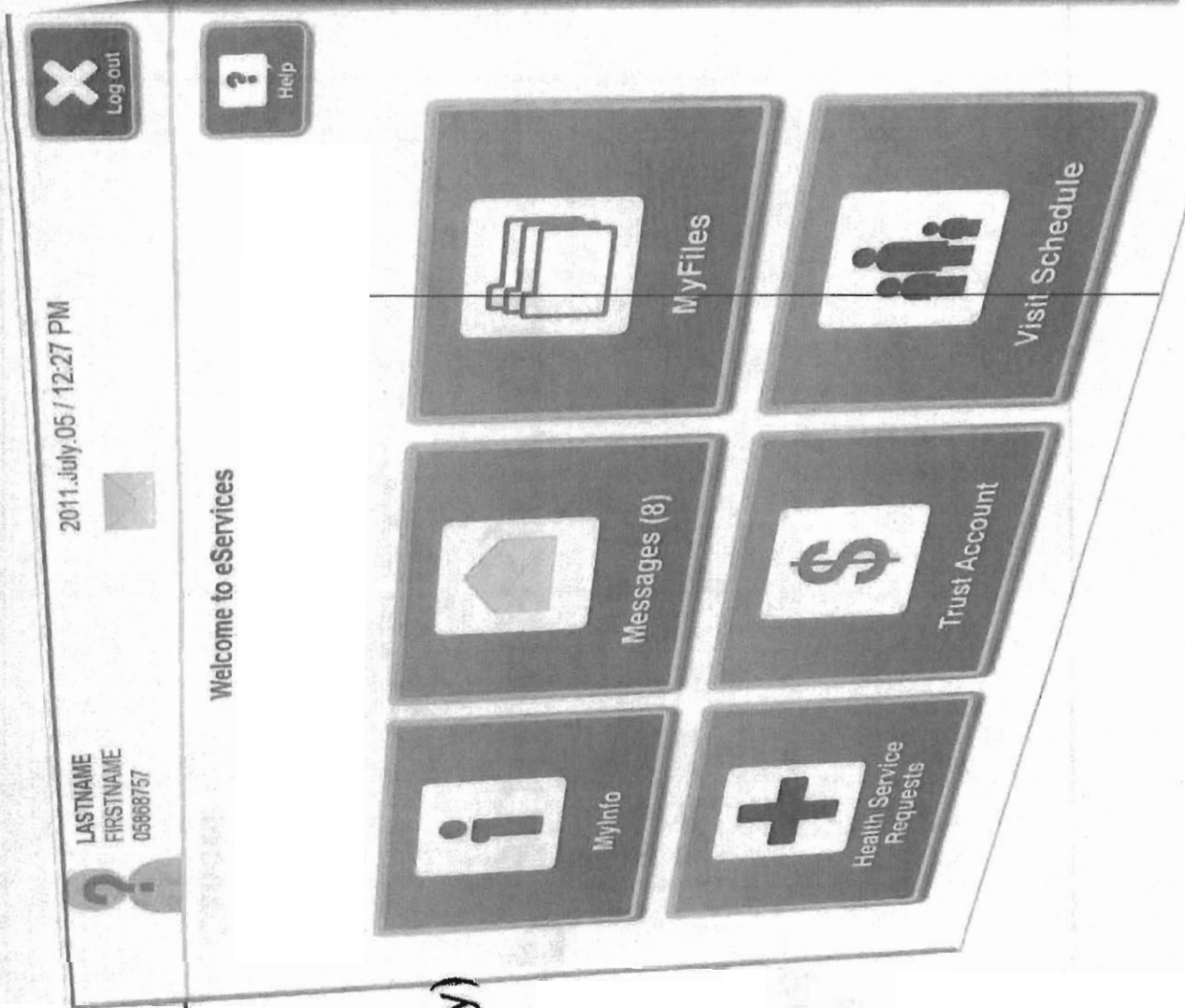


**Place finger on  
reader.**

Cancel

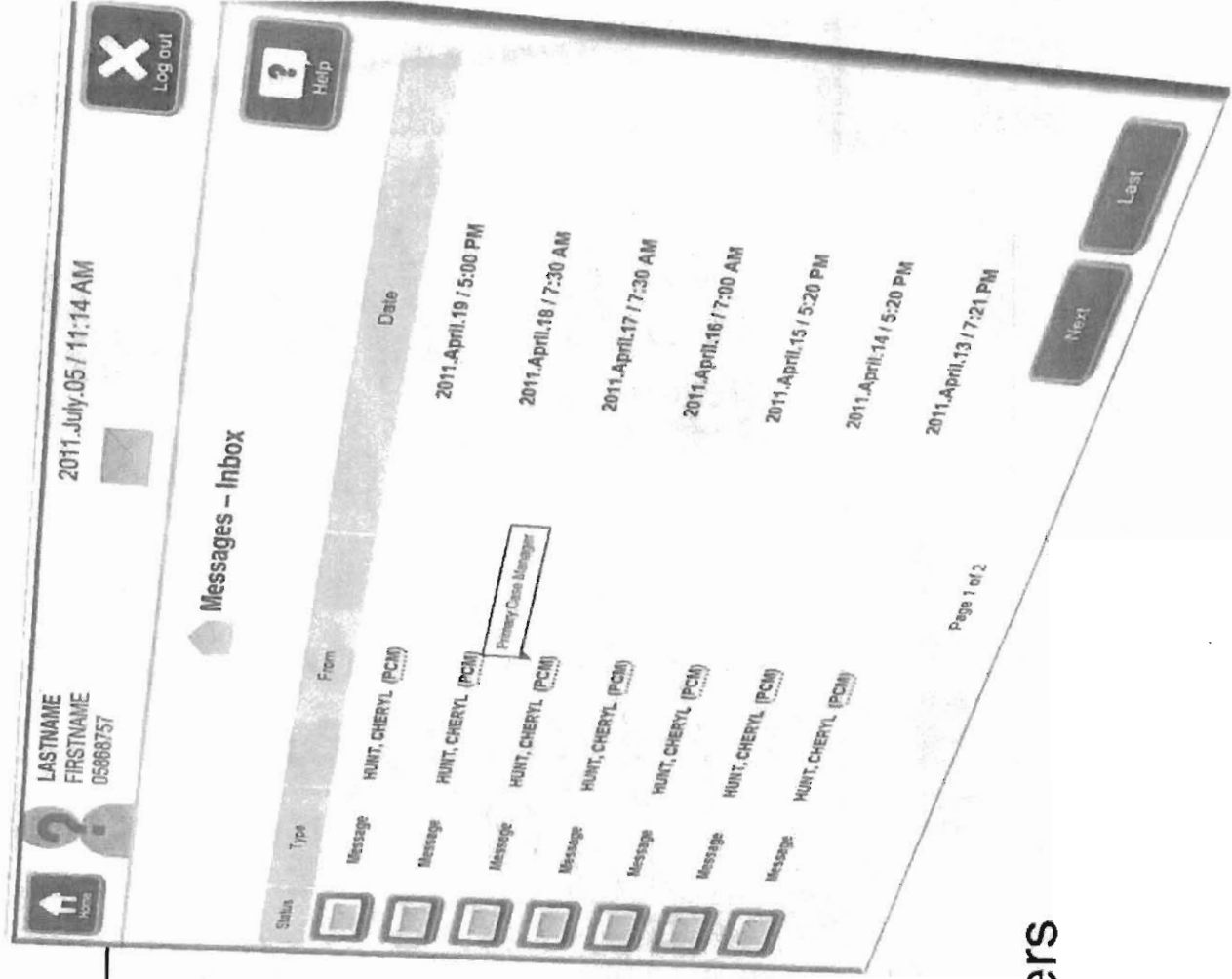
# eServices

- eDisclosure (Custody)
- eReporting (Community)
- MyFiles
- MyLegal
- Secure Messaging
- Medical Requests



# Messaging

- Staff will be able to send messages to inmates
- Inmates will receive messages in their inbox
- Messaging will be one-way only
- Inmates will be able to communicate with their lawyers and frontline government service providers (future)

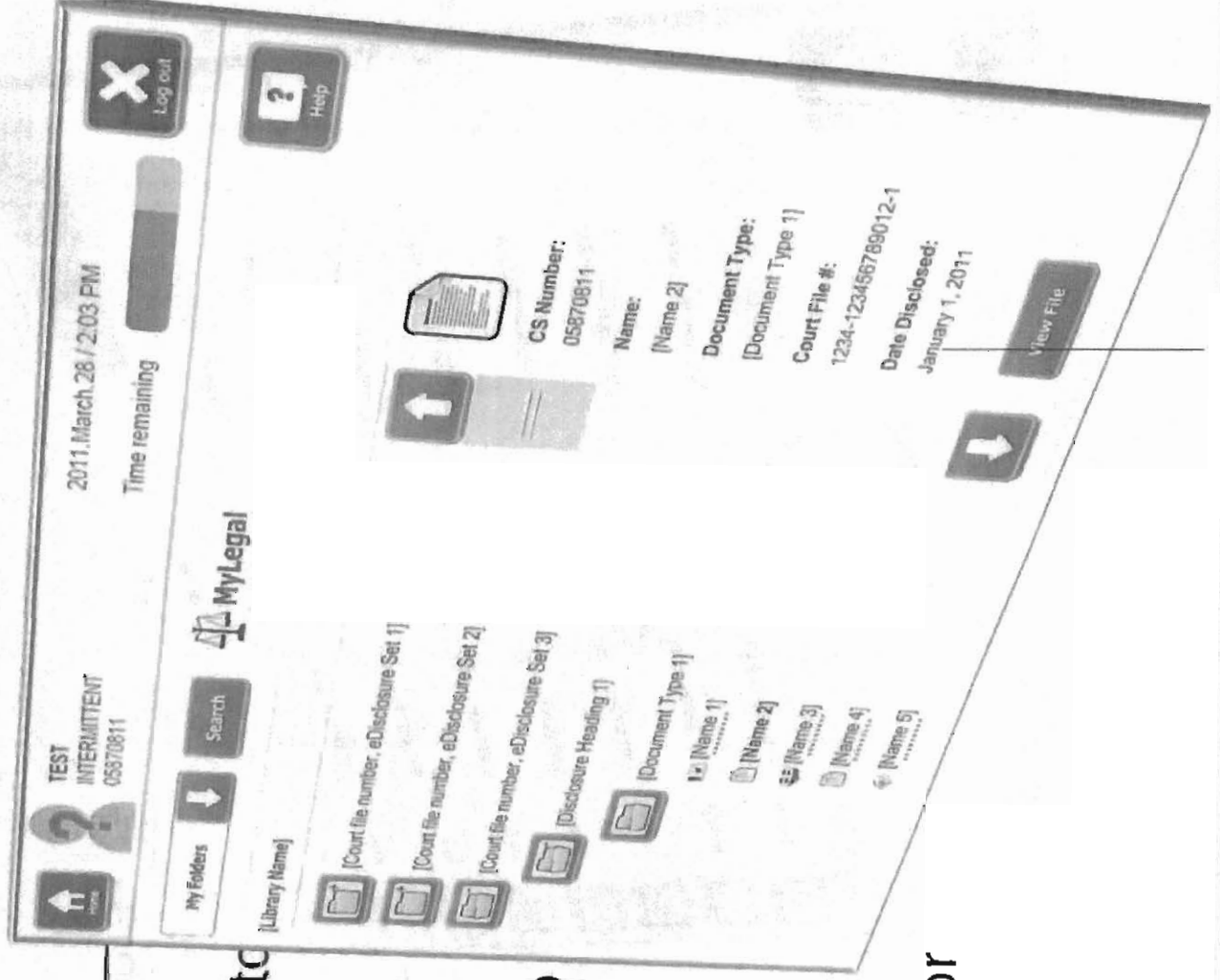




# MyLegal

MyLegal will allow the client to access:

- eDisclosure evidence including electronic documents, audio & video files
- Search functionality
- Metadata tags to clarify document types
- Material subject to solicitor client privilege (future)



# eReporting

Community Corrections will allow all clients to authenticate and access their information:

- court dates, active conditions & court orders
- receive messages from their probation officer

Probation officers will have the ability to enrol suitable clients in the self-reporting eService, in addition to regular in-person meetings

BC Gov't Consult

LASTNAME  
FIRSTNAME  
05868757

2011.July.05 / 11:16 AM

Log out

Help

eReporting

Have you had any contact with anyone under the following age since you last reported 18 Years?

Yes No

Have you used alcohol since you last reported?

Yes No

Have you used non-prescription drugs since you last reported?

Yes No

Have you been attending counselling or treatment or programs at the following locations BC Drug Treatment Centre A, BC Drug Treatment Centre B?

Yes No

By completing and submitting this form, you confirm that you are the individual listed above and that all information given herein is correct.

OK

# ICON II PILOT

## Complete Testing & Training

- eServices
- Secure Network
- eDisclosure

## Limited Pilot in October 2012

- 5 Community Offices
- 2 Correctional Centres
- 4 Crown offices

Province-wide Rollout to remaining offices and centres

## 2. Vision for BC Sheriffs (Kevin Jardine, ADM – Court Services)

Mr. Jardine has been in his current role for approximately one year and he provided a brief description of the composition of his office and reporting structure. They are under the same auspices that the police are in terms of reporting to the IIO. He also reported that the turnover of Sheriffs has been significantly reduced from 18-20% five years ago to about 5% today. Formalization of the structure and enhanced training has contributed to the significant decline.

Currently, their core functions include transportation of prisoners and court house security. Powers and duties under the *Sheriff Act* give them the responsibility to protect Ministry of Justice staff, provincial employees, judiciary and the facilities they meet at. They do not provide escorts to hospitals. Sheriffs are currently being trained to handle the G36 rifle for use in high security escorts and plans for Active Shooter and reality based training in the courthouses are underway. It was agreed that it would be very beneficial to cross train with the police (specifically GVERT) so that all agencies are familiar with and follow the same protocol during a high risk incident. With respect to the court rooms themselves, there is some desire to have hard barriers installed but they do have a very intel-led approach which allows for necessary precautions to be taken in advance.

The table discussed current issues of mutual concern including the role of Sheriffs and their desire to expand their mandate. Mr. Jardine advised that neither he nor the Minister have any interest in pursuing this to the degree that the Sheriffs are, especially in relation to traffic duties. Their challenges are shared across government (which is primarily financial in nature) therefore Mr. Jardine's goal is to generally maintain their current mandate and not expand it into traffic enforcement. He advised that there is an interest on their part to consider taking on the serving of documents but resources would be an issue. There is a desire for some departments to contract out subpoena service to the Sheriffs and Mr. Jardine advised that it would be regionally based but it is difficult to tell when these talks could take place. The table requested that if the Sheriffs intend to pursue the task of high speed escorts, that the BCAMCP be consulted in the conceptual stage as this is a very high risk endeavor. It was acknowledged that the issue of housing female and juvenile remands still needs to be further addressed as most cells are not equipped for long term stays.

## 3. Compass Card & Fare Gate System (DC Kross & S 22(1))

The Translink Board requested input from the BCAMCP in relation to the impending late 2013 launch of the new Compass Card and Fare Gate system. This card is a durable, reloadable, electronic fare card that works everywhere in Metro Vancouver and it will replace the current fare products. They currently have 10,000 police members that can access the transit system simply by showing their badge but this will not be physically possible anymore with the introduction of the Fare Gates which are designed to prevent fare evasion. The question would be whether each member should be issued a Compass Card (which is very expensive and would have implications such as taxable benefits) or if Translink should only concern themselves with accommodating members who are on duty.

Discussion ensued and the table agreed that members should be subject to the same fare fees that the public are and only during the course of carrying out their duties would they be exempt from paying the fare. The table agreed that Translink should roll out their new protocol and that the departments should not



## C. OLD BUSINESS

BC Gov't Consult

### 1. Monthly Report (ADM Pecknold)

His staff have begun cataloguing police MOUs, LOAs, and agreements in BC. They are doing this for internal information purposes so that they are aware of the existing agreements and so that a database can be developed that may be a resource tool for BC police agencies when developing new agreements. His staff have already compiled the agreements that are currently have on file, and have begun contacting agencies to collect lists of agreements departments have signed and, where necessary, to obtain copies of those agreements. If you haven't been contacted yet, he requested that you have someone within your agency create a list of all of the MOUs and other agreements that your department is involved with and forward that to his office for addition into the database. They intend to keep the database current in order to provide an accurate snapshot of all of the policing agreements in BC.

### Domestic Violence Training

The Evidence-based, Risk-focused Domestic Violence or DV I, became mandatory online training for all front-line officers and supervisors in 2009. A second online course in this series, Assessing Risk and Safety Planning in Domestic Violence Cases, is now under development and there are plans to launch it later this year. This course will include instruction on a standardized approach to assessing risk, writing reports and safety planning in domestic violence cases. As with DVI, this course is being developed in consultation with Crown, PODV and MCFD, Victim Services and other stakeholders. The course speaks to the ongoing commitment to improve collaboration and build a systemic capacity to respond effectively to cases of domestic violence.

### BC Policing Plan

The summary report from the first stage of the BC Policing Plan was released late last month and is now available on the Police Services Division website. The report outlines the key themes emerging from the regional stakeholder roundtables that were held between April and June of this year. The roundtables were the initial step in efforts to engage with partners to build a strategic plan for policing and community safety in BC.

They have also attempted to solicit input from the public through the BC Policing Plan blog and a telephone survey. The blog has not seen the volume of participation they had hoped for, but they will continue to use it as a tool for reporting on their progress and distributing the Plan for discussion and input. The telephone survey was conducted over the summer and results will be released in the coming months.

They are now moving into their third consultation activity – a series of focus groups that build on the key themes from the roundtables to develop strategies for the Plan. There are 8 focus groups, each dealing with a different topic area:

1. Gangs and Guns (September 20)
2. Multi-agency Collaboration and Integration of Services (October 3)
3. Police Funding (October 11)
4. Continuum of Law Enforcement (October 15)
5. Crime Prevention and Public Safety (October 15)
6. Mental Health and Policing (October 23)

7. Performance Management of Policing (October 25)
8. Community Engagement (October 26)

Some members have been asked to participate in the focus group process and he thanked them for their input. In addition to experts within policing, other participants invited to the focus groups include UBCM and local government representatives, Police Boards and the BC Police Association, and representatives from a number of agencies in the health and social service sectors. A draft version of the Plan will be posted for public and stakeholder feedback later this year.

**2. ALPR (CC Graham)**

For information: CC Graham received a letter from Michael McEvoy, Asst. Commissioner for Policy & Technology, OIPPC, regarding the collection of non-hit data. VicPD currently discloses non-hit information to the RCMP which is subsequently deleted from their database. The OIPPC has not yet made any determinations on this matter but they want to understand the possible implications of the outcome of their investigation of this matter. In the event that the Commissioner finds that the disclosure of non-hit data to the RCMP is not authorized by FOIPPA, they want to know what technical options are available to VicPD to modify the ALPR program to prevent that disclosure. CC Graham advised the table that the RCMP administer the ALPR program and they are operating under the federal privacy parameters. Municipal agencies have been instructed to work under those auspices as well. CC Graham also advised that Dr. Plecas (completed the restructuring/resourcing study for VicPD) indicated that ALPR is a ground breaking technology and very effective tool for proactive policing.

**3. Victims of Crime Committee (DC Almas)**

C/Supt. Armstrong has not yet received any names of municipal members that could be considered for this committee, therefore DC Almas made another request to the table to submit them to her. DC Lemcke advised that he is aware of a VPD member that may be interested so he will discuss this with them and advise C/Supt. Armstrong.

**4. PEC/CISBC Inspector Position (DC Lemcke)**

The position has been posted (to be filled by a Municipal Inspector) and the deadline for submissions is October 22<sup>nd</sup>. The Chair position will be retained by A/Commr. Rideout.

## **D. ROUNDTABLE**

**WVPD**

- CC Lepine thanked all of those who participated in the NCS survey. 51 submissions were received and the report has been created. Results will be forwarded to the table within the next couple of weeks and the submissions will be put forward in November.
- DC Almas advised that they successfully transitioned over to EComm last week.



# BRITISH COLUMBIA

SEP 11 2012

VICTORIA POLICE DEPT.

SEP 18 2012

POLICE CHIEF'S OFFICE

Chief Constable Peter Lepine  
President  
BC Association of Chiefs of Police  
PO Box 42526  
New Westminster BC V3M 6L7

Dear Chief Constable Lepine:

I am responding to your letter regarding the growing problem of drug impaired drivers on British Columbia roads. Your comments are noted and I appreciate the time you have taken to share your concerns.

Drug impaired driving is a concern in all provinces and territories and work is being done to address the issue at the national level, coordinated by the Canadian Council of Motor Transport Administrators (CCMTA). CCMTA maintains an expert working group on drug impaired driving as part of its wider Strategy to Reduce Impaired Driving (STRID). This work is being coordinated by the national CCMTA secretariat, rather than individual provinces working on the problem of drug impaired driving in isolation. British Columbia is committed to supporting CCMTA's work and staff at the Office of the Superintendent of Motor Vehicles (OSMV) are actively participating on the working group.

The purpose of the working group is to take an initial lead on assessing international practices and developments and formulating policy approaches to drug impaired driving. The CCMTA secretariat has provided initial research and policy recommendations and developed a suggested framework for individual jurisdictions, including British Columbia, to consider in addressing drug impaired driving in Canada. The May 2012 Drug and Driving Framework has been posted to the CCMTA website and British Columbia is reviewing the suggested actions.

Five cities in British Columbia recently participated in the 2012 alcohol and drug Roadside Survey in May and June of this year. In the past, these roadside surveys have provided government and road safety partners with valuable data on the prevalence of drug impaired driving. We are expecting to receive the results of the 2012 survey in late fall, which will provide a clearer picture of the problem of drug impaired driving.

.../2

Ministry of  
Justice

Office of the  
Minister of Justice  
and Attorney General

Mailing Address:  
PO Box 9044 Stn Prov Govt  
Victoria BC V8W 9H2  
e-mail: JAG.Minister@gov.bc.ca  
website: www.gov.bc.ca/justice

Telephone: 250 387-1866  
Facsimile: 250 387-6411

Mr. Peter Lepine  
Page 2

Research continues on more effective approaches to test for and address drug impaired driving. The OSMV is committed to working with the CCMTA Secretariat and the BC Association of Chiefs of Police Traffic Safety Committee to identify new approaches to dealing with this growing problem. While there is much work still to do to address this complex issue, progress is being made and we are committed to doing all we can to improve public safety in this area.

Sincerely,

*Original signed by:*

Shirley Bond  
Minister of Justice  
and Attorney General

pc: Mr. Clayton Pecknold  
Chief Constable Jamie Graham

*Scan copy for TSC.  
Executive.*

*JG. 2012-9-20  
c.c. for Munichiefs  
package.*



**#5.13**

That the BC Association of Municipal Police Chiefs and the RCMP, with support from the Director of Police Services, should develop a protocol containing additional measures to monitor high-risk offenders, including recommendations for the efficient and timely sharing of information.

**#7.1**

That the provincial standards be developed by the Director of Police Services with the assistance of a committee consisting of representatives of the BC Association of Municipal Police Chiefs, the RCMP, representatives of community and Aboriginal groups, and representatives of families of the missing and murdered women.

**#10.2**

That the Director of Police Services consult with the BC Association of Police Chiefs and the RCMP to create a protocol or framework for multi-jurisdictional major case investigations to ensure the timely and seamless implementation of multi-agency teams, including a provision for an independent panel to resolve disputes regarding when the protocol should be triggered.

BC Gov't Consult

S.22(1) has been appointed to "champion" the implementation of the inquiry's recommendations. ADM Pecknold advised that the review and implementation of the recommendations will be a multi-year project as there is overlap amongst the various groups. The structure is yet to be established but he advised that consultation and collaboration will take place prior to any decisions being made. Various sub committees will likely be established as well and this will be discussed at the BCACP meeting in February.

**ACTION:**

- DC Goerke will invite S.22(1) to the February BCACP meeting so that he can provide further information and direction to the table.

**C. OLD BUSINESS**

**1. BCMUP (Insp. Desmarais)**

Some significant changes have been made since June and the following amendments and additions to the 2008 BCMUP Expansion Proposal were submitted to the BCAMCP for consideration:

S.13