



December 14, 2011
Ref 474887

TO: Chief Constable Brad Parker, President, BCAMCP
Assistant Commissioner Norm Lipinski, "E" Division, RCMP

Dear Sirs:

The Integrated Partnership for Regional Emergency Management (IPREM) in Metro Vancouver has launched a Regional Emergency Communications Strategy and Governance Development project. The project is being supported by funding provided through the Canadian Police Research Centre and local government partners.

The project aims to develop a regional strategic plan and governance model to enable:

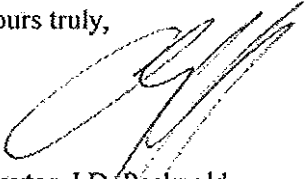
- The development of communications plans and exercises to support integrated response and recovery plans associated with local and regional emergencies that involve multiple jurisdictions or agencies; and
- The development and sustainment of interoperable information and communications technologies and systems to support the regional communications plans.

IPREM has constituted a steering committee tasked with developing the strategic plan and actions steps. The group consists of first responders (fire, ambulance), provincial and municipal representatives. The steering committee is looking to include two inspector or superintendent level representatives from the lower mainland (one from the independent police and one from the RCMP) and asked if I would contact you for assistance.

Contact information for the selected representatives can be sent to Ms. Rebecca F. Denlinger, Assistant Deputy Minister and Fire and Emergency Management Commissioner by January 3, 2012. Ms. Denlinger can be reached at Becky.Denlinger@gov.bc.ca or (250) 953-4002.

Thank you for your assistance.

Yours truly,


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

pc. Ms. Rebecca Denlinger

January 6, 2011
Ref. 454176

BCAMCP Membership

Hello:

RE: Provincial Use of Force Co-ordinator Position

This letter is to follow up on my comments to you at the December, 2010 BCAMCP meeting. I advised you at this meeting that the provincial funding for the Use of Force Coordinator position will not be extended beyond March 31, 2011.

The Use of Force Co-ordinator position was funded for the previous five years through the grant from the government to the Police Academy. 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.

The needs of the government in terms of the Use of Force Coordinator position have changed. I have spoken to you a number of times regarding what I have referred to as 'the Braidwood mandate' – the shift toward greater authority for the provincial government regarding policing policy, through setting provincial standards; and the importance of viewing police policy through a 'civilian lens'. Ultimately, policing policy is a matter of public policy. We take very seriously the advice we receive from the police; however, we balance that view with information we get from other stakeholders such as community groups, academics, and others. I believe the Braidwood Recommendations Implementation Committee (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, I have previously spoken to you about the Provincial Learning Strategy and the new Police Learning and Development Project, which will address the ongoing challenges in the areas of funding, governance and curriculum development at the Police Academy.

The government, as well as many other organisations, are facing budget pressures at this point in time. We are obliged to make the best possible use of the limited funds that are available.

... /2

Page 2
BCAMCP Membership
January 6, 2011

Therefore, we will not be funding 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, Police Services Division will, of course, continue to consult with you and obtain advice from your subject matter experts.

Yours truly,

Original signed by ADM 11/01/06

Kevin Begg
Assistant Deputy Minister
Policing and Security Programs Branch

pc Lynne McNally, Director, Standards and Evaluation Unit
Gabi Hoffmann, Program Manager, Use of Force
Joel Johnston, Use of Force Coordinator



The Best Place on Earth

June 9, 2011
Ref: 467847

Chief Constable Brad Parker
Chair -- BC Association of Municipal Chiefs of Police
Port Moody Police Department
3051 St. John's Street
Port Moody BC V3H 2C4

RE: Draft BC Provincial Policing Standards

Dear Chief Constable Parker:

As you know, following Justice Braidwood's June 2009 report: *Restoring Public Confidence: Restricting the Use of Conducted Energy Weapons in British Columbia*, Police Services Division established the Braidwood Recommendations Implementation Committee (BRIC). One of the key roles of this committee was to assist Police Services Division in developing *BC Provincial Policing Standards (Standards)* for CEWs. The BC Association of Municipal Chiefs of Police (BCAMCP) was represented on BRIC by: C/Cst. Jim Cessford, Deputy C/Cst. Bob Downie, Deputy C/Cst. Del Manak, C/Cst. Jim Chu (represented by Supt. Jeff Sim), and C/Cst. Lorne Zapotichny (replaced by C/Cst. Dave Jones).

The CEW-related *Standards* developed in consultation with BRIC are in the final stages of approval prior to implementation. Similarly, draft *Standards* requiring video surveillance recording equipment in certain areas of police buildings (circulated to police forces in the fall of 2009) are nearing completion. Police Services Division has also drafted *Standards* intended to transfer the substance of the *Use of Force Regulation* and the *Rules Regarding Training* into the same format as the CEW and video surveillance recording *Standards*.

The purpose of this correspondence is to request that your organization assign a group of no more than five individuals to engage in final consultation with Police Services Division regarding these four sets of *Standards*. The representatives you choose must be available on one of the following dates, which are being reserved for consultation:

June 29, 2011 (a.m. or p.m.)
June 30, 2011 (a.m. or p.m.)

July 5, 2011 (p.m. only)
July 7, 2011 (a.m. or p.m.)

.../2

Ministry of Public Safety
and Solicitor General

Policing and Security
Programs Branch

Mailing Address:
PO Box 9285 Stn Prov Govt
Victoria BC V8W 9J7

Telephone: 250 387-1100
Facsimile: 250 356-7747
Website: www.gov.bc.ca/pssg

Chief Constable Brad Parker
June 9, 2011
Page 2

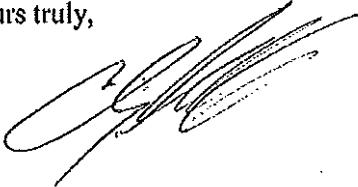
Please contact Justine Herman no later than June 20th to identify your representatives and preferred meeting times. Ms. Herman can be reached by email at justine.herman@gov.bc.ca or by phone at 604-660-2621.

I will also be taking an opportunity to discuss the draft *Standards* and our request for consultation at the BCAMCP meeting in Prince George on June 14th.

Copies of the draft *Standards* under review are enclosed with this correspondence, along with Backgrounders which explain the *Standards* in greater detail. In recognition of the financial implications associated with certain *Standards*, I would like to draw your attention to the proposed effective dates located in the top right hand corner of each of the *Standards*. While most will take effect immediately upon public release, others will take effect at a later date to facilitate a smooth transition and allow time for police forces to achieve compliance with the requirements.

I would also like to emphasize that the draft *Standards* are confidential and not to be shared with outside organizations or individuals. I appreciate your discretion in this matter.

Yours truly,



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

Enclosures:

pc: Lynne McNally, Executive Director, Standards & Evaluation Unit, Police Services Division

From: Smith, Thomas SG:EX
Sent: Monday, May 16, 2011 3:21 PM
To: Smith, Melissa SG:EX
Cc: Pecknold, Clayton SG:EX
Subject: Integrated Witness Protection Program - MOU and Indemnity Agreement

Dear Melissa,

Can you please request the secretary of the BCMACP to have this item placed on the June/July agenda for information purposes with a view to having the members available to resign the MOU and Indemnity Agreement at their August meeting.

Item:- In 2005 the original agreement for the Integrated Witness Protection Program was signed together with an Indemnity Agreement. The original agreement was for two years with a clause that it would remain in effect until resigned. To date the program is operating well and requires no changes to the agreement. The intention is to have the documents resigned unless any of the signatory's have any concerns or require further information.

If any member has any questions please contact me at Thomas.Smith@gov.bc.ca.

Thank you,

Tom

*Tom Smith
Senior Program Manager,
Police Services Division
Ministry of Public Safety and Solicitor General*

Telephone : 250 387 0076
Facsimile: 250 356 7747

October 25, 2012

Thursday

October 2012						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

November 2012						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

25 Thursday

8 am Not Responsive

9 00

10 00 10am Local Government Contract Management Committee one and a half day meeting
UBCM Boardroom, Richmond

11 00

12 pm

1 00

2 00

3 00

4 00

5 00

PCSB-ADM

Referral Slip

Fri, Aug 27, 2010 12:33 PM

Action: **Attention as Appropriate** Due: Log ID: **387334**

Jamie Graham
Chief Constable, Victoria Police Dept.
Chair, BCACP Traffic Safety Committee
BCACP
850 Caledonia Ave
Victoria BC V8T 5J8

Type: Letter Written: 2010/07/21
Office: PCSB-Police Srvc Received: 2010/07/26
Entered By: dchuhran Interim Rsp:
Sign By: Signed/Sent:
Batch: Closed: 2010/08/27
File No.:

☒ Confidential ☐ Frequent Writer ☐ Elected Official

Phone:

Fax:

Email:

Addressed To: Kevin Begg

Drafter:

Issue:

MLA: James, Carole (BC NDP)

X-Ref:

Elect Dist: Victoria-Beacon Hill

Other Info:

Copied to: Inspector Ted Smith

Subject

Proposal for new Emergency Vehicle Operators Training Manual.

Referrals

From: PCSB-Police Srvc Sent: 2010/07/26 Rcvd: Status: Completed
To: PCSB-Police Srvc Due: Active: State:
Action: Attention as appropriate Cmpltd: 2010/08/27

From Notes: 2010/07/26T08:52 dchuhran (PCSB-Police Srvc) Scanned; original fwd to Kevin Begg for his attention.

From: PCSB-Police Srvc Sent: 2010/07/26 Rcvd: Status: Completed
To: PCSB-ADM Due: Active: State:
Action: Attention as appropriate Cmpltd: 2010/08/27

To Notes: 2010/07/30T08:50 kcornett (PCSB-ADM) reviewed by Kevin; forwarded to Curt Albertson for draft response; s.22
s.22 redirected to Jan Staples and Cora Foerstner.

2010/08/05T08:22 kcornett (PCSB-ADM) Cora redirected to Lynne McInally.

2010/08/25T11:44 kcornett (PCSB-ADM) followed up with LMcnally; we should expect to rec draft Aug 26.

2010/08/27T09:26 kcornett (PCSB-ADM) rec'd draft response from LMcnally; forwarded to Kevin for signature.

2010/08/27T12:27 kcornett (PCSB-ADM) Kevin signed ltr; mailed original and pc copies. Copy to file 160-20/BCACP.

From: PCSB-ADM Sent: 2010/08/05 Rcvd: Status: Completed
To: PCSB-Police Srvc Van Due: 2010/08/26 Active: 15 days State:
Action: Draft Letter Cmpltd: 2010/08/26

From Notes: 2010/08/05T08:22 kcornett (PCSB-ADM) Cora redirected to Lynne McInally.

To Notes: 2010/08/05T09:50 jherman (PCSB-Police Srvc Van) Lynne McInally will draft response.
2010/08/26T16:44 jherman (PCSB-Police Srvc Van) Gabi Hoffmann drafted response; Lynne approved. Justine formatted and sent to Kathy Cornett for further approvals (cc'ing Lynne and Gabi).



August 27, 2010
Ref: 387334

Chief Constable Jamie Graham
Chair, BCACP Traffic Safety Committee
Victoria Police Department
850 Caledonia Avenue
Victoria BC V8T 5J8

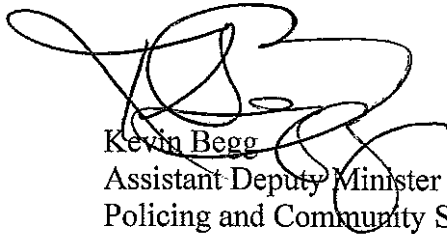
Dear Chief Graham:

Thank you for your July 21, 2010 letter regarding discussion at the April 27-28, 2010 BC Association of Chiefs of Police (BCACP) Traffic Safety Committee meeting on the need to update the Emergency Vehicle Operators Training Manual.

As you wrote in your letter, Police Services Division (PSD) was involved in the original training development. PSD agrees that the training is in need of updating and will organize a meeting of relevant training personnel in the fall to address this issue.

Thank you for bringing this matter to my attention.

Yours truly,



Kevin Begg
Assistant Deputy Minister
Policing and Community Safety Branch

pc: Inspector Ted Smith
Ms. Lynne McNally
Dr. Gabi Hoffmann



RECEIVED
AUG 17 2010

August 4, 2010

Clayton Pecknold
Deputy Chief Constable
President, BCACP
PO Box 42529
New Westminster BC V3M 6L7

Dear Mr. Pecknold:

Thank you for your correspondence regarding the recently passed resolution of the British Columbia Association of Chiefs of Police (BCACP) in regards to Traffic Enforcement.

Most importantly, I appreciate that the BCACP supports working collaboratively with the Ministry of Attorney General, and more specifically, the British Columbia Sheriff Services (BCSS) in enhancing public safety. In this regard, I believe the recent formation of the joint Strategic Steering Committee involving the Ministries of Attorney General and Public Safety and Solicitor General with the greater policing community will highlight some specific areas where Sheriffs can support policing efforts.

The Attorney General remains interested in a fulsome discussion and review of the merits of BCSS participation in traffic safety in this province. To this end, Kevin Begg, ADM Police Services, has recently sent correspondence to the members of the Strategic Steering Committee requesting nominations to working groups for the consideration of a number of support initiatives including traffic safety.

As you have stated in your correspondence there has been a collective interest between our organizations in delivering professional services for security and public safety throughout British Columbia and we at the BCSS remain committed to the continuation of this collaborative relationship.

Sincerely,

Dave Maedel
Executive Director and Chief Superintendent
Sheriff Services Division, Court Services Branch

pc: David Loukidelis, Deputy Attorney General
David Morhart, Deputy Solicitor General
Rob Wood, Assistant Deputy Minister, Court Service Branch
Kevin Begg, Assistant Deputy Minister, Policing and Community Safety Branch
Chief Cst. Jamie Graham, Victoria Police Department

Cornett, Kathy M SG:EX

From: Cornett, Kathy M SG:EX
Sent: Friday, August 6, 2010 8:58 AM
To: Albertson, Curtis SG:EX
Subject: 387508 - BC Association of Chiefs of Police - Resolutions passed at June 23 to 24, 2010 meeting
Attachments: 387508.pdf

Kevin asked me to provide you with copies of the attached resolutions passed at the June 23 to 24, 2010 meeting of the British Columbia Association of Chiefs of Police. Thank you, Kathy

Kathy Cornett

Administrative Assistant
Office of the Assistant Deputy Minister
Policing and Community Safety Branch
Ministry of Public Safety and Solicitor General
Phone: 250 387-1741 Fax: 250 356-7747

PCSB-ADM

Referral Slip

Thu, Jul 29, 2010 5:27 PM

Action: DM AAA		Due:	Log ID: 387311
Clayton Pecknold Deputy Chief Constable BC Association of Chiefs of Police PO Box 42529 New Westminster BC V3M 6L7	Type:	Letter	Written: 2010/07/14
	Office:	SG-DSG	Received: 2010/07/23
	Entered By:	angejone	Interim Rsp:
	Sign By:		Signed/Sent:
	Batch:		Closed: 2010/07/29
	File No.:	26000-01/PCSB	
<input type="checkbox"/> Confidential <input type="checkbox"/> Frequent Writer <input type="checkbox"/> Elected Official		Email:	
Phone:	Fax:		
Addressed To: Dave Maedel		Drafter:	
Issue:		MLA: Black, Dawn (BC NDP)	
X-Ref:		Elect Dist: New Westminster	
Other Info:			
Copied to: DAG, DSG, Kevin Begg, Chief Cst. Jamie Graham			

Subject

Copy of letter sent to Dave Maedel re: recently passed resolution of the British Columbia Association of Chiefs of Police re: Traffic Enforcement.

Referrals

From: SG-DSG	Sent: 2010/07/23	Rcvd:	Status: Completed
To: SG-DSG	Due:	Active:	State:
Action: DM AAA	Cmpltd: 2010/07/26		
To Notes: 2010/07/23T09:12 angejone (SG-DSG) rec'd and forwarded to DSG for information. 2010/07/26T12:47 angejone (SG-DSG) DSG has seen. To file 26000-01/PCSB			
From: SG-DSG	Sent: 2010/07/29	Rcvd:	Status: Completed
To: PCSB-ADM	Due: 2010/08/19	Active: <1 day	State:
Action: For Appropriate Action	Cmpltd: 2010/07/29		
To Notes: 2010/07/29T16:25 kcornett (PCSB-ADM) reviewed by Kevin; forwarded copy to Mike Thompson. To file 160-20/BCACP.			

PCSB-ADM

Referral Slip

Thu, Jul 29, 2010 5:29 PM

Action: **DM AAA** Due: Log ID: **387312**

Clayton Pecknold
Deputy Chief Constable
BC Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Type: Letter
Office: SG-DSG
Entered By: angejone

Written: 2010/07/14

Received: 2010/07/23

Interim Rsp:

Signed/Sent:

Closed: 2010/07/29

Sign By:

Batch:

File No.: 26000-01/PCSB

☐ Confidential☐ Frequent Writer☐ Elected Official

Phone:

Fax:

Email:

Addressed To: AG

Drafter:

Issue:

MLA:

Black, Dawn (BC NDP)

X-Ref:

Elect Dist:

New Westminster

Other Info:

Copied to: DAG, DSG, Kevin Begg

Subject

Copy of letter sent to the Honourable Micheal de Jong re: recently passed resolution of the British Columbia Association of Chiefs of Police re: Failure to Appear

Referrals

From: SG-DSG	Sent: 2010/07/23	Rcvd:	Status: Completed
To: SG-DSG	Due:	Active:	State:
Action: DM AAA	Cmpltd: 2010/07/26		

To Notes: 2010/07/23T09:20 angejone (SG-DSG) rec'd and forwarded to DSG for information.
2010/07/26T12:48 angejone (SG-DSG) DSG has seen.
To file 26000-01/PCSB

From: SG-DSG	Sent: 2010/07/29	Rcvd:	Status: Completed
To: PCSB-ADM	Due: 2010/08/19	Active: <1 day	State:
Action: For Appropriate Action	Cmpltd: 2010/07/29		

To Notes: 2010/07/29T16:25 kcornett (PCSB-ADM) reviewed by Kevin.
To file 160-20/BCACP.

PCSB-ADM

Referral Slip

Thu, Jul 29, 2010 5:28 PM

Action: DM AAA	Due:	Log ID: 387313
Clayton Pecknold Deputy Chief Constable BC Association of Chiefs of Police PO Box 42529 New Westminster BC V3M 6L7	Type: Letter	Written: 2010/07/14
	Office: SG-DSG	Received: 2010/07/23
	Entered By: angejone	Interim Rsp:
	Sign By:	Signed/Sent:
	Batch:	Closed:
	File No.: 81000-01	
	<input type="checkbox"/> Confidential <input type="checkbox"/> Frequent Writer <input type="checkbox"/> Elected Official	

Phone:

Fax:

Email:

Addressed To: Diane Rethon

Drafter:

Issue:

MLA: Black, Dawn (BC NDP)

X-Ref:

Elect Dist: New Westminster

Other Info:

Copied to: DAG, DSG, Kevin Begg

Subject

Copy of letter sent to Diane Rethon re: BC Coroners Service Domestic Violence Death Review Panel Report and Recommendations.

Referrals

From: SG-DSG	Sent: 2010/07/23	Rcvd:	Status: Completed
To: SG-DSG	Due:	Active:	State:
Action: DM AAA	Cmpltd: 2010/07/26		

To Notes: 2010/07/23T09:21 angejone (SG-DSG) rec'd and forwarded to DSG for information.

2010/07/26T12:16 slagah (SG-DSG) - DSG has seen letter; cc'd letter to Becky Denlinger.
 - filed in 81000-01 - sl

From: SG-DSG	Sent: 2010/07/26	Rcvd:	Status: Sent
To: Emergency Mgmt BC	Due:	Active:	State:
Action: For Your Information	Cmpltd:		

From: SG-DSG	Sent: 2010/07/29	Rcvd:	Status: Completed
To: PCSB-ADM	Due: 2010/08/19	Active: <1 day	State:
Action: For Appropriate Action	Cmpltd: 2010/07/29		

To Notes: 2010/07/29T16:25 kcornett (PCSB-ADM) reviewed by Kevin.
 To file 160-20/BCACP.

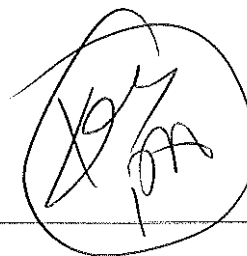
Butterfield, Nicole SG:EX

160-20/BCACP

From: Butterfield, Nicole SG:EX
Sent: Wednesday, May 12, 2010 11:25 AM
To: Tatchell, Mark SG:EX; McNally, Lynne M SG:EX; Kirby, Katherine SG:EX; Sitter, Donna PAB:EX
Subject: FW:
Attachments: media release firearms.pdf

FYI...

Not Responsive

A handwritten signature, possibly "XG/PA", is enclosed within a hand-drawn circle. The signature is written in dark ink and appears to be a stylized representation of initials or a name.

Boutilier, Kathleen A SG:EX

From: Boutilier, Kathleen A SG:EX
Sent: Tuesday, March 9, 2010 8:52 AM
To: Butterfield, Nicole SG:EX
Cc: Boutilier, Kathleen A SG:EX
Subject: 100308 PSD Training Bulletin Initiative C384043

Importance: High

Hi Nicole:

Kevin as signed the attached letter and I have scanned it and the Training Bulletin No 1 for you to send to Sue. I've also updated cliff.



100308 PSD
Training Bulletin I..



100308 Training
Bulletin No 1 ...

Kathleen Boutilier
 Administrative Assistant for
 Kevin Begg, Assistant Deputy Minister
 Policing and Community Safety Branch
 Ministry of Public Safety & Solicitor General
 Phone # 250-387-1741
 Fax # 250-356-7747
 E-Mail Address: Kathleen.Boutilier@gov.bc.ca

From: Butterfield, Nicole SG:EX
Sent: Wednesday, March 3, 2010 3:20 PM
To: Naydiuk, Jane SG:EX
Cc: Graham, Rachel V SG:EX; Herman, Justine SG:EX; Boutilier, Kathleen A SG:EX
Subject: FW: TB intro letter to BCACP



091111 BCACP
membership list.p..

Hi Jane – once Kevin signs this letter, I'll email it Sue Harper, BCACP Coordinator, to distribute via email to the members. I don't see the need to send a hard copy in the mail, given there are approximately 130 members.

Thanks.
 Nicole

From: Graham, Rachel V SG:EX



March 8, 2010
Ref. 384043

To: BCACP Members
(Distribution list enclosed)

To Whom It May Concern:

This letter is to introduce Police Services Division's Training Bulletin Initiative. This initiative is aimed at improving the quality of police training across the province by providing clear and standardized direction on topics that are conveyed in police training.

The Training Bulletins are short memos from Police Services Division that include a brief background of the topic and specific learning objectives for training purposes. These bulletins **are not** to replace existing or future training in your agency but are to provide a method to ensure existing training across the province covers the topics accurately and in a standardized manner.

Prior to release, all training bulletins will be reviewed by the newly formed Police Training Governance Steering Committee (PTGSC). In the case of training issues arising from the Braidwood Inquiry, the bulletins will be reviewed by members the Braidwood Recommendation Implementation Committee (BRIC).

The most important aspect of these bulletins is that they contain specific performance based learning objectives. This means that rather than distributing a document that each instructor must analyze to determine what is important - we are identifying the essential material that learners will need to understand in order to perform effectively in this specific area.

The first Training Bulletin is attached to this correspondence. It concerns police pursuits and includes the learning objectives that arose from the recommendations of the Provincial Pursuit Working Group. (Solicitor General Directive letter, March 2009)

.../2


BCACP Members

Page 2

NOTE: *If in future you would prefer not to receive these bulletins and / or would prefer them to be sent directly to a designate (e.g. your training section) please provide this information to Rachel Graham at rachel.graham@gov.bc.ca.*

Sound training is critical to ensuring that police officers can perform their duties in an effective manner. Please use these Training Bulletins to reinforce the quality training that is already occurring in your agency. If you have any comments or questions on this initiative, please contact Jane Naydiuk at jane.naydiuk@gov.bc.ca.

Yours truly,



Kevin Begg
Assistant Deputy Minister
Policing and Community Safety

Enclosure

Pc: Jane Naydiuk, Program Manager, Standards and Evaluation, Police Services Division
Lynne McNally, Director, Standards and Evaluation, Police Services Division



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

Training Bulletin No: 01

Date: February 17, 2010

Topic: Emergency Vehicle Operations

BACKGROUND:

On April 2, 2008, Kevin Begg, Assistant Deputy Minister, Policing and Community Safety Branch, initiated the formation of a Pursuit Working Group made up of representatives from each police agency in BC. The purpose of the Pursuit Working Group was to discuss Pursuit Policy with the intention of creating a minimum standard that can be applied to enhance provincial guidelines for pursuits.

The Pursuit Working Group met three times in the Fall and Winter of 2008 during which a number of issues associated with pursuits were discussed. While some topics require further consideration by the Working Group, such as pursuit tactics (e.g., ramming) and inter-jurisdictional pursuits, an agreement in principle was reached for a minimum threshold for pursuits. On March 25, 2009 the Solicitor General wrote to all police agencies requiring that this new threshold be employed.

This training bulletin is intended to ensure that the major agreements made by the group and formalized in the Solicitor-General's letter are reflected in related police training.

TRAINING OBJECTIVES:

Ensure that all training provided to police officers on the topic of Emergency Vehicle Operations (EVO), contains the following learning objectives:

When police recruits have completed EVO training they will be able to articulate that:

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

Ensure that all officers receiving this training are tested and demonstrate competent knowledge of these objectives.

CONTACTS:

Dr. Gabi Hoffmann,
Program Manager, Standards & Evaluation
Police Services Division, Ministry of Public Safety and Solicitor General.
(604) 660-0838 gabi.hoffmann@gov.bc.ca

Boutillier, Kathleen A SG:EX

From: Butterfield, Nicole SG:EX
Sent: Thursday, March 4, 2010 1:29 PM
To: Boutillier, Kathleen A SG:EX
Subject: FW: TB intro letter to BCACP



384043 TB Intro
letter to BCAC...



PSD TB01EVO
final 2.pdf

Hi Kathleen – please format the attached letter for Kevin’s review/signature.

Thanks.
Nicole

From: Butterfield, Nicole SG:EX
Sent: Wednesday, March 3, 2010 3:20 PM
To: Naydiuk, Jane SG:EX
Cc: Graham, Rachel V SG:EX; Herman, Justine SG:EX; Boutillier, Kathleen A SG:EX
Subject: FW: TB intro letter to BCACP



091111 BCACP
membership list.p..

Hi Jane – once Kevin signs this letter, I’ll email it Sue Harper, BCACP Coordinator, to distribute via email to the members. I don’t see the need to send a hard copy in the mail, given there are approximately 130 members.

Thanks.
Nicole

From: Graham, Rachel V SG:EX
Sent: Wednesday, March 3, 2010 3:01 PM
To: Butterfield, Nicole SG:EX
Subject: FW: TB intro letter to BCACP

Hi Nicole.

Please find below a letter and attachment for Kevin’s approval and signature. Once Kevin has approved, the letter and attachment will need to be sent via email to BCACP members with a hard copy to follow in the mail.

Much appreciated!
Rachel

From: Herman, Justine SG:EX

Boutillier, Kathleen A SG:EX

From: Butterfield, Nicole SG:EX
Sent: Wednesday, March 3, 2010 3:20 PM
To: Naydiuk, Jane SG:EX
Cc: Graham, Rachel V SG:EX; Herman, Justine SG:EX; Boutillier, Kathleen A SG:EX
Subject: FW: TB intro letter to BCACP



091111 BCACP
membership list.p..

Hi Jane – once Kevin signs this letter, I'll email it Sue Harper, BCACP Coordinator, to distribute via email to the members. I don't see the need to send a hard copy in the mail, given there are approximately 130 members.

Thanks.
Nicole

From: Graham, Rachel V SG:EX
Sent: Wednesday, March 3, 2010 3:01 PM
To: Butterfield, Nicole SG:EX
Subject: FW: TB intro letter to BCACP

Hi Nicole.

Please find below a letter and attachment for Kevin's approval and signature. Once Kevin has approved, the letter and attachment will need to be sent via email to BCACP members with a hard copy to follow in the mail.

Much appreciated!
Rachel

From: Herman, Justine SG:EX
Sent: Wednesday, March 3, 2010 2:44 PM
To: Graham, Rachel V SG:EX
Subject: TB intro letter to BCACP

Hi Rachel,

Here's the formatted version of Jane's TB intro letter to BCACP members. The CLIFF number is 384043. Lynne told me you had the BCACP email distribution list so I should send this to you to e-mail out and organize with Nicole to mail out.



384043 TB Intro
letter to BCAC...



PSD TB01EVO
final 2.pdf

~~2009-07-8D~~
160-01/BCACP.

Butterfield, Nicole SG:EX

From: Butterfield, Nicole SG:EX
Sent: Tuesday, February 9, 2010 12:09 PM
To: Tatchell, Mark SG:EX; McNally, Lynne M SG:EX; Kirby, Katherine SG:EX; Sitter, Donna PAB:EX
Subject: FW: BCACP Media Release - Renewed calls for independent agency.
Attachments: 2159_001.pdf

From: Morhart, David A SG:EX
Sent: Friday, February 5, 2010 5:11 PM
To: Heed, Kash SG:EX; Sims, Brian S SG:EX; Johnston, Karen PAB:EX; Begg, Kevin L SG:EX
Subject: BCACP Media Release - Renewed calls for independent agency.

Smith, Melissa SG:EX

From: Butterfield, Nicole SG:EX
Sent: Tuesday, January 5, 2010 1:17 PM
To: Smith, Melissa SG:EX
Cc: Begg, Kevin L SG:EX; Clark, Perry SG:EX
Subject: FW: BCACP 2010 Dues
Attachments: begg kevin.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

For payment please Melissa.

Thanks.
Nicole

Not Responsive



December 19, 2011

Ref. 475166

Chief Constable Peter Lepine
President BCACP
c/o Sue Harper Executive Coordinator
CFSEU-BC
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Constable Lepine,

Re: Application for Associate Membership

I am writing to request BCACP Associate Membership status for Mr. Perry Clark from the Policing and Security Programs Branch. M. Clark is the Executive Director of Policing, Security and Law Enforcement Infrastructure.

In my absence Mr. Perry Clark or Mr. Sam MacLeod (who is already an associate member) would be attending on my behalf.

Thank you for your consideration.

Yours truly,

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



December 19, 2011

Ref 468093

Tom Stamatakis
President
British Columbia Police Association
c/o 202 – 190 Alexander Street
Vancouver BC V6A 1B5

Dear Mr. Stamatakis:

Thank you for your letter dated November 16, 2011, regarding the British Columbia Police Association's (BCPA) participation on the British Columbia Association of Chiefs of Police (BCACP) Police and Peace Officer's Memorial Steering Committee. I apologize for the delay in responding.

Police Services Division is supportive of the British Columbia Police and Peace Officer's Memorial Service and the work of both the BCACP Steering and Working Committees involved in event preparations; however, my office does not play a role in the planning and organizing of the event. I therefore encourage you to provide the name of the lead BCPA representative on the BCACP Steering Committee to RCMP Superintendent Keith Robinson, the Committee Chair. Superintendent Robinson can also provide you with an update on the status of the Committee's work to date as well as discuss other aspects related to the planning and organizing of the upcoming Memorial Service. Further to this, it is my understanding that Superintendent Robinson will be contacting all Steering Committee members in January 2012 to set up future Committee meetings.

Thank you once again for updating me on the BCPA's intention to participate in the discussions related to the Memorial Service going forward.

Yours truly,

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

pc: Superintendent Keith Robinson; Chair, BCACP Steering Committee
Mr. Rick Stewart, Abbotsford Police Union

POLICE MEMORIAL

Miller, Lesley SG:EX

From: Miller, Lesley SG:EX
Sent: Thursday, December 8, 2011 10:15 AM
To: Wood, Jeremy SG:EX
Cc: Butterfield, Nicole SG:EX
Subject: BC Police and Peace Officer's Memorial
Attachments: 110603 C468093 TStamatakis to CPecknold.pdf; 110615 Minutes BCACP mtg.pdf; 110630 Email re Minutes.pdf; 110725 C468093 CPecknold to TStamatakis.pdf; 111116 C468093 TStamatakis to CPecknold.pdf

Hi Jeremy:

As per your discussion with Nicole, please find attached, documents related to the BC Police and Peace Officer's Memorial to assist you in preparing a response to Mr Stamatakis (which is to include information on the committee struck to review this issue).

Thank you.

Lesley Miller, Administrative Assistant
Policing and Security Programs Branch, Ministry of Public Safety and Solicitor General
10th Floor, 1001 Douglas Street, PO Box 9285 Stn Prov Govt, Victoria, BC V8W 9J7
Phone: (250) 387-1741 | Fax: (250) 356-7747 | email: Lesley.Miller@gov.bc.ca

2011/12/09.
brianna clayton
on my instructions to
Jeremy.
LMB

Miller, Lesley SG:EX

From: Smith, Melissa SG:EX
Sent: Friday, December 16, 2011 9:07 AM
To: Miller, Lesley SG:EX
Cc: Butterfield, Nicole SG:EX
Subject: RE: DRAFT response to T. Stamatakis re: BC Police and Peace Officer Memorial Service

Hi Lesley/Nicole – I have revised the letter slightly and it is saved in the draft until you hear back from Kathy. I also changed the date on the letter to Monday.

From: Miller, Lesley SG:EX
Sent: Thursday, December 15, 2011 3:48 PM
To: Smith, Melissa SG:EX
Cc: Butterfield, Nicole SG:EX; Kirby, Katherine SG:EX
Subject: FW: DRAFT response to T. Stamatakis re: BC Police and Peace Officer Memorial Service

Hi Melissa:

Please see attached letter for your review in response to the incoming letter.

I am still waiting for Kathy's response – but have given her a paper copy for her review.

Thanks!
Lesley

From: Wood, Jeremy SG:EX
Sent: Wednesday, December 14, 2011 11:53 AM
To: Kirby, Katherine SG:EX
Cc: Butterfield, Nicole SG:EX; Miller, Lesley SG:EX
Subject: DRAFT response to T. Stamatakis re: BC Police and Peace Officer Memorial Service

Kathy,

For your approval, here is a DRAFT response to T. Stamatakis regarding the BC Police and Peace officer Memorial Service.

Thanks,

-JW

Jeremy Wood

Policy and Legislation Analyst
Policing and Security Programs Branch
Ministry of Public Safety & Solicitor General
Direct: 250-387-0269
BB: 250-216-4663

Not Responsive

From: Chuhran, Dorothy J SG:EX [mailto:Dorothy.Chuhran@gov.bc.ca]
Sent: Wednesday, June 29, 2011 3:13 PM
To: Harper, Sue
Subject: RE: Request for Minutes
Here you go, Sue.

Dorothy Chuhran
Administrative Assistant
Police Services Division/ADM
Ministry of Public Safety and Solicitor General

phone 250 387-1741
fax 250 356-7747

Not Responsive

From: Chuhran, Dorothy J SG:EX [mailto:Dorothy.Chuhran@gov.bc.ca]
Sent: Thursday, June 23, 2011 1:58 PM
To: Harper, Sue
Cc: Butterfield, Nicole SG:EX
Subject: RE: Request for Minutes
Terrific - thanks, Sue!

Dorothy Chuhran

1489580[1]

Administrative Assistant
Police Services Division/ADM
Ministry of Public Safety and Solicitor General

phone 250 387-1741
fax 250 356-7747

Not Responsive

From: Chuhran, Dorothy J SG:EX [mailto:Dorothy.Chuhran@gov.bc.ca]
Sent: Thursday, June 23, 2011 1:56 PM
To: Harper, Sue
Subject: RE: Request for Minutes
I can only say, "as soon as possible" ... as he would like a response drafted within 3 weeks, and the person drafting the letter will need the background info ... Your line, "and get them to you pretty quick" sounds good to me! You can just fwd them to me, and I'll get them to the writer.

Thanks, Sue!

Dorothy Chuhran
Administrative Assistant
Police Services Division/ADM
Ministry of Public Safety and Solicitor General

phone 250 387-1741
fax 250 356-7747

Not Responsive

From: Chuhran, Dorothy J SG:EX [mailto:Dorothy.Chuhran@gov.bc.ca]
Sent: Thursday, June 23, 2011 1:09 PM
To: Harper, Sue
Subject: Request for Minutes
Sue - I know that the Minutes of the June BCACP are not available until close to the next meeting (in November?) - but I'm wondering if you have any "rough notes" that we could use to provide some background regarding the issue of the location of the BC Police & Police Officer

Page 3

1489580[1]

Memorial Service.

Evidently there was some discussion about this at the June meeting - whether to have it at a

permanent site (e.g., Victoria) or continue to hold the event at a variety of locations in BC, changing

every year - which would be valuable for the person who is composing a letter on this topic. Clayton

has requested a copy of the Minutes, but before I advise him they are not available, I thought I would

see what you might be able to suggest ...

Thanks very much!

Dorothy Chuhran

Administrative Assistant

Police Services Division/ADM

Ministry of Public Safety and Solicitor General

phone 250 387-1741

fax 250 356-7747



December 16, 2011
Ref: 475116

British Columbia Association of Chiefs of Police

Dear Sirs/Madame:

This letter is to advise you that as of January 1, 2012, snowmobile and snow vehicle operators will no longer need to obtain a police-issued operation permit (MV1815) if making a direct crossing across a highway from a point on a trail or resource road where there is a stop sign or traffic control signal.

Amendments to Section 24.05 of the *Motor Vehicle Act Regulations*, effective January 1, 2012, were approved Dec 13, 2011. The Order in Council is attached.

The police-issued operation permit (MV1815) will continue to be required for uncontrolled intersections, travel along a highway or right-of-way, and for non-perpendicular highway crossings. ICBC, however, will no longer require a police-issued operation permit as a precondition of snowmobile/snow vehicle licensing.

All other snowmobile, snow vehicle and wheeled off-road vehicle requirements have not changed. Snowmobiles used anywhere in British Columbia, including highways, must be registered under the *Motor Vehicle (All Terrain) Act*. For operation on a highway, snowmobiles and snow vehicles must be registered, licensed with a "Restricted Plate" and have, as a minimum, basic insurance with ICBC.

The changes to operation permit requirements are detailed in an ICBC Vehicle Registration and Licensing Bulletin that is scheduled for distribution December 19, 2011 to BCACP, municipal police departments and RCMP.

Again please be reminded that the effective date of this change is January 1, 2012. Notification of this change to your officers as soon as possible would therefore be most appreciated.

Yours truly,

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

Attachment

Ministry of Public Safety
and Solicitor General

Policing and Security Programs
Branch

Mailing Address:
PO Box 9285 Stn Prov Govt
Victoria BC V8W 9J7

Telephone: 250 387-1100
Facsimile: 250 356-7747
Website: www.gov.bc.ca/pssg

From: Butterfield, Nicole SG:EX [mailto:Nicole.Butterfield@gov.bc.ca]
Sent: Friday, December 16, 2011 01:48 PM
To: Harper, Sue
Subject: Amendments to Motor Vehicle Act Regulations - effective Jan 1/12

Hi Sue:

For the attention of BCACP members and further distribution as they deem appropriate.

Thanks very much,

*Nicole Butterfield
Executive Administrative Assistant to the
Assistant Deputy Minister and
Director of Police Services
Policing and Security Programs Branch
Ministry of Public Safety and Solicitor General
Phone - 250 387-1100
Fax - 250 356-7747
Email - Nicole.Butterfield@gov.bc.ca*



Coroners Service

Ministry of Public Safety and Solicitor General

June 24, 2011

Chief Superintendent Bill Dingwall
President
BC Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Superintendent Dingwall:

Re: New Associate Membership Application

In the past the Chief Coroner of British Columbia has been a member of the BC Association of Chiefs of Police.

As the newly appointed Chief Coroner of British Columbia, please accept this letter as a new application to become an associate member of the BC Association of Chiefs of Police.

Yours truly,

A handwritten signature in black ink, appearing to read "Lisa Lapointe", written over a horizontal line.

Lisa Lapointe
Chief Coroner
Province of British Columbia



Sent Via E-mail

October 17, 2011

Chief Superintendent Bill Dingwall
President
BC Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Superintendent Dingwall:

As the newly appointed Assistant Deputy Minister (effective February 2011) for the Community Safety and Crime Prevention Branch, Ministry of Public Safety and Solicitor General, I am writing to apply to become an Associate Member of the BC Association of Chiefs of Police.

My branch portfolio is responsible for Crime Prevention, Victim Services, Civil Forfeiture and the Office to Combat Trafficking in Persons. We work closely with law enforcement agencies across the province to deal with these important issues.

Please accept this letter as my application to the BCACP.

Sincerely,

Lynda Cavanaugh
Assistant Deputy Minister
Community Safety and Crime Prevention Branch
Ministry Of Public Safety and Solicitor General



Coroners Service
Ministry of Public Safety and Solicitor General

October 20, 2011

Chief Superintendent Bill Dingwall
President
BC Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Superintendent Dingwall:

Re: **Coroner's Inquest into the death of:**

DIFFNER, Jason Brent
BCCS Case File # 2010-0216-0063

In accordance with Section 53(c) of the *BC Coroners Act*, I have enclosed a copy of the Verdict at Inquest resulting from an inquest into the death of Mr. Jason Brent Diffner.

Jury's recommendation #3 is directed to you and is, therefore, brought to your attention for consideration.

The purposes of the Jury's recommendations are to help prevent a death of a similar nature from occurring in the future. It is with this spirit that these recommendations are forwarded for your consideration and action, where appropriate.

I would appreciate a response as to what action you plan to take, or have taken with regard to this recommendation. Your response will form part of an official public record. Thank you for your consideration.

Yours truly,

Lisa Lapointe
for Chief Coroner
Province of British Columbia

Enclosure

Ministry of Public Safety and
Solicitor General

Emergency Management BC
BC Coroners Service

Office of the Chief Coroner
Metrotower II
Suite 800 - 4720 Kingsway
Burnaby BC V5H 4N2

Phone: 604 660-7745
Facsimile: 604 660-7766
Website: www.pssg.gov.bc.ca/coroners



Ministry of Public Safety and Solicitor General

VERDICT AT INQUEST

File No.: 2010:0216:0063

An Inquest was held at the Coroners Court, in the municipality of Burnaby

In the Province of British Columbia, on the following dates June 27 - 29, 2011

before Mr. Rodrick H. MacKenzie, Presiding Coroner,

Into the death of DIFFNER, Jason Brent 37 ☒ Male ☐ Female
(Last Name, First Name Middle Name) (Age)
and the following findings were made:

Date and Time of Death: July 9, 2010 at 22:33

Place of Death: Surrey Memorial Hospital Surrey, British Columbia
(Location) (Municipality/Province)

Medical Cause of Death

(1) Immediate Cause of Death: a) Death is attributed to acute combined cocaine and heroin intoxication
DUE TO OR AS A CONSEQUENCE OF

Antecedent Cause if any: b) due to self administered cocaine and heroin
DUE TO OR AS A CONSEQUENCE OF

Giving rise to the Immediate cause (a) above, stating underlying cause last.

(2) Other Significant Conditions Contributing to Death:

Classification of Death: ☒ Accidental ☐ Homicide ☐ Natural ☐ Suicide ☐ Undetermined

The above verdict certified by the Jury on the 29th day of June AD, 2011.

Rodrick H. MacKenzie
Presiding Coroner's Printed Name

[Signature]
Presiding Coroner's Signature



VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE No.: 2010:0216:0063

DIFFNER

SURNAME

Jason Brent

GIVEN NAMES

PARTIES INVOLVED IN THE INQUEST:

Presiding Coroner: Mr. Rodrick H. Mackenzie

Court Reporting Agency: Verbatim Words West Ltd.

Participant / Counsel: Attorney General of Canada (R.C.M.P.) / Helen Park

The Sheriff took charge of the jury and recorded the exhibits. Twenty one (21) witnesses were duly sworn and testified.

PRESIDING CORONER'S COMMENTS:

The following is a brief summary of the circumstances of the death as set out in the evidence presented to the jury at the inquest. This summary of the evidence is to assist the reader to more fully understand the Verdict and Recommendations of the jury. It is not intended to be considered evidence nor is it intended in any way to replace the jury's verdict.

Mr. Diffner started to use drugs in his teen years. His drug use seems to have become seriously problematic following the death of his father. From time to time he was able to control his drug use. When he was in control he had a successful family and work life.

In 1998 Mr. Diffner was fully in the grip of his drug addiction and found himself living in the downtown east side of Vancouver. He lost everything of his successful life. He supported his addiction as a shoplifter. In 2001 he was assisted by the Salvation Army who accommodated him in their Miracle Valley facility. Just over a year later he was back in the downtown east side. In 2005 he was taken in by the operators of the Freedom House in Surrey. His time with Freedom House was successful. He started a business and all appeared well.

He was at his place of business when he began to act in an agitated and bizarre manner. He removed most of his clothing. Witnesses to this became concerned for his welfare and called 911. Police, Fire and Ambulance all arrived to assist.

He was violently thrashing about and had an elevated body temperature. Police determined that to accommodate necessary medical treatment by the attending fire and ambulance personnel and for the safety of those individuals, he needed to be restrained. He was secured hand and foot with police handcuffs. As well, he was strapped to the ambulance gurney.

VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST
INTO THE DEATH OF

FILE NO.: 2010:0216:0063

DIFFNER

SURNAME

Jason Brent

GIVEN NAMES

Just as the ambulance departed for Surrey Memorial Hospital, his breathing stopped. At the hospital his restraints were removed, and he was treated by the Emergency Room staff. Unfortunately, he was unable to maintain a pulse and the Doctor order cessation of all efforts.

A Post Mortem Examination (autopsy) was performed by Forensic Pathologist, who reported as set out below:

Toxicologic (sic) analysis revealed the presence of significant quantities of morphine and cocaine in postmortem blood. Benzoylcegonine and small amount of codeine were also detected. Analysis of urine revealed the presence of 6-monacetyl morphine, which is an unambiguous indicator of prior heroin intake.

Based on the available information, death is attributed to acute combined cocaine and heroin intoxication...The clinical circumstances, specifically, bizarrely agitated behavior with elevated body temperature and eventual respiratory arrest in the context of cocaine use, are typical of cocaine-associated agitated delirium. Physical restraint is a possible risk factor for death in patients with agitated delirium, possibly due to complex metabolic derangements including adrenaline excess and electrolyte imbalance. The extent to which restraint may have contributed to death in this case cannot be determined by the autopsy examination.



VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE NO.: 2010:0216:0063

DIFFNER

SURNAME

Jason Brent

GIVEN NAMES

Pursuant to Section 38 of the Coroners Act, the following recommendations are forwarded to the Chief Coroner of the Province of British Columbia for distribution to the appropriate agency:

JURY RECOMMENDATIONS:

To: The British Columbia Ambulance Service

1. *Increase the number of Advance Life Support Units available in large metropolitan regions with corresponding training.*

Coroner's Comment

The jury heard evidence that the number of Advanced Life Support Units available in the lower mainland is limited.

2. *To provide a memorandum including a protocol respecting the recognition of the signs and symptoms, handling, and treatment of suspected agitated delirium patients.*

To: The British Columbia Association of Chiefs of Police

3. *Establish scenario based training respecting recognition of the signs and symptoms of suspected agitated delirium situations and the appropriate use of force required to ensure the safety of the patient, first responders, and bystanders.*

Coroner's Comment

The jury heard from an experienced police officer that scenario based training (hands on) is to be preferred over the lecture style now sometimes employed in this area.

To: The British Columbia Ministry of Health

4. *That the level of aid, treatment, and intervention services available to drug addicted individuals be reassessed.*

Coroner's Comment

The jury heard that sometimes when Mr. Diffner may have been ready to enter a treatment facility there was no place available for him.

Miller, Lesley SG:EX

From: Vermaning, Tiny SG:EX [Tiny.Vermaning@gov.bc.ca]
Sent: Monday, November 21, 2011 11:10 AM
To: bill.dingwall@rcmp-grc.gc.ca
Subject: Thank You

November 21, 2011

Dear Chief Superintendent Dingwall:

I just wanted to send you a short note of thanks for all your assistance on Thursday and to say again what an inspiration it was to attend **Police Honours** night. The hard work police officers do day in and day out often goes unnoticed and it was nice to take a moment to recognize them for their selfless service. Please feel free to share this link with your membership. I look forward to further dialogue and opportunities to tackle issues together.

<http://www.newsroom.gov.bc.ca/2011/11/police-honoured-for-valour-service-above-and-beyond.html>

Shirley Bond
Solicitor General and
Attorney General



Fact Sheet for Police | *Residential Tenancy Act*

Where the <i>Act</i> does apply:	Where the <i>Act</i> does <u>NOT</u> apply:
<ul style="list-style-type: none"> ✓ Tenancy agreements ✓ Rental units – in apartments or houses ✓ Residential rental properties ✓ Rooming houses where the owner does not share bathroom or kitchen facilities with the tenants ✓ Manufactured home park units, where the tenant rents both the home and the site ✓ SRO Hotels where the room is the tenant's home <p>A similar piece of legislation:</p> <p>*The <i>Manufactured Home Park Tenancy Act</i>, applies to situations where the tenant owns a Manufactured home and rents the site it sits on.</p>	<ul style="list-style-type: none"> ✗ Accommodation where the tenant shares bathroom or kitchen facilities with the accommodation's owner (i.e. a home stay) ✗ Accommodation owned and operated by an educational institution (dorms) ✗ Emergency and transitional housing ✗ Community care, continuing care and assisted living facilities ✗ Co-ops or not for profit cooperative housing where the tenant is a member of the cooperative ✗ Public and private hospitals ✗ Accommodation occupied for vacation or travel ✗ Correctional institutions ✗ Commercial tenancies
When it may be appropriate for Police to Get Involved:	When it is NOT appropriate for Police to get involved:
<ul style="list-style-type: none"> ✓ A court bailiff executes a Writ of Possession and fears physical resistance ✓ A landlord suspects the tenant has passed away ✓ A document must be served and the landlord or tenant fears the reaction ✓ When a landlord enters a rental unit after serving proper written notice and is concerned a tenant may physically resist this legal entry ✓ The landlord needs to enter because of an emergency ✓ The landlord files a complaint about illegal activity in a rental unit ✓ To inform tenants that a landlord has the right to enforce an order of possession by engaging a Court Bailiff to remove all of the tenant's belongings ✓ To respond to a complaint from a landlord regarding excessive noise, imminent serious damage to property, or physically threatening confrontations between tenants or between landlord and tenants 	<ul style="list-style-type: none"> ✗ If asked to serve any documents ✗ To act as a witness for service ✗ To execute an Order of Possession or Writ of Possession ✗ Remove a person from a rental unit, unless that person is under arrest or a Court Bailiff, acting under a Writ of Possession, requests police assistance ✗ When asked to make a decision regarding landlord or tenant rights ✗ To seize properties to compel payment of a monetary order ✗ To let a landlord into a residential unit to seize personal property or change the locks

Fact Sheet for Police | *Residential Tenancy Act*

What can a court bailiff do?

- ✓ Under a Writ of Possession issued by the BC Supreme Court, remove the tenant and the tenant's belongings from the residential property
- ✓ Seize and sell goods of the debtor/tenant to cover the landlord's costs of execution
- ✓ Serve small claims notice of claim on the tenant for the costs incurred
- ✗ A landlord cannot do these things...a court bailiff **must** be engaged to do these tasks.

What is the landlord prohibited from doing?

- ✗ Entering a rental unit without giving 24 hours notice in writing (unless there is an emergency)
- ✗ Seizing tenants property for any reason without a court order
- ✗ Changing the locks of a rental unit without a Residential Tenancy Branch order
- ✗ Physically removing a tenant or the tenant's property. Only a court bailiff may do this
- ✗ Using the services of a bailiff firm (to evict a tenant) that does not have a contract with the Ministry of Attorney General to perform these services

There are a variety of notices that must be legally served by a landlord or tenant that include:

- 10 day notice on RTB form
- One month notice on RTB form
- Two month notice on RTB form
- RTB Notice of Hearing – similar to a summons, notifying the other party that a Dispute Resolution Hearing has been scheduled
- Order of Possession – RTB Order issued by a Dispute Resolution Officer that gives the landlord the right to repossess the rental unit and requires the tenant to move out

Note: Under the RTA there is no such thing as a 24 hour or 5 day notice to vacate a rental unit in BC.

Miller, Lesley SG:EX

From: Miller, Lesley SG:EX
Sent: Friday, November 4, 2011 12:51 PM
To: XT:Harper, Sue FIN:IN
Cc: Butterfield, Nicole SG:EX
Subject: Fact Sheet for Police / Residential Tenancy Act (for distribution)
Attachments: Police Assistance in Landlord and Tenant Issues.pdf

Hi Sue,

Could you please forward the following information with the attachment via email to Members of the BCACP.

Thanks!

Lesley Miller, Administrative Assistant (Auxiliary)
Policing and Security Programs Branch, Ministry of Public Safety and Solicitor General
10th Floor, 1001 Douglas Street, PO Box 9285 Stn Prov Govt, Victoria, BC V8W 9J7
Phone: (250) 387-1741 | Fax: (250) 356-7747 | email: Lesley.Miller@gov.bc.ca

TO: Members, BCACP

RE: Fact Sheet for Police / Residential Tenancy Act

Over the past two years the Residential Tenancy Branch (RTB) has heard from members of the police and RCMP that they would like a concise description of the role that officers play in residential tenancy matters. With that in mind, the RTB has created a one page information sheet for officers to refer to.

For distribution with your organization, please find attached the document: *Police Assistance in Landlord and Tenant Issue*.

Any feedback on the Fact Sheet can be forwarded via email to HSRTO@gov.bc.ca

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

Miller, Lesley SG:EX

From: MacLeod, Sam SG:EX
Sent: Wednesday, November 2, 2011 4:43 PM
To: Miller, Lesley SG:EX
Cc: Allen, Tanya SG:EX; Holmes, Kjerstine L SG:EX; Butterfield, Nicole SG:EX
Subject: FW: Police one pager with updates from Stakeholders
Attachments: Police Assistance in Landlord and Tenant Issues.pdf

Lesley

Would you be able to draft an email for Clayton's signature with the info and attachment provided so that it can be sent to members of the BCACP for distribution within their organizations.

Thanks
Sam

From: May, Cheryl MEM:EX
Sent: Wednesday, October 26, 2011 3:02 PM
To: MacLeod, Sam SG:EX
Cc: Pollard, Lesley MEM:EX
Subject: RE: Police one pager with updates from Stakeholders

Hi Sam,

We have made the revision you suggested and the document has been approved by our GCPE shop. My understanding is that it has also been approved by SG's GCPE group – and so we're ready to distribute.

I would appreciate it if you could send this to police agencies for further distribution. Here is some suggested language you could use in an email, but please do whatever works:

Over the past two years the Residential Tenancy Branch has heard from members of the police and RCMP that they would like a concise description of the role that officers play in residential tenancy matters. With that in mind, the RTB has created a one page information sheet for officers to refer to. Please find attached the document: *Police Assistance in Landlord and Tenant Issues*.

Of course if you get any feedback from police or RCMP, I would also appreciate receiving that.

Thanks,

Cheryl May

Director, Corporate Policy & Program Integration
Residential Tenancy Branch
Office of Housing and Construction Standards
(250) 387-0292
Website: [Residential Tenancy Branch](#)

From: MacLeod, Sam SG:EX
Sent: Friday, October 14, 2011 4:15 PM
To: May, Cheryl MEM:EX
Cc: MacLeod, Sam SG:EX
Subject: RE: Police one pager with updates from Stakeholders

Cheryl

This is the comment(s) I got back from our police liaison person and is a valid comment.

I've read the pamphlet. I have only one comment re "when appropriate for police to get involved" wording I think it might be better to say "when it may be appropriate for police to get involved"

For example: "A document must be served and landlord or tenant fears reaction"

This kind of gives the impression that the police would serve the document. In actuality, they would probably tell the landlord to hire a document server, or keep the peace whilst it is served, but speaking from personal experience, the likely response is telling the landlord to hire someone to serve it. The way it reads it sounds like police should do it.

I think the current wording of "when appropriate for police to get involved" could lead to issues as a member of the public may see it as police have to take action. The "may be appropriate" takes away that possible conflict and leaves the watch commander the ability to decide how to respond to a particular situation without a complainant saying "well the govt says you have to get involved". We all know there are some very convoluted landlord tenant issues that are civil versus criminal, but police are often called as we assist 24 hrs per day and are free versus consulting a lawyer which costs money.

Let me know how you would like us to assist with distribution. We do have a mailing list for police agencies (chiefs of police and RCMP) and could send it electronically requesting distribution.

Sam

Sam MacLeod
Executive Director
Policing, Security and Law Enforcement Operations
Ministry of Public Safety and Solicitor General
Ph 250-882-2347 (cell)

From: MacLeod, Sam SG:EX
Sent: Friday, October 14, 2011 2:43 PM
To: May, Cheryl MEM:EX
Cc: MacLeod, Sam SG:EX
Subject: RE: Police one pager with updates from Stakeholders

Cheryl

I apologize for the delay in responding. I think it looks fine but I have asked for an opinion back from a police representative and one of our Program Managers and once I get that, I will get right back to you.

Sam

Sam MacLeod
Executive Director
Policing, Security and Law Enforcement Operations
Ministry of Public Safety and Solicitor General
Ph 250-882-2347 (cell)

From: May, Cheryl MEM:EX
Sent: Thursday, October 6, 2011 4:04 PM

To: MacLeod, Sam SG:EX
Subject: RE: Police one pager with updates from Stakeholders

Hi Sam,

In working with police representatives over the past two years we have heard from various members that they would like a concise description of residential tenancy matters.

With that in mind we have created a one page information sheet for police officers to refer to for quick facts on residential tenancy – attached.

We would like to circulate it to police and RCMP. We'd appreciate your comments and assistance with distribution if that's possible.

Thanks,

Cheryl May

Director, Corporate Policy & Program Integration
Residential Tenancy Branch
Office of Housing and Construction Standards
(250) 387-0292
Website: [Residential Tenancy Branch](#)

From: MacLeod, Sam SG:EX
Sent: Thursday, October 6, 2011 3:44 PM
To: May, Cheryl MEM:EX
Cc: Miller, Lesley SG:EX
Subject: FW: Police one pager with updates from Stakeholders

Cheryl

You can send the information to me.

Thanks
Sam

Sam MacLeod
Executive Director
Policing, Security and Law Enforcement Operations
Ministry of Public Safety and Solicitor General
Ph 250-356-1504 or 250-882-2347 (cell)

From: Miller, Lesley SG:EX
Sent: Thursday, October 6, 2011 8:51 AM
To: MacLeod, Sam SG:EX
Cc: Pecknold, Clayton SG:EX
Subject: FW: Police one pager with updates from Stakeholders

Sam – forwarding to you.
Lesley

From: Castle, Allan AG:EX
Sent: Thursday, October 6, 2011 8:44 AM
To: May, Cheryl MEM:EX

Cc: Pecknold, Clayton SG:EX

Subject: Re: Police one pager with updates from Stakeholders

Hi Cheryl - no, in this role I don't speak for the RCMP or policing.

I'm copying Clayton Pecknold (ADM Policing and Security Programs) who will be better able to direct your request.

Allan

Allan Castle
Executive Director
Justice Business Intelligence
& Performance Management
Ministry of Attorney-General
Ministry of Public Safety
& Solicitor-General

250-356-0111 (office)

From: May, Cheryl MEM:EX

Sent: Thursday, October 06, 2011 08:25 AM

To: Castle, Allan AG:EX

Subject: FW: Police one pager with updates from Stakeholders

Hi Allan,

In the past, I've worked with you and Mark Tatchell on police/RCMP & housing related matters and I've got another one. I'm now with the Residential Tenancy Branch (landlord & tenant disputes) and we have some material we have developed in response to requests from police for a concise info sheet on the role of police in residential tenancy matters.

My first question is: are you still the right person to connect with regarding the RCMP and do you know who has replaced Mark in that role for police?

Thanks,

Cheryl May

Director, Corporate Policy & Program Integration
Residential Tenancy Branch
Office of Housing and Construction Standards
(250) 387-0292
Website: [Residential Tenancy Branch](#)

Miller, Lesley SG:EX

Subject: Fact Sheet for Police / Residential Tenancy Act (for distribution)

TO: Members, BCACP

RE: Fact Sheet for Police / Residential Tenancy Act

DRAFT

Over the past two years the Residential Tenancy Branch (RTB) has heard from members of the police and RCMP that they would like a concise description of the role that officers play in residential tenancy matters. With that in mind, the RTB has created a one page information sheet for officers to refer to.

For distribution with your organization, please find attached the document: *Police Assistance in Landlord and Tenant Issue*.

Any feedback on the Fact Sheet can be forwarded via email to HSRTO@gov.bc.ca

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

DRAFT

okay to send?

yes NO

~~CP?~~

→ Send through Sue
Hopper.

Miller, Lesley SG:EX

From: Chuhran, Dorothy J SG:EX
Sent: Tuesday, November 8, 2011 9:42 AM
To: Miller, Lesley SG:EX
Subject: FW: BCAMCP and BCACP Speaking Notes
Attachments: 20110614 BCACP.docx; 20110614 BCAMCP.docx

Dorothy Chuhran
Administrative Assistant
Police Services Division/ADM
Ministry of Public Safety and Solicitor General

phone 250 387-6925
fax 250 356-7747

-----Original Message-----

From: Chuhran, Dorothy J SG:EX
Sent: Monday, June 13, 2011 3:30 PM
To: Allen, Tanya SG:EX
Cc: Sitter, Donna GCPE:EX
Subject: FW: BCAMCP and BCACP Speaking Notes

These are the speaking notes for BCAMCP/BCACP that have gone to Prince George with Clayton - the attachment mentioned in the email (below) has been deleted.

Dorothy Chuhran
Administrative Assistant
Police Services Division/ADM
Ministry of Public Safety and Solicitor General

phone 250 387-1741
fax 250 356-7747

-----Original Message-----

From: Smith, Melissa SG:EX
Sent: Monday, June 13, 2011 1:03 PM
To: Chuhran, Dorothy J SG:EX
Subject: FW: BCAMCP and BCACP Speaking Notes

-----Original Message-----

From: Kirby, Katherine SG:EX
Sent: Monday, June 13, 2011 12:55 PM
To: Smith, Melissa SG:EX
Subject: FW: BCAMCP and BCACP Speaking Notes

For Clayton's update at BCACP/MCP

-----Original Message-----

From: Allen, Tanya SG:EX

Sent: Friday, June 10, 2011 1:02 PM
To: Kirby, Katherine SG:EX
Cc: Chuhran, Dorothy J SG:EX
Subject: BCAMCP and BCACP Speaking Notes

Hi Kathy,

Please see attached BCAMCP and BCACP speaking notes for your approval. Also attached is documents received from Jan Staples for inclusion in Clayton's binder.

~Tanya

-----Original Message-----

From: Staples, Jan SG:EX
Sent: Thursday, June 9, 2011 7:45 AM
To: Allen, Tanya SG:EX
Subject: Fw: BCACP / Crown Liaison Disclosure Response

Tanya

FYI-- BG fr the RCMP re Crown Disclosure policy for Clayton's Briefing Binder.
Jan

Not Responsive



RECEIVED
AUG 30 2011

AUG 24 2011

Chief Superintendent Bill Dingwall
President
BC Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

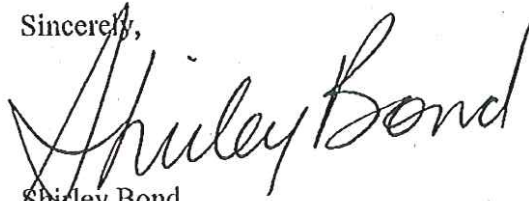
Dear Chief Superintendent Dingwall:

I am responding to your predecessor's May 11, 2011 letter addressed to my colleague the Honourable Don McRae and me regarding *The Prevention of Cruelty to Animals Amendment Act, 2011*.

We sincerely appreciate your pledge of support for the changes to this legislation which received Royal Assent on June 2, 2011. As you are aware, this legislation establishes the toughest animal cruelty laws in Canada. It includes higher penalties (fines, and jail terms) and allows government to regulate specific activities pertaining to the use, care and protection of service animals – including those used by police. Service animals deserve these strong protective measures to reflect the extremely valuable roles they assume for individuals and our communities.

I would also like to thank the BC Association of Chiefs of Police for providing advance comment on the legislative changes. Your input was helpful in achieving a law that has positive outcomes for all interests.

Sincerely,


Shirley Bond
Solicitor General

pc: The Honourable Don McRae

Ministry of
Public Safety
and Solicitor General

Office of the
Minister

Mailing Address:
PO Box 9053 Stn Prov Govt
Victoria BC V8W 9E2



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 9285 Stn Prov Govt
Victoria BC V8W 9J7

Telephone: 250 387-1100
Facsimile: 250 356-7747
Website: www.gov.bc.ca/pssg



Coroners Service
Ministry of Public Safety and Solicitor General

RECEIVED
SEP 28 2011

September 20, 2011

Chief Superintendent Bill Dingwall
British Columbia Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Superintendent Dingwall:

Re: Coroner's Inquest into the death of:

HUGHES, Jeffrey Scott
BCCS CASE FILE # 2009-1006-0094

In accordance with Section 53(c) of the *BC Coroners Act*, I have enclosed a copy of the Verdict at Inquest resulting from an inquest into the death of Mr. Jeffrey Hughes.


Jury's recommendation #1 is directed to you and is, therefore, brought to your attention for consideration.

The purposes of the Jury's recommendations are to help prevent a death of a similar nature from occurring in the future. It is with this spirit that these recommendations are forwarded for your consideration and action, where appropriate.

I would appreciate a response as to what action you plan to take, or have taken with regard to this recommendation. Your response will form part of an official public record. Thank you for your consideration.

Yours truly,


Lisa Lapointe

 Chief Coroner
Province of British Columbia

Enclosure

Ministry of Public Safety and
Solicitor General

Emergency Management BC
BC Coroners Service

Office of the Chief Coroner
Metrotower II
Suite 800 - 4720 Kingsway
Burnaby BC V5H 4N2

Phone: 604 660-7745
Facsimile: 604 660-7766
Website: www.pssg.gov.bc.ca/coroners

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Ministry of Public Safety and Solicitor General

VERDICT AT INQUEST

File No.: 2009:1006:0094

An Inquest was held at Supreme Court, in the municipality of Nanaimo

In the Province of British Columbia, on the following dates July 25 - 29, 2011

before Marj Paonessa, Presiding Coroner,

Into the death of HUGHES Jeffrey Scott 48 ☒ Male ☐ Female
(Last Name, First Name Middle Name) (Age)
and the following findings were made:

Date and Time of Death: October 23, 2009 at approximately 0735 hours

Place of Death: 531 Selby Street Nanaimo, BC
(Location) (Municipality/Province)

Medical Cause of Death

(1) Immediate Cause of Death: a) Massive Blood Loss
DUE TO OR AS A CONSEQUENCE OF

Antecedent Cause if any: b) Multiple Gunshot Wounds.
DUE TO OR AS A CONSEQUENCE OF

Giving rise to the immediate
cause (a) above, stating
underlying cause last.

c)

(2) Other Significant Conditions
Contributing to Death:

Classification of Death: ☐ Accidental ☒ Homicide ☐ Natural ☐ Suicide ☐ Undetermined

The above verdict certified by the Jury on the 29th day of July AD, 2011.

Marj Paonessa
Presiding Coroner's Printed Name

Marj Paonessa
Presiding Coroner's Signature



VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE NO.: 2009:1006:0094

HUGHES

SURNAME

JEFFREY SCOTT

GIVEN NAMES

PARTIES INVOLVED IN THE INQUEST:

Presiding Coroner: Marj Paonessa
Inquest Counsel: Rodrick MacKenzie
Counsel/Participants: David Kwan/Attorney General of Canada
Douglas Christie/Russell Hughes
Raj Samtani/Dr. K. Phillips

Court Reporting/Recording Agency: Verbatim Words West Ltd.

The Sheriff took charge of the jury and recorded 6 exhibits as entered. Twenty witnesses were duly sworn and testified.

PRESIDING CORONER'S SUMMARY:

The following is a brief summary of the circumstances of the death as presented to the jury at the inquest. The summary and my comments respecting the recommendations, if any, are only provided to assist the reader to more fully understand the Verdict and Recommendations of the jury. This summary is not intended to be considered evidence nor is it intended in any way to replace the jury's verdict.

The jury heard that in the early morning hours of October 23, 2009, Jeffrey Scott Hughes was assaulted by his neighbours over a noise complaint at his Selby Street apartment in Nanaimo over a noise complaint. This resulted in Mr. Hughes returning to his apartment and turning his music up very loud. The apartment manager was called and he subsequently contacted the RCMP. The first officers arrived at 05:42 am and was met by the apartment manager who told them that Mr. Hughes possibly had knives in his apartment and had a mental illness. They were not familiar with Mr. Hughes and no relevant information was available to them on their computer system. Backup was requested and another officer attended to the location.

It was dark and raining. There was some artificial light at the location. As the officers approached Mr. Hughes' apartment door, they observed fresh blood droplets on the concrete walkway in front of his apartment. A radio request for an ambulance to stage nearby. The officers attempted to communicate with Mr. Hughes through his closed door. He responded by yelling obscenities and refusing to come out of the apartment. As a result the police were unable to address the noise complaint or determine if Mr. Hughes was injured. Loud music was heard being turned on and off sporadically and objects were heard being moved within the apartment. Attempts were made to contact him by phone; however, he refused to answer. Officers remained at his doorway attempting to engage Mr. Hughes in conversation for several minutes as more officers arrived on scene. Eventually, Mr. Hughes advised the police he would not come out and he would shoot them if they entered his apartment.

At 6:40 a.m., the decision was made to call out the Emergency Response Team (ERT) along with negotiators and a police dog. While awaiting the ERT members, officers on scene proceeded to contact all other residents in the building to stay inside their apartments until it was safe to leave. The occupants of the house immediately across the street were contacted and advised to stay at the back of the home. RCMP Dispatch contacted the Psychiatric Unit at the local hospital and explained to nursing staff that Mr. Hughes was refusing to exit his apartment and was threatening to shoot officers. The staff initially refused to share any information about Mr. Hughes due to privacy issues. A call to the Crisis Response Team telephone line was met with an answering machine indicating



VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE No.: 2009:1006:0094

HUGHES

SURNAME

JEFFREY SCOTT

GIVEN NAMES

that no one was available to respond until 8:00 a.m. A message was left to call RCMP Dispatch immediately regarding the situation with Mr. Hughes.

At approximately 6:51 a.m., Mr. Hughes suddenly opened the door of his apartment. Officers were situated just outside his door and observed what they thought was a handgun in his hand. This was later determined to be a loaded marine flare gun. The jury heard evidence that Mr. Hughes pointed the flare gun at one of the officers who retreated to the far end of the building. Mr. Hughes went back inside his apartment and at 6:56 a.m., he opened the apartment door again and began to walk down the walkway towards the back of the building. He was wearing headphones and was holding the flare gun with both hands out in front of him at shoulder length pointing it in various directions.

The officers commanded Mr. Hughes to drop the flare gun, but he continued to walk towards the back of the building. He then turned and began to walk down the driveway towards Selby Street. The officers again commanded Mr. Hughes to drop his weapon. Evidence from the officers indicated that Mr. Hughes turned and pointed the weapon towards them as he was walking away from them. At 6:57 a.m., officers discharged their weapons and Mr. Hughes collapsed at the front corner of the building. ERT officers arrived on scene at 7:13 a.m., and secured Mr. Hughes' flare gun and cleared his apartment. The ambulance was then summoned to attend and Mr. Hughes was determined to be without vital signs.



VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE No.: 2009:1006:0094

HUGHES

SURNAME

JEFFREY SCOTT

GIVEN NAMES

Pursuant to Section 38 of the Coroners Act, the following recommendations are forwarded to the Chief Coroner of the Province of British Columbia for distribution to the appropriate agency:

JURY RECOMMENDATIONS:

To: Minister of Health
Province of British Columbia, and

Commanding Officer
'E' Division
Royal Canadian Mounted Police, and

B.C. Association of Chiefs of Police

1. Steps be taken to develop a 24-hour link to share mental health information between Ministry of Health and Provincial and Federal police agencies.

Coroner's Comments: The jury heard evidence that the police were unable to gather any relevant personal or medical information from medical staff at the hospital with respect to Mr. Hughes as this incident unfolded. They also heard that police officers throughout British Columbia respond to escalating situations such as this incident involving a person with mental health issues on a frequent daily basis.

To: Attorney General for Canada, and

Minister of Public Safety and Solicitor General
Province of British Columbia

2. Duty to Account reporting be completed in a more timely fashion to reduce inconsistencies.

Coroner's Comments: The jury heard that the mandatory Duty to Account reports submitted by the police officers were not received in this case for some time after this incident occurred.

To: Minister of Public Safety and Solicitor General
Province of British Columbia

3. Support the recommendations of the current reading of Bill 12.

Coroner's Comments: The jury was made aware through the evidence of the development of the Independent Investigations Office which will be conducting police-involved death investigations of this type in the future in British Columbia.



VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE NO.: 2009:1006:0094

HUGHES

SURNAME

JEFFREY SCOTT

GIVEN NAMES

To: Commanding Officer
'E' Division
Royal Canadian Mounted Police, and

B.C. Association of Chiefs of Police

4. Provide Real Evidence audio/visual equipment to policing agencies.

Coroner's Comments: The jury heard in evidence about the existence of pocket and/or lapel video cameras which have the ability to record communication and actions of police officers during the course of their duties.

To: Commanding Officer
'E' Division
Royal Canadian Mounted Police

5. Have ERT and Negotiators on each police watch.

Coroner's Comments: Evidence was presented that ERT members and negotiators respond to calls from their homes in all areas across Vancouver Island. Therefore, the response time may be lengthy in some cases.


Marj Paonessa
Presiding Coroner

February 3, 2011
Ref: 455908

D/Chief Cst. Clayton Pecknold, President BCACP
c/o Sue Harper, Executive Coordinator
CFSEU-BC
PO Box 42529
New Westminster BC V3M 6L7

Dear D/Chief Pecknold,

Re: Application for Associate Membership

I am writing to request BCACP Associate Membership status for Lynne McNally, a staff member of Police Services Division. Ms. McNally is the Executive Director of the Standards and Evaluation Unit in our Vancouver office.

Ms. McNally works almost exclusively on police policy and training matters, and it would be of benefit for her to be a member of BCACP to promote an even greater understanding of the complex issues facing policing in BC.

Thank you for your consideration.

Yours truly,

Original signed by ADM 02/03/11

Kevin Begg
Assistant Deputy Minister
Policing and Security Programs Branch



Coroners Service
Ministry of Public Safety and Solicitor General

INQUEST INFORMATION SHEET

John Ian RICE
DOD: July 12, 2009

DATE OF INQUEST:	March 22-25, 2011
LOCATION OF INQUEST:	PROVINCIAL COURT
PRESIDING CORONER:	MR. MATTHEW BROWN
INQUEST COUNSEL:	RODRICK H. MACKENZIE
COUNSEL FOR VICPD:	ANILA SRIVASTAVA
COURT RECORDER:	PATRICIA JANE
DEPUTY SHERIFF:	JEFF NORTON

TUESDAY, MARCH 22, 2011 at 9:30AM

1. Sgt. H. CARLSON, Vancouver Island Integrated Major Crime Unit
2. J. EARNSHAW
3. Cst. BOWSER, Victoria Police
4. Cst. MILKOWSKI, Victoria Police
5. Sgt. SPARGO, Victoria Police
6. C. STRINGER, Victoria Fire Department
7. D. POPE, ALS, BCAS

WEDNESDAY, MARCH 23, 2011 at 9:00AM

8. Dr. L. PORAYKO, ICU Physician, by Affidavit
9. Dr. C. LITWIN, Forensic Pathologist, by videoconference, at 9:00 a.m.
10. H. DINN, Forensic Toxicology Specialist, by videoconference, at 9:30 a.m.
11. Sgt. B. FAWCETT, Use of Force Expert, by videoconference, at 10:00 a.m.
12. K. MORGAN
13. M. HART
14. S. CLEAVER

THURSDAY, MARCH 24, 2011 at 9:00AM

15. D. DUBE, ALS, BCAS
16. Sgt. H. CARLSON, Vancouver Island Integrated Major Crime Unit
17. Cst. M. MASSINE, Policy, Excited Delirium

Jury deliberations

* Please note that this witness schedule is subject to change.



Ministry of Public Safety and Solicitor General

VERDICT AT INQUEST

File No.: 2009:1008:0076

An Inquest was held at the Provincial Court, in the municipality of Colwood

In the Province of British Columbia, on the following dates March 22 - 24, 2011

before Matthew Brown, Presiding Coroner,

Into the death of RICE, John Ian 38 ☒ Male ☐ Female
(Last Name, First Name Middle Name) (Age)
and the following findings were made:

Date and Time of Death: July 12, 2009 11:07am

Place of Death: Royal Jubilee Hospital Victoria/BC
(Location) (Municipality/Province)

Medical Cause of Death

(1) Immediate Cause of Death: a) Cocaine-induced agitated delirium during restraint
DUE TO OR AS A CONSEQUENCE OF

Antecedent Cause if any: b)
DUE TO OR AS A CONSEQUENCE OF


Giving rise to the immediate cause (a) above, stating underlying cause last. c)

(2) Other Significant Conditions Contributing to Death:

Classification of Death: ☒ Accidental ☐ Homicide ☐ Natural ☐ Suicide ☐ Undetermined

The above verdict certified by the Jury on the 24th day of March AD, 2011.

Matthew Brown
Presiding Coroner's Printed Name


Presiding Coroner's Signature



VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

File No.: 2009:1008:0076

RICE

SURNAME

John Ian

GIVEN NAMES

Pursuant to Section 38 of the Coroners Act, the following recommendations are forwarded to the Chief Coroner of the Province of British Columbia for distribution to the appropriate agency:

JURY RECOMMENDATIONS:

To the Solicitor General and the BC Chiefs of Police

1. That all police agencies within the province of British Columbia conduct internal audits to determine the level of first aid training of each of its officers. Upon completion of this audit, all police departments will ensure that its officers have first aid training that is up to date and meets the recognized industry standard.
2. That the British Columbia Association of Chiefs of Police consider that training be provided to all police officers respecting excited delirium consistent with that provided to officers of the Victoria Police Department.

To the Solicitor General, BC Chiefs of Police, BC Ambulance Service and Union of British Columbia Municipalities

3. That a training bulletin be issued to all dispatch personnel for the BC Ambulance Service, police departments and fire departments. This bulletin would indicate the signs and possible symptoms of excited delirium to assist dispatch personnel in their initial assessments when receiving calls from the public. Critical information would then be passed to first responders to facilitate dispatch of adequate emergency resources at the earliest opportunity. All police departments, fire departments and the BC Ambulance Service should adopt a policy similar to that developed by the Victoria Police Department requiring the simultaneous dispatch of police, fire and ambulance in cases of suspected excited delirium.



March 30, 2011

Inspector Brad Haugli
Secretary/Treasurer
BC Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Inspector Haugli:

I am responding to your February 21, 2011 letter addressed to my predecessor, the Honourable Rich Coleman, regarding your request for support to secure a dedicated 700MHz spectrum for public safety broadband in Canada as well as the resolution recently passed at the BCACP conference on February 16 and 17, 2011. I fully support the efforts to ensure this critical opportunity for public safety is not lost.

On February 28, 2011, the Honourable Rich Coleman sent a letter to the Honourable Tony Clement, Minister of Industry, Government of Canada, urging Industry Canada to assign 20MHz of dedicated spectrum to public safety in the 700 MHz band to support projected public safety user demands over the next decade rather than auctioning it for commercial use.

I look forward to hearing a response from the Ministry of Industry regarding this request and will certainly continue to advocate for a positive resolution.

Thank you for your input on this critical issue.

Sincerely, .

A handwritten signature in black ink, appearing to read "Shirley Bond".
Shirley Bond
Solicitor General

Ministry of
Public Safety
and Solicitor General

Office of the
Minister

Mailing Address:
PO Box 9053 Stn Prov Govt
Victoria BC V8W 9E2

March 25, 2011
Ref: 387334

Chief Constable Jamie Graham
Chair, BCACP Traffic Safety Committee
Victoria Police Department
850 Caledonia Avenue
Victoria BC V8T 5J8

Dear Chief Graham:

I refer to your letter dated July 21, 2010 requesting that Police Services Division (PSD) update the Emergency Vehicle Operators (EVO) training, and Kevin Begg's response to you dated August 27, 2010 where he advised that PSD will convene a meeting of training personnel to address this issue.

I am now writing to advise that the topic of updating the EVO training has been discussed at the previous two Police Training Governance Steering Committee (PTGSC) meetings.

The PTGSC is a committee made up of representatives of municipal police agencies, the RCMP, the Justice Institute Police Academy, the Pacific Region Training Centre (PRTC) and PSD. Its purpose is to provide a forum for these stakeholders to discuss, seek consensus and develop strategies for improving police training and access to police training for police in the province. The committee is tasked with harmonizing training across agencies, and provides strategic direction to the Justice Institute of BC (JIBC) Police Academy and RCMP [Criminal Operations and Pacific Region training Centre (PRTC)].

At the February and March 2011 PTGSC meetings the issue of upgrading EVO training was discussed.

It was collectively decided by the PTGSC at the March, 2011 meeting that at this point in time there are higher-priority training items to be addressed. This decision was reached by considering that there had been no significant legislative changes to the Emergency Vehicle Driving Legislation (EVDR), and the change in policy regarding the threshold for pursuits had been, and is being, communicated effectively within all agencies within their training. As you may be aware, PSD had provided follow-up regarding the change in pursuits policy via a Training Bulletin (attached) which was sent to agencies in March, 2010.

.../2

Chief Constable Jamie Graham
March 25, 2011
Page 2

It is anticipated that the policy of not initiating pursuits for traffic offences and stolen vehicles will be entrenched in future *Provincial Policing Standards*. PSD envisages that at a future time the EVO training will be formally updated.

Yours truly,

Original signed by ADM 11/03/25

Clayton J.D. Pecknold
Assistant Deputy Minister
Policing and Security Programs Branch

Enclosure

pc: Chief Superintendent Bill Dingwall, RCMP, OIC Pacific Region Training Centre
Deputy Chief Brian MacDonald, SCBCTAPS
Deputy Chief Constable Christopher Rattenbury, Port Moody Police Department
Deputy Chief Constable Del Manak, Victoria Police Department
Deputy Chief Constable Rich Drinovz, Delta Police Department
Inspector Frank Ciaccia, A/Director, Police Academy
Superintendent Dahl Chambers, "E" Division Criminal Operations Branch
Superintendent Jeff Sim, Vancouver Police Department
Mr. Tom Stamatakis, President, BC Police Association
Ms. Lynne McNally, Executive Director, Standards & Evaluation, Police Services Division
Dr. Gabi Hoffmann, Program Manager, Standards & Evaluation, Police Services Division
Ms. Jane Naydiuk, A/Program Manager, Standards & Evaluation, Police Services Division
Ms. Jan Staples, Sr. Program Manager, Road Safety Unit, Police Services Division



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

Training Bulletin No: 01

Date: February 17, 2010

Topic: Emergency Vehicle Operations

BACKGROUND:

On April 2, 2008, Kevin Begg, Assistant Deputy Minister, Policing and Community Safety Branch, initiated the formation of a Pursuit Working Group made up of representatives from each police agency in BC. The purpose of the Pursuit Working Group was to discuss Pursuit Policy with the intention of creating a minimum standard that can be applied to enhance provincial guidelines for pursuits.

The Pursuit Working Group met three times in the Fall and Winter of 2008 during which a number of issues associated with pursuits were discussed. While some topics require further consideration by the Working Group, such as pursuit tactics (e.g., ramming) and inter-jurisdictional pursuits, an agreement in principle was reached for a minimum threshold for pursuits. On March 25, 2009 the Solicitor General wrote to all police agencies requiring that this new threshold be employed.

This training bulletin is intended to ensure that the major agreements made by the group and formalized in the Solicitor-General's letter are reflected in related police training.

TRAINING OBJECTIVES:

Ensure that all training provided to police officers on the topic of Emergency Vehicle Operations (EVO), contains the following learning objectives:

When police recruits have completed EVO training they will be able to articulate that:

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

Ensure that all officers receiving this training are tested and demonstrate competent knowledge of these objectives.

CONTACTS:

Dr. Gabi Hoffmann,
Program Manager, Standards & Evaluation
Police Services Division, Ministry of Public Safety and Solicitor General.
(604) 660-0838 gabi.hoffmann@gov.bc.ca

Miller, Lesley JAG:EX

From: Miller, Lesley SG:EX
Sent: Thursday, February 2, 2012 9:23 AM
To: Staples, Jan SG:EX
Cc: Perri, Stacey SG:EX; Butterfield, Nicole SG:EX
Subject: Excessive Motorcycle Noise Incoming Ltr Ref C476372 from BCACP
Attachments: 120120 C476372 fr BCACP re Excessive Motorcycle Noise.pdf

Hi Jan:

Please see attached scanned copy of Incoming Ltr Ref C476372 regarding 'Excessive Motorcycle Noise' received from BCACP.

As per Clayton's comments "c RSU Review and Action".

Note: x-ref C476130 re letter

Thanks!

Lesley Miller, Administrative Assistant
Policing and Security Programs Branch, Ministry of Public Safety and Solicitor General
10th Floor, 1001 Douglas Street, PO Box 9285 Stn Prov Govt, Victoria, BC V8W 9J7
Phone: (250) 387-1741 | Fax: (250) 356-7747 | email: Lesley.Miller@gov.bc.ca

Williamson, Joy JAG:EX

From: Butterfield, Nicole JAG:EX
Sent: Thursday, May 17, 2012 1:20 PM
To: MacLeod, Sam JAG:EX
Subject: FW: BCACP / Strategic Communications Committee | Materials for Tuesday, May 22
Attachments: 0_20120522-Agenda.docx; 1_20120418_Minutes.doc; 2a_Principles short .doc; 2b_Protocol for Public Communications concerning External Investigations.doc; 2c_Protocol for Police Agency Media Releases Related to Internal Discipline .doc; 2d_Protocol for Police Agency Releases related to Freedom of Information Requests.doc

Here are the attachments Sam.

From: Butterfield, Nicole JAG:EX
Sent: Thursday, May 17, 2012 1:19 PM
To: 'Donna Clark'
Cc: MacLeod, Sam JAG:EX
Subject: RE: BCACP / Strategic Communications Committee | Materials for Tuesday, May 22

Many thanks Donna :0)

Nicole

Harper, Sue

From: Kroeker, Robert G JAG:EX [Rob.Kroeker@gov.bc.ca]
Sent: Friday, October 19, 2012 8:51 AM
To: Kroeker, Robert G JAG:EX
Cc: JAG:EX
Subject: Personnel Changes at the BC Civil Forfeiture Office

I am writing to let you know that I will be leaving the BC Public Service. My last day in the office will be October 31. I have accepted an exciting executive opportunity in the private sector.

Being given the opportunity to be at the forefront of civil forfeiture in British Columbia has been one of the highlights of my public sector career. I am particularly appreciative of the strong collaboration that has developed between the Civil Forfeiture Office and our police, regulatory enforcement, and justice partners, as well as the civil forfeiture offices across the country. The successes enjoyed by the Civil Forfeiture Office in BC would not have been possible without these positive relationships. I have very much appreciated the opportunity to work with each of you and thank you for the support you have shown this organization.

and with whom many of you have worked, will be taking on the role of Acting Executive Director as of November 1, 2012. came to the Civil Forfeiture Office in

s22 is an incredible asset to the CFO.

Thank you again for your support over the last six years. I hope our paths will cross again in the future.

Best Regards,

Robert G. Kroeker B.A., LL.B., MPA
Executive Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1

T 250.387.5091 | F 250.356.1092

rob.kroeker@gov.bc.ca

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October 17, 2012

Chief Constable Peter Lepine
President, BC Association of Chiefs of Police
c/o West Vancouver Police Department
1330 Marine Drive
West Vancouver, BC V7T 1B5

Dear Chief Constable Lepine:

Re: **Use of "Accredited" Translators When Taking
Witness Statements in a Language Other Than English**

In March 2012, the BC Representative for Children and Youth issued a report entitled "The Impact of Criminal Justice Funding Decisions on Children in B.C." In her Report, the Representative called for greater clarity on when an "accredited" translator should be used for the police production and transcription of a non-English witness statement. A failure to appropriately translate and transcribe a statement can adversely impact the integrity of an investigation and its ensuing prosecution, potentially resulting in a judicial stay of proceedings.

As a result of the Representative's Report, the Ministry of Justice (through the Criminal Justice Branch) and the BCACP's representative and co-chair on the Crown Police Liaison Committee, have drafted a best practices protocol for the translation and transcription of non-English witness statements. The protocol seeks to reasonably balance the import of safeguarding the admissibility and reliability of a witness statement with the limited resources of police. The best-practices protocol has been considered by the Crown Police Liaison Committee, feedback was received, and we are now presenting the finalized version to the BCACP recommending endorsement. A copy is attached.

Once endorsed, the intention is that the best practices protocol form part of the Memorandum of Understanding on Disclosure Between Police and BC's Prosecution Service (as Schedule IV).

We understand that the BCACP will be meeting in November. We respectfully ask that this item be tabled for consideration at the meeting. Doug LePard, Deputy Chief Constable, Vancouver Police Department, is prepared to speak to the issue. Thank you for your consideration.

Yours truly,

M. Joyce DeWitt-Van Oosten, QC
Assistant Deputy Attorney General
Criminal Justice Branch

Yours truly,

Doug LePard
Deputy Chief Constable
Vancouver Police Department

Ministry of Justice

M. Joyce DeWitt-Van Oosten, QC
Assistant Deputy Attorney General
Criminal Justice Branch

PO Box 9276
Stn Prov Govt
Victoria BC V8W 9J7

Telephone: 250-387-5174
Facsimile: 250-356-9336

Pages 75 through 78 redacted for the following reasons:

s.15

From: Perri, Stacey JAG:EX
Sent: Wednesday, October 31, 2012 8:52 AM
To:
Cc:
Subject: RE: Scooters
Good morning Kirk:
Have you had a chance to consider the below request from Abby PD?
Or, would OSMV be the more appropriate agency to respond?
Thank you both for your consideration.

From: Perri, Stacey JAG:EX
Sent: Friday, October 26, 2012 11:43 AM
To: Rockerble, Kirk TRAN:EX
Cc: Staples, Jan JAG:EX; 'dbaldinger@abbypd.ca'
Subject: RE: Scooters

Good morning Kirk,
I recall the issue of Mobility Scooter's being raised at TSC Executive meetings a few years back – back then, I did have a conversation w/Anne Preyde who suggested that you were the MoTI contact working on this issue. Further correspondence from Chief Graham suggested that the JIBC formed a Committee to review this issue (training etc).

Are you able to provide any direction on the status of discussions/consultations? Any info is very much appreciated.

Not Responsive



June 27, 2012
Ref C481243

Members, British Columbia Association of Chiefs of Police

Dear Sirs/Madams:

This letter is to bring to your attention the increasing interest from road safety stakeholders, regional and national media in automatic licence plate reader (ALPR) technology. In light of recent attention to ALPR deployment in BC, including misinformation on police use of ALPR and retention of scan data, I am requesting your cooperation in ensuring ALPR deployment in your departments and detachments complies with current provincial agreement of use.

As you know, ALPR provides traffic enforcement officers with a valuable 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 expanding the use of ALPR in BC, consultations were held with the federal and provincial privacy commissioners. As a result of these consultations, the current sanctioned range of use for ALPR technology is for traffic enforcement purposes only. 'Hot' licence plates are identified through information generated from CPIC or ICBC databases only. With the 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.

While the majority of ALPR units in use in BC are operated through the Enhanced Traffic Enforcement Initiative, several departments and detachments have purchased their own ALPR units for which they receive data and technical support from RCMP E Division Traffic Services. As part of the agreement for technical support, agencies deploying their own ALPR units are required to agree 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. It would be regrettable to lose support of this invaluable technology as a result of negative media coverage, an unfavourable court ruling or heightened concerns about privacy issues.

.../2

Ministry of Justice

Policing and Security Programs
Branch

Mailing Address:
PO Box 9285 Stn Prov Govt
Victoria BC V8W 9J7

Telephone: 250 387-1100
Facsimile: 250 356-7747
Website: www.gov.bc.ca/justice

Members, BCACP
Page 2

Please ask your officers to refresh their understanding of ALPR operations, in particular the requirement that ALPR units should be deployed for traffic enforcement only.

Yours truly,



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

Attachment: Automatic License Plate Recognition (ALPR) Program's Terms and Conditions for Participation



RECEIVED
AUG 14 2012

AUG 14 2012

Peter Lepine, Chief Constable and President
British Columbia Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Reference: 205334

Dear Chief Constable Lepine:

Re: Winter Tires

Thank you for your letter of July 19, 2012, submitted on behalf of the British Columbia Association of Chiefs of Police, recommending the definition of winter tires in the Motor Vehicle Act be updated.

The ministry shares your commitment to public safety, and I was glad to review the Association's position on this matter. I note you have already shared your comments with Brian Murray, the ministry's Director of Commercial Vehicle Safety and Enforcement, and I have asked Mr. Murray to contact you directly to discuss your resolution in detail.

Should you have any questions in the meantime, please do not hesitate to contact Mr. Murray at 250 953-4024 or by e-mail at Brian.Murray@gov.bc.ca, as he would be pleased to assist you.

Thank you again for taking the time to write.

Sincerely,

Blair Lekstrom
Minister

Copy to: Norm Parkes, Executive Director
Highways

Brian Murray, Director
Commercial Vehicle Safety and Enforcement



Ministry of
Transportation
and Infrastructure

October 29, 2012

Ref: 213130

Peter Lepine
Chief Constable and President
British Columbia Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Constable Lepine:

Re: BCACP Motion Winter Tire Definition

Commercial Vehicle Safety and Enforcement (CVSE) program offices are in receipt of the letter sent to the Honourable Blair Lekstrom dated July 19, 2012.

The letter relates to the BCACP motion regarding 'winter tire' definition. Specifically the motion resolves "...that the BC Association of Chiefs of Police recommend to Government that the definition of "winter tires" be amended to update it to refer to current day standards."

The Ministry of Transportation and Infrastructure and the Commercial Vehicle Safety and Enforcement branch share the BCACP concerns regarding road safety at all times including those times of severe winter driving conditions that may occur in parts of the province.

CVSE recognizes the advancement of tire technologies. Any amendments to regulations would require interprovincial consultation, industry consultation, internal reviews, and relevant stakeholder discussion prior to a consideration for a legislative change. If given the go ahead, this review process would likely require a six to twelve month time frame before it would be presented to the government for a decision.

We recognize that this issue is one that surfaces seasonally generating interest and calls to CVSE, ICBC, police and other stakeholders by the motoring public seeking advice and guidance. CVSE is updating and clarifying web based information related to commercial and private vehicle winter tire use. Enhanced mapping and configuration illustrations with chain up recommendations are forthcoming for the commercial vehicle operators.

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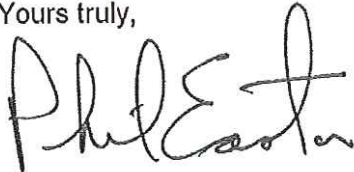
We will continue to review the existing public information posted. We have evaluated our communications strategies to ensure alignment with other organizations to minimize confusion and public concerns. The Ministry of Transportation and Infrastructure's various branches, including engineering and CVSE have partnered with our major stakeholders with a vested interest in this aspect of road safety. Public education initiatives have been undertaken with WorkSafe BC, ICBC, police, and special interest groups in communities on a variety of very specific winter road safety related strategies.

'Shift Into Winter' is a primary example of a coordinated educational campaign. As well ICBC has a dedicated information page on their website to address winter driving concerns. The Ministry of Transportation and Infrastructure also is also using TranBC and DriveBC websites to inform and educate the public on winter travel related issues. Transport Canada has educational material available to the motoring public with recommendations on travel during severe winter snow conditions.

This information is readily accessible, very specific and detailed. Printed materials along with a strong web presence utilizing our various social media platforms can provide the public with very valuable and relevant winter preparedness tips. We would anticipate that public education will continue to be the preferred focus moving forward.

Thank you for identifying and forwarding the issue of developing a better definition of winter tire to us for our consideration.

Yours truly,

A handwritten signature in black ink, appearing to read "Phil Easton". The signature is fluid and cursive, with the first name "Phil" and last name "Easton" clearly distinguishable.

Phil Easton
Provincial Compliance, Education and Policy Programs Manager



BRITISH
COLUMBIA

OCT 26 2012

Ms. Nathalie Des Rosiers
General Counsel
Canadian Civil Liberties Association
Suite 506
360 Bloor Street West
Toronto ON M5S 1X1

Dear Ms. Des Rosiers:

Thank you for your letter concerning disclosure of non-conviction records as part of police information checks.

Police information checks play an important role in protecting the safety of the clients and co-workers of employers and volunteer agencies, particularly those dealing with vulnerable populations. Balancing this important public safety role with that of civil liberties is an important discussion for police agencies to have.

I have forwarded your letter and report to Mr. Clayton Pecknold, Assistant Deputy Minister and Director of Police Services, Policing and Security Programs Branch, for his review. I have also copied Chief Constable Peter Lepine, President of the British Columbia Association of Chiefs of Police (BCACP). The BCACP, in conjunction with ministry staff, is currently reviewing the guidelines for police information checks in British Columbia.

Thank you once again for writing with your concerns.

Sincerely,

ORIGINAL SIGNED BY

Shirley Bond
Minister of Justice
and Attorney General

pc: Mr. Clayton Pecknold
✓ Chief Constable Peter Lepine

Ministry of
Justice

Office of the
Minister of Justice
and Attorney General

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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,

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

Ministry of Justice

Office of the
Assistant Deputy Minister
Court Services Branch

Mailing Address:
PO Box 9249 STN PROV GOVT
Victoria, BC V8W 9J2

Telephone: 250 356-1550
Facsimile: 250 387-4743
Website: www.gov.bc.ca/ag/courts/

deputy sheriffs in traffic safety and enforcement (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

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,


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

RECEIVED
OCT 23 2012

October 10, 2012

File: ARCS-00140-50/81412A
Cliff: 213328

Chief Constable Peter Lepine
President, BCACP
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Constable:

Re: Use of Fog Lamps and Driving Lights by Motor Vehicles

The Ministry of Transportation and Infrastructure is undertaking a review of the provisions of the Motor Vehicle Act Regulations that govern the use of fog lamps and auxiliary driving lamps by motorists. The current provisions are provided in sections 4.09 and 4.11 of the Motor Vehicle Act Regulation, B.C. Reg. 26/58.

A comparison of similar provisions in other Canadian and U.S. state jurisdictions, the increasing availability of these lamps as integrated features on motor vehicles, and complaints from members of the public that these lamps are being used when not required by atmospheric or road conditions - and thereby possibly creating a safety hazard for other motorists - are some of the reasons for this review.

The Ministry would like to gain an understanding of the scope of concern with respect to public complaints that these lamps are being using inappropriately. To that end, the Ministry wishes to enter into a dialogue with the appropriate representatives of the BC Association of Chiefs of Police to determine to what extent member forces have fielded complaints or enquiries from the public with respect to fog lamps and auxiliary driving lamps.

The Ministry has assembled to team of staff to undertake this review. Providing you concur, I can arrange a conference call between representatives of the Association and the project team.

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Chief Constable Peter Lepine
October 10, 2012
Page 2

I can be contacted at telephone 250-953-3068, and email at Kirk.Rockerbie@gov.bc.ca

Yours truly,



Kirk Rockerbie
Manager, Transportation
Transportation Policy Branch

cc: Clayton Pecknold
Assistant Deputy Minister and Director of Police Services
Policing and Security Programs
Ministry of Justice

Chief Constable Jamie Graham
Chair, BCACP Traffic Safety Committee
c/o Victoria Police Department
850 Caledonia Avenue
Victoria BC V8T 5J8

Ed Miska
Chief Traffic, Electrical, Highway Safety and Geotechnical Standards Engineer
Ministry of Transportation and Infrastructure



Ministry of
Transportation
and Infrastructure

October 30, 2012

Ref: 213695

Peter Lepine
Chief Constable and President
BC Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Constable Lepine:

Re: BCACP Motion #4-2011 Salvaged Vehicles

I am writing to provide my formal response to the resolution passed by the British Columbia Association of Chiefs of Police concerning some uses of salvaged vehicles. The Association has requested that these vehicles be made illegal for use in the public transportation industry due to concerns with their structural integrity.

Some vehicles involved in collisions are deemed by ICBC as salvage due to the high cost of repairs. These vehicles are sold either for parts or for rebuilding. These "rebuilt" vehicles are then assessed by certified auto-body technicians, and if they pass inspection a structural integrity assessment report is prepared. Before being registered and licensed by ICBC, "rebuilt" vehicles are also re-inspected at a Designated Inspection Facility (DIF) by an Authorized Inspector.

Each year, approximately 12,000 rebuilt vehicles are registered with ICBC. Some of these vehicles are then used in the passenger transportation industry, often for use as taxis. Taxis are also required to be inspected at DIFs every six months.

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As part of our review of salvage vehicles, a survey was taken of other Canadian jurisdictions to determine if any of them have restrictions on the use of rebuilt vehicles in the passenger transportation industry (e.g., taxi). No jurisdictions restricted the use of salvage or rebuilt vehicles for use as taxis, provided that the vehicle has passed all of the jurisdiction's required inspections similar to the process used currently in British Columbia.

The Commercial Vehicle Safety & Enforcement Branch is also currently strengthening the process for salvage vehicles by introducing a more comprehensive procedure and scheduling a review of regulatory requirements.

A decision has been made not to proceed with amendments to Division 10 of the Motor Vehicle Act Regulations with respect to banning salvage vehicles for use in the passenger transport industry. This decision is based on similar requirements in other Canadian jurisdictions, together with current inspection procedures and proposed improvements.

Yours truly,



Brian Murray
Director



Ministry of
Transportation
and Infrastructure

October 30, 2012

Ref: 213693

Peter Lepine
Chief Constable and President
British Columbia Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Constable Lepine:

Re: Fenderless Vehicles

I am writing to request your Association's position on the operation of fenderless vehicles in British Columbia. Specifically, I am referring to those vehicles most typically associated with modified vehicles or Hot Rods that are intended to replicate the open wheeled race cars from the 1930's to 1940's era.

Original manufacturer (OEM) of these vehicles included fenders and/or wheel coverings. Operationally, fenders are intended to reduce the amount of water spray and road debris lifted from the wheels to the rear of the vehicle.

Cross-jurisdictional research was done to determine requirements in other jurisdictions in Canada and the United States. Saskatchewan, which is the only jurisdiction in Canada that allows fenderless vehicles, requires that these vehicles be operated only in "fair weather" on bare paved surfaces within the province.

Some US states also allow fenderless vehicles to operate, but each state has their own restrictions on when and where they may operate. Neighbouring jurisdictions (including Washington, Oregon, Idaho and Montana) have requirements that allow for fenderless vehicles built prior to the 1930's or 1940's, and with other conditions of use.

.../2

Page 2
BCACP

The BC Hot Rod Association requested changes to the Motor Vehicle Act Regulations to allow their operation on BC highways. The Specialty Vehicle Association of BC (SVABC) initially presented their position to us as not supporting any regulatory change to allow fenderless vehicles. However, when SVABC later did a survey of its membership, responses from this survey did not show strong support to deny the operation of these fenderless vehicles.

Based on ICBC data as of November 2011 for actively insured vehicles, there are about 2,500 OEM vehicles for 1940 and earlier and about 8 vehicles built to resemble vehicles 1940 and earlier. However, a majority of these vehicles would likely be retained in their original state.

CVSE is considering a change to allow these modified vehicles or Hot Rods to operate without fenders in fair weather conditions on bare pavement. This change would be limited to those vehicles that were made in 1940 or earlier, or ones that are intended to replicate these vehicles.

We are interested in your position on this proposed change, with either support for or concerns with allowing these vehicles to operate without fenders. It would also assist us in our review if you were able to provide reasons for your position, including any evidence of how it would affect your enforcement activities.

Sincerely,



Brian Murray
Director



October 31, 2012
Ref: 485842

Chief Constable Peter Lepine
Chair
BC Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Constable Lepine:

I am writing to request your assistance in addressing Coroner jury recommendations that were issued in June 2010, following an inquest into the death of Mr. Alvin Prasad in Vancouver. Please distribute this correspondence to your members.

In the death of Mr. Prasad, the Coroner's jury determined that there was a delayed response time by police and Emergency Health Services (EHS) in providing assistance to Mr. Prasad due to a number of interrelated factors, including sub-optimal inter-agency communications. This particular factor illustrated the need for the development of clear policies and procedures governing police, EHS and Vancouver Fire and Rescue Services (VFRS) response to calls which involve both known scene safety issues and high medical acuity patients. The Coroner noted that the method by which both the Vancouver Police Department (VPD) and EHS handle "wait" calls was not set out in policy statements or standard operating procedures (SOP) by either organization.

As a result, the Coroner's jury first recommendation was that VPD and EHS, in consultation with E-Comm 911 and VFRS, develop policies and SOP for responding to police and/or ambulance dispatched calls that require timely police response to deal with matters of scene safety prior to the attendance of EHS. Secondly, the Coroner's jury recommended that the British Columbia Ambulance Service (BCAS) and Police Services Division (PSD) undertake the development of policy and SOP for all other police agencies across British Columbia that are in keeping with the developed VPD/EHS policy and SOP, in order to ensure that there is consistent police operational policy and procedures throughout the province.

A working group led by E-Comm and comprised of BCAS, VPD, VFRS, and E-Comm was formed in order to address the jury's first recommendation. The result was the *SOP: Police, Fire, and Ambulance Coordinated Response Responsibilities* (see enclosed Appendix 1). In order to best address the recommendations of the Coroner's jury, the working group developed the SOP so that it may be used by all police agencies in British Columbia.

.../2

Chief Constable Peter Lepine
Page 2

The BCAS Policy: *Staging for Potentially Dangerous Incidents* (see enclosed Appendix 2) was also outlined. By adopting the policies and SOP developed by the working group, all other police agencies in British Columbia could fulfill the intent of the jury's second recommendation.

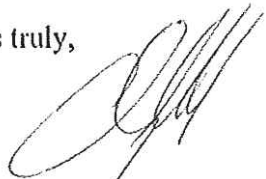
I am writing to ask that all police agencies review their policies and procedures with respect to responding to calls involving scene safety prior to the attendance of EHS and advise PSD as to their consistency with the enclosed SOP. Responses can be sent to Ms. Justine Herman by December 31, 2012. Justine can be contacted as follows:

Ms. Justine Herman
Police Services Division
Ministry of Justice
#405 – 815 Hornby St.
Vancouver BC V6Z 2E6
E-mail: Justine.Herman@gov.bc.ca

I would also suggest that the BCACP invite a member of the working group that developed the enclosed SOP and policy regarding wait calls and staging to present at the November BCACP meeting. Ms. Cindy Defazio, Operations Manager for E-Comm, was a member of the working group and is available to present at the BCACP meeting on November 21, 2012, should you wish to include this item on the meeting agenda. She estimates that her presentation would require approximately one hour. Ms. Defazio's contact information is: 604 215-5054 or Cindy.defazio@ecomm911.ca.

Thank you in advance for your assistance and cooperation.

Yours truly,



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

Enclosure

pc: Ms. Lynne McNally
Ms. Justine Herman
Ms. Cindy Defazio

Ministry of Justice

Policing and Security Programs
Branch

Mailing Address:
PO Box 9285 Stn Prov Govt
Victoria BC V8W 9J7

Telephone: 250 387-1100
Facsimile: 250 356-7747
Website: www.gov.bc.ca/pssg

Pages 97 through 101 redacted for the following reasons:

s.15, s.16

Williamson, Joy JAG:EX

NPS USER SURVEY RESULTS

From: Anderson, Marika L JAG:EX
Sent: Monday, November 19, 2012 10:33 AM
To: Williamson, Joy JAG:EX
Cc: MacLeod, Sam JAG:EX; Webb, Sandy J JAG:EX
Subject: FW: NPS User Survey Results
Attachments: NPS 2012 Survey.pdf.pdf; Other Comments.doc.doc; Other Service Providers Comments.doc.doc

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Joy,

As per our phone discussion this morning, over to you for further action.

Thank you,

Marika Anderson

Administrative Assistant

Police Services Division (Victoria)

Telephone (250) 952-7949

From: MacLeod, Sam JAG:EX
Sent: Monday, November 19, 2012 7:27 AM
To: Anderson, Marika L JAG:EX
Subject: FW: NPS User Survey Results

Good morning Marika

Could you ensure this is included in the BCACP package for this week's meetings.

Thanks
Sam

Sam MacLeod
Executive Director
Policing, Security and Law Enforcement Operations
Ministry of Justice
Ph 250-387-1387 or 250-882-2347 (cell)

Williamson, Joy JAG:EX

Not Responsive

From: Pecknold, Clayton JAG:EX [<mailto:Clayton.Pecknold@gov.bc.ca>]
Sent: Monday, October 29, 2012 6:58 PM
To: Al Sauve
Subject: RE: Special Constable Status

Hi Al..lets connect at BCACP..good to hear from you.

Not Responsive

Williamson, Joy JAG:EX

From: Butterfield, Nicole JAG:EX
Sent: Monday, October 29, 2012 8:42 AM
To: Pecknold, Clayton JAG:EX
Cc: O'Connor-Dixon, Lara JAG:EX; Williamson, Joy JAG:EX
Subject: RE: Mtg with BCACP at Delta

Okay thanks Clayton, I've copied Lara in the Minister's office.

Nicole

From: Pecknold, Clayton JAG:EX
Sent: Monday, October 29, 2012 7:45 AM
To: Butterfield, Nicole JAG:EX
Cc: Williamson, Joy JAG:EX
Subject: RE: Mtg with BCACP at Delta

No need for a pre brief

From: Butterfield, Nicole JAG:EX
Sent: Friday, October 26, 2012 3:58 PM
To: Pecknold, Clayton JAG:EX
Cc: Williamson, Joy JAG:EX; Butterfield, Nicole JAG:EX
Subject: RE: Mtg with BCACP at Delta

Hi Clayton,
This pre-briefing with the Minister is removed from your calendar on Nov 21, 2012 regarding BCACP.
Can you advise if you would still like a pre-briefing? Lara has suggested by phone on Nov 20th at 4pm as an alternate time.

Thanks,

Joy Williamson for

*Nicole Butterfield
Executive Administrative Assistant to the
Assistant Deputy Minister and
Director of Police Services
Policing and Security Programs Branch
Ministry of Justice
Phone - 250 387-1100
Fax - 250 356-7747
Email - Nicole.Butterfield@gov.bc.ca*

From: O'Connor-Dixon, Lara JAG:EX
Sent: Friday, October 26, 2012 1:21 PM
To: Butterfield, Nicole JAG:EX
Subject: Mtg with BCACP at Delta

Hello Nicole,
There was a change in schedule for Nov 21st. Minister is now speaking to Peter Lepines group (BCACP) at 3pm.
I have her on a seaplane arriving at 2:20 and she will proceed over to Delta, spend a few minutes mingling before speaking at 3pm. Please let Clayton know.

Also, If Clayton feels we still need the pre-brief it will have to be moved. We could try by phone on 20th at 4pm.

Please let me know what works for Clayton.
Thanks

Lara O'Connor Dixon

Administrative Coordinator to:

The Honourable Shirley Bond
Minister of Justice and Attorney General

T: 250.387.1866 | **F:** 250.387.6411 |

E: lara.oconnordixon@gov.bc.ca



Please consider the environment before printing

Williamson, Joy JAG:EX

From: Butterfield, Nicole JAG:EX
Sent: Friday, September 21, 2012 12:24 PM
To: Pecknold, Clayton JAG:EX
Subject: FW: BCACP meeting

FYI...

From: Butterfield, Nicole JAG:EX
Sent: Friday, September 21, 2012 12:23 PM
To: XT:Harper, Sue FIN:IN
Subject: RE: BCACP meeting

Hi Sue:

Prepare a letter of invitation to the Minister and email it to:

JAG.Minister@gov.bc.ca

Thanks.

Nicole

Not Responsive

Not Responsive

From: Butterfield, Nicole JAG:EX [<mailto:Nicole.Butterfield@gov.bc.ca>]

Sent: August-30-12 2:45 PM

To: Michelle Wakeman

Cc: Pecknold, Clayton JAG:EX; MacLeod, Sam JAG:EX; Marshall, Fraser JAG:EX; Webb, Sandy J JAG:EX; Williamson, Joy JAG:EX

Subject: RE: Police Information Checks

Good afternoon Michelle:

On behalf of Clayton Pecknold, thank you for emailing Commissioner Denham's August 16th/12 letter.

In order to have an item placed on the November 21/22nd BCACP agenda, would you kindly advise how much time will be required, the names/titles of the folks presenting and whether or not any A/V equipment is required.

The meeting will be held at the Delta Victoria Ocean Pointe, 45 Songhees Road, Victoria.

Will await your reply to my questions above.

Sincerely,

Nicole Butterfield
Executive Administrative Assistant to the
Assistant Deputy Minister and
Director of Police Services
Policing and Security Programs Branch
Ministry of Justice
Phone - 250 387-1100
Fax - 250 356-7747
Email - Nicole.Butterfield@gov.bc.ca

Not Responsive

Williamson, Joy JAG:EX

From: Butterfield, Nicole JAG:EX
Sent: Thursday, August 30, 2012 2:21 PM
To: Webb, Sandy J JAG:EX
Cc: Pecknold, Clayton JAG:EX; MacLeod, Sam JAG:EX; Clark, Perry JAG:EX; Godenzie, Lisa JAG:EX
Subject: FW: Routine Request for Phone Conversation Re IHIT Funding

For your attention please Sandy.

Thanks!

Nicole

From: MacLeod, Sam JAG:EX
Sent: Thursday, August 30, 2012 1:54 PM
To: Clark, Perry JAG:EX; Godenzie, Lisa JAG:EX
Cc: Butterfield, Nicole JAG:EX
Subject: FW: Routine Request for Phone Conversation Re IHIT Funding

Perry

I spoke to Clayton on this yesterday and he wants it added to his speaking notes for BCAMCP – mentioned you and Lisa are working on this.

CP Sept. 11 date?

Sam

From: Pecknold, Clayton JAG:EX
Sent: Friday, August 10, 2012 9:49 AM
To: Butterfield, Nicole JAG:EX; MacLeod, Sam JAG:EX
Subject: Re: Routine Request for Phone Conversation Re IHIT Funding

This should probably await my return.

From: Butterfield, Nicole JAG:EX
Sent: Friday, August 10, 2012 09:44 AM
To: MacLeod, Sam JAG:EX
Cc: Pecknold, Clayton JAG:EX; Butterfield, Nicole JAG:EX
Subject: FW: Routine Request for Phone Conversation Re IHIT Funding

Hi Sam,

I have printed this detail for your review. Let me know if any material is needed. Can you follow up on this and or let me know if I should set up an appointment for your to discuss?

Thanks,

Joy

Williamson, Joy JAG:EX

From: Williamson, Joy JAG:EX
Sent: Thursday, July 19, 2012 5:08 PM
To: Kirby, Katherine JAG:EX; Hodge, Jessica JAG:EX; MacLeod, Sam JAG:EX; Webb, Sandy J JAG:EX
Cc: Butterfield, Nicole JAG:EX; Miller, Lesley JAG:EX; Williamson, Joy JAG:EX; Chuhran, Dorothy J JAG:EX
Subject: RE: BN: Bill C-10, Safe Streets and Communities Act Summary for Police Services - C482120
Attachments: 120713 C482120 ADM Bill C10 JHodge Signed w Comm.docx.pdf

The following attached BN has been reviewed and signed by Clayton. The attached BN includes a notation that Clayton made on page 3 that details:

"Thankyou. Please ensure that this (circled bulleted text above) is incorporated into the next BCACP (Nov 21' 2012) and BCMCP (Sept 11, 2012) meeting, Speaking notes. CP 12/07/16."

I checked in with Clayton to confirm these notes and he mentioned that Sandy would be assisting in the development of the speaking points.

Thanks Joy

Joy Williamson
Administrative Assistant
Office of the Assistant Deputy Minister and
Director of Police Services
Policing and Security Programs Branch
Ministry of Justice
☎ (250) 387-1741
☎ (250) 356-7747
✉ Joy.Williamson@gov.bc.ca

From: Williamson, Joy JAG:EX
Sent: Monday, July 16, 2012 9:37 AM
To: Chuhran, Dorothy J JAG:EX
Cc: Butterfield, Nicole JAG:EX; Hodge, Jessica JAG:EX; MacLeod, Sam JAG:EX; Kirby, Katherine JAG:EX; Miller, Lesley JAG:EX
Subject: RE: BN: Bill C-10, Safe Streets and Communities Act Summary for Police Services - C482120

Hi Dorothy,
The following BN has been received by Nicole and put in Clayton's in-tray.

Joy Williamson
Administrative Assistant
Office of the Assistant Deputy Minister and
Director of Police Services
Policing and Security Programs Branch
Ministry of Justice
☎ (250) 387-1741
☎ (250) 356-7747
✉ Joy.Williamson@gov.bc.ca

From: Chuhran, Dorothy J JAG:EX
Sent: Friday, July 13, 2012 5:22 PM

To: Williamson, Joy JAG:EX

Cc: Butterfield, Nicole JAG:EX; Hodge, Jessica JAG:EX; MacLeod, Sam JAG:EX; Kirby, Katherine JAG:EX; Miller, Lesley JAG:EX

Subject: BN: Bill C-10, Safe Streets and Communities Act Summary for Police Services - C482120

Hello, Joy – the attached BN has been approved by Kathy Kirby for Clayton's approval and signature. All approvals have been obtained by email and there are no signatures on the BN.

Hard copy to follow.

Dorothy Chuhran

Administrative Assistant

Police Services Division

· Policing and Security Programs Branch

phone 250 356-9376

fax 250 356-7747

MINISTRY OF JUSTICE
POLICING AND SECURITY PROGRAMS BRANCH
POLICE SERVICES DIVISION
BRIEFING NOTE

PREPARED FOR: Clayton Pecknold, Assistant Deputy Minister
and Director of Police Services
FOR INFORMATION

ISSUE: Bill C-10, *Safe Streets & Communities Act* Summary for Police Services

BACKGROUND:

- 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 content of Bill C-10 now combines together nine Bills that were introduced in previous sessions, including:
 - Increased or imposed mandatory minimum penalties for sex offences against children;
 - Mandatory minimum penalties for drug crimes;
 - Amendments to the *Youth Criminal Justice Act*;
 - Further restrictions on the use of conditional sentences for serious offences;
 - Allowing victims of terrorism to sue perpetrators of terrorism;
 - Establishing the right of a victim to make a statement at parole hearings, and providing victims with information about offender transfers and participation in correctional programming;
 - Creating "record suspensions" to replace "pardons", which have longer ineligibility periods and make some offenders ineligible;
 - Modifying the list of factors that the federal Minister of Public Safety may consider in deciding whether to consent to the transfer of a Canadian offender convicted abroad; and
 - Allowing immigration officers to refuse to authorize foreign nationals to work in Canada in cases where they may be at risk of exploitation.
- Bill C-10 received Royal Assent on March 13, 2012.
- The four components of the *Safe Streets and Communities Act* that will come into force in the coming months are:
 - **Increasing penalties for sexual offences against children**
Coming 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.

- **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.

- **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.

DISCUSSION:

- Accused persons facing custodial sentences and more restricted access to pardons or record suspensions are less likely to plead guilty, and may increase the burden on courts and prosecutors. In 2011, 109 criminal cases were dismissed in British Columbia courts due to delay. BC is in the midst of a justice system wide review and requires sufficient time to implement reform strategies,
- Below is a brief description of how each amendment will affect policing:
 - **Increasing penalties for sexual offences against children**
 - No affect to police; however, they should be aware of the Criminal Code amendment.
 - **Protecting Canadians from violent, repeat young offenders**
 - Changes to the *Youth Criminal Justice Act* (YCJA) 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.

- Currently, a police department conducting an investigation of a young person *may* establish a file that includes, among other things, measures taken with the young person, as well as police notes, victim statements, fingerprints and photographs. Clause 190 of the bill *requires* the police force to keep a record of any extrajudicial measures taken to deal with the young person.
- In addition to documenting extrajudicial measures within the YCJA, the

• **Targeting serious drug crimes**

- Changes to the *Controlled Drugs and Substances Act*, which introduces mandatory minimum sentences for possession for the purpose trafficking of cannabis, may

s.15

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

- No affect to police; however, they should be aware of the Criminal Code amendment.

Prepared by:

Jessica Hodge
Research & Policy Analyst
Police Services Division
250 387-2762

Recommended by:

Sam MacLeod
Executive Director
Policing, Security & Law Enforcement
Operations
Policing and Security Programs Branch
250 387-1387

by email

Recommended by:

Kathy Kirby
Director
Policy, Legislation & Strategic Initiatives
Policing and Security Programs Branch
250 387-1387

by email

Approved by:

Clayton Pecknold
Assistant Deputy Minister
and Director of Police Services
Policing and Security Programs Branch
250 387-1100

Thank you
- Please ensure this
is incorporated into
BLAC + BLAC P (Sept 11th)
study notes
cf.
12/07/16

Williamson, Joy JAG:EX

Subject: 7am Chief Peter Lepine, Sergeant Brad Haugli and Kimberley
Location: Lobby of the Delta

Start: Wed 2012-11-21 7:00 AM
End: Wed 2012-11-21 7:30 AM

Recurrence: (none)

Organizer: Pecknold, Clayton JAG:EX

Prime-BC

Williamson, Joy JAG:EX

BCACP Speaking Notes Attachment

From: Butterfield, Nicole JAG:EX
Sent: Tuesday, November 20, 2012 10:44 AM
To: Williamson, Joy JAG:EX
Cc: Pecknold, Clayton JAG:EX; Webb, Sandy J JAG:EX
Subject: FW: Communiqué to BCACP and beyond.
Attachments: BCACP Speaking Notes PRIME-BC.docx

Importance: High

Joy – this should be placed in Clayton's BCACP binder with the speaking notes Sandy prepared.

Thanks!

Nicole

Not Responsive

From: Pecknold, Clayton JAG:EX [<mailto:Clayton.Pecknold@gov.bc.ca>]
Sent: Monday, November 19, 2012 2:10 PM
To: Russell Sanderson
Cc: Butterfield, Nicole JAG:EX
Subject: Re: Communiqué to BCACP and beyond.

Wednesday. Not sure what time.

Not Responsive

From: Pecknold, Clayton JAG:EX [<mailto:Clayton.Pecknold@gov.bc.ca>]

Sent: Monday, November 19, 2012 2:06 PM

To: Russell Sanderson

Cc: Butterfield, Nicole JAG:EX

Subject: Re: Communiqué to BCACP and beyond.

About 15 min. Think there are others we need to communicate with. Do you have a list? UBCM etc.



RECEIVED
DEC 23 2011

December 19, 2011

Ref. 475166

Chief Constable Peter Lepine
President BCACP
c/o Sue Harper Executive Coordinator
CFSEU-BC
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Constable Lepine,

Re: Application for Associate Membership

I am writing to request BCACP Associate Membership status for Mr. Perry Clark from the Policing and Security Programs Branch. M. Clark is the Executive Director of Policing, Security and Law Enforcement Infrastructure.

In my absence Mr. Perry Clark or Mr. Sam MacLeod (who is already an associate member) would be attending on my behalf.

Thank you for your consideration.

Yours truly,

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



December 19, 2011
Ref 468093

RECEIVED
JAN 04 2012

Tom Stamatakis
President
British Columbia Police Association
c/o 202 – 190 Alexander Street
Vancouver BC V6A 1B5

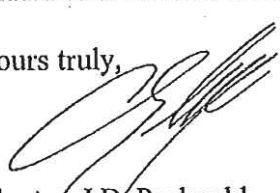
Dear Mr. Stamatakis:

Thank you for your letter dated November 16, 2011, regarding the British Columbia Police Association's (BCPA) participation on the British Columbia Association of Chiefs of Police (BCACP) Police and Peace Officer's Memorial Steering Committee. I apologize for the delay in responding.

Police Services Division is supportive of the British Columbia Police and Peace Officer's Memorial Service and the work of both the BCACP Steering and Working Committees involved in event preparations; however, my office does not play a role in the planning and organizing of the event. I therefore encourage you to provide the name of the lead BCPA representative on the BCACP Steering Committee to RCMP Superintendent Keith Robinson, the Committee Chair. Superintendent Robinson can also provide you with an update on the status of the Committee's work to date as well as discuss other aspects related to the planning and organizing of the upcoming Memorial Service. Further to this, it is my understanding that Superintendent Robinson will be contacting all Steering Committee members in January 2012 to set up future Committee meetings.

Thank you once again for updating me on the BCPA's intention to participate in the discussions related to the Memorial Service going forward.

Yours truly,


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

pc: ✓ Superintendent Keith Robinson; Chair, BCACP Steering Committee
Mr. Rick Stewart, Abbotsford Police Union

Ministry of Public Safety
and Solicitor General

Policing and Security Programs
Branch

Mailing Address:
PO Box 9285 Stn Prov Govt
Victoria BC V8W 9J7

Telephone: 250 387-1100
Facsimile: 250 356-7747
Website: www.gov.bc.ca/pssg

INDEPENDENT INVESTIGATIONS OFFICE
TRANSITION TEAM
PO Box 24 – 865 Hornby Street
Vancouver, BC
V6Z 2G3

Peter Lepine
Email: peterlepine@wvvpd.ca

Dear Mr. Lepine:

I am honoured to have been appointed Chief Civilian Director of the new Independent Investigations Office for the Province of British Columbia and I look forward to stepping into the post on an official basis on January 9, 2012.

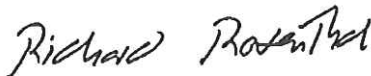
I am writing both to introduce myself and to let you know that I hope to include you and the membership of your organization in work that will be done over the next several months to further define the mandate and formalize the operational details related to the establishment of the Independent Investigations Office.

With your help and the help of the Independent Investigations Office transition team, it is my intention to bring the spirit of Mr. Justice Davis and Mr. Justice Braidwood's recommendations to life and to create an Independent Investigations Office in which British Columbians have complete confidence.

I will start by carrying out broad ranging public information sessions and targeted consultation with stakeholders across British Columbia in the New Year. I will provide you with more information about this consultation soon after I arrive to my new post.

I look forward to a developing a working relationship with you that is both informative and productive. I believe it is through developing shared understandings and engaging in joint efforts that we achieve more than we can individually imagine.

Yours truly,



Richard Rosenthal
Chief Civilian Director
Independent Investigations Office
Province of British Columbia
info@iiobc.ca

From: Butterfield, Nicole JAG:EX [<mailto:Nicole.Butterfield@gov.bc.ca>]

Sent: Friday, July 13, 2012 2:50 PM

To: Harper, Sue

Subject: Ltr from CPecknold re Changes to licensing and insurance requirements for Industrial Vehicles, Miniature vehicles, & Beverage Carts

Hello Sue:

Would you kindly forward this material to members of the BCACP, for their information and further distribution as they deem appropriate. Please also extend my apologies for the delay in getting this information distributed.

Sincerely,

Nicole

*Nicole Butterfield
Executive Administrative Assistant to the
Assistant Deputy Minister and
Director of Police Services
Policing and Security Programs Branch
Ministry of Justice
Phone - 250 387-1100
Fax - 250 356-7747
Email - Nicole.Butterfield@gov.bc.ca*



June 8, 2012
Ref C480905

Members, British Columbia Association of Chiefs of Police

Dear Sirs/ Madams:

RE: Changes to licensing and insurance requirements for Industrial Utility Vehicles, Miniature Motor Vehicles and Beverage Carts

As a result of June 1, 2012, changes to the *Motor Vehicle Act* and its regulations, the licensing and insurance requirements for industrial utility vehicles (IUVs), miniature motor vehicles, and golf course owned/operated beverage carts have changed. In addition, operational conditions for mobile equipment have been established.

Industrial Utility Vehicles (which include utility vehicles, industrial vehicles and the trailers towed by these vehicles) are no longer required to be registered, licensed or insured by the Insurance Corporation of British Columbia (ICBC) if they are used in certain circumstances. These include:

- crossing a highway that intersects a worksite;
- operating on the untraveled portion of a highway;
- travelling on a highway next to a worksite for loading and unloading the IUV;
- operating at a worksite that is cordoned off; or
- performing work in a parking lot or driveway by or on behalf of the property owner or operator.

Other than as outlined above, IUV operation along a highway with traffic continues to require registration, licensing, and ICBC insurance.

Miniature Motor Vehicles are now exempt from having to obtain temporary operation permits (or any other form of license or ICBC insurance) when operating on a parade route.

.../2

Members, BCACP
Page 2

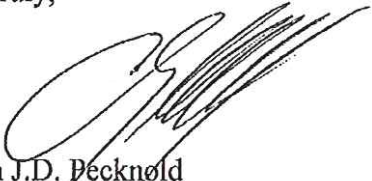
Beverage Carts are now also exempt from registration, licensing, and ICBC insurance when operated in and around a golf course.

All exempted industrial utility vehicles, miniature motor vehicles and beverage carts are required to have third party liability insurance which can be obtained in the private market.

The changes are detailed in an ICBC, Vehicle Registration and Licensing Bulletin. This bulletin is being distributed to British Columbia Association of Chiefs of Police (BCACP), municipal police departments and RCMP by ICBC.

The Order In Counsel (OIC) is attached, for your reference.

Yours truly,

A handwritten signature in black ink, appearing to read 'Clayton J.D. Pecknold', written over the printed name and title.

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

Attachments

NEWS RELEASE

For Immediate Release
2012JAG0102-000815
June 7, 2012

Ministry of Justice

Province responds to business, charity concerns

KELOWNA – Industrial utility vehicles, miniature motor vehicles and golf course-owned beverage carts are no longer required to be registered, licensed and insured by ICBC, under amendments to the Motor Vehicle Act and its regulations in force today. These changes benefit businesses and charitable organizations across the province by reducing insurance fees and duplication.

The new changes to the Motor Vehicle Act:

- Exempt industrial utility vehicles (IUVs) used and operated in certain circumstances (incidental use of highway only) from having to be registered, licensed and insured by ICBC.
- Clarify restrictions and conditions of operation, which will ensure that “exempted” vehicles operating on a highway continue to do so in a safe manner.
- Prescribe “beverage carts” for golf courses and “miniature motor vehicles” used only in parades and exempt them from requirements to be registered, licensed and insured with ICBC.
- Add a requirement for exempted vehicles to have private third-party liability insurance.
- Add conditions of use and safety requirements for “mobile equipment”.

The circumstances that apply to IUV’s (which include utility vehicles, industrial vehicles and the trailers towed by these vehicles) include:

- Crossing a highway that intersects a worksite.
- Operating on the untraveled portion of a highway.
- Travelling on a highway next to a worksite for loading and unloading the IUV.
- Operating at a worksite that is cordoned off.
- Performing work in a parking lot or driveway by or on behalf of the property owner or operator.

Operation of a utility vehicle along a highway with traffic continues to require registration, licensing and ICBC insurance.

All exempted industrial utility vehicles, miniature vehicles and beverage carts are required to have third-party liability insurance, which can be obtained in the private market. In June 2011, similar exemptions came into force for golf carts and mobile equipment like person lifts and powered wheelbarrows.

Quotes:

Shirley Bond, Minister of Justice and Attorney General –

“These changes reduce the regulatory burden and respond directly to concerns that were expressed to us by businesses and charitable organizations. It is another example of our government’s commitment to reducing red tape and allowing companies and charities to focus on what they do best.”

Norm Letnick, MLA, Kelowna-Lake Country –

“As a former small-business person, business professor and Rotarian, I can appreciate how small savings of both costs and time really add up for small businesses and charities alike. These changes will benefit in particular a small but important array of businesses in the Okanagan.”

Jim Harrison, executive director, Shriners of British Columbia and Yukon –

“We are pleased to see these changes take place and we appreciate the efforts of Minister Bond and the provincial government in seeing them through. Shriners look forward to our continued involvement in community parades across the province.”

Jim Clipperton, past president, Canadian Rental Association (B.C. Chapter) –

“These changes are great news to our rental members and to the construction industry in general. They will save businesses thousands of dollars in insurance fees and extra administration.”

Douglas Ferne, regional director, National Golf Course Owners Association Canada (B.C. Chapter) –

“The changes related to vehicles used on and around our courses over the past year are welcome news. Carrying double coverage for liability wasn’t enhancing safety for golf course members and guests – in fact, it was just creating more work and cost for golf courses, with no real benefits. Kudos to the Province for working with us to address this situation.”

Contact:

Government Communications and Public Engagement
Ministry of Justice
250 356-6961

Connect with the Province of B.C. at: www.gov.bc.ca/connect

Text Attachment: Log ID 481946

Incoming

From: Butterfield, Nicole JAG:EX
Sent: Thursday, June 28, 2012 12:26 PM
To: Smith, Melissa JAG:EX
Cc: Pecknold, Clayton JAG:EX; Webb, Sandy J JAG:EX
Subject: RE: Police Record Check Working Group

Forwarding for appropriate action please Melissa.

Thank you.

Nicole

From: Pecknold, Clayton JAG:EX
Sent: Thursday, June 28, 2012 12:21 PM
To: Butterfield, Nicole JAG:EX
Cc: Webb, Sandy J JAG:EX
Subject: Fw: Police Record Check Working Group

Sam to prepare a response.



June 27, 2012
Ref C481243

Members, British Columbia Association of Chiefs of Police

Dear Sirs/Madams:

This letter is to bring to your attention the increasing interest from road safety stakeholders, regional and national media in automatic licence plate reader (ALPR) technology. In light of recent attention to ALPR deployment in BC, including misinformation on police use of ALPR and retention of scan data, I am requesting your cooperation in ensuring ALPR deployment in your departments and detachments complies with current provincial agreement of use.

As you know, ALPR provides traffic enforcement officers with a valuable 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 expanding the use of ALPR in BC, consultations were held with the federal and provincial privacy commissioners. As a result of these consultations, the current sanctioned range of use for ALPR technology is for traffic enforcement purposes only. 'Hot' licence plates are identified through information generated from CPIC or ICBC databases only. With the 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.

While the majority of ALPR units in use in BC are operated through the Enhanced Traffic Enforcement Initiative, several departments and detachments have purchased their own ALPR units for which they receive data and technical support from RCMP E Division Traffic Services. As part of the agreement for technical support, agencies deploying their own ALPR units are required to agree 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. It would be regrettable to lose support of this invaluable technology as a result of negative media coverage, an unfavourable court ruling or heightened concerns about privacy issues.

.../2

Members, BCACP
Page 2

Please ask your officers to refresh their understanding of ALPR operations, in particular the requirement that ALPR units should be deployed for traffic enforcement only.

Yours truly,

A handwritten signature in black ink, appearing to read 'C. Pecknold', written over a horizontal line.

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

Attachment: Automatic License Plate Recognition (ALPR) Program's Terms and Conditions for Participation

From: Butterfield, Nicole JAG:EX [<mailto:Nicole.Butterfield@gov.bc.ca>]
Sent: Friday, June 29, 2012 04:44 PM
To: Harper, Sue
Subject: Letter attached from Clayton Pecknold re ALPR technology

Hello Sue:

Would you kindly distribute the attached letter to members of the BCACP.

Thank you in advance.

*Nicole Butterfield
Executive Administrative Assistant to the
Assistant Deputy Minister and
Director of Police Services
Policing and Security Programs Branch
Ministry of Justice
Phone - 250 387-1100
Fax - 250 356-7747
Email - Nicole.Butterfield@gov.bc.ca*

Page 130 redacted for the following reason:

s. 3



File under BCACP
(160-201)

SEP 11 2012

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 9E2

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

Pages 133 through 135 redacted for the following reasons:

s. 3

s.16



July 13, 2012
Ref C480905

Members, British Columbia Association of Chiefs of Police

Dear Sirs/ Madams:

RE: Changes to licensing and insurance requirements for Industrial Utility Vehicles, Miniature Motor Vehicles and Beverage Carts

As a result of June 1, 2012, changes to the *Motor Vehicle Act* and its regulations, the licensing and insurance requirements for industrial utility vehicles (IUVs), miniature motor vehicles, and golf course owned/operated beverage carts have changed. In addition, operational conditions for mobile equipment have been established.

Industrial Utility Vehicles (which include utility vehicles, industrial vehicles and the trailers towed by these vehicles) are no longer required to be registered, licensed or insured by the Insurance Corporation of British Columbia (ICBC) if they are used in certain circumstances. These include:

- crossing a highway that intersects a worksite;
- operating on the untraveled portion of a highway;
- travelling on a highway next to a worksite for loading and unloading the IUV;
- operating at a worksite that is cordoned off; or
- performing work in a parking lot or driveway by or on behalf of the property owner or operator.

Other than as outlined above, IUV operation along a highway with traffic continues to require registration, licensing, and ICBC insurance.

Miniature Motor Vehicles are now exempt from having to obtain temporary operation permits (or any other form of license or ICBC insurance) when operating on a parade route.

.../2

Members, BCACP
Page 2

Beverage Carts are now also exempt from registration, licensing, and ICBC insurance when operated in and around a golf course.

All exempted industrial utility vehicles, miniature motor vehicles and beverage carts are required to have third party liability insurance which can be obtained in the private market.

The changes are detailed in an ICBC, Vehicle Registration and Licensing Bulletin. This bulletin is being distributed to British Columbia Association of Chiefs of Police (BCACP), municipal police departments and RCMP by ICBC.

The Order In Counsel (OIC) is attached, for your reference.

Yours truly,



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

Attachments

NEWS RELEASE

For Immediate Release
2012JAG0102-000815
June 7, 2012

Ministry of Justice

Province responds to business, charity concerns

KELOWNA – Industrial utility vehicles, miniature motor vehicles and golf course-owned beverage carts are no longer required to be registered, licensed and insured by ICBC, under amendments to the Motor Vehicle Act and its regulations in force today. These changes benefit businesses and charitable organizations across the province by reducing insurance fees and duplication.

The new changes to the Motor Vehicle Act:

- Exempt industrial utility vehicles (IUVs) used and operated in certain circumstances (incidental use of highway only) from having to be registered, licensed and insured by ICBC.
- Clarify restrictions and conditions of operation, which will ensure that “exempted” vehicles operating on a highway continue to do so in a safe manner.
- Prescribe “beverage carts” for golf courses and “miniature motor vehicles” used only in parades and exempt them from requirements to be registered, licensed and insured with ICBC.
- Add a requirement for exempted vehicles to have private third-party liability insurance.
- Add conditions of use and safety requirements for “mobile equipment”.

The circumstances that apply to IUV’s (which include utility vehicles, industrial vehicles and the trailers towed by these vehicles) include:

- Crossing a highway that intersects a worksite.
- Operating on the untraveled portion of a highway.
- Travelling on a highway next to a worksite for loading and unloading the IUV.
- Operating at a worksite that is cordoned off.
- Performing work in a parking lot or driveway by or on behalf of the property owner or operator.

Operation of a utility vehicle along a highway with traffic continues to require registration, licensing and ICBC insurance.

All exempted industrial utility vehicles, miniature vehicles and beverage carts are required to have third-party liability insurance, which can be obtained in the private market. In June 2011, similar exemptions came into force for golf carts and mobile equipment like person lifts and powered wheelbarrows.

Quotes:

Shirley Bond, Minister of Justice and Attorney General –

“These changes reduce the regulatory burden and respond directly to concerns that were expressed to us by businesses and charitable organizations. It is another example of our government’s commitment to reducing red tape and allowing companies and charities to focus on what they do best.”

Norm Letnick, MLA, Kelowna-Lake Country –

“As a former small-business person, business professor and Rotarian, I can appreciate how small savings of both costs and time really add up for small businesses and charities alike. These changes will benefit in particular a small but important array of businesses in the Okanagan.”

Jim Harrison, executive director, Shriners of British Columbia and Yukon –

“We are pleased to see these changes take place and we appreciate the efforts of Minister Bond and the provincial government in seeing them through. Shriners look forward to our continued involvement in community parades across the province.”

Jim Clipperton, past president, Canadian Rental Association (B.C. Chapter) –

“These changes are great news to our rental members and to the construction industry in general. They will save businesses thousands of dollars in insurance fees and extra administration.”

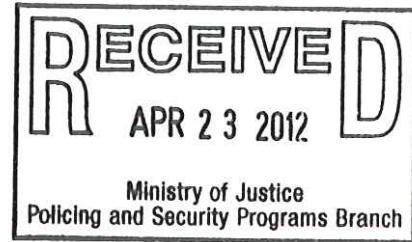
Douglas Ferne, regional director, National Golf Course Owners Association Canada (B.C. Chapter) –

“The changes related to vehicles used on and around our courses over the past year are welcome news. Carrying double coverage for liability wasn’t enhancing safety for golf course members and guests – in fact, it was just creating more work and cost for golf courses, with no real benefits. Kudos to the Province for working with us to address this situation.”

Contact:

Government Communications and Public Engagement
Ministry of Justice
250 356-6961

Connect with the Province of B.C. at: www.gov.bc.ca/connect



APR 18 2012

Chief Constable Peter Lepine
President
BC Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Constable Lepine:

Thank you for your letter regarding recommended changes to the *Liquor Control and Licensing Act (LCLA)* which would give police in British Columbia an increased ability to engage in suppressing gang-related activity in licensed establishments. It is my understanding that Alberta has made amendments to their *Gaming and Liquor Act* which are similar to the changes proposed in the BCACP resolution.

Ministry staff met with Ms. Karen Ayers, Assistant Deputy Minister of the Liquor Control and Licensing Branch, Ministry of Energy and Mines, on this issue and are reviewing the success of Alberta's changes to their *Gaming and Liquor Act* from a policing perspective. Once complete, this information will be shared with the Honourable Rich Coleman, Minister of Energy and Mines and House Leader who, as you are aware, is now responsible for issues relating to liquor control and licensing.

Thank you once again for writing with your inquiry.

Sincerely,

**ORIGINAL
SIGNED BY**

Shirley Bond
Minister of Justice
and Attorney General

pc: The Honourable Rich Coleman
Ms. Karen Ayers
Ms. Lori Wanamaker
Mr. Clayton Pecknold

cf.
Also set up
meeting w/
Karen.
cf.
12/21/20



160-20/BCACP

MAR 12 2012



Chief Constable Peter Lepine
President
British Columbia Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Constable Lepine:

I am responding to your letter regarding the British Columbia Association of Chiefs of Police (BCACP) resolution to make laser jamming devices illegal and provide the police with authority to seize such devices. I apologize for the delay in my reply.

The Province is acutely aware that excessive speed continues to be a significant contributing factor to fatal crashes in British Columbia and I agree that laser jammers can be used to hinder police traffic enforcement efforts. I have asked Mr. Clayton Pecknold, Assistant Deputy Minister and Director of Police Services, to work with BCACP to examine ways to determine the scope of the problem and provide recommendations to me.

Thank you for taking the time to write to me about the BCACP resolution. It is through such cooperative efforts that we can continue to increase safety on the roadways of the province.

Sincerely,

ORIGINAL SIGNED BY

Shirley Bond
Minister of Justice
and Attorney General

pc: Mr. Clayton Pecknold
Ms. Jan Staples
Chief Constable Jamie Graham

Please assign to RSU + track the work. - Add to Sepin's list

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: 250 397-2366
Facsimile: 250 387-6411

Miller, Lesley JAG:EX

From: Miller, Lesley JAG:EX
Sent: Tuesday, April 10, 2012 4:15 PM
To: Fonk, Crystal JAG:EX
Subject: FW: C476372 letter from SB to CC P Lepine RE Laser Jamming Devices
Attachments: 120120 C476342 PLepine to Minister RE Laser Jamming Devices.pdf; 120312 C476342 JAG to PLepine re laser jamming devices.pdf

For follow-up with Sandy re the next BMC meeting – to be added to Sophie Mas' matrix.

Lesley

From: Miller, Lesley SG:EX
Sent: Saturday, March 31, 2012 2:36 PM
To: Staples, Jan SG:EX; Mas, Sophie B SG:EX
Cc: Webb, Sandy J SG:EX; Butterfield, Nicole SG:EX
Subject: RE: C476372 letter from SB to CC P Lepine RE Laser Jamming Devices

Hi!

Attached is the incoming letter that the Minister responded to (attached in first email).

Tks, lesley

From: Miller, Lesley SG:EX
Sent: Friday, March 30, 2012 10:14 AM
To: Staples, Jan SG:EX; Mas, Sophie B SG:EX
Cc: Webb, Sandy J SG:EX; Butterfield, Nicole SG:EX
Subject: C476372 letter from SB to CC P Lepine RE Laser Jamming Devices

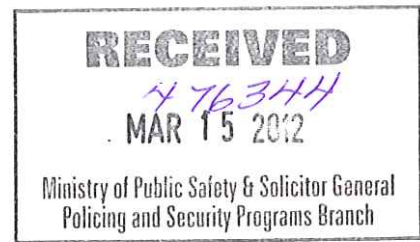
Hi Jan and Sophie:

Please find attached letter ref C476372 from Minister Bond to CC P Lepine re: laser jamming devices with Clayton's comments:

"Please assign to RSU and track the work – add to Sophie's matrix"

Thanks,

Lesley Miller, Administrative Assistant
Policing and Security Programs Branch, Ministry of Justice
10th Floor, 1001 Douglas Street, PO Box 9285 Stn Prov Govt, Victoria, BC V8W 9J7
Phone: (250) 356-7926 | Fax: (250) 356-7747 | email: Lesley.Miller@gov.bc.ca



MAR 09 2012

Chief Constable Pete Lepine
President
BC Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Constable Lepine:

I am responding to your letter regarding the BC Association of Chiefs of Police resolution to include a three point penalty for *Motor Vehicle Act* section 214.2(1) offence of using an electronic device while operating a motor vehicle.

I wish to assure you and your members that the Province will give this resolution serious consideration. In addition, the Office of the Superintendent of Motor Vehicles is continuing to monitor this legislation and it will be subject to ongoing reviews.

Thank you for writing.

Sincerely,

ORIGINAL SIGNED BY

Shirley Bond
Ministry of Justice
and Attorney General

pc: ✓ Mr. Clayton Pecknold
Mr. Steve Martin
Chief Constable Jamie Graham



January 20, 2012
Ref 476150

Chief Constables of Independent Municipal Police Departments
Chief Officer, SCBCTA Police Services
Chief Officer, Stl'atl'imx Tribal Police Services
Inspector Ken Burton, Pacific Region Training Centre

Dear Sirs/Madame:

In conjunction with the creation of the *British Columbia Provincial Policing Standards (BCPPS)*, Police Services Division (PSD) has developed two police training programs to address the training recommendations stemming from the Braidwood Inquiry: the BC Crisis Intervention and De-escalation (CID) training and CEW Operator training. These courses are currently in pilot review and will be officially launched along with the first group of *BCPPS*, on January 30th, 2012.

My staff are in communication with your training sections about the logistics of implementing these courses and it is my understanding that the training implementation plans are well underway in most agencies. The training includes both an online and a classroom component. Your agency will receive free online access and copies of the comprehensive training materials we have created for these courses.

With regards to the BC CID training, all frontline officers and supervisors in your agency must take the BC CID course or a "provincially-approved" equivalent, prior to January 30, 2015. Please refer to *BCPPS 3.2.2- CID Training* for more information.

With regards to the BC CEW Operator training, in order to maintain current certification, CEW operators must complete the BC CID training or a "provincially-approved" equivalent, as well as the BC CEW training or a "provincially-approved" equivalent prior to January 30, 2013. Please refer to *BCPPS 3.2.1- CEW Operator Training* for more information.

In the same way that the *BCPPS* were developed in consultation with a wide range of stakeholders (i.e., police, mental health advocates, police training facilities, police boards, and police unions), these training programs were developed in consultation with a wide range of police and non-police subject matter experts. These courses now set the "training standard" for front-line police officers in British Columbia. Please note that any other courses intended to be used as alternatives to the British Columbia courses must meet or exceed the standard set by these courses in order to be considered provincially-approved.

.../2

January 20, 2012

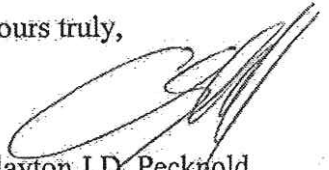
Page 2

The Course Training Standards (CTS) for these courses are attached to this correspondence. These documents should answer most questions that you have about the courses. If you have questions, or would like to submit an alternative CTS for provincial-approval, please contact my training program manager, Jane Naydiuk, for further information on that process. (jane.naydiuk@gov.bc.ca / 250 356-6550).

The *BC Provincial Policing Standards* are a tangible step forward in ensuring the police are accountable to the communities they serve. As well, these courses represent our efforts to provide you with standardized, defensible, and effective training on this topic.

Thank you very much for your support on this initiative.

Yours truly,



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

Attachment

pc: Ms. Jane Naydiuk
Assistant Commissioner Craig Callens, Commanding Officer "E" Division

FEB 27 2012

Chief Constable Peter Lepine
President
British Columbia Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Constable Lepine:

I am responding to your letter regarding the British Columbia Association of Chiefs of Police (BCACP) resolution to make laser jamming devices illegal and provide the police with authority to seize such devices. I apologize for the delay in my reply.

The Province is acutely aware that excessive speed continues to be a significant contributing factor to fatal crashes in British Columbia and I agree that laser jammers can be used to hinder police traffic enforcement efforts. I have asked Mr. Clayton Pecknold, Assistant Deputy Minister and Director of Police Services, to work with BCACP to examine ways to determine the scope of the problem and provide recommendations to me.

Thank you for taking the time to write to me about the BCACP resolution. It is through such cooperative efforts that we can continue to increase safety on the roadways of the province.

Sincerely,

Shirley Bond
Minister of Justice
and Attorney General

pc: Mr. Clayton Pecknold
Ms. Jan Staples
Chief Constable Jamie Graham

PSPB/PSD VAN PECKNOLD/MACLEOD/GRASBY/SMITH

C/476342

January 26, 2012
Ref. C475821

Chief Superintendent Wayne Rideout
Deputy Criminal Operations Officer
RCMP "E" Division
5255 Heather Street
Vancouver BC V52 3L7

Dear Chief Superintendent Rideout:

Re: Bar Watch Initiative and the Liquor Control and Licensing Act

This is in response to your letter of December 28, 2011, regarding recommended changes to the Liquor Control and Licensing Act (LCLA). In your letter you suggest that British Columbia should adopt an approach similar to the Alberta Gaming and Liquor Act which would give police in British Columbia an increased confidence in their ability to engage in suppressing gang-related activity in licensed establishments.

I met with Karen Ayers, Assistant Deputy Minister of the Liquor Control and Licensing Branch of the Ministry of Public Safety and Solicitor General, and it appears there was a related initiative that was considered in 2008 that was not ultimately supported. I have asked Ministry staff to review this previous initiative and determine any relevancy to this request. In the interim, I would ask that you canvas your counterparts in Alberta for the results of their use of the recently updated Alberta legislation and inform us of your findings.

Yours truly,

Original signed by ADM

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

Miller, Lesley SG:EX

From: Miller, Lesley SG:EX
Sent: Thursday, February 2, 2012 12:08 PM
To: Staples, Jan SG:EX
Cc: Butterfield, Nicole SG:EX; Perri, Stacey SG:EX; Naydiuk, Jane SG:EX
Subject: FW: Incoming Ltr Ref C476371 from BCACP regarding 'Salvaged Vehicles within Public Transportation Industry'
Attachments: 120120 C476371 fr BCACP re Salvaged Vehicles.pdf

Sorry picked up the wrong "GAL" address, tks
Lesley

From: Miller, Lesley SG:EX
Sent: Thursday, February 2, 2012 12:07 PM
To: Naydiuk, Jane SG:EX
Cc: Perri, Stacey SG:EX; Butterfield, Nicole SG:EX
Subject: Incoming Ltr Ref C476371 from BCACP regarding 'Salvaged Vehicles within Public Transportation Industry'

Hi Jan:

Please see attached scanned copy of Incoming Ltr Ref C476371 regarding 'Salvaged Vehicles within Public Transportation Industry' received from BCACP.

As per Clayton's comments "c RSU Review and Action".

Thanks!

Lesley Miller, Administrative Assistant
Policing and Security Programs Branch, Ministry of Public Safety and Solicitor General
10th Floor, 1001 Douglas Street, PO Box 9285 Stn Prov Govt, Victoria, BC V8W 9J7
Phone: (250) 387-1741 | Fax: (250) 356-7747 | email: Lesley.Miller@gov.bc.ca

11 April 12
- Nothing in Cliff
- fwded to Crystal
- check & see if PSD
needs to do anything
- if no = close Cliff & note
& file docs
- if yes = f/up

Miller, Lesley JAG:EX

From: Miller, Lesley JAG:EX
Sent: Wednesday, April 11, 2012 3:38 PM
To: Staples, Jan JAG:EX
Cc: Fonk, Crystal JAG:EX
Subject: RE: Incoming Ltr Ref C476344 regarding 'Motor Vehicle Act' from BCACP

Hi Jan
This is good. We will file.

Thanks!
Lesley

From: Staples, Jan JAG:EX
Sent: Wednesday, April 11, 2012 3:21 PM
To: Miller, Lesley JAG:EX; Fonk, Crystal JAG:EX
Subject: RE: Incoming Ltr Ref C476344 regarding 'Motor Vehicle Act' from BCACP

Hi there
I believe the response, as written is appropriate and factual. Nothing more to add on our part. Any further action required?
Jan

Jan Staples - Director
Road Safety Unit, Police Services Division
Ministry of Justice
Ph: 604.775.2108

From: Miller, Lesley JAG:EX
Sent: Wednesday, April 11, 2012 2:16 PM
To: Staples, Jan JAG:EX
Cc: Fonk, Crystal JAG:EX
Subject: FW: Incoming Ltr Ref C476344 regarding 'Motor Vehicle Act' from BCACP

Hi Jan
Further to my email below, an answer from the Minister has now been completed and is attached for your perusal.

Is there anything further that PSD/RSU needs to do? Please respond to Crystal as she is now assisting Nicole with Clayton's work.

Tks!
Lesley

From: Miller, Lesley SG:EX
Sent: Thursday, February 2, 2012 9:28 AM
To: Staples, Jan SG:EX
Cc: Perri, Stacey SG:EX; Butterfield, Nicole SG:EX
Subject: Incoming Ltr Ref C476344 regarding 'Motor Vehicle Act' from BCACP

Hi Jan:

Please see attached scanned copy of Incoming Ltr Ref C476344 regarding 'Motor Vehicle Act: 3 demerit points for texting' received from BCACP.

As per Clayton's comments "c RSU Review and Action".

Note: this letter has been referred from office of the SG to OSMV for SG reply.

Thanks!

Lesley Miller, Administrative Assistant
Policing and Security Programs Branch, Ministry of Public Safety and Solicitor General
10th Floor, 1001 Douglas Street, PO Box 9285 Stn Prov Govt, Victoria, BC V8W 9J7
Phone: (250) 387-1741 | Fax: (250) 356-7747 | email: Lesley.Miller@gov.bc.ca



RECEIVED
MAR 20 2012

MAR 09 2012

Chief Constable Pete Lepine
President
BC Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Constable Lepine:

Peter

I am responding to your letter regarding the BC Association of Chiefs of Police resolution to include a three point penalty for *Motor Vehicle Act* section 214.2(1) offence of using an electronic device while operating a motor vehicle.

I wish to assure you and your members that the Province will give this resolution serious consideration. In addition, the Office of the Superintendent of Motor Vehicles is continuing to monitor this legislation and it will be subject to ongoing reviews.

Thank you for writing.

Sincerely,

Shirley Bond

Shirley Bond
Ministry of Justice
and Attorney General

*Thank you
for your
suggestion!*

pc: Mr. Clayton Pecknold
Mr. Steve Martin
Chief Constable Jamie Graham

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



RECEIVED
MAR 20 2012

MAR 12 2012

Chief Constable Peter Lepine
President
British Columbia Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Constable Lepine: *Chief:*

I am responding to your letter regarding the British Columbia Association of Chiefs of Police (BCACP) resolution to make laser jamming devices illegal and provide the police with authority to seize such devices. I apologize for the delay in my reply.

The Province is acutely aware that excessive speed continues to be a significant contributing factor to fatal crashes in British Columbia and I agree that laser jammers can be used to hinder police traffic enforcement efforts. I have asked Mr. Clayton Pecknold, Assistant Deputy Minister and Director of Police Services, to work with BCACP to examine ways to determine the scope of the problem and provide recommendations to me.

Thank you for taking the time to write to me about the BCACP resolution. It is through such cooperative efforts that we can continue to increase safety on the roadways of the province.

Sincerely,

Shirley Bond
Minister of Justice
and Attorney General

*Thank you
for your
input.*

pc: Mr. Clayton Pecknold
Ms. Jan Staples
Chief Constable Jamie Graham



RECEIVED
MAR 20 2012

MAR 12 2012

Chief Constable Peter Lepine, President
BC Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Reference: 201566

Dear Chief Constable Peter Lepine:

Re: Motorcycle Noise and Salvaged Vehicles in Public Transportation Industry

Thank you for your letters of January 20, 2012, proposing amendments to legislation to prohibit the use of salvaged vehicles in the public transportation industry as well as changes to the regulations for testing motorcycle noise levels. The ministry is always willing to examine proposals geared to improving vehicle and road safety, and I appreciate you bringing these resolutions forward for consideration by the Province.

I have asked the Commercial Vehicle Safety and Enforcement (CVSE) Branch of the ministry to review your proposals and consider options to address the issues being raised. In undertaking this work the CVSE Branch will also consult with other interested stakeholders, including the Police Services Division of the Ministry of Justice, the Insurance Corporation of British Columbia and provincial motorcycling and taxi associations.

I have asked the CVSE's Director, Brian Murray, to keep you apprised of the review process as it moves forward. In the meantime, should you wish to discuss these matters in further detail, please don't hesitate to contact Mr. Murray. He can be reached by telephone at 250 953-4073 or by e-mail at Brian.Murray@gov.bc.ca and would be pleased to assist you.

Thank you again for taking the time to write.

Sincerely,

Blair Lekstrom
Minister

.../2



RECEIVED
APR 25 2012

APR 18 2012

Chief Constable Peter Lepine
President
BC Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Chief Constable Lepine:

Peter:

Thank you for your letter regarding recommended changes to the *Liquor Control and Licensing Act (LCLA)* which would give police in British Columbia an increased ability to engage in suppressing gang-related activity in licensed establishments. It is my understanding that Alberta has made amendments to their *Gaming and Liquor Act* which are similar to the changes proposed in the BCACP resolution.

Ministry staff met with Ms. Karen Ayers, Assistant Deputy Minister of the Liquor Control and Licensing Branch, Ministry of Energy and Mines, on this issue and are reviewing the success of Alberta's changes to their *Gaming and Liquor Act* from a policing perspective. Once complete, this information will be shared with the Honourable Rich Coleman, Minister of Energy and Mines and House Leader who, as you are aware, is now responsible for issues relating to liquor control and licensing.

Thank you once again for writing with your inquiry.

Sincerely,

A handwritten signature in cursive script that reads "Shirley Bond".

Shirley Bond
Minister of Justice
and Attorney General

pc: The Honourable Rich Coleman
Ms. Karen Ayers
Ms. Lori Wanamaker
Mr. Clayton Pecknold

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

- Agenda Page 22

Page 155 redacted for the following reason:

s. 3

Butterfield, Nicole JAG:EX

From: MacLeod, Sam JAG:EX
Sent: Thursday, June 14, 2012 10:20 PM
To: Pecknold, Clayton JAG:EX
Subject: Re:

Not bad - not that "strategic" - more concerned with very topical issues.

They are expecting results from this process.

Had a great line from one of the RCMP - s.16

Sent from my iPhone

On 2012-06-14, at 7:32 PM, "Pecknold, Clayton JAG:EX" <Clayton.Pecknold@gov.bc.ca> wrote:

How was the north?

From: MacLeod, Sam JAG:EX
Sent: Thursday, June 14, 2012 07:29 PM
To: Pecknold, Clayton JAG:EX
Subject: Re:

Clayton

s.16

Sam

Sent from my iPhone

On 2012-06-14, at 6:21 PM, "Pecknold, Clayton JAG:EX" <Clayton.Pecknold@gov.bc.ca> wrote:

Not Responsive

Williamson, Joy JAG:EX

From: Butterfield, Nicole JAG:EX
Sent: Friday, June 8, 2012 10:38 AM
To: Webb, Sandy J SG:EX
Subject: FW: Factsheet to stakeholders
Attachments: FS_RCY CJB Funding_03 29 12_FINAL.PDF

For your attention please.

Thanks.

Nicole

From: Butterfield, Nicole JAG:EX
Sent: Monday, May 7, 2012 2:20 PM
To: Pecknold, Clayton JAG:EX
Cc: Kirby, Katherine JAG:EX
Subject: FW: Factsheet to stakeholders

Thank you Clayton.

Kathy – for your attention please. Thanks.

Nicole

From: Pecknold, Clayton JAG:EX
Sent: Friday, May 4, 2012 5:36 PM
To: Butterfield, Nicole JAG:EX
Subject: Re: Factsheet to stakeholders

Yes.

From: Butterfield, Nicole JAG:EX
Sent: Friday, May 04, 2012 04:39 PM
To: Pecknold, Clayton JAG:EX
Cc: Kirby, Katherine JAG:EX; Hodge, Jessica JAG:EX
Subject: FW: Factsheet to stakeholders

Do you still want this included in your remarks for June's BCACP meeting?

From: Pecknold, Clayton SG:EX
Sent: Friday, March 30, 2012 12:13 PM
To: Butterfield, Nicole SG:EX
Subject: Fw: Factsheet to stakeholders

I think I should be at the cplc meeting and perhaps it should be in my remarks for bcacp as well.

From: Coburn, Lindsay JAG:EX
Sent: Friday, March 30, 2012 12:05 PM
To: Clark, Perry SG:EX; Fyfe, Richard J JAG:EX
Cc: Ritchie, Dave JAG:EX; Kerr, Carleen JAG:EX; Sitter, Donna GCPE:EX; Pecknold, Clayton SG:EX

Williamson, Joy JAG:EX

From: Butterfield, Nicole JAG:EX
Sent: Monday, May 7, 2012 2:20 PM
To: Pecknold, Clayton JAG:EX
Cc: Kirby, Katherine JAG:EX
Subject: FW: Factsheet to stakeholders
Attachments: FS_RCY CJB Funding_03 29 12_FINAL.PDF

Thank you Clayton.

Kathy – for your attention please. Thanks.

Nicole

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Subject: Re: Factsheet to stakeholders

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Sent: Friday, March 30, 2012 12:05 PM
To: Clark, Perry SG:EX; Fyfe, Richard J JAG:EX
Cc: Ritchie, Dave JAG:EX; Kerr, Carleen JAG:EX; Sitter, Donna GCPE:EX; Pecknold, Clayton SG:EX
Subject: Factsheet to stakeholders

Hi,

Do you have any concerns with the following cover letter being sent to stakeholders (domestic violence organizations and police), along with our factsheet?

Perry – do you have a list of department heads that this could be sent to and do you have any concerns with our approach? I've been in touch with Lynda Cavanaugh already on the domestic violence stakeholders side.

FACTSHEET

March 29, 2012

Ministry of Justice

Changes provide further safeguards for vulnerable children

The Ministry of Justice has taken immediate action on all three recommendations made in the report released today by the Representative for Children and Youth.

The report details how a failure to have police witness statements transcribed and translated in a timely way resulted in a prosecution being judicially stayed, and identifies a need for improved practices in cases involving child victims.

The Ministry's response to the report's three recommendations is outlined below:

Recommendation 1: That the Ministry of Justice develop a policy that requires that Senior Crown Counsel review all cases where a prosecution affecting the welfare or safety of a child could be adversely affected by procedural or investigatory barriers.

In October 2010, the Criminal Justice Branch (CJB) put in place an updated policy for crimes against children and vulnerable youth with procedures that encourage effective and timely case management practices specific to these cases.

Having now reviewed the report, the CJB will work to strengthen the policies, procedures and litigation practises that it already has in place to:

- ensure accurately transcribed and translated witness statements;
- ensure prosecution files involving child victims are identified early in the process;
- facilitate Crown file ownership for pro-active case management wherever feasible; and
- establish a more effective flagging mechanism for identifying cases with a child victim for trial preparation purposes.

CJB policies and case management practices will also be reviewed to see if further changes need to be made to address the specific issues raised in the report, including quality control timelines to monitor completion of disclosure requirements and witness readiness.

The CJB will also distribute the report as an educational tool to all prosecutors and emphasize to Crown Counsel the unique needs of these files and the importance of close monitoring.

Recommendation 2: That the Ministry of Justice ensure an appropriately funded system of access to accredited translation and interpretive services is available throughout all states of an investigation and prosecution.

As the report notes, police are responsible for arranging the transcription and translation of statements made in foreign languages and providing those translated statements to Crown. This is set out in the Memorandum of Understanding on Disclosure between Police and Crown Counsel in British Columbia.

Currently, there are translation services available across the province and police regularly access these services when needed for use with witness statements, or they produce the translations in-house. However, greater clarity is required on when it is necessary for police to use accredited or court-approved translators for the production of a statement, so that the necessary resources can be allocated to get the work done in a timely way. Special consideration will also be given to how these translations are handled when rarely used languages are involved.

To ensure a similar situation does not occur going forward, CJB will bring this issue to the B.C. Crown Police Liaison Committee, which is made up of prosecution and senior police representatives from across the province, for consideration and the development of an effective solution to the need for accredited transcription and translation of statements. The next meeting of the committee is in May.

Recommendation 3: That the Ministry of Justice produce an annual aggregate report on the outcomes of criminal prosecutions where a child has been a victim of violence, including cases that are stayed or otherwise terminated prior to a trial.

The Ministry of Justice will produce an annual, aggregate, data-based report beginning in June 2013, which is the timing recommended by the Representative. This report will identify the number of accused persons who are charged with offences involving child victims and the outcomes of prosecution files involving child victims.

Contact: Dave Townsend
Government Communications and Public Engagement
Ministry of Justice
250 387-4962
250 889-5945 (cell)

Butterfield, Nicole SG:EX

160-20/BCAMCP/APR-JUN

Subject: BCAMCP Closed Meeting
Location: Central Saanich Fire Training Hall 1903 Mt. Newton Cross Road
Start: Tue 2010-04-13 9:30 AM
End: Tue 2010-04-13 10:00 AM
Recurrence: (none)
Organizer: Begg, Kevin L SG:EX



Butterfield, Nicole SG:EX

Subject: BCAMCP Regular Meeting
Location: Central Saanich Fire Training Hall 1903 Mt. Newton Cross Road
Start: Tue 2010-04-13 10:00 AM
End: Tue 2010-04-13 1:00 PM
Recurrence: (none)
Organizer: Begg, Kevin L SG:EX



Not Responsive

>
>
> Quoting "Lagah, Sherry SG:EX" <Sherry.Lagah@gov.bc.ca>:
>
>
>> Thank you, I have confirmed the call in David's calendar.
>>
>> Sherry Lagah
>> Office of the Deputy Solicitor General Ministry of Public Safety and
>> Solicitor General
>> (250) 387-5362
>>

Not Responsive

Butterfield, Nicole SG:EX

From: Butterfield, Nicole SG:EX
Sent: Thursday, April 1, 2010 11:49 AM
To: Begg, Kevin L SG:EX
Subject: FW: UPDATE: Conference Call Confirmation, Thursday 4/1/10 -DeputyMinister Morhart - British Columbia
Attachments: C3IP Presentation_final.pdf

Sorry Kevin, just looking at this now.

Nicole

Not Responsive

On 3/29/2010 9:55 AM, Lagah, Sherry SG:EX wrote:

> Good morning Sam,
>
> Kevin Begg, Assistant Deputy Minister of the Policing and Community
> Safety Branch will also be calling into this conference call.
>
> Thank you,
>
> Sherry
>

Not Responsive

>
> Quoting "Lagah, Sherry SG:EX"<Sherry.Lagah@gov.bc.ca>:
>
>
>> Thank you, I have confirmed the call in David's calendar.
>>
>> Sherry Lagah
>> Office of the Deputy Solicitor General Ministry of Public Safety and
>> Solicitor General
>> (250) 387-5362

Not Responsive



PORT MOODY
POLICE DEPARTMENT
DATE RECEIVED

DEC 20 2010

DEC 15 2010

File # _____
☐ Action by _____
☐ For Info. _____
☐ _____
☐ _____
☐ _____
☐ _____
☐ _____
☐ _____
☐ Concluded date: _____

Deputy Chief Constable Clayton Pecknold
President
BC Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Deputy Chief Constable Pecknold:

It was a pleasure to meet with you last week. I am responding to your October 13, 2010 motion submitted by the British Columbia Association of Chiefs of Police (BCACP), regarding improving enforcement of impaired boating in British Columbia.

Thank you for drawing attention to this important public safety matter, including the limited options available to police in ensuring that impaired individuals do not continue to operate boats or motorized vessels, such as jet skis, after being charged with impaired operation.

I want to ensure that British Columbia's new approach to impaired driving is fair and reasonable, and have committed to consulting affected parties as we move forward. As such, I will also ask Ministry staff to review licensing and impaired boating legislation in other jurisdictions as well as consult with our colleagues in the Ministry of Tourism, Trade and Investment, to ensure any potential changes regarding impaired boating are also consistent with our approach to safer operation of off-road recreational vehicles in British Columbia.

Thank you for sharing the BCACP's position on this issue and your ongoing role in improving public safety in British Columbia.

Sincerely yours,

Original signed by:

Rich Coleman
Solicitor General

cc: Chief Constable Brad Parker
Ms. Lori Wanamaker
Mr. Kevin Begg

Ministry of
Public Safety
and Solicitor General

Office of the
Minister

Mailing Address:
PO Box 9053 Stn Prov Govt
Victoria BC V8W 9E2



February 2, 2011
Ref. 455908

Chief Constable Paul Hames
Secretary/Treasurer BCAMCP
Central Saanich Police Department
1903 Mt. Newton Cross Road
Saanichton BC V8M 2A9

Dear Chief Constable Hames:

RE: BCAMCP associate membership

I am writing to request BCAMCP associate membership status for the following two staff members of Police Services Division:

Ms. Lynne McNally, Executive Director, Standards and Evaluation Unit, PSD
Dr. Gabi Hoffmann, Program Manager, Standards and Evaluation Unit, PSD.

Both these staff members work almost exclusively on police policy and training matters and it would be of benefit for them to be members of the BCAMCP to promote an even greater understanding of the complex issues facing policing in BC.

Thank you for your consideration.

Yours truly,



Kevin Begg
Assistant Deputy Minister
Policing and Security Programs Branch

Ministry of Public Safety
and Solicitor General

Policing and Security Programs
Branch

Mailing Address:
PO Box 9285 Stn Prov Govt
Victoria BC V8W 2J7

Telephone: 250 387-1100
Facsimile: 250 356-7747
Website: www.gov.bc.ca/pssg



DEC - 2 2010

Deputy Chief Constable Clayton Pecknold
President
BC Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Deputy Chief Constable Pecknold:

I am responding to your July 28, 2010 letter addressed to my predecessor, the Honourable Michael de Jong, regarding two resolutions from the June 23 and 24, 2010 meeting of the British Columbia Association of Chiefs of Police (BCACP).

The first BCACP motion advocates legislation to allow registered owners to be charged for speeding through locations equipped with intersection safety cameras. The second motion calls for a charge of 'driving without reasonable consideration for others' for driving through a red light at intersection safety camera equipped location.

While I appreciate your position, British Columbia's red light cameras are prescribed in legislation for the purpose of capturing an image for red light running only. I understand that these cameras can capture the speed of a vehicle through an intersection but this information does not form part of the charge as the cameras are not certified as 'speed detection devices'.

With regards to speeding, the provincial government believes that 'in-person' officer enforcement, the new excessive speeding laws, and education campaigns are the most effective deterrents to speeders. We are already seeing positive downward trends in the number and severity of crashes in British Columbia as a result of legislative changes and the Enhanced Traffic Law Enforcement program.

.../2

Ministry of
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and Solicitor General

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Mailing Address:
PO Box 9053 Stn Prov Govt
Victoria BC V8W 9E2

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Deputy Chief Constable Clayton Pecknold
Page 2

Thank you for sharing the BCACP's position on this issue and for your continued efforts in making British Columbia's roads the safest in Canada.

Sincerely yours,

A handwritten signature in black ink, appearing to be 'RC', with a long horizontal stroke extending to the right.

Rich Coleman
Solicitor General

pc: Mr. David Loukidelis
Mr. Kevin Begg
Chief Constable Jamie Graham



Emergency Management BC

December 3, 2010

Mr. Clayton Pecknold
President
BC Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Mr. Pecknold:

In keeping with the spirit of the Memo of Understanding between the Office of the Chief Coroner, RCMP "E" Division and the independent municipal police departments, I am writing to inform your agency of recent revision to the BC Coroners Service policy on scene attendance.

As you know, under Part 2 of the *Coroners Act* a person must immediately report to a peace officer or a coroner the facts and circumstances relating to the death of an adult or child that is believed to be sudden and unexpected, unnatural, unexplained or unattended by a physician. These most commonly include cases where a person has died as a result of an accident, violence, self-inflicted injury or illness, misconduct or negligence. It is also quite common for a peace officer or coroner to be notified of the death of a person who appears to have died of a disease or illness for which he or she was not being treated by a medical practitioner. If a police officer is the first to be informed of a death of this type, he or she must immediately notify a coroner.

Police do not exercise powers under the *Coroners Act* unless requested and authorized by the coroner. For this reason a police officer must first contact a coroner before initiating any actions or investigations under the *Coroners Act*. Following this initial discussion, the coroner will determine whether or not he or she is required to attend a death scene. This does not limit police powers to investigate under other statutory and common law authorities.

Scene attendance is a vital component of a coroner's investigation and it is expected that a coroner will attend the scene prior to removal of the body whenever possible. To ensure that we continue to meet the increased expectations of the public and its stakeholders in this time of fiscal challenges, the Coroners Service revised its scene attendance policy in July 2010.

/Cont'd ... 2

Ministry of Public Safety and
Solicitor General

Emergency Management BC
BC Coroners Service

Office of the Chief Coroner
Metrotower II
Suite 800 - 4720 Kingsway
Burnaby BC V5H 4N2

Phone: 604 660-7745
Facsimile: 604 660-7766
Website: www.pssg.gov.bc.ca/coroners

It was identified that, in the majority of cases, coroners across the province are able to access a death scene in two hours or less. By exception, coroners in more remote areas may on occasion be required to travel well in excess of two hours to attend a scene. As a result a policy has been implemented, requiring a coroner to consult with his or her regional coroner before attending a scene that is in excess of two hours away. Taking the following factors into consideration the coroner and the regional coroner will determine if attendance is required:

1. Issues regarding safety, distance, accessibility;
2. Undue delays of other agencies in attendance; and
3. Ability of another agency at the scene to provide the minimum basic information required.

Coroners will continue to attend scenes when it is critical for them to do so, regardless of the distance and/or travel time. Police and other agencies should never make the assumption that the coroner will not be attending. During a discussion with the police and/or medical personnel the coroner may determine that scene attendance may not be required in the following circumstances:

1. Obvious homicides, except child homicides; and
2. Deaths where Do Not Resuscitate (DNR) and/or planned home death protocols are in place, no concerns have been expressed by the family and police and or/ambulance have attended.

In cases where a death appears to be suspicious, the coroner must have an understanding of the body, scene and investigation being undertaken by the police. Wherever possible the coroner will arrange with the police scene coordinator for an appropriate time to attend and view the scene and body, before the body has been moved. Except where the body or scene may be compromised by uncontrolled external circumstances (examples: animal predation, fire, tides, water currents), the body will not be moved without the coroner's knowledge and consent.

In cases where the coroner does not attend, the coroner will authorize the police to conduct further enquiries and to photograph the scene in support of a *Coroners Act* investigation. The sudden death report prepared by the attending police officers are invaluable to coroners who are not able to personally attend a scene.

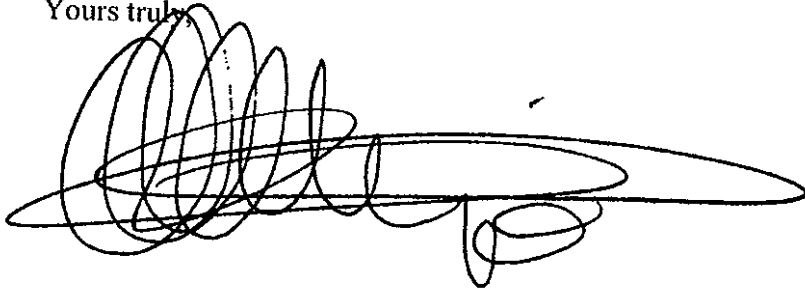
In the past 12 months the Coroners Service has investigated in excess of 7600 deaths in British Columbia and a coroner attended the scene in well over half the cases. Since its implementation five months ago, the revised policy for distant scenes has allowed for a more efficient and effective investment of Coroners Service resources without compromising our delivery of service.

/Cont'd ... 3

Mr. Clayton Pecknold
Page 3

If you have any questions, please contact Jeff Dolan, Director of Provincial Operations at
(604) 660-6371 or jeff.dolan@gov.bc.ca.

Yours truly,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Dr. Diane A. Rothon MD
Chief Coroner
Province of British Columbia



RECEIVED
DEC 21 2010

DEC 15 2010

Deputy Chief Constable Clayton Pecknold
President, British Columbia Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Deputy Chief Pecknold:

I am responding to your July 28, 2010 letter to Michael de Jong, Q.C., regarding BCACP's June 23-24, 2010 random breath testing resolution. I apologize for the delay in my reply.

British Columbia is a national leader when it comes to administrative sanctions for impaired driving. On September 20, 2010, we introduced new provincial legislation for driving while impaired by alcohol. A critical success factor in the implementation of this new legislation was the partnership forged between police and government. The fact that in the first three weeks police had issued over 1200 roadside prohibitions is a strong indicator of our mutual strength and cooperation.

Discussions regarding improvements to the transportation provisions of the *Criminal Code of Canada* are currently under way at the provincial, federal and territorial levels of government. These include the potential use of random breath testing as a tool to help address issues related to impaired driving. No definitive conclusions have been drawn to date.

While the application of random breath testing in Canada has yet to be resolved I can assure you that British Columbia will continue to work toward the Province's goal of reducing alcohol related fatalities and injuries. We sincerely appreciate the contribution that police have made toward this goal.

Thank you for your support and for sharing the BCACP's position on random breath testing.

Sincerely,

Lori Wanamaker, CA
Deputy Solicitor General

pc: Mr. Kevin Begg

Ministry of Public Safety and
Solicitor General

Office of the
Public Security Commissioner &
Deputy Solicitor General
Mailing Address:
PO Box 9290 Stn Prov Govt
Victoria BC V8W 9J7

- Agenda Page 48 -

Location:
11th Floor, 1001 Douglas Street
Victoria BC V8V 1X4
Telephone: 250 356-0149
Facsimile: 250 387-6224



RECEIVED
DEC 21 2010

DEC 15 2010

Deputy Chief Constable Clayton Pecknold
President
BC Association of Chiefs of Police
PO Box 42529
New Westminster BC V3M 6L7

Dear Deputy Chief Constable Pecknold:

It was a pleasure to meet with you last week. I am responding to your October 13, 2010 motion submitted by the British Columbia Association of Chiefs of Police (BCACP), regarding improving enforcement of impaired boating in British Columbia.

Thank you for drawing attention to this important public safety matter, including the limited options available to police in ensuring that impaired individuals do not continue to operate boats or motorized vessels, such as jet skis, after being charged with impaired operation.

I want to ensure that British Columbia's new approach to impaired driving is fair and reasonable, and have committed to consulting affected parties as we move forward. As such, I will also ask Ministry staff to review licensing and impaired boating legislation in other jurisdictions as well as consult with our colleagues in the Ministry of Tourism, Trade and Investment, to ensure any potential changes regarding impaired boating are also consistent with our approach to safer operation of off-road recreational vehicles in British Columbia.

Thank you for sharing the BCACP's position on this issue and your ongoing role in improving public safety in British Columbia.

Sincerely yours,

Rich Coleman
Solicitor General

pc: Chief Constable Brad Parker
Ms. Lori Wanamaker
Mr. Kevin Begg

Ministry of
Public Safety
and Solicitor General

Office of the
Minister

Mailing Address:
PO Box 9053 Stn Prov Govt
Victoria BC V8W 9E2

- Agenda Page 49 -



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 9285 Stn Prov Govt
Victoria BC V8W 9J7

Telephone: 250 387-1100
Facsimile: 250 386-7347
Website: www.gov.bc.ca/paag

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1.2.2 Intermediate Weapons

1.3 CEWs

1.3.1 Threshold and Circumstances of Use

1.3.2 Approved CEW Models

1.3.3 Internal CEW Controls and Monitoring

1.3.4 Medical Assistance to CEW Discharges

1.3.5 CEW Testing

1.4 Intentionally left blank

1.5 Intentionally left blank

1.6 Intentionally left blank

1.7 Reporting and Investigation Following the Use of Force

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1.8 Intentionally left blank

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- 3.1 Intentionally left blank
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 - 3.2.2 CID Training

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- 4.1 Intentionally left blank

Confidential DRAFT

Section 1.0 – Use of Force	Page 1 of 2
Sub Section 1.1 – Firearms	Effective: Approved date
Subject 1.1.1 – Firearms and Ammunition	Revised: n/a

Definitions

"Ammunition" - a projectile intended for use with a firearm.

"Director" - the director of police services, Ministry of Public Safety and Solicitor General.

"Firearm" - a firearm as defined in section 2 of the *Criminal Code* (Canada).

"Officer" – a constable appointed under the *Police Act* or an enforcement officer appointed under s. 18.1 of the *Police Act*.

Standards

The chief constable, chief officer, or commissioner:

Approved firearms and ammunition

- (1) Must ensure only firearms approved by the director are carried and used by officers.

Approved firearms are semi-automatic pistols with the following specifications:

- (a) Double/single or double action-only trigger mechanism;
- (b) Single action trigger force of not less than 1.36 kg;
- (c) Hammer/firing pin block safety mechanism; and
- (d) Barrel of not less than 76 mm and not more than 127 mm in length.

- (2) Must ensure the ammunition issued and used in a firearm described under Standard (1) are 0.40 calibre Smith and Wesson factory loaded cartridges with the following specifications:

- (a) Hollow point bullet design;
- (b) Bullet weight no less than 9.523 grams (147 grain); and
- (c) Muzzle velocity between 290 m/second to 396 m/second, when fired in a firearm referred to in Standard (1).

- (3) May authorize, or designate in writing a person who may authorize an officer to carry for a special purpose a firearm and ammunition of a type other than that referred to in Standards (1) and (2) above.

- (4) Must prohibit officers from carrying a firearm or ammunition other than those referred to in Standards (1), (2), or (3) above.

- (5) Must, on the request of the director, submit a report on all special firearms and ammunition issued and the reason for issuing them if an authorization is made under Standard (3).

Maintenance of firearms

- (6) Must ensure that each firearm in the inventory of their police force is maintained in good working order.

Training, qualification and requalification for firearms

- (7) Must ensure that an officer successfully completes a training course for that firearm and is qualified before the officer is authorized to carry and use a firearm or ammunition under Standard (1), (2), or (3) above.
- (8) Must ensure any officer authorized to carry and use a firearm or ammunition under Standard (1), (2), or (3) above is requalified on the use of the firearm at least every 12 months.
- (9) Must ensure that written records are maintained of the firearms training and requalification completed by each officer in the police force.

Policies and procedures

- (10) Must ensure policies and procedures are consistent with these *BC Provincial Policing Standards*.

NOTE: These BC Provincial Policing Standards replace the Police Act Use of Force Regulation s. 3, 4, and 10(1) and 10(4).

BCPPS 1.1.1 – Firearms and Ammunitions**Purpose**

The intent of the *BC Provincial Policing Standards 1.1.1–Firearms and Ammunitions; 1.2.2–Intermediate Weapons; 1.7.1–Investigation Following the Use of Weapons; and 1.9.1–Use-of-Force Models and Techniques* is to preserve key elements and replace the content of the *Police Act Use of Force Regulation*. This regulation was repealed when amendments to the *Police Act* were brought into effect in [insert date] 2011, which transferred the authority to regulate police training from the Lieutenant Governor in Council and the Minister to the director of police services.

The underlying principle of these *Standards* is to enhance police accountability through provincial oversight.

Background

In his July 2009 report *Restoring Public Confidence*, Justice Braidwood was critical of the provincial government for not establishing binding provincial policing standards for use of force and conducted energy weapons (CEWs). He recommended that detailed provincial standards and rules regarding CEW policy, training and reporting were required. He concluded that it is the role of the Province to set such standards.

Amendments to the *Police Act* which give authority to the director of police services to establish binding provincial standards for policing were brought into effect in [insert date] 2011 (s. 40). To avoid duplication, the amendments also repealed the Lieutenant Governor in Council's and the Minister's power to make regulations concerning the use of force by police officers (formerly s. 74 (2)(t)). The *Police Act Use of Force Regulation*, created under the authority of s. 74 (2)(t), was also repealed.

As an interim measure and until Police Services Division consults with stakeholders regarding more substantive changes, the content of the *Use of Force Regulation* was transferred into the following *BC Provincial Policing Standards* (the *Standards*):

- 1.1.1 – *Firearms and Ammunitions*;
- 1.2.2 – *Intermediate Weapons*;
- 1.7.1 – *Reporting and Investigation Following the Use of Weapons*; and
- 1.9.1 – *Use-of-Force Models and Techniques*.

PSD is developing other *Standards* in consultation with police and other stakeholders. To date, the priority has been to develop *Standards* concerning the use of CEWs in response to the Braidwood Commission of Inquiry.

Certain sections were streamlined and edited or removed but few substantive changes were made to the content of the *Use of Force Regulation* in this process. Police Services Division will consult with stakeholders to further amend these *Standards* in the future.

Changes from the repealed *Use of Force Regulation* include the following:

- The *Regulation* did not apply to the provincial police force. The *Standards* are addressed to chief constables, chief officers, and the commissioner of the provincial police force.
- The *Standards* include new requirements: to notify a supervisor when an officer discharges a firearm with bean bag ammunition; that the supervisor notified investigate and reports the reasons for the discharge; and for the chief constable to report to the chair of the board if he or she discharges a firearm with bean bag ammunition. In the *Regulation*, such requirements applied to firearms discharges but not when bean bag ammunitions were used.
- A section that required the director to appoint a use-of-force coordinator to handle the development of use-of-force policies and to establish a use of force committee to make recommendation on use-of-force policy has been removed. Some of the functions fulfilled by the use-of-force coordinator position were either transferred to public servants within Police Services Division, fulfilled through other means, or are no longer relevant. The committee referred to in the *Regulation* will be subsumed under another committee with a broader mandate.
- A section which authorized officer discharges of firearms if in accordance with the protections and authorizations provided by the *Criminal Code* has been removed. It is not necessary to reiterate federal legislation provisions in the *Standards*.
- The *Regulation* left it to each police force to determine the requalification period for intermediate weapons. A new requirement in the *Standards* sets the requalification period for intermediate weapons to 12 months, aligning with that of firearms and CEWs. It is also consistent with the requalification period for intermediate weapons specified in the *Provincial Standards for Municipal Police Departments in British Columbia* developed by the British Columbia Police Commission.
- The requirements that the chief constable or board initiate an investigation into an incident where someone is killed or injured as a result of the discharge of a firearm or the use of an intermediate weapon by an officer or chief constable have been removed. Part 11 of the *Police Act* now requires the police complaint commissioner to order an investigation when a person is killed or suffers serious harm in the custody of an officer or as a result of the operations of a municipal police department (s. 89). In addition, the police complaint commissioner may order in an investigation into the actions of any member of a municipal police department which could constitute misconduct, whether or not a complaint is made

(s. 93). These provisions are extended to officers of designated policing units and designated law enforcement units under their operational regulations.

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Section 1.0 – Use of Force	Page 1 of 4
Sub Section 1.2 – Intermediate Weapons	
Subject 1.2.1P – Intermediate Weapon Restraint and Approval Process	Effective: Approved date Revised: n/a

Definitions

“Intermediate weapon” – a weapon whose normal use is not intended or likely to cause serious injury or death. Impact weapons, aerosols, and conducted energy weapons fall within this category. Intermediate weapons may also be referred to as less-lethal weapons.

“Restraint” or “restraint system” – any mechanical device or system of mechanical devices that when used in their ordinary and intended manner restrict the normal physical activity or range of motion of an individual in part or in whole.

“Device” - all intermediate weapons and restraints or restraint systems captured by the above definitions.

Policy Directive

In accordance with Standard (1) of *BCPPS 1.2.2 Intermediate Weapons*, the chief constable, chief officer, or commissioner must ensure that any new weapon or restraint carried and used by officers of their police force has been approved by the director of police services through the following *Intermediate Weapon and Restraint Approval Process*.

Application

- (1) A police force that identifies a potential need or use for a new restraint or a new intermediate weapon must apply to the director of police services to request consideration of the device. A separate application is required for each device.
- (2) The police force must provide the director of police services with a written rationale and supporting documentation of any existing information, specifications, and research regarding the device. At a minimum, the police force must provide information as to:
 - (a) Why the device is needed;
 - (b) The function of the device;
 - (c) The range of possible uses for the device and its methods of deployment;
 - (d) Analysis of identified potential health effects or injury potential associated with the device;

- (e) Analysis of possible training, recertification and qualification options and implications;
- (f) A summary of existing research surrounding the device;
- (g) Analysis of possible legal issues and safety standards;
- (h) Analysis of costs involved in the implementation;
- (i) Analysis of potential policies, facility renovations, or training that could respond to the issue intended to be addressed by the device through means other than use of a weapon or restraint; and
- (j) The manufacturer's formal statement on device safety and intended use. At a minimum, this must include:
 - (i) Efficacy of the device;
 - (ii) Intended use of the device;
 - (iii) Recommended policy considerations concerning the device's use;
 - (iv) Safety of the device and any cautions or restrictions on use; and
 - (v) Any anticipated device impacts, short or long term, that are currently uncertain or unknown.

Intermediate weapon and restraint advisory panel

- (3) Once an application is received from a police force, the director of police services will strike an intermediate weapon and restraint advisory panel, coordinated by Police Services Division (PSD). The panel must be made up of at least six agencies, including PSD and five other agencies representing a mix of law enforcement and non-law enforcement interests. Panel participants must disclose any conflicts of interest they have, including direct or indirect financial interests in the manufacturer of the device. The panel may consult with police and non-police subject matter experts for more information. The panel is to invite written submissions from the public. Minutes must be kept of the proceedings of the panel.
- (4) The panel will make a written recommendation to the director of police services to either reject the device or support a field trial of the device. The panel should consider the following criteria:
 - (a) The device is effective and not likely to cause grievous bodily harm or death;
 - (b) The device is affordable;
 - (c) Officer training is available;
 - (d) Device maintenance procedures are available (e.g., repairs, recharging, storage and testing);
 - (e) If the device is an intermediate weapon, the accuracy in the targeting of the weapon is acceptable;
 - (f) The onset time of incapacitation, the time period for incapacitation, and the degree of incapacitation are acceptable;
 - (g) The effects on the physical condition and health of the subject are minimized;

- (h) Independent research on the effects of the device is available;
 - (i) Written submissions from the public, community groups, stakeholders, as well as law enforcement agencies; and
 - (j) Any other criteria considered relevant by the panel.
- (5) The panel may establish conditions for a field trial, including:
- (a) Whether the field trial is to be conducted in the applicant or another police force, or more than one police force; and
 - (b) The duration of the field trial, which must not be less than one month and ideally be six to twelve months in duration.
- (6) The panel's recommendation will be determined by the majority opinion; unanimous agreement by all members of the panel will not be required.

Field trial

- (7) The director of police services will review the panel's recommendations and either reject the device or authorize a field trial. The field trial must be conducted and an evaluation performed collaboratively by the police force and the director. The director will specify parameters for the field trial, including:
- (a) Any conditions recommended by the panel under (6), above;
 - (b) Responsibility for costs associated with the field trial;
 - (c) The data that must be collected during the field trial on a form approved by the director, including but not limited to:
 - (i) Usage information,
 - (ii) Medical effects monitoring, and
 - (iii) Data on complaints, if any; and
 - (d) The requirements for a written evaluation report.
- (8) Following the field trial, the director of police services will reconvene the panel to review the results of the field trial and the evaluation report. The panel will make a final recommendation to approve or reject the proposed device for use in BC.

Approval to use the device

- (9) The director of police services is responsible for the final approval or rejection of the proposed device for use in BC.
- (10) When a device is approved for use in BC, the director of police services will develop *BC Provincial Policing Standards* for the device.

(11) A police service may not use the device until:

- (a) The director of police services has published *BC Provincial Policing Standards* for the device; and
- (b) The police force has filed with the director of police services policies and procedures for the device that are consistent with the *BC Provincial Policing Standards*.

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BCPPS 1.2.1P – Intermediate Weapon and Restraint Approval Process

Purpose

The intent of the *Intermediate Weapons and Restraints Approval Process* is to ensure:

- A systematic, consistent and documented intermediate weapons and restraint equipment approval process for BC; and
- Consistency across police forces in the types of intermediate weapons and restraint equipment authorized for use.

The underlying principle of this *Policy Directive* is to enhance police accountability through a systematic process for the evaluation and approval of intermediate weapons and/or restraint equipment for police use in BC.

Background

Police Services Division, Ministry of Public Safety and Solicitor General developed the *Intermediate Weapon and Restraint Approval Process* as a result of recommendations made by Justice Braidwood in his report *Restoring Public Confidence: Restricting the Use of Conducted Energy Weapons* issued in July, 2009.

In particular, Braidwood recommended that the provincial government exercise its legislative authority to set provincewide standards relating to the approval and evaluation of conducted energy weapons (CEWs). The specific recommendation relating to approval and evaluation of CEWs states:

Provincial regulation

10. I recommend that the provincial government set province-wide standards relating to conducted energy weapons, including, but not necessarily limited to:
 - Which conducted energy weapon models are approved for use

Beyond Braidwood

Although Braidwood's recommendation was specific to CEWs,¹ the Ministry of Public Safety and Solicitor General expanded this recommendation to apply to all intermediate weapons and restraint equipment. Previously, it was part of the provincial government's role to authorize, in conjunction with chief constables, the weapons approved for use by police in BC under sections 3 and 9 of the *Police Act Use of Force Regulation*.

¹ Models that have been approved for use in BC are found within *BCPPS 1.3.2 Approved CEW Models*.

The *Intermediate Weapons and Restraint Approval Process* was developed in consultation with police and external stakeholders. It outlines the steps required and the roles of police, government and other agencies in the process to approve intermediate weapons as well as restraint systems for use by police in BC. Briefly, the *Process* includes: an identified need and application to the director of police services for the device; a written rationale and supporting documentation completed by the police force and sent to the director; review of the application package by an advisory panel; recommendations by the advisory panel to the director; the authority to require a field trial of the device; and approval or rejection of the proposed device by the director of police services.

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Section 1.0 – Use of Force	Page 1 of 2
Sub Section 1.2 – Intermediate Weapons	Effective: Approved date
Subject 1.2.2 – Intermediate Weapons	Revised: n/a

Definitions

"Director" – the director of police services, Ministry of Public Safety and Solicitor General.

"Conducted energy weapon" or "CEW" – a weapon designed to use a conducted electrical current in order to incapacitate a person, or to generate compliance through pain.

"Intermediate weapon" – a weapon whose normal use is not intended or likely to cause serious injury or death. Impact weapons, aerosols and conducted energy weapons fall within this category. Intermediate weapons may also be referred to as less-lethal weapons.

"Officer" - a constable appointed under the *Police Act* or an enforcement officer appointed under s. 18.1 of the *Police Act*.

Standards

The chief constable, chief officer, or commissioner:

Approved intermediate weapons

- (1) Must ensure the intermediate weapons carried or used by officers of their police force have been approved by the director (see also *BCPPS 1.3.2 Approved CEW Models*).
- (2) May, notwithstanding Standard (1) above, permit an officer to carry and use an intermediate weapon other than a CEW if the weapon was in the inventory of their police force on or before [insert date], 2011 (see also *BCPPS 1.3.2 Approved CEW Models*).

Training, qualification, and requalification

- (3) Must ensure an officer successfully completes a training course and is qualified to use an intermediate weapon before the officer may be authorized to carry and use that weapon under Standard (1) or (2) above (see also *BCPPS 3.2.1 CEW Operator Training*).
- (4) Must ensure any officer authorized to carry and use an intermediate weapon under Standard (1) and or (2) above is requalified to use that weapon at least once every 12 months (see also *BCPPS 3.2.1 CEW Operator Training*).
- (5) Must ensure that written records are maintained of the intermediate weapons training and requalification courses completed by each officer in the police force.

Policies and procedures

- (6) Must ensure policies and procedures are consistent with these *BC Provincial Policing Standards*.

NOTE: These BC Provincial Policing Standards replace the Police Act Use of Force Regulation s. 9. and 10(2).

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BCPPS 1.2.2 – Intermediate Weapons**Purpose**

The intent of the *BC Provincial Policing Standards 1.1.1–Firearms and Ammunitions; 1.2.2–Intermediate Weapons; 1.7.1–Investigation Following the Use of Weapons; and 1.9.1–Use-of-Force Models and Techniques* is to preserve key elements and replace the content of the *Police Act Use of Force Regulation*. This regulation was repealed when amendments to the *Police Act* were brought into effect in [insert date] 2011, which transferred the authority to regulate police training from the Lieutenant Governor in Council and the Minister to the director of police services.

The underlying principle of these *Standards* is to enhance police accountability through provincial oversight.

Background

In his July 2009 report *Restoring Public Confidence*, Justice Braidwood was critical of the provincial government for not establishing binding provincial policing standards for use of force and conducted energy weapons (CEWs). He recommended that detailed provincial standards and rules regarding CEW policy, training and reporting were required. He concluded that it is the role of the Province to set such standards.

Amendments to the *Police Act* which give authority to the director of police services to establish binding provincial standards for policing were brought into effect in [insert date] 2011 (s. 40). To avoid duplication, the amendments also repealed the Lieutenant Governor in Council's and the Minister's power to make regulations concerning the use of force by police officers (formerly s. 74 (2)(t)). The *Police Act Use of Force Regulation*, created under the authority of s. 74 (2)(t), was also repealed.

As an interim measure and until Police Services Division consults with stakeholders regarding more substantive changes, the content of the *Use of Force Regulation* was transferred into the following *BC Provincial Policing Standards (the Standards)*:

- 1.1.1 – *Firearms and Ammunitions*;
- 1.2.2 – *Intermediate Weapons*;
- 1.7.1 – *Reporting and Investigation Following the Use of Weapons*; and
- 1.9.1 – *Use-of-Force Models and Techniques*.

PSD is developing other *Standards* in consultation with police and other stakeholders. To date, the priority has been to develop *Standards* concerning the use of CEWs in response to the Braidwood Commission of Inquiry.

Certain sections were streamlined and edited or removed but few substantive changes were made to the content of the *Use of Force Regulation* in this process. Police Services Division will consult with stakeholders to further amend these *Standards* in the future.

Changes from the repealed *Use of Force Regulation* include the following:

- The *Regulation* did not apply to the provincial police force. The *Standards* are addressed to chief constables, chief officers, and commissioner of the provincial police force.
- The *Standards* include new requirements: to notify a supervisor when an officer discharges a firearm with bean bag ammunition; that the supervisor notified investigate and reports the reasons for the discharge; and for the chief constable to report to the chair of the board if he or she discharges a firearm with bean bag ammunition. In the *Regulation*, such requirements applied to firearms discharges but not when bean bag ammunitions were used.
- A section that required the director to appoint a use-of-force coordinator to handle the development of use-of-force policies and to establish a use-of-force committee to make recommendation on use-of-force policy has been removed. Some of the functions fulfilled by the use-of-force coordinator position were either transferred to public servants within Police Services Division, fulfilled through other means, or are no longer relevant. The committee referred to in the *Regulation* will be subsumed under another committee with a broader mandate.
- A section which authorized officer discharges of firearms if in accordance with the protections and authorizations provided by the *Criminal Code* has been removed. It is not necessary to reiterate federal legislation provisions in the *Standards*.
- The *Regulation* left it to each police force to determine the requalification period for intermediate weapons. A new requirement in the *Standards* sets the requalification period for intermediate weapons to 12 months, aligning with that of firearms and CEWs. It is also consistent with the requalification period for intermediate weapons specified in the *Provincial Standards for Municipal Police Departments in British Columbia* developed by the British Columbia Police Commission.
- The requirements that the chief constable or board initiate an investigation into an incident where someone is killed or injured as a result of the discharge of a firearm or the use of an intermediate weapon by an officer or chief constable have been removed. Part 11 of the *Police Act* now requires the police complaint commissioner to order an investigation when a person is killed or suffers serious harm in the custody of an officer or as a result of the operations of a municipal police department (s. 89). In addition, the police complaint commissioner may order in an investigation into the actions of any member of a municipal police department which could constitute misconduct, whether or not a complaint is made

(s. 93). These provisions are extended to officers of designated policing units and designated law enforcement units under their operational regulations.

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Section 1.0 – Use of Force	Page 1 of 2
Sub Section 1.3 – Conducted Energy Weapons (CEW)	
Subject 1.3.1 – Threshold and Circumstances of Use	Effective: Approved date Revised: n/a

Definitions

“Bodily harm” – any hurt or injury to a person that interferes with the health or comfort of the person and is more than merely transient or trifling in nature.

“Conducted energy weapon” or “CEW” – a weapon designed to use a conducted electrical current in order to incapacitate a person, or to generate compliance through pain.

“CEW display” – the act of pointing, aiming or showing the CEW at or to a person, without discharging the CEW, for the purpose of generating compliance from a person.

“CEW draw” – the act of unholstering or removing the CEW from the holster without discharging it, as a preparatory step so that it is ready for use should it become necessary (i.e., not used to generate compliance).

“Crisis Intervention and de-escalation techniques” - CID techniques include verbal and nonverbal communications that are designed to de-escalate crises.

“Officer” – a constable appointed under the *Police Act* or an enforcement officer appointed under s. 18.1 of the *Police Act*.

“Reasonable grounds” – includes both a subjective and an objective component and means that the officer must personally believe that the decision or action is necessary, and in addition, the decision or action must be able to stand the test of whether an objective third person, who is acting reasonably—and is informed of the officer's training, experience and the factual circumstances known at the time—would also reach the same conclusion.

Standards

The chief constable, chief officer, or commissioner must:

CEW discharge

(1) Prohibit officers from discharging a CEW against a person unless:

- (a) The person is causing bodily harm to either themselves, the officer, or a third party; or
- (b) The officer is satisfied, on reasonable grounds, that the person's behaviour will imminently cause bodily harm either to themselves, the officer, or a third party.

- (2) In addition to Standard (1) above, prohibit officers from discharging a CEW against a person unless the officer is satisfied, on reasonable grounds, that:
- (a) Crisis intervention and de-escalation techniques have not been or will not be effective in eliminating the risk of bodily harm; and
 - (b) No lesser force option has been, or will be, effective in eliminating the risk of bodily harm.
- (3) Prohibit officers from discharging an electrical current from a CEW on a person for longer than five seconds, unless the officer is satisfied, on reasonable grounds, that:
- (a) The initial five-second discharge was not effective in eliminating the risk of bodily harm; and
 - (b) A further discharge will be effective in eliminating the risk of bodily harm.
- (4) Ensure that officers:
- (a) Issue a verbal warning prior to discharging a CEW against a person, unless such a warning would place any person at further risk of bodily harm or imminent bodily harm;
 - (b) Do not discharge a CEW near flammable, combustible or explosive material, including alcohol-based oleoresin capicum (OC) spray, where there is a risk of these igniting;
 - (c) Do not discharge a CEW against a person where the person is at risk of a fall from an elevated height, unless the officer has reasonable grounds to believe that the potential for death or grievous bodily harm is justified;
 - (d) Do not discharge a CEW against a person in water where there is a danger of the person drowning due to incapacitation from the CEW, unless the officer has reasonable grounds to believe that the potential for death or grievous bodily harm is justified;
 - (e) Do not discharge a CEW against a person operating a vehicle or machinery in motion, unless the officer has reasonable grounds to believe that the potential for death or grievous bodily harm is justified;
 - (f) Do not discharge more than one CEW simultaneously against a person; and
 - (g) Avoid a person's head, neck, or genitalia as target zones for discharge of the CEW.
- (5) Ensure that Standards (1) to (4) above apply to discharges in any mode.

CEW draw or display

- (6) Prohibit officers from drawing or displaying a CEW unless the officer is satisfied on reasonable grounds that the situation has some potential for bodily harm.

Policies and procedures

- (7) Ensure policies and procedures are consistent with these *BC Provincial Policing Standards*.

BCPPS 1.3.1 – Threshold and Circumstances of Use**Purpose**

The intent of the *Threshold and Circumstances of Use Standards* for conducted energy weapons (CEWs) is to ensure that:

- CEWs are used in an appropriate and proportionate manner, balancing police officer and subject safety, commensurate with the seriousness of the situation; and
- Officers consider lesser force options and crisis intervention and de-escalation techniques.

The underlying principle of these *Standards* is to enhance police accountability through provincial oversight.

Background

Police Services Division, Ministry of Public Safety and Solicitor General developed the *Threshold and Circumstances of Use Standards* as a result of recommendations made by Justice Braidwood in his report *Restoring Public Confidence: Restricting the Use of Conducted Energy Weapons* issued in July, 2009.

While the authority for police use of force is found in the *Criminal Code of Canada*, these recommendations were developed in order ensure that the level of force used by officers is commensurate with the seriousness of the situation and balanced against Canadian community values.

Six of Braidwood's recommendations referred to the threshold and circumstances of use for CEWs. Specifically, these recommendations state:

Seriousness of matter

1. I recommend that officers of provincially regulated law enforcement agencies be authorized to deploy a conducted energy weapon only in relation to enforcement of a federal criminal law.

Subject behaviour threshold

2. I recommend that officers of provincially regulated law enforcement agencies be prohibited from deploying a conducted energy weapon unless the subject's behaviour meets one of the following thresholds:
 - The subject is causing bodily harm; or

- The officer is satisfied, on reasonable grounds, that the subject's behaviour will imminently cause bodily harm.
3. I recommend that, even if the threshold set out in Recommendation 2 is met, an officer be prohibited from deploying a conducted energy weapon unless the officer is satisfied, on reasonable grounds, that:
- No lesser force option has been, or will be, effective in eliminating the risk of bodily harm; and
 - De-escalation and/or crisis intervention techniques have not been or will not be effective in eliminating the risk of bodily harm.

Emotionally disturbed people

5. I recommend that officers of provincially regulated law enforcement agencies, when dealing with emotionally disturbed people, be required to use de escalation and/or crisis techniques before deploying a conducted energy weapon, unless they are satisfied, on reasonable grounds, that such techniques will not be effective in eliminating the risk of bodily harm.

Subject self-harm

6. I recommend that officers of provincially regulated law enforcement agencies be prohibited from deploying a conducted energy weapon in the case of subject self-harm unless:
- The subject is causing bodily harm to himself or herself; or
 - The officer is satisfied, on reasonable grounds, that the subject's behaviour will imminently cause bodily harm to himself or herself.

Multiple deployments

7. I recommend that officers of provincially regulated law enforcement agencies be prohibited from discharging an electrical current from a conducted energy weapon on a subject for longer than five seconds, unless the officer is satisfied, on reasonable grounds, that:
- The five-second discharge was not effective in eliminating the risk of bodily harm; and
 - A further discharge will be effective in eliminating the risk of bodily harm.

Overall, the *Threshold and Circumstances of Use Standards* address when it is, and is not, appropriate for police officers to use CEWs to control a person, and what criteria must be met prior to discharge of a CEW. The *Standards* require that the person must be causing bodily harm or imminently about to cause bodily harm and that de-escalation techniques and lesser force options have not been, or will not be, effective in eliminating the risk of bodily harm. In addition, the *Standards* contain a number of other requirements addressing issues such as

multiple cycling of the CEW, the need for a warning prior to discharge if feasible, and other circumstances of use.

Consolidating Braidwood's recommendations

To ensure clarity and simplicity in the *BC Provincial Policing Standards*, and to minimize potential confusion for officers, a number of these overlapping recommendations have been combined to create the *Threshold and Circumstances of Use Standards* for CEWs. A fundamental element of these Standards is that an individual's behaviour must be causing or imminently about to cause bodily harm in order to justify a CEW discharge.

Justice Braidwood's first recommendation stated that CEWs should only be deployed in relation to a *Criminal Code* offence. However, because "causing bodily harm" or "imminent bodily harm" is the threshold for CEW discharge in the *Standards*, this recommendation will automatically be satisfied.¹

A situation where someone may be causing or imminently about to cause bodily harm without committing a criminal offence is in the case of potential self-harm. This circumstance is covered by Recommendation 6, which justified the discharge of a CEW in such incidents. Therefore, the threshold involved in self-harm and non-self-harm cases is the same: that of causing or imminently about to cause bodily harm.

Although Braidwood made separate recommendations for dealing with incidents of self-harm and emotionally disturbed people in contrast to others, the substance of the recommendations is the same for all people being dealt with by police.

When dealing with emotionally disturbed people, including those in self-harm situations, the best practice is to de-escalate the agitation, which can best be achieved through the application of recognized crisis intervention techniques. Deploying a CEW and/or using force to physically restrain the person may have a negative outcome by potentially aggravating or escalating the crisis in some circumstances. There may, however, be situations when crisis intervention techniques will not be effective in de-escalating the crisis, and the application of force may be required.

¹ As Braidwood noted (p.296): "Even if an officer is investigating a matter that falls below my proposed threshold [of a *Criminal Code* offence], the subject's response to the officer (e.g., resisting the officer's attempts to arrest the subject in order to establish the subject's identity) may itself constitute a criminal offence (e.g., assault, assault of a peace officer, or resisting or wilfully obstructing a peace officer in the execution of his or her duty) that places the situation above my proposed threshold [of a criminal offence]." This was further demonstrated when Braidwood stated (p. 296) that the criminal offence threshold should also apply to sheriffs and correctional officers when dealing with prisoner extraction from or placement into a cell. Clearly there would be no other criminal offence involved in this context other than the prisoner's responses to being moved. These too must be at or above the level of bodily harm.

In addition to the “bodily harm” threshold, the Braidwood recommendations require that the officer be satisfied on reasonable grounds that:

- No lesser force option has been, or will be, effective in eliminating the risk of bodily harm; and
- De-escalation and/or crisis intervention techniques have not been or will not be effective in eliminating the risk of bodily harm.

All these requirements are the same for dealing with emotionally disturbed persons as well as non-emotionally disturbed persons. De-escalation skills and crisis intervention techniques are addressed in the *BC CEW Operator Training* course and *BC Crisis Intervention and De-escalation Training* course (and their corresponding *Standards*).

“Bodily harm” – any hurt or injury to a person that interferes with the health or comfort of the person and is more than merely transient or trifling in nature.

“Emotionally disturbed person” – a person in distress who may demonstrate a variety of behaviours for reasons including: pre-existing mental illness; emergent mental illness; extreme situational stress; substance use or misuse; non-psychiatric medical problem; or combinations thereof. In some cases, the behaviours displayed by these individuals may require police intervention. In extreme cases, all of the following or some combination of the following behaviours may be displayed: violence, imperviousness to pain, extraordinary strength and endurance, hyperthermia, sweating, and/or perceptual disturbances.

Use-of-force frameworks and bodily harm

Officers are not authorized to discharge a CEW if the person’s behaviour is “passively” or “actively resistant,” or even some levels of “assaultive” as described in the National Use of Force Framework (NUFF) or the RCMP’s Incident Management Intervention Model (IMIM), unless there are reasonable grounds for the officer to believe that the individual’s behaviour is causing or will imminently cause bodily harm to a person.

The “bodily harm” threshold, however, does not mean that an officer must wait until bodily harm has actually been caused before discharging a CEW in appropriate circumstances; the person may also be “imminently” about to cause bodily harm.

Even so, officers should not assume that whenever the bodily harm threshold is met, they are automatically justified in deploying a CEW. A person’s behaviour must be evaluated within the totality of the circumstances and the officer’s decision must be based on reasonable grounds, given these circumstances. Officers also must constantly reassess the situation and use the appropriate amount of intervention needed to manage the risk.

It is important to note that the “bodily harm” threshold is below the level of “grievous bodily harm or death.” In the latter, officers would be legally justified in using lethal force.

“Imminently” – there must be some immediacy to the threat, and a present ability to cause bodily harm.

“Is causing” – it is not enough that the officer is aware that the subject ‘has caused’ bodily harm, even moments ago. There must be a continuing risk.

“Reasonable grounds” – includes both a subjective and an objective component. The officer must personally believe that the decision or action is necessary, and in addition, the decision or action must be able to stand the test of whether an objective third person, who is acting reasonably—and is informed of the officer’s training, experience and the factual circumstances known at the time—would also reach the same conclusion.

Clarifying the use of multiple discharges

Multiple discharges, or repeated cycling of CEWs, increase the medical risks associated with CEW use. It would be inappropriate to impose an arbitrary maximum number of discharges, therefore, in order limit the number of discharges an officer may employ, a second discharge or cycle of the CEW is only warranted if the officer has reasonable grounds to believe that a subsequent deployment is necessary. The officer is required to reassess the situation at the completion of a 5-second discharge, before the officer discharges the weapon again. Further, any subsequent discharge requires a new assessment.

Clarifying “deploy,” “discharge” and “display”

The term “deploy” in most of Justice Braidwood’s recommendations referred to the *discharge* of the CEW. In order to avoid any confusion, the word discharge is used specifically in the *BC Provincial Policing Standards* as distinct from drawing (or un-holstering) and displaying the CEW. Although Braidwood was silent on the issue of circumstances for display of a CEW, it is important that the issue is addressed in the *Standards*.

In rapidly evolving circumstances officers may need to draw a CEW prior to the circumstances that would warrant a discharge. The *Standards* regarding the circumstances for discharge are not intended to prevent an officer from having the weapon ready for use in such situations. Officers are permitted to draw and/or display the CEW when the situation has some potential for bodily harm. However, the bodily harm must be imminent before an officer may discharge the CEW.

"CEW draw" – the act of unholstering or removing the CEW from the holster without discharging it, as a preparatory step so that it may be at the ready for use should it become necessary (i.e., not used to generate compliance).

"CEW display" – the act of pointing, aiming or showing the CEW at or to a person, without discharging the CEW, for the purpose of generating compliance from a person.

"Operational CEW discharge" – the act of firing a CEW against a person in any mode. This includes situations where the discharge was intentional or not, and situations where the CEW is discharged but malfunctions or is unsuccessful in reaching the intended person.

Beyond Braidwood

A number of additional requirements beyond the recommendations in Justice Braidwood's report were incorporated into the *Threshold and Circumstances of Use Standards*. These requirements were taken from some existing police force policies and based on good practice elements related to CEW use, such as giving a warning prior to discharge, and avoiding a person's head, neck or genitalia as target zones.

Section 1.0 – Use of Force	Page 1 of 1
Sub Section 1.3 – Conducted Energy Weapons (CEW)	Effective: Approved date
Subject 1.3.2 – Approved CEW Models	Revised: n/a

Definitions

“Conducted energy weapon” or “CEW” – a weapon that when discharged uses a conducted electrical current in order to incapacitate a person, or to generate compliance through pain.

“Officer” – a constable appointed under the *Police Act* or an enforcement officer appointed under s. 18.1 of the *Police Act*.

Standards

The chief constable, chief officer, or commissioner must ensure that:

Approved CEW models

1. Only the CEW models approved by the director of police services are used. The approved models are: TASER® M26 and TASER® X26.

Policies and procedures

2. Policies and procedures are developed governing CEWs prior to CEWs being used.
3. Policies and procedures are consistent with these *BC Provincial Policing Standards*.

Section 1.0 – Use of Force	Page 1 of 3
Sub Section 1.3 – Conducted Energy Weapons (CEW)	Effective: Approved date
Subject 1.3.3 – Internal CEW Controls and Monitoring	Revised: n/a

Definitions

“Administrative CEW download” – the process that occurs when technical data is downloaded from the conducted energy weapon (CEW). Download data includes date, time, and duration of the weapon’s discharge(s).

“CEW display” – the act of pointing, aiming or showing the CEW at or to a person, without discharging the CEW, for the purpose of generating compliance from a person.

“CEW probe cartridge” – an encasement that contains blast doors, probes, wires, AFIDs and other components that is attached to and required for probe deployment of a CEW. Cartridges vary in length of wire, probe type and distance probes will travel to embed in a person to deliver an electrical charge from the CEW.

“Conducted energy weapon” or “CEW” – a weapon designed to use a conducted electrical current in order to incapacitate a person, or to generate compliance through pain.

“Officer” – a constable appointed under the *Police Act* or an enforcement officer appointed under s. 18.1 of the *Police Act*.

“Operational CEW discharge” – the act of firing a CEW in any mode against a person, whether intentional or not, and including when the CEW is discharged but malfunctions or is unsuccessful in reaching the intended person.

“Operational CEW download” – the process that occurs when technical data is downloaded from the CEW after an operational discharge of the CEW involving a subject. Operational CEW download data includes date, time, and duration of the weapon’s discharge(s).

“Use-of-force report” – the information that must be provided, in a provincially-approved format, when an officer applies force against a person.

Standards

The chief constable, chief officer, or commissioner must:

CEW control processes

- (1) Ensure an up to date inventory of all CEWs and CEW probe cartridges controlled or owned by the police force is maintained.
- (2) Ensure secure storage of CEWs and CEW probe cartridges so that only person(s) authorized by the chief constable, chief officer, or commissioner have access to CEWs and CEW probe cartridges.
- (3) Implement a documentation process for authorized officers to sign out and return CEWs and CEW probe cartridges, in a manner that ensures all CEWs and CEW probe cartridges can be tracked and accounted for by identifying: assigned officer; CEW unique identifier; number of CEW probe cartridges; and the date and time the CEW and CEW probe cartridges were signed out and returned. This applies to both personal issue CEWs and CEWs available for shared use by any authorized officer within the police force.
- (4) Ensure that there is a person responsible at all times for the control process referred to in Standard (3) above.

Post CEW discharge requirements

- (5) Ensure that, after an operational CEW discharge:
 - (a) The CEW is removed from service;
 - (b) An operational CEW download is conducted;
 - (c) A copy of the operational CEW download report is linked to the officer's use-of-force report; and
 - (d) If serious injury or death occurred proximate to the discharge, the CEW is not returned to service until it is tested, and repaired and retested if required (see *BCPPS 1.3.5 CEW Testing*).

Monitoring and review

- (6) Designate a person responsible for internal CEW incident monitoring that would include being responsible for:
 - (a) Ensuring that, for every operational CEW download report there is a corresponding use-of-force report and vice versa; and
 - (b) Accounting for any discrepancies between the operational CEW download report and the use-of-force report.

- (7) Ensure that an administrative CEW download is conducted for each CEW at least annually and a record of the download data is maintained on file.
- (8) Conduct an internal review of CEW controls and the use of CEWs by police officers in the police force to determine compliance with the *BC Provincial Policing Standards* and the police force's policies and procedures, and to identify potential training or policy development issues, at least quarterly. At minimum, the review should examine and document, both at the officer level and for the police force overall:
 - (a) The circumstances and manner in which CEWs are being used (e.g., imminent bodily harm threshold, number and duration of cycles); and
 - (b) The reporting of CEW use by police officers.

Reporting

- (9) Submit annually a written report to the Minister of Public Safety and Solicitor General and the board that must include:
 - (a) Aggregate counts of CEW displays and operational discharges; and
 - (b) A summary of the quarterly reviews conducted as per Standard 8 above.

Policies and procedures

- (10) Ensure policies and procedures are consistent with these *BC Provincial Policing Standards*.

BCPPS 1.3.3 – Internal CEW Controls and Monitoring Standards**Purpose**

The intent of the *Internal Conducted Energy Weapon (CEW) Controls and Monitoring Standards* is to ensure that police forces:

- Maintain adequate internal control of CEWs and CEW probe cartridges; and
- Monitor the use of CEWs within their own force including reviewing for officer compliance with policies and procedures, and identifying potential training issues to address within their force.

The underlying principle of these *Standards* is to enhance police accountability by requiring police forces to have appropriate monitoring and data collection techniques.

Background

Police Services Division, Ministry of Public Safety and Solicitor General developed the *Internal CEW Controls and Monitoring Standards* as a result of recommendations made by Justice Braidwood in his report *Restoring Public Confidence: Restricting the Use of Conducted Energy Weapons* issued in July, 2009.

Braidwood made several recommendations to improve reporting, data collection and monitoring of CEW usage. Specific to these *Standards* is the final bullet of Recommendation 16 which deals with responsibilities the Province should require of the police forces to conduct appropriate internal monitoring procedures, reporting, and equipment control.

Reporting on conducted energy weapon use

16. I recommend that the provincial Ministry of Public Safety and Solicitor General, without delay:

- Require each provincially regulated law enforcement agency:
 - To implement a “sign out” policy whenever a conducted energy weapon and/or a probe cartridge is issued to an officer;
 - To designate a specific employee to download the data from every conducted energy weapon at least once every month (matching the data relating to each deployment against the related incident report), and to report any discrepancies to that employee’s supervisor;
 - To review the use of conducted energy weapons by its own officers at least quarterly, to determine compliance with policy; and

- To report at least annually, to the responsible provincial minister, and in the case of a municipal police department to the police board, on the agency's use of its conducted energy weapons.

The *Internal CEW Controls and Monitoring Standards* require police forces to maintain control over CEWs and CEW probe cartridges by having a current inventory and securely storing them so that only authorized persons can access them. CEW Assigned officers must sign-in/sign-out CEWs and CEW probe cartridges.

These *Standards* also set out requirements for police forces to monitor CEW use and reporting. Police forces must review both the technical data from CEWs discharged against an individual and incident data as reported by the officer and assess officer compliance to policy and procedures, as well as to identify potential training or policy development issues. An annual report of CEW use, and the reviews of CEW use, must also be prepared by the force and submitted to the Province.

It is important to note that, upon consultation with police stakeholders, and receiving technical advice regarding the process of downloading data from CEWs, Police Services Division determined that monthly CEW data downloads as recommended by Braidwood would be highly resource intensive and may not produce the desired results to achieve what Braidwood intended. The goal of this Recommendation was to make use of the internal data that is stored within the CEW (time, date and duration of all CEW discharges) to ensure a full accounting of all operational CEW discharges. The *Internal CEW Controls and Monitoring Standards* require: a data download to be conducted after each operational CEW discharge, the data download to be linked to the officer's incident report, and monitoring of the two sources of information for discrepancies. An administrative data download of the weapon is to be conducted annually to maintain the CEW's data storage capacity. Together, these requirements fulfill the intention to ensure full reporting of operational CEW discharges.

Section 1.0 – Use of Force	Page 1 of 2
Sub Section 1.3 – Conducted Energy Weapons (CEW)	Effective: Standards (1) to (3): Approved date + 12 months Standards (4) to (6): Approved date Revised: n/a
Subject 1.3.4 – Medical Assistance to CEW Discharges	

Definitions

“Conducted energy weapon” or “CEW” - a weapon that when discharged uses a conducted electrical current in order to incapacitate a person, or to generate compliance through pain.

“Officer” – a constable appointed under the *Police Act* or an enforcement officer appointed under s. 18.1 of the *Police Act*.

“Operational CEW discharge” – the act of firing a CEW in any mode against a person, whether intentional or not, and including when the CEW is discharged but malfunctions or is unsuccessful in reaching the intended person.

Standards

The chief constable, chief officer, or commissioner must:

Automated external defibrillators (AEDs)

- (1) Ensure that, for a rural police force that provides policing to a jurisdiction of less than 5,000 population, CEW operators who have been assigned a CEW while on-duty must also be equipped with an AED that is to be carried in their police vehicle.
- (2) Ensure that, for an urban police force that provides policing to a municipality of greater than 5,000 population, all on-road patrol supervisors must be equipped with AEDs that are to be carried in their police vehicles.
- (3) Ensure that all officers who are authorized to use an AED receive and maintain training in accordance with Emergency and Health Services Commission consent requirements for police use of an AED.

Requests for medical assistance

- (4) Ensure that, if an officer uses an AED on a person, emergency medical assistance, either from paramedics or a hospital, is sought as soon as possible.

- (5) Ensure that officers request paramedic attendance at all medically high-risk incidents before discharge of the CEW or, if that is not feasible, as soon as possible thereafter.

Medically high-risk incidents include when a CEW is discharged in:

- (a) Probe mode across the person's chest;
- (b) Probe mode for longer than five seconds; or
- (c) Any mode against:
 - (i) An emotionally disturbed person,
 - (ii) An elderly person,
 - (iii) A person who the officer has reason to believe is pregnant,
 - (iv) A child, or
 - (v) A person who the officer has reason to believe has a medical condition (e.g., heart disease, implanted pacemaker or defibrillator).

Policies and procedures

- (6) Ensure policies and procedures are consistent with these *BC Provincial Policing Standards*.

BCPPS 1.3.4 – Medical Assistance to CEW Discharges**Purpose**

The intent of the *Medical Assistance to Conducted Energy Weapon (CEW) Discharges Standards* is to increase the safety of persons upon whom a CEW has been discharged during a police interaction. The principle underlying these *Standards* is to acknowledge the medical risks associated with CEWs, and that certain types of CEW discharges may carry greater medical risks than others.

Background

Police Services Division, Ministry of Public Safety and Solicitor General developed the *Medical Assistance to CEW Discharges Standards* as a result of the recommendations made by Justice Braidwood in his report *Restoring Public Confidence: Restricting the Use of Conducted Energy Weapons*, issued in July 2009.

Two of Justice Braidwood's recommendations address the need for police to take precautionary measures in light of medical risks associated with CEW use. Specifically these recommendations state:

Requesting paramedic assistance

8. I recommend that paramedic assistance be requested in every medically high-risk situation, preferably before deployment of a conducted energy weapon or, if that is not feasible, then as soon as practicable thereafter. Medically high-risk situations include, but are not limited to:
 - deployment in probe mode across the subject's chest;
 - deployment in probe mode for longer than five seconds;
 - deployment in any mode against:
 - an emotionally disturbed person;
 - an elderly person;
 - a person who the officer has reason to believe is pregnant; or
 - a person who the officer has reason to believe has a medical condition that may be worsened because of the deployment (e.g., heart disease, implanted pacemaker or defibrillator, etc.)

Automated external defibrillators

9. I recommend that whenever a conducted energy weapon is assigned to an officer of a provincially regulated law enforcement agency, that the officer also have an automated external defibrillator readily available for use.

Police Services Division developed the *Medical Assistance to CEW Discharges Standards* in consideration of Recommendations 8 and 9 as well as the current regulatory scheme for the use of AEDs. These *Standards* minimize redundancies in using police versus external resources in achieving a common goal (precautionary measures) while providing a higher level of preparedness should a medical emergency occur related to a CEW discharge.

AEDs are small, portable, and “easy-to-use” devices that monitor heart rhythms and, if the heart is beating ineffectively, can deliver an electric shock to the heart. Most of the time, this shock will restart the heart. AEDs are designed to increase the probability of survival but do not guarantee it. The Heart and Stroke Foundation of Canada is among the many organizations that support the use of these machines.

Even though the British Columbia Ambulance Service is able to attend CEW incidents in a timely manner (particularly in urban areas), Justice Braidwood was concerned about increasing police ability to respond to a CEW incident that may require the use of an AED by having these devices readily available to CEW operators. The phrase “readily available” was not specifically defined by Braidwood. As a result, through consultation with police and external stakeholders, Police Services Division determined that in urban areas AEDs are “readily available” to CEW operators by equipping on-road patrol supervisors with the devices. In rural areas, “readily available” means that the CEW equipped officers must also be equipped with an AED.

The *Medical Assistance to CEW Discharges Standards* also directly address Braidwood’s Recommendation 8 by requiring officers to request paramedics to attend medically high-risk CEW discharges as outlined by Braidwood.

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Sub Section 1.3 – Conducted Energy Weapons (CEW)	Effective: Standards (1)(a) and (b): Approved date + 12 months Standards (1)(c) to (5): Approved date Revised: n/a
Subject 1.3.5 – CEW Testing	

Definitions

“Conducted Energy Weapon” or “CEW” - a weapon that when discharged uses a conducted electrical current in order to incapacitate a person, or to generate compliance through pain.

“Monophasic charge” – the maximum of the absolute values of A and B, where A= the integral of all positive current in a pulse, and B= the integral of all negative current in a pulse.

“Net charge” – the integral of the value of the current waveform for a specified portion of the pulse.

“Officer” – a constable appointed under the *Police Act* or an enforcement officer appointed under s. 18.1 of the *Police Act*.

“Peak current” – the peak of the current waveform for the pulse.

“Pulse repetition rate” – for an interval which contains N pulses, the pulse repetition rate is (N-1) divided by the time from the first to last pulse.

“Peak voltage” – the peak of the voltage waveform for the pulse.

“Professional engineer” – a person who is registered or licensed to practice as a professional engineer under the *Engineers and Geoscientists Act of British Columbia*, or the appropriate Act of another province, with training or experience in electrical engineering and who carries out and accepts responsibility for professional activities involving the practice of professional engineering.

“Pulse duration” – the time between the points at which the voltage waveform crosses through a specified start point voltage to a specified end point voltage.

Standards

CEW testing

The chief constable, chief officer, or commissioner must:

- (1) Ensure that each CEW in use by the police force is tested in accordance with the following schedule:
 - (a) Two years after the CEW was acquired;
 - (b) Every year thereafter; and
 - (c) Immediately after a CEW is used in an incident where either serious injury or death occurs proximate to its use.
- (2) Ensure that:
 - (a) Testing is conducted in accordance with the protocols described in the *Test Procedure for Conducted Energy Weapons* attached to this Standard as Appendix "A";
 - (b) Testing is conducted independent of the manufacturer; and
 - (c) The test procedure has been verified to meet the *Test Procedure for Conducted Energy Weapons* by a professional engineer.
- (3) Ensure that if, after testing, a CEW does not meet all the following specifications, the CEW is either destroyed, or repaired and retested, before being put back into service. The CEW must:
 - (a) Not have a monophasic charge higher than 180 μC for any individual pulse; and
 - (b) Meet the manufacturer's specifications for the following:
 - (i) Pulse repetition rate,
 - (ii) Peak voltage,
 - (iii) Peak current,
 - (iv) Net charge, and
 - (v) Pulse duration.

Records

- (4) Ensure that, for each CEW in use in the police force, a record of testing is maintained showing:
 - (a) The dates testing occurred; and
 - (b) The results.

Policies and procedures

- (5) Ensure policies and procedures are consistent with these *BC Provincial Policing Standards*.

Section 1.0 – Use of Force	Page 1 of 1
Sub Section 1.3 – Conducted Energy Weapons (CEW)	Effective: Approved date
Subject 1.3.5 – CEW Testing – Appendix ‘A’	Revised: n/a

Appendix “A” for BCPPS 1.3.5 – CEW Testing

Test Procedures for Conducted Energy Weapons

Version 1.1

2010 / 07 / 31

**Test Procedure
for
Conducted Energy Weapons**

Version 1.1

2010/07/31

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Test Procedure for Conducted Energy Weapons

0.0 Disclaimer

The persons referred to as "Authors" herein include the following list of individuals and their organizations: Andy Adler (Carleton University), Dave Dawson (Carleton University), Ron Evans (Datrend Systems Inc), Laurin Garland (Vernac Ltd.), Mark Miller (Datrend Systems Inc.), and Ian Sinclair (MPB Technologies).

The term "implementers" includes all individuals and organizations which choose to implement any or all of the recommendations in this paper.

0.1 Limited Purpose

The Authors prepared this paper for a readership limited to test personnel and their employer organizations ("Readers"). The purpose of the paper is to assist the Readers by providing a set of recommendations intended to allow Readers to carry out tests on Conducted Energy Weapons ("CEWs") in a controlled and repeatable manner across jurisdictions. The consistent application of the recommendations may enable Readers to establish that they have followed consistent procedures to determine that their CEWs are performing within specification at time of test. The consistent application of the recommendations may also enable the collection of uniform data to allow future assessment of any trends in performance.

0.2 No Warranty

This paper is provided on the terms "As Is, Where Is", and the Authors give no warranty or representation of any kind whatsoever as to the appropriate policies for the use of, nor the safety of the use of CEWs. The Authors expressly disclaim all express or implied warranties relating to the contents of the paper.

The Authors give no warranty or representation of any kind whatsoever that the recommendations contained in this report are comprehensive.

The Authors give no warranty or representation of any kind whatsoever that the recommendations are up to date beyond the date on which the paper is published.

0.3 Working Paper Only

This paper is a "working paper" meaning that it reflects the knowledge of the Authors relating to the procedures for testing of CEWs as at the time the paper is written, without any commitment to update or revise the paper.

0.4 Implementer Responsibility

The Implementer acknowledges and agrees that it is possible and probable that new developments will give rise to a need for new testing limits and it is incumbent upon the Implementer to ensure that he/she understands that the paper is up to date to the knowledge of the Authors, only to the time it is written. The Implementer understands and accepts exclusive liability for the decision to rely on the paper and the decision to implement some or all of the recommendations.

0.5 Implementer Indemnifies Authors

THE IMPLEMENTER SHALL INDEMNIFY AND SAVE THE AUTHORS HARMLESS FROM AND AGAINST ANY CLAIMS, LIABILITY OR COST (INCLUDING LEGAL COSTS) TO WHICH THE AUTHORS MAY BE SUBJECT OR THAT MAY BE BROUGHT AGAINST THE AUTHORS BY REASON OF THE IMPLEMENTER'S DECISION TO IMPLEMENT ANY OR ALL OF THE RECOMMENDATIONS IN THE PAPER.

1.0 Foreword

Several studies including the Braidwood Commission report, the Report of the Standing Committee on Public Safety and National Security of the Conducted Energy Weapon, the report of the Commission for Public Complaints against the RCMP and other provincial reports and coroners' recommendations have discussed the need for reliable uniform testing of Conducted Energy Weapons (CEWs) independent of the manufacturer.

This Test Procedure will enable organizations across Canada to test CEWs in a reliable, repeatable manner to determine whether they are operating within manufacturer's specifications. Test results so obtained will be usable in various ways.

- The CEW inventory of a given police service can be tested on acceptance and regularly thereafter to ensure all issued weapons are functioning as intended.
- Any CEW involved in an incident resulting in personal injury will be able to be tested after the incident to reliably determine its operating parameters.
- All data collected from weapons tests across Canada will be known to be reliable and comparable. As a result, new data will be able to be added to the growing body of knowledge concerning CEW operation over time so that future research may be able to determine trends in age or other factor related changes in performance

This document contains a set of recommendations for measurement of the performance characteristics of conducted energy weapons. It represents the opinions of its authors (Section 8.0), a group of subject matter experts who have been involved in research on or testing of CEWs, and is subject to the disclaimer presented in 0.0.

None of the authors has any financial or personal interest in TASER International or any other CEW manufacturer. Several of the authors have discussed weapons testing with staff from TASER International.

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2.0 Purpose and Scope

2.1 Purpose

The CEW Test Procedure:

- Establishes a methodology by which testing facilities and personnel across Canada will be able to test CEWs and determine whether they are operating within manufacturers' specifications,
- Defines data collection requirements so that data collected during the testing of any CEW in Canada may be used in forensic analysis of that weapon and may also be added to a central data base for future research and data mining programs,

2.2 Scope

This Test Procedure is meant for use with Conducted Energy Weapons that have the following characteristics:

- They are hand held
- They use a pulse or pulse train to deliver electrical energy to the target
- They are meant to function by causing temporary human electro-muscular incapacitation

2.3 Definitions

Pulse	A short discharge of electrical energy
Peak Voltage	Peak of the voltage waveform for the pulse
Peak Current	Peak of the current waveform for the pulse
Net Charge	The integral of the value of the current waveform for a specified portion of the pulse
Monophasic Charge	The maximum of the absolute values of A and B, where A = the integral of all positive current in a pulse, and B = the integral of all negative current in a pulse.
Total Charge	The integral of the absolute value of the current waveform for the full pulse duration
Burst Length	Time from the first pulse to the last pulse for a single firing of the CEW
Pulse Duration	The time between the points at which the voltage waveform crosses through a specified start point voltage to a specified end point voltage.
Pulse Repetition Rate	For an interval which contains N pulses, the Pulse Repetition Rate is (N-1) divided by the time from the first to last pulse.

Detailed descriptions and values for these parameters are included in the appendices for specific models of CEW.

3.0 Test Equipment

3.1 Introduction

The equipment required for the electrical testing is listed in this section.

3.2 Calibration

All test equipment must be calibrated yearly to national standards.

3.3 Data Acquisition and Storage System

- Minimum resolution of 1% of the maximum specified voltage (Section 10 of Appendices)
- Minimum bandwidth of 10 MHz and sampling rate of 10 MSamples/s or sufficient to achieve at least 1% maximum voltage sampling error as per good engineering practice.
- Anti-aliasing low pass filter (5 MHz) in accordance with good engineering practice
- Minimum 8 bit digitization of stored sample data
- Sufficient storage capacity to record all pulses
- Adequate pretrigger interval if pulse triggering is used

3.4 Voltage Probe

- Voltage reduction probe (1000:1)
- Minimum 10kV rating

AND/OR

3.5 Current Probe

- Suitable for ranges to 30 A

3.6 Resistive Load

- Pure resistance (low reactance, non-inductive) at 100 kHz. Note: wire wound resistors are not generally acceptable.
- 10 W power rating
- Value specified in Appendices for specific models of CEW.

3.7 Connecting wires

- Should be as large a gauge as practical in order to minimize impedance
- Should be kept as short as possible

3.8 Mounting Jig

- A jig or other mounting method is required to stabilize the weapon and allow hands-off operation during test. It will typically employ a spent cartridge. (Note 1)

3.9 Insulating Surface

- The test set up should be mounted on an insulating surface to ensure protection of the test staff from electrical discharge.

Note 1: A mechanical/electrical system equivalent to a spent cartridge may be used. If so, it must include a housing designed to firmly hold the weapon and expose it to equivalent electrical connections and spark gap as would be seen with a spent cartridge.

4.0 General Procedure

4.1 Initial Inspection

Carry out a visual inspection of the weapon prior to testing. If there are obvious physical deficiencies such as poor fitting of the battery pack or safety and trigger switches, do not proceed with the electrical testing.

4.2 Measurement

Acquire and store relevant data from full bursts except where noted. Obtain quantitative data on

- Peak Voltage (measured directly or calculated by measuring the peak current and multiplying by the load resistance)
- Peak Current (measured directly or calculated by measuring the peak voltage and dividing by the load resistance).
- Net Charge
- Total Charge
- Monophasic Charge
- Pulse Duration
- Pulse Repetition Rate.

4.3 Analysis

Determine if the CEW is In Tolerance or Out of Tolerance by comparison of measured values with specifications.

5.0 Specific Procedure

5.1 Introduction

This procedure gives test set up, conduct and analysis methodology. Detailed test equipment operating procedures have not been provided. Good engineering practice, proper laboratory processes and familiarity with laboratory measurement equipment is expected. Detailed quantitative data for determining compliance with manufacturer's specifications are given in the appendices for specific models of CEW.

5.2 Initial Inspection

Prior to beginning testing, record the following

- Manufacturer of the test weapon
- Model number and Serial number
- Battery model and serial number (if available without opening unit under test)
- Battery capacity (if available without opening unit under test)
- Software version installed (if available without opening unit under test)
- Temperature, humidity and atmospheric pressure of the test environment

CAUTION: High voltages will be present during the test. Exercise caution in the layout of the equipment and conduct of the test to avoid exposure to the high voltage.

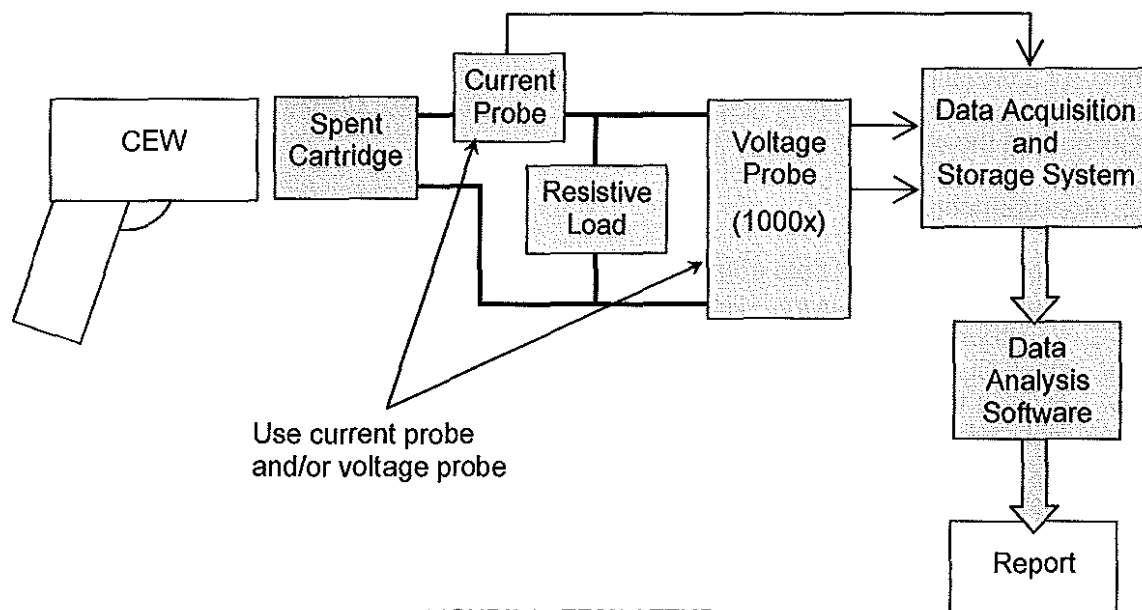


FIGURE 1: TEST SETUP

5.3 Measurement

5.3.1 Setup

- Set up the test equipment on the insulating surface.
- Select a sampling rate on the Data Acquisition System of 10 MSamples/s or greater.
- Connect the probe(s) to the test apparatus:
 - connect the high voltage probe across the test load.
 AND/OR
 - place the current probe around the appropriate lead from the weapon to the load.
- Connect the probe leads to the Data Acquisition System
- Prepare the weapon for test by stabilizing it with a spent cartridge. (Note 1, Note 2)
- Set up the weapon in the test jig or similar apparatus to allow hands-off support.

5.3.2 Test

- Connect the weapon across the test load. (Note 3)
- Pull the trigger on the weapon to initiate the burst.
- Allow the weapon to fire for the full duration of the burst.
- Verify that all data has been acquired and stored.
- Fire the weapon two more times and record the data. (Note 4)
- Verify data has been acquired and stored.
- Identify the data records with the serial number of the weapon under test.

Note 2: Repeated use of the spent cartridge will result in build up of deposits due to arcing. Inspect and clean the cartridge regularly.

Note 3: We consider the test loads recommended by TASER International (600 Ohm for the X26 and 500 Ohm for the M26) to be an adequate model of the impedance load of the body. These CEWs behave largely as a current source and have relatively little variation in charge with load. Savard et al³, found a variation of approximately 25% from the average current across loads below 1000 Ohm. Such variation may be accounted for by the safety factor

Note 4: The full procedure with three weapon firings is meant to collect additional data for future data mining. This should be used for acceptance testing and regularly scheduled maintenance testing. For users wishing to conduct daily testing, only two firings are required in order to determine weapon compliance with manufacturer's specifications.

6.0 Data Analysis

6.1 Data Analysis Software

Tests may be run most efficiently with data analysis software. (Note 5)

6.2 Parameters averaged over the last second of the burst

The software will determine the following from pulses that fit into the last second of the burst during the first firing of the weapon:

- Pulse Repetition Rate

6.3 Parameters averaged over the last 8 pulses

The analysis software will also determine the following by averaging data from the last 8 pulses recorded for the second firing of the weapon:

- Peak Voltage
- Peak Current
- Net Charge
- Pulse Duration

6.4 CEW status as per manufacturer specifications

All of the previous five values are required in order to determine whether operation of the weapon is within manufacturer's specifications. Compare the output of the analysis software with the manufacturer's specifications given in the appendix. Determine for each of the parameters whether the weapon's performance was,

- Above Tolerance
- In Tolerance
- Below Tolerance

6.5 Within Specification

If all five parameters are In Tolerance, then the weapon may be reported as having performed within manufacturer's specifications. (Note 6)

6.6 Charge Measurements

The analysis software will determine the following for each pulse in each of the three firings of the weapon:

- Monophasic Charge
- Total Charge

CEWs with Monophasic Charge for any individual pulse in excess of the value listed in the corresponding appendix should be declared Out of Tolerance (Note 7).

6.7 Parameter Statistics over the burst

The software should calculate and store, for each of the seven parameters listed (Pulse Repetition Rate, Peak Voltage, Peak Current, Net Charge, Pulse Duration, Monophasic Charge and Total Charge) the value for each pulse for each firing.

In addition, the maximum, minimum and average of each parameter for all pulses in each of the three firings should be calculated and stored. Note that the average pulse repetition rate is the pulse repetition rate for the burst length, and not the average of the pulse repetition rates for each pulse in the burst.

Note 5: An implementation of the analysis software has been created by Carleton University. This software may be used in the analysis of the stored data. It is available under an open-source license from Dr. Andy Adler, Systems and Computer Engineering, Carleton University.

Note 6: If a weapon performs out of tolerance, replacement of the batteries or Digital Power Module may bring the weapon to within expected performance. Note that for some weapons, introduction of a new DPM may introduce new operating software, which will create an essentially new configuration for the weapon. This procedure should only be carried out if prior agreement on this policy has been established with the owner of the weapon and, in any event, a complete test series should be repeated on the new weapon/power system combination and reported as a separate test with a separate test report.

Note 7: There is no specification which applies exactly to the waveforms of complex CEW discharges. In our opinion, the most relevant specification is that of IEC TS 60479 Part 2 (Section 11) which considers the "effects of unidirectional single impulse currents of short durations" (0.1 ms and above). This section of the specification defines curves based on the "probability of fibrillation risk for current flowing through the body from the left hand to both feet". We base our calculation on the "C1 curve" which is defined as "no risk of fibrillation". For a 0.1 ms pulse, this is equivalent to a 710 μC charge². To account for differences in body size and placement of stimulation electrodes, we recommend an additional safety factor of four be imposed, so the maximum allowable value for any individual stimulating pulse would be the value listed in the corresponding appendix for specific models of CEW. Since CEW waveforms are not unidirectional, two possible parameters may be compared to the IEC 60479-2 based threshold: 1) Total Charge, or 2) Monophasic Charge. Total Charge is a more conservative measure, however, Monophasic Charge may be justified based on physiological models such as Reilly et al⁴. Based on our understanding of the current literature, Monophasic Charge is the appropriate measure. We note that our recommendations are relevant to the waveforms of the TASER M26 and X26 (Appendices A and B), and that this comparison of Monophasic Charge based on IEC 60479-2 may not be appropriate for other CEW waveforms.

Note 8: Additional performance requirements may be added to this test procedure as medical knowledge and/or data mining on collected test data indicates a scientific basis for such requirements. The implementer of this procedure should ensure that the most recent version of the test procedure is being used.

¹ IEC/CEI/TS 60479-2:2007, "Effects of current on human beings and livestock – Part 2: Special Effects", Figure 20, "Threshold of ventricular fibrillation".

² DP Dawson, Y Maimaitijian, A Adler. "Development of a Performance Calibration System for X-26 TASERs". International Workshop on Medical Measurement and Applications (MeMeA), Ottawa, Apr 30 – May 1, 2010

³ P Savard, R Walter, A Dennis, "Analysis of the Quality and Safety of the Taser X26 devices tested for Radio-Canada / Canadian Broadcasting Corporation by National Technical Systems, Test Report 41196-08.SRC", Dec 2, 2008, Online: www.cbc.ca/news/pdf/taser-analysis-v1.5.pdf

⁴ JP Reilly, AM Diamant and J Comeaux. Dosimetry considerations for electrical stun devices. *Physics in Medicine and Biology*, 54 (2009) 1319-1335.
<http://iopscience.iop.org/0031-9155/54/5/015>

7.0 Sample Report Format

7.1 Report Format

The following report format is presented as a sample which shows all of the relevant information collected during testing. Comments in Line 7 could include, for example, notes on the operation of the CEW display or on its general appearance or on obvious discrepancies in the operation of the device itself.

Conducted Energy Weapon Test Report	Date:
Weapon: (mfr and model)	Serial Number:
Police Service:	Police Officer:
Test Service:	Tester:

Visual Inspection	Case <input type="checkbox"/> Battery <input type="checkbox"/> Electrodes <input type="checkbox"/>
Data Download Performed	<input type="checkbox"/>
Comments	
Software Version	
Battery Charge	
Battery Model and Serial	
Temperature	
Humidity	
Atmospheric Pressure	

	Max			Min			Avg			Avg-TI		
Firing No	1	2	3	1	2	3	1	2	3	1	2	3
Peak Voltage (V)												
Peak Current (A)												
Net Charge (µC)												
Pulse Duration (µs)												
Pulse Rep Rate (P/s)												
Monophasic Charge (µC)												
Total Charge (µC)												
Burst Length (s)												

Within Specifications: Yes ☐ / No ☐

7.2 Data Protection

If an electronic report is used, care should be taken to electronically protect the data from corruption. Digital signatures or encryption may be employed.

8.0 Acknowledgements

This Test Procedure was developed as a result of an initiative spearheaded by Carleton University, Systems and Computer Engineering who organized workshops on the topic of CEWs with partial funding from Public Safety Canada and the Canadian Police Research Centre (CPRC). These workshops brought together a wide range of participants with experience in the field to discuss concerns around the use of these weapons and to develop suggestions for a way forward.

The group which put together this Test Procedure included the following participants:

Dr. Andy Adler, Carleton University

Mr. Dave Dawson, Carleton University

Mr. Ron Evans, Datrend Systems Inc.

Mr. Laurin Garland, Vernac Ltd. (coordinator – under contract to CPRC)

Mr. Mark Miller, Datrend Systems Inc.

Dr. Ian Sinclair, MPB Technologies (with thanks also for the contents of Appendices A and B which were based on his publications of Test Concepts for the TASER M26 and X26)

Appendix A
Detailed Specifications
TASER M26

Appendix A Detailed Specifications TASER M26

A.1 Introduction

This appendix gives details of the waveform, definitions and specifications for the parameters of interest for the TASER M26.

A.2 Pulse Waveform

The TASER M26 pulse consists of a damped oscillation with a $17\ \mu\text{s}$ time constant. The initial half sinusoid is known as the "Strike Phase" as shown in Figure A1. The pulses are delivered in a burst as shown in Figure A2. The burst consists of about 75 pulses over 5 seconds, at the rate of 15 pulses per second if an alkaline battery is used. The burst has 100 pulses at the rate of 20 pulses per second if a NiMH battery is used.

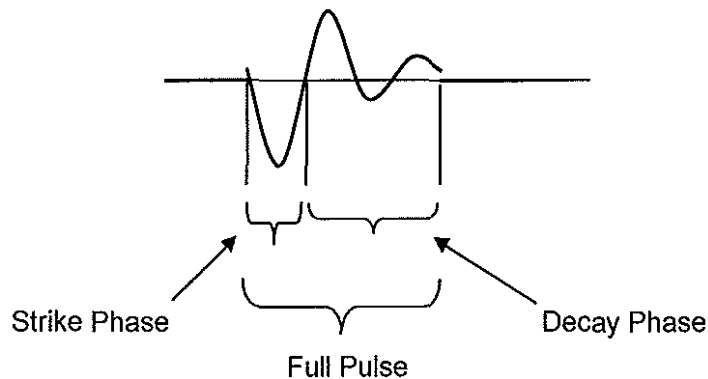


FIGURE A1: PULSE, CONSISTING OF STRIKE PHASE AND DECAY PHASE

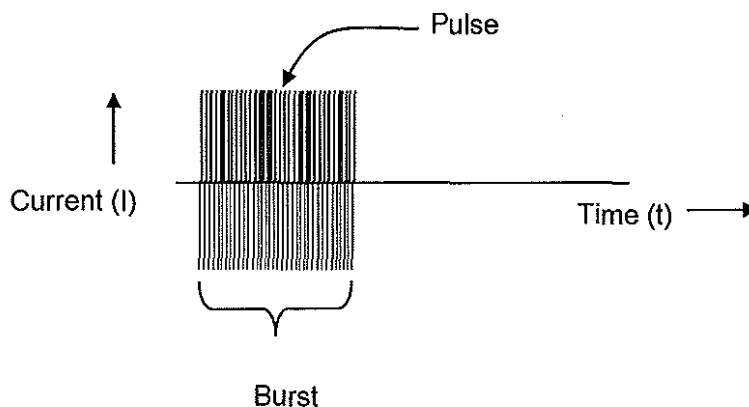


FIGURE A2: BURST OF APPROXIMATELY 75 OR 100 PULSES

A.3 Parameters of Interest

Information is derived primarily from the Strike Phase, since this is the pulse that captures the motor neuron. It is 10 μs long, and delivers about 100 μC of charge in a single direction, whereas the remainder of the pulse delivers about 100 μC spread over 40 μs in alternating negative and positive directions.

Some plots show the Strike Phase above the axis, some show it below the axis (Figure A3). This is merely a question of how the load is connected to the scope. Either orientation of the pulse shows the same thing.

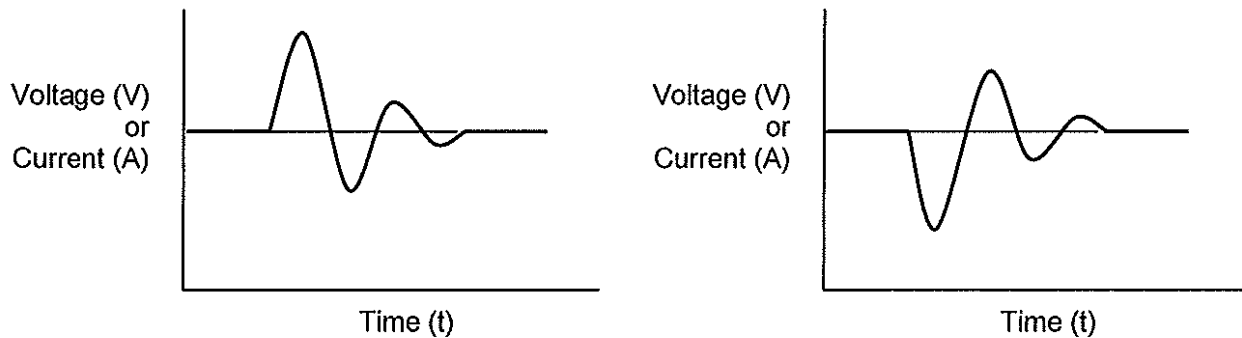


FIGURE A3: M26 PULSE INVERSIONS

Parameters of individual M26 pulses will be calculated as shown in Figure A4 to Figure A8. These describe, respectively,

- peak voltage (strike phase)
- peak current (strike phase)
- net charge (strike phase)
- pulse duration (full pulse),
- pulse repetition rate
- Monophasic Charge
- Total Charge

A.4 Peak Voltage and Peak Current

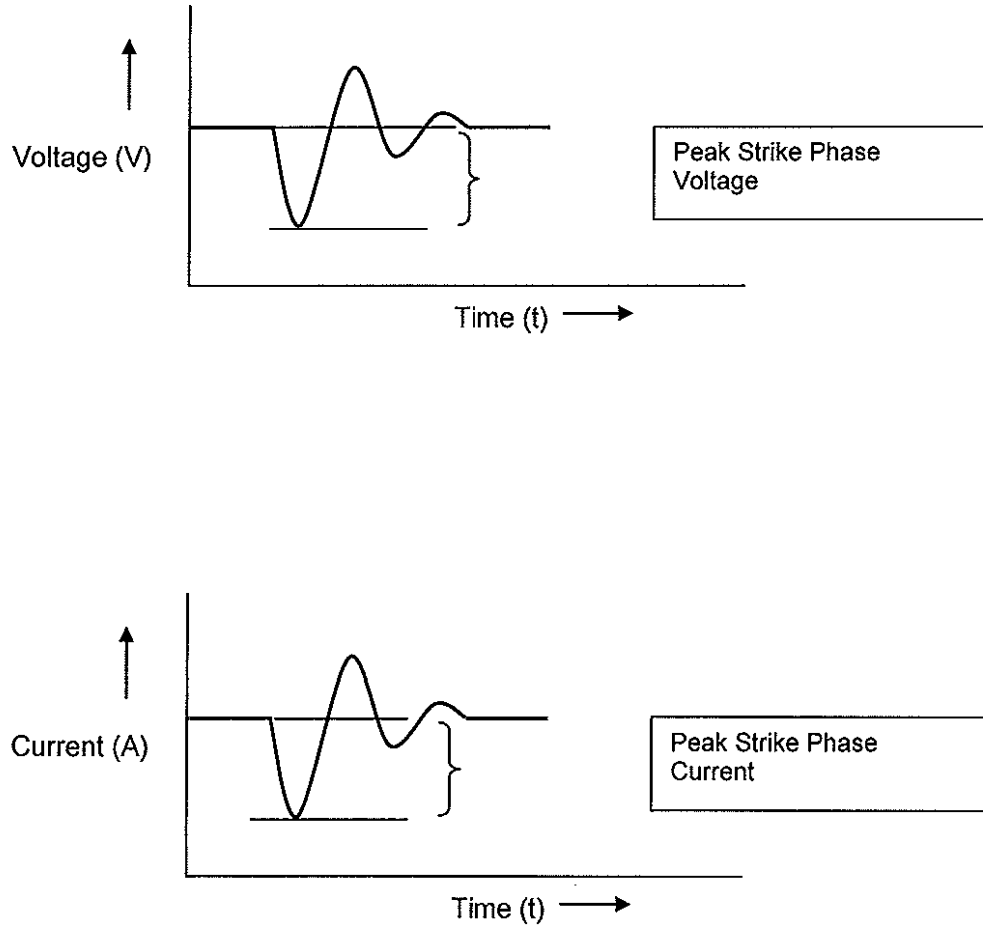


FIGURE A4: M26 PEAK STRIKE PHASE VOLTAGE AND CURRENT

A.5 Net Charge

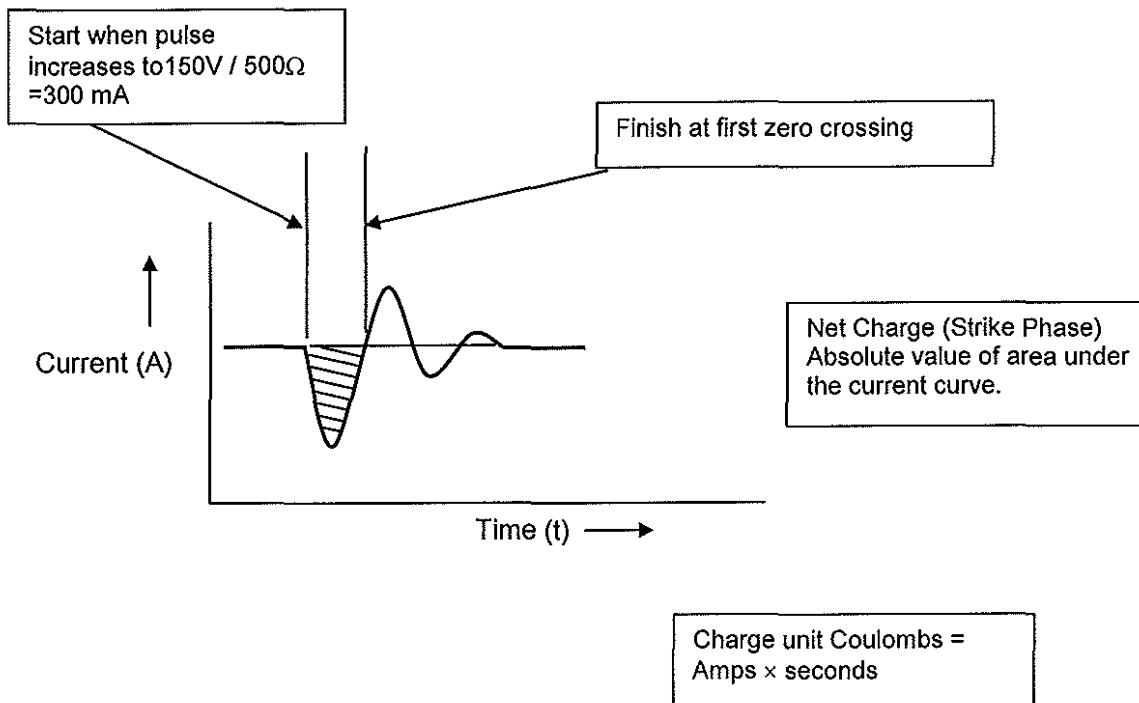


FIGURE A5: M26 STRIKE PHASE NET CHARGE

A. 6 Pulse Duration

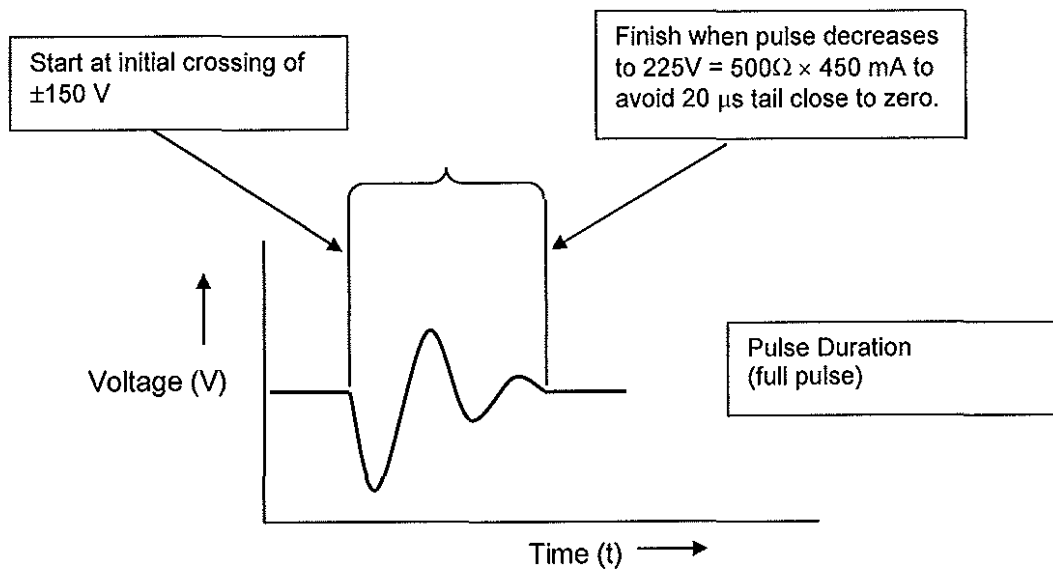


FIGURE A6: M26 FULL PULSE DURATION

A.7 Pulse Repetition Rate

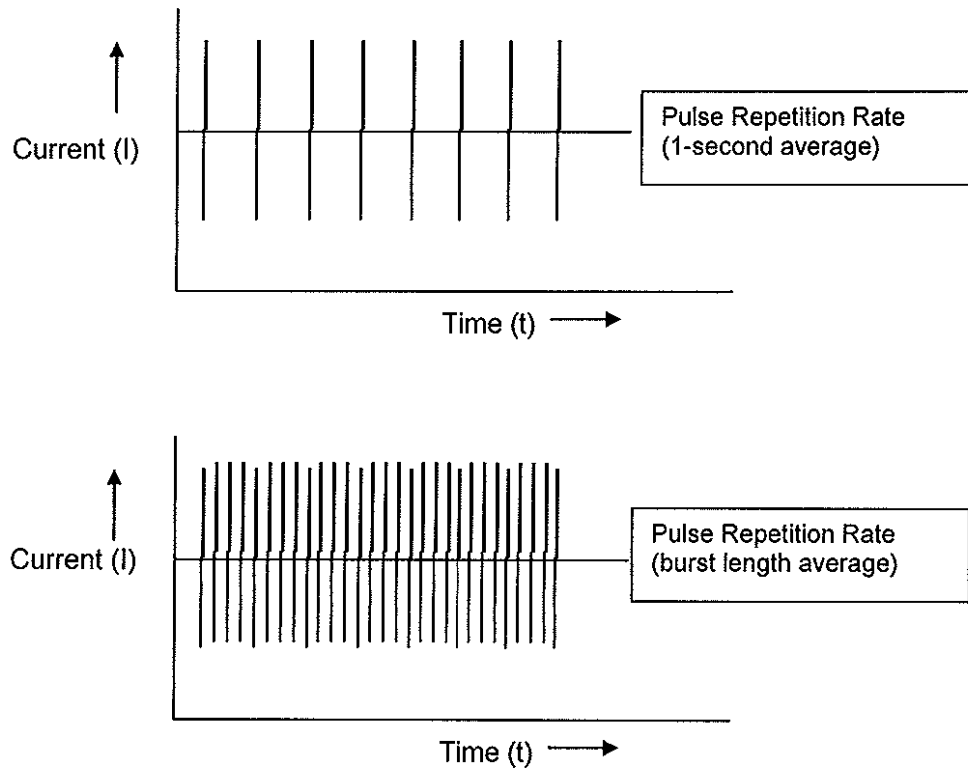


FIGURE A7: M26 PULSE REPETITION RATE

A.8 Monophasic Charge and Total Charge

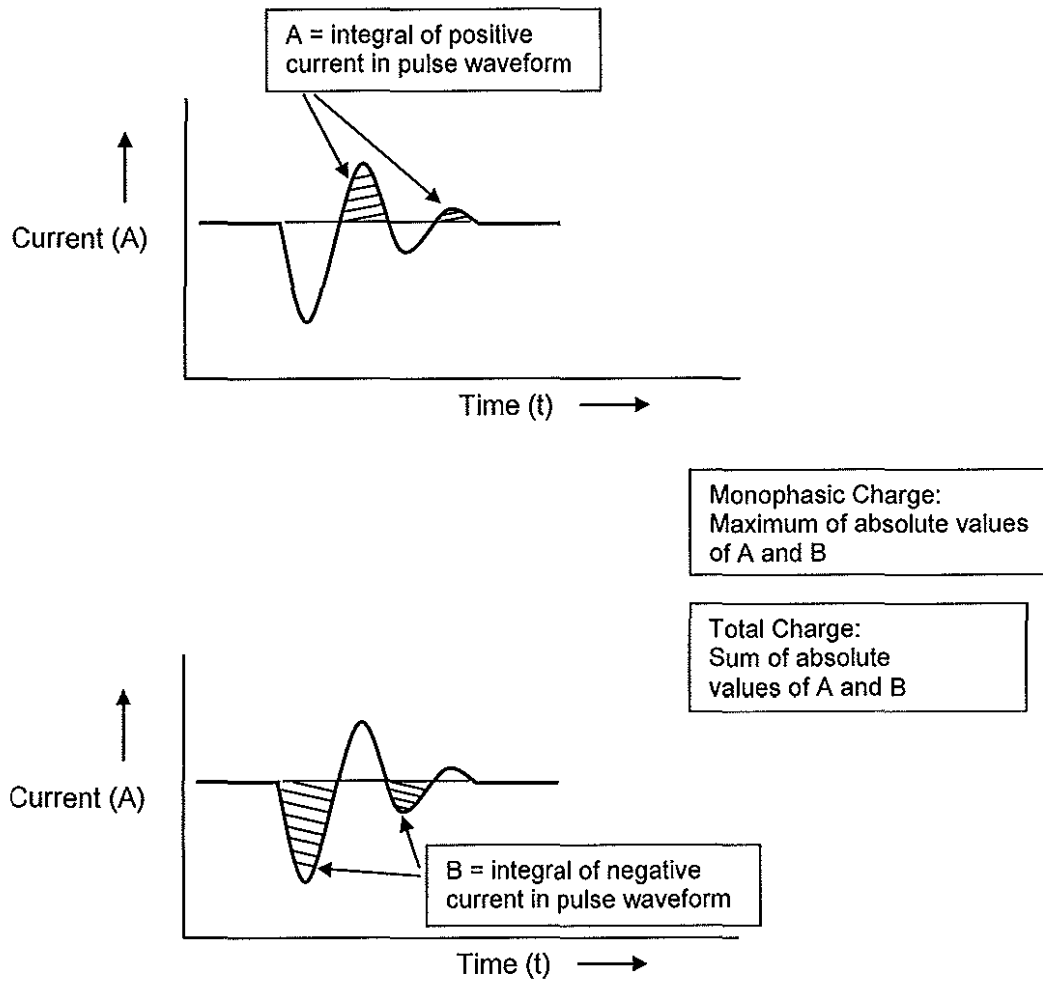


FIGURE A8: M26 MONOPHASIC CHARGE

A.9 Specifications

Advanced TASER™ M26 Electronic Control Device Specification Version 2.0, released February 6, 2009 (which may be found at <http://ecdaw.info/>, search for "M26 specifications"). This document contains the following electrical specifications.

TABLE A1: TASER M26 SPECIFICATIONS AS PER TI

Item	Value
Waveform	Damped oscillation
Peak loaded voltage	6,900 to 9,400 V
Strike Phase charge	70 to 120 μC
Pulse duration	32 to 60 μs
Pulse rate (NiMH rechargeable cells)	15 to 26 pulses per second
Pulse rate (alkaline cells)	11.25 to 19.5 pulses per second

Two other specifications, Strike Phase Duration and Full Pulse Net Charge are also listed in the specification, but are not included here. The values listed are taken to be sufficient for the purpose of characterizing a device.

The TI specifications call the beginning of the pulse the "Main Phase". For the purpose of this testing and reporting, this nomenclature has been changed to "Strike Phase" in order to avoid confusion with the Main Phase of the X26 pulse.

The "Strike Phase" is both the arc-creating and current-delivering phase in the M26; the remainder of the pulse could be termed the "Decay Phase", as it represents the pulse decay in the form of a damped sinusoid.

It is noted in the TASER documentation in part as follows:

- output specifications were derived from a 500 Ω resistive load
- output specifications may vary depending on temperature, battery charge, and load characteristics.
- Pulse rate specifications at room temperature. Temperatures below 32 F (0 C) can significantly reduce the pulse rate.

A.10 Test Details

These test details are required in order to determine whether the unit under test is operating within manufacturer's specifications. Additional test data such as maximum, minimum and average for each parameter from all pulses over all three firings should also be reported.

TABLE A2: TASER M26 SPECIFICATIONS WITH TEST CONDITIONS

Parameter	Condition	Spec into 500 Ω Load
Peak Voltage	Peak of absolute value of voltage, on a pulse averaged over the last eight pulses	6900 – 9400 V
Peak Current	Peak of absolute value of current, on a pulse averaged over the last eight pulses	13.8 – 18.8 A
Net Charge	Area under Strike Phase current vs time curve, on a pulse averaged over the last eight pulses	70 – 120 μC
Pulse Duration	Between initial point of waveform ¹ and final point ² , on a pulse averaged over the last eight pulses	32 – 60 μs
Pulse Repetition Rate	Average over last second of 1 st firing - Alkaline battery - NiMH battery	15 +5/-4 pulses/s 20 +6/-5 pulses/s
Monophasic Charge* (see Note 7)	The maximum of the absolute values of A and B, where A = the integral of all positive current in a pulse and B = the integral of all negative current in a pulse.	< 180 μC

- TASER International TASER M26 Specifications have been applied.
- Load resistor is 500 Ω non-inductive high voltage pulse-tolerant
- Peak current specs calculated from peak voltage: e.g. 13.8 A = 6900 V/500 Ω
- Use expended cartridge for the tests; check contacts when changed to next test unit
 - o Sparks jump across additional gaps when this part of the device is installed
 - o This simulates the actual conditions of deployment
- Carry out tests on a non-conductive surface
- Minimum digitizer resolution 75 V (corresponding to 1% of the maximum specified peak voltage)
- Raw trace data to be retained to permit further post-test analysis.
- Uncertainty calculations for instrumentation setup, as per IEC/ISO 98-3:2008 Guide to the Expression of Uncertainty in Measurement (GUM).
- * Monophasic Charge is not part of TASER International Specifications

¹ Initial point is first point in the pulse where absolute voltage reaches 150 V with 500 Ω load

² Final point is last point in the pulse where absolute voltage drops below 225 V with 500 Ω load

A.11 Sample Test Data

Test data to be measured/calculated during a typical test are as follows:

TABLE A3: TASER M26 CEW TEST OBSERVATION DETAILS

Parameter	Method of Measurement	Typical Values
Model Number	Device label	M-26
Serial Number	Device label	P1-009601
Battery Status	Battery usage record. Power supply voltage	< 25 discharges 12 Vdc
Lab Temperature	Thermometer in the lab	26 C
Battery Version	Battery labels. Power supply description	Duracell Ultra Fixed DC Supply
Load resistance	Multimeter	495 Ω

TABLE A4: TASER M26 CEW OPERATING PARAMETERS, TYPICAL VALUES

Parameter	Method of Measurement	Typical Values
Peak Voltage	Maximum voltage out of all samples during Strike Phase.	7400 V
Peak Current	Maximum current out of all samples during Strike Phase.	15.2 A
Net Charge	Current at each sample of the strike phase multiplied by the time between data samples, all samples then summed up.	105 μC
Pulse Duration	Time between crossing of initial and final thresholds of the full pulse	40 μs
Pulse Repetition Rate	Number of pulses during the burst minus 1 divided by the burst length.	14.5 pps

Note that TASER International also specifies Full Pulse Net Charge and Strike Phase Duration as parameters for the M26. It is believed that Strike Phase Charge and Full Pulse Duration are the more important parameters. This also maintains consistency with the parameters measured for the X26 model.

Appendix B
Detailed Specifications
TASER X26

Appendix B Detailed Specifications TASER X26

B.1 Introduction

This appendix gives details of the waveform, definitions and specifications for the parameters of interest for the TASER X26.

B.2 Pulse Waveform

The TASER X26 pulse consists of an “arc phase” and “main phase” as shown in Figure B1. The pulses are delivered in a burst consisting of approximately 95 pulses over 5 seconds, at the rate of 19 pulses per second, as shown in Figure B2.

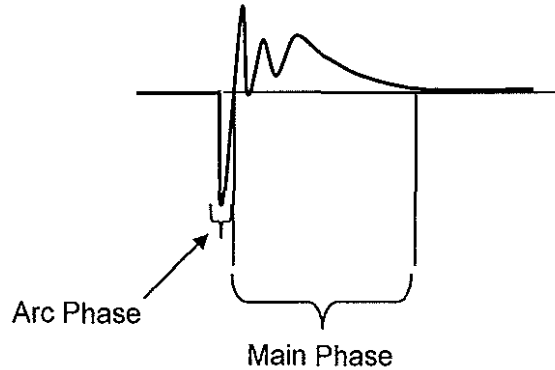


FIGURE B1: PULSE, CONSISTING OF ARC PHASE AND MAIN PHASE

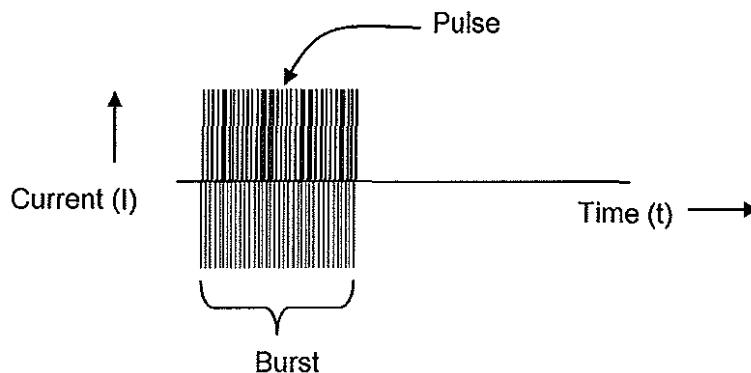


FIGURE B2: BURST OF APPROXIMATELY 95 PULSES

B.3 Parameters of Interest

Information is derived primarily from the main phase, where most of the pulse energy resides. The main phase delivers about 100 μC of charge, whereas the arc phase has only 10 μC . The purpose of the arc phase is to create an arc to allow efficient delivery of current during the main phase

The arc phase has a faster rise time and a higher peak than seen on many oscilloscopes, because of integrating effects in voltage and current probes. For this reason, measurements of the peak voltage, peak current and charge of the arc phase may be in error.

Parameters of individual X26 pulses are calculated as shown in Figure B4 to Figure B8. These describe, respectively,

- peak voltage (main phase)
- peak current (main phase)
- net charge (main phase)
- pulse duration (full pulse),
- pulse repetition rate,
- Monophasic Charge
- Total Charge

B.4 Peak Voltage and Peak Current

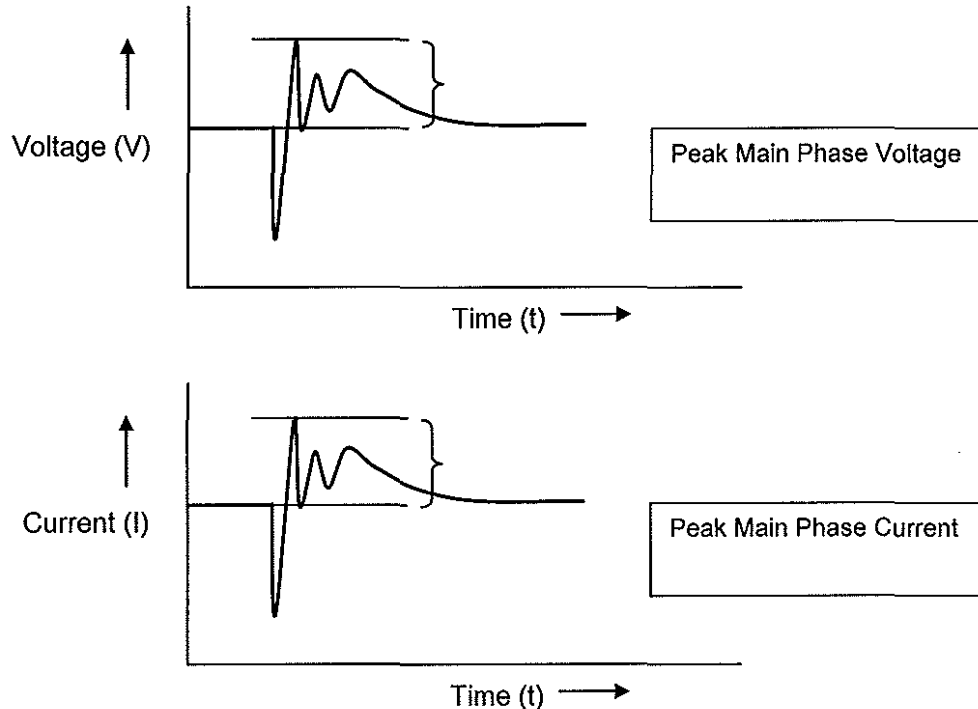


FIGURE B3: X26 PEAK MAIN PHASE VOLTAGE AND CURRENT

B.5 Net Charge

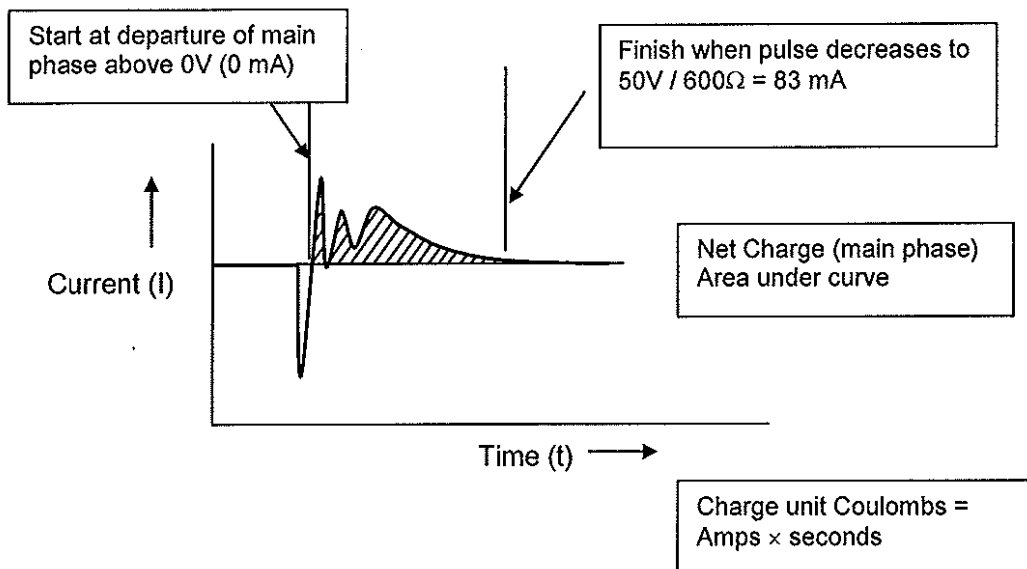


FIGURE B4: X26 MAIN PHASE NET CHARGE

B.6 Pulse Duration

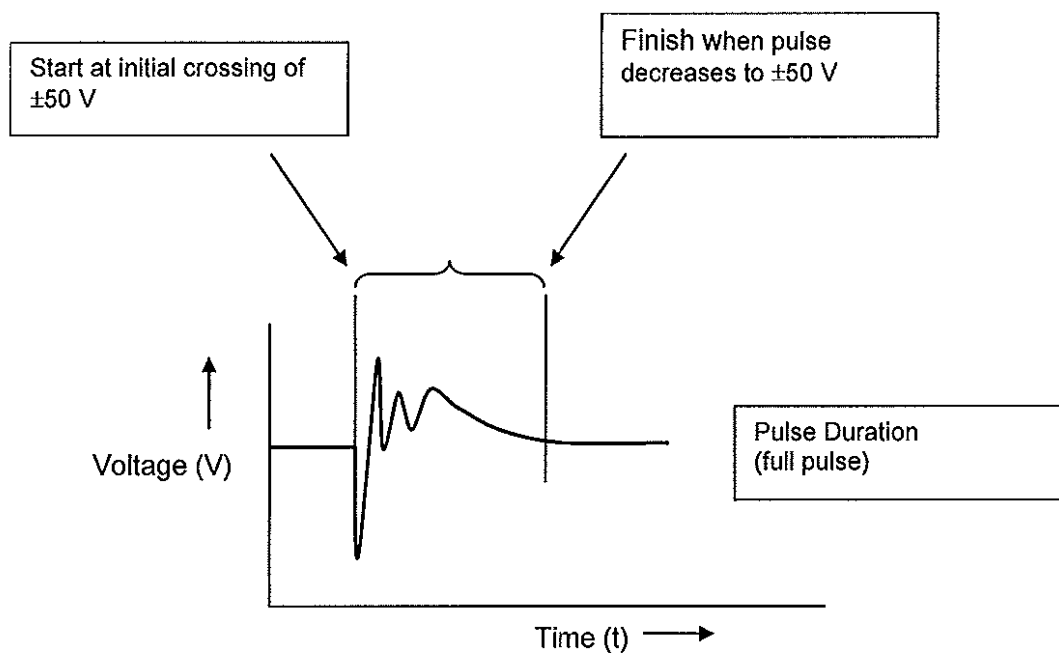


FIGURE B5: X26 PULSE DURATION

B.7 Pulse Repetition Rate

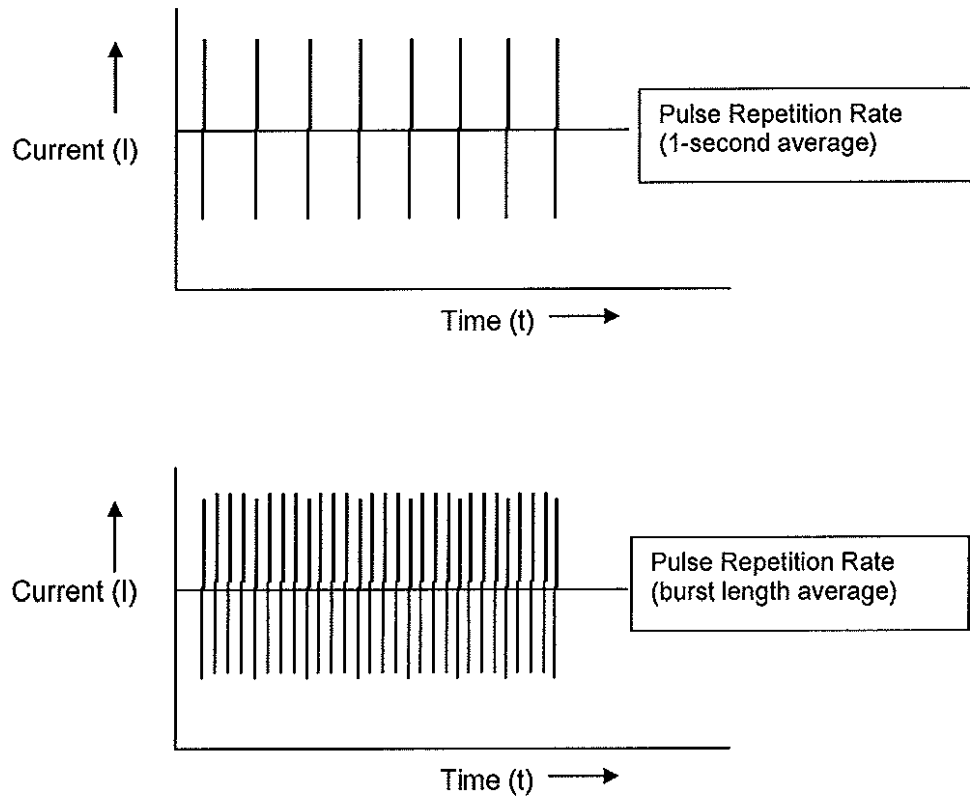


FIGURE B6: X26 PULSE REPETITION RATE

B.8 Monophasic Charge and Total Charge

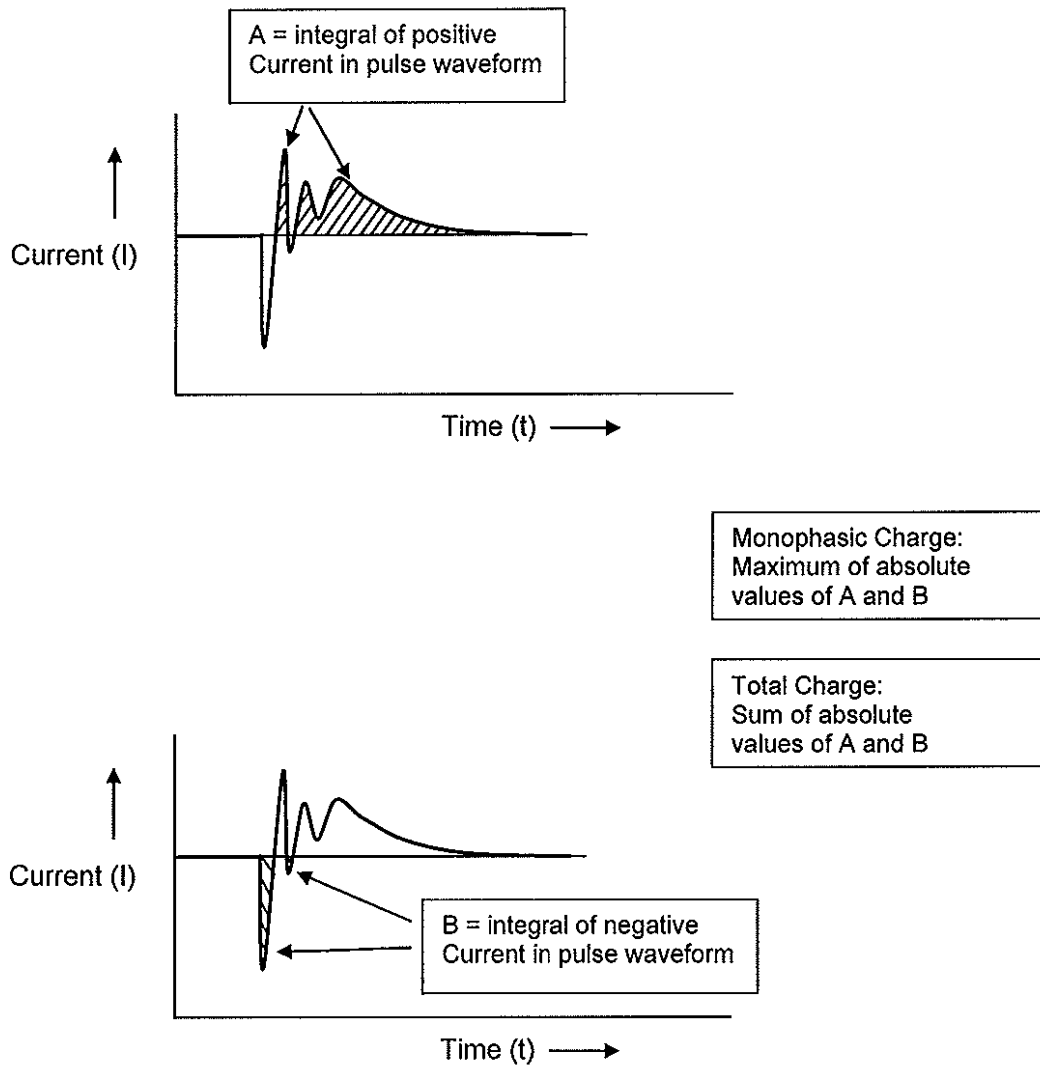


FIGURE B7: X26 MONOPHASIC CHARGE

B.9 Specifications

TASER™ X26E Series Electronic Control Device Specification Version 2.0, released February 6, 2009 (which may be found at <http://ecdlaw.info/>, search for "X26 specifications"). This document contains the following electrical specifications.

TABLE B1: TASER X26 SPECIFICATIONS AS PER TI

Item	Value
Waveform	Complex shaped pulse
Peak loaded voltage	1,400 to 2,520 V
Main phase charge	80 to 125 μ C
Pulse duration	105 to 155 μ s
Pulse rate	16.5 to 20 pulses per second

It is noted in the TASER documentation as follows:

- output specifications were derived from a 600 Ω resistive load
- output specifications may vary depending on temperature, battery charge and load characteristics
- Pulse rate specifications are at room temperature. Temperatures below 32°F (0 C) can significantly reduce the pulse rate

B.10 Test Details

These test details are required in order to determine whether the unit under test is operating within specifications. Additional test data such as maximum, minimum and average for each parameter from all pulses over all three firings should also be reported.

TABLE B2: TASER X26 SPECIFICATIONS WITH TEST CONDITIONS

Parameter	Condition	Spec into 600 Ω Load
Peak Voltage	Peak of main phase voltage (following arc phase), on a pulse averaged over the last eight pulses	1400 – 2520 V
Peak Current	Peak of main phase current (following arc phase), on a pulse averaged over the last eight pulses	2.3 – 4.2 A
Net Charge	Area under main phase current vs time curve, on a pulse averaged over the last eight pulses	80 – 125 μC
Pulse Duration	Between initial point of waveform ¹ and final point ² on a pulse averaged over the last eight pulses	105 – 155 μs
Pulse Repetition Rate	Average over last second of 1 st firing	16.5 – 20 pps
Monophasic Charge* (see Note 7)	The maximum of the absolute values of A and B, where A = the integral of all positive current in a pulse and B = the integral of all negative current in a pulse.	< 180 μC

- TASER International TASER X26 Specifications have been applied.
- Load resistor is 600 Ω non-inductive
- Peak current specs calculated from peak voltage: e.g. 2.3 A = 1400 V/ 600 Ω
- Use expended cartridge for the tests; check contacts when changed to next test unit
 - o Sparks jump across additional gaps when this part of the device is installed
 - o This simulates the actual conditions of deployment
- Carry out tests on a non-conductive surface
- Minimum digitizer resolution 25 V (corresponding to 1% of the maximum peak voltage)
- Note the remaining battery capacity and software revision from the digital display. Inserting a fresh battery pack will update the unit with the latest revision software. The tests are valid for software versions 15 and greater.
- Raw trace data to be retained to permit further post-test analysis.
- Uncertainty calculations for instrumentation setup, as per IEC/ISO 98-3:2008 Guide to the Expression of Uncertainty in Measurement (GUM).
- * Monophasic Charge is not part of TASER International Specifications

¹ Initial Point is first point in the pulse where absolute voltage reaches 50 V with 600 Ω load

² Final point is last point in the pulse where absolute voltage drops below 50 V with a 600 Ω load

B.11 Sample Test Data

Test data to be measured/calculated during a typical test are as follows:

TABLE B3: TASER X26 CEW TEST OBSERVATION DETAILS

Parameter	Method of Measurement	Typical Values
Model Number	Device label	X-26
Serial Number	Device label	X00-157163
Battery Status	LED display in device	30% to 97%
CEW Temperature	LED display in device	26 C
Software Version	LED display in device	15, 18, 20, 21, 22
Battery Version	Label on the side of the DPM	21, 22, or XX if indecipherable
Load resistance	Multimeter	595 Ω

TABLE B4: TASER X26 CEW OPERATING PARAMETERS, TYPICAL VALUES

Parameter	Method of Measurement	Typical Values
Peak Voltage	Maximum voltage out of all samples during main phase.	1905 V
Peak Current	Maximum current out of all samples during main phase.	3.2 A
Net Charge	Current at each sample of the main phase multiplied by the time between data samples and summed.	105 μC
Pulse Duration	Time between crossing of initial and final thresholds of the full pulse	135 μs
Pulse Repetition Rate	Number of pulses during the burst minus 1 divided by the burst length.	17.5 pps

Purpose

The purpose of the *Conducted Energy Weapon (CEW) Testing Standards* is to:

- Ensure that all of the CEWs used by police forces in BC meet the manufacturer's specifications as well as additional safety specifications;
- Standardize testing of CEWs throughout BC; and
- Make the testing process transparent by documenting results.

The underlying principle of these *Standards* is to enhance police accountability by provincial oversight and independent evaluation.

Background

Police Services Division, Ministry of Public Safety and Solicitor General developed the *CEW Testing Standards* as a result of recommendations made by Justice Braidwood in his report *Restoring Public Confidence: Restricting the Use of Conducted Energy Weapons* issued in July, 2009.

In this report, Braidwood recommended that the provincial government exercise its legislative authority to set provincewide standards relating to CEWs. Recommendations 14 and 15 also specifically require the periodic testing of CEWs and testing CEWs after a serious injury or death:

Periodic Testing

14. I recommend that every conducted energy weapon used by officers of provincially regulated law enforcement agencies be periodically tested for electrical output, according to a testing protocol approved by an independent body and according to a schedule established by the Ministry of Public Safety and Solicitor General, and that the test include, but not necessarily be limited to:
- The number of pulses per second;
 - The duration of each pulse; and
 - The maximum current during each pulse.

Testing after a serious injury or death

15. I recommend that whenever there is a serious injury or death proximate to the use of a conducted energy weapon by an officer of provincially regulated law enforcement agency, the weapon be withdrawn from service and its electrical

output be tested in accordance with, and for the matters referred to in, Recommendation 14.

The *CEW Testing Standards* directly address both of these recommendations by requiring police forces to initially test new CEWs two years after purchase, and every subsequent year following that. Immediate testing of a specific CEW is also required, if that weapon was used in an incident where serious injury or death occurred proximate to its use. All testing of CEWs must be conducted independent of the manufacturer and in accordance with the provincially-approved test procedure. The detailed protocol for provincial testing of CEWs approved by Police Services Division is entitled *Test Procedure for Conducted Energy Weapons* and is found in Appendix "A"¹ of the *CEW Testing Standards*. This procedure was developed as a result of an initiative spearheaded by Carleton University who organized workshops that included scientists and experts from across Canada. It is designed to enable organizations across Canada to test CEWs in a reliable, repeatable manner to determine whether CEWs are operating within a set of identified specifications.

Beyond Braidwood

Police Services Division incorporated additional requirements beyond the recommendations in Justice Braidwood's report into the *CEW Testing Standards*. These include: additional specifications for testing (e.g. maximum monophasic charge); requirements for CEWs that fail testing; and, obligations for maintaining records on CEW testing.

Importantly, the addition of the "maximum monophasic charge" as a testing specification is to ensure that CEW output is well within safety boundaries as supported by the International Electrotechnical Commission.²

¹ See also <http://curve.carleton.ca/papers/2010/CEW-Test-Procedure-2010-ver1.1.pdf>

² International Electrotechnical Commission (2007). *Technical Specification 60479-2. Effects of current on human beings and livestock – Part 2: special aspect.*

Section 1.0 – Use of Force	Page 1 of 2
Sub Section 1.7 – Reporting and Investigations	
Subject 1.7.1 – Reporting and Investigation Following the Use of Weapons	Effective: Approved date Revised: n/a

Definitions

"Director" - the director of police services, Ministry of Public Safety and Solicitor General.

"Conducted energy weapon" or "CEW" – a weapon designed to use a conducted electrical current in order to incapacitate a person, or to generate compliance through pain.

"Intermediate weapon" – a weapon whose normal use is not intended or likely to cause serious injury or death. Impact weapons, aerosols and conducted energy weapons fall within this category. Intermediate weapons may also be referred to as less-lethal weapons.

"Firearm" – a firearm as defined in section 2 of the *Criminal Code* (Canada).

"Officer" - a constable appointed under the *Police Act* or an enforcement officer appointed under s. 18.1 of the *Police Act*.

Application

For the purpose of Standards (1), (2), and (6) below, a discharge does not include discharge of the firearm in accordance with the rules of a police force during: training, target practice, testing, assessment, or ordinary firearm maintenance.

Standards

The chief constable, chief officer, or commissioner must:

Discharge of firearm by police officers

- (1) Ensure any officer who discharges a firearm while on duty notifies their immediate supervisor of the discharge and the circumstances surrounding the discharge.
- (2) Ensure the supervisor notified under Standard (1) investigates the reason for the discharge and submits a report to the chief constable, chief officer, or commanding officer.

Use of weapons by police officers resulting in death or injury

- (3) Ensure that, if an officer discharges a firearm and a person is killed or injured as a result, the officer immediately surrenders the firearm for ballistic testing.

- (4) Ensure that, if a person is killed or injured as a result of the discharge of a firearm or proximate to the use of an intermediate weapon by an officer, the following persons are notified:
- (a) The director; and
 - (b) If responsible for a municipal police force, a designated policing unit, or a designated law enforcement unit, the chair of the board.

The chair of the board:

- (5) May, on receiving a notification under Standard (4), make any further inquiries into the incident that the chair considers necessary.

The chief constable, chief officer, or commissioner must:

Use of weapons by chief constable or chief officer

- (6) Submit a report to the chair of the board if he or she discharges a firearm while on duty.
- (7) Immediately surrender his or her firearm for ballistic testing if he or she discharges a firearm and a person is killed or injured as a result.
- (8) Promptly notify the chair of the police board and the director if a person is injured or killed as a result of the discharge of his or her firearm or proximate to his or her use of an intermediate weapon.

The chair of the board:

- (9) May make inquiries into an incident under Standards (6) or (8) above that the chair considers necessary.

Use-of-force report

- (10) Submit to the director at the end of each calendar year, and at any time on the request of the director, a statistical report containing the information requested by the director about the use of force in the police force.

Policies and procedures

- (11) Ensure policies and procedures are consistent with these *BC Provincial Policing Standards*.

NOTE: These BC Provincial Policing Standards *replace the Police Act Use of Force Regulation, s.2, 6, 7, 8, and 12.*

BCPPS 1.7.1 – Reporting and Investigation Following the Use of Weapons

Purpose

The intent of the *BC Provincial Policing Standards 1.1.1–Firearms and Ammunitions; 1.2.2–Intermediate Weapons; 1.7.1–Investigation Following the Use of Weapons; and 1.9.1–Use-of-Force Models and Techniques* is to preserve key elements and replace the content of the *Police Act Use of Force Regulation*. This regulation was repealed when amendments to the *Police Act* were brought into effect in [insert date] 2011, which transferred the authority to regulate police training from the Lieutenant Governor in Council and the Minister to the director of police services.

The underlying principle of these *Standards* is to enhance police accountability through provincial oversight.

Background

In his July 2009 report *Restoring Public Confidence*, Justice Braidwood was critical of the provincial government for not establishing binding provincial policing standards for use of force and conducted energy weapons (CEWs). He recommended that detailed provincial standards and rules regarding CEW policy, training and reporting were required. He concluded that it is the role of the Province to set such standards.

Amendments to the *Police Act* which give authority to the director of police services to establish binding provincial standards for policing were brought into effect in [insert date] 2011 (s. 40). To avoid duplication, the amendments also repealed the Lieutenant Governor in Council's and the Minister's power to make regulations concerning the use of force by police officers (formerly s. 74 (2)(t)). The *Police Act Use of Force Regulation*, created under the authority of s. 74 (2)(t), was also repealed.

As an interim measure and until Police Services Division consults with stakeholders regarding more substantive changes, the content of the *Use of Force Regulation* was transferred into the following *BC Provincial Policing Standards (the Standards)*:

- 1.1.1 – *Firearms and Ammunitions*;
- 1.2.2 – *Intermediate Weapons*;
- 1.7.1 – *Reporting and Investigation Following the Use of Weapons*; and
- 1.9.1 – *Use-of-Force Models and Techniques*.

PSD is developing other *Standards* in consultation with police and other stakeholders. To date, the priority has been to develop *Standards* concerning the use of CEWs in response to the Braidwood Commission of Inquiry.

Certain sections were streamlined and edited or removed but few substantive changes were made to the content of the *Use of Force Regulation* in this process. Police Services Division will consult with stakeholders to further amend these *Standards* in the future.

Changes from the repealed *Use of Force Regulation* include the following:

- The *Regulation* did not apply to the provincial police force. The *Standards* are addressed to chief constables, chief officers, and commissioner of the provincial police force.
- The *Standards* include new requirements: to notify a supervisor when an officer discharges a firearm with bean bag ammunition; that the supervisor notified investigate and reports the reasons for the discharge; and for the chief constable to report to the chair of the board if he or she discharges a firearm with bean bag ammunition. In the *Regulation*, such requirements applied to firearms discharges but not when bean bag ammunitions were used.
- A section that required the director to appoint a use-of-force coordinator to handle the development of use-of-force policies and to establish a use-of-force committee to make recommendation on use-of-force policy has been removed. Some of the functions fulfilled by the use-of-force coordinator position were either transferred to public servants within Police Services Division, fulfilled through other means, or are no longer relevant. The committee referred to in the *Regulation* will be subsumed under another committee with a broader mandate.
- A section which authorized officer discharges of firearms if in accordance with the protections and authorizations provided by the *Criminal Code* has been removed. It is not necessary to reiterate federal legislation provisions in the *Standards*.
- The *Regulation* left it to each police force to determine the requalification period for intermediate weapons. A new requirement in the *Standards* sets the requalification period for intermediate weapons to 12 months, aligning with that of firearms and CEWs. It is also consistent with the requalification period for intermediate weapons specified in the *Provincial Standards for Municipal Police Departments in British Columbia* developed by the British Columbia Police Commission.
- The requirements that the chief constable or board initiate an investigation into an incident where someone is killed or injured as a result of the discharge of a firearm or the use of an intermediate weapon by an officer or chief constable have been removed. Part 11 of the *Police Act* now requires the police complaint commissioner to order an investigation when a person is killed or suffers serious harm in the custody of an officer or as a result of the operations of a municipal police department (s. 89). In addition, the police complaint commissioner may order in an investigation into the actions of any member of a municipal police department which could constitute misconduct, whether or not a complaint is made

(s. 93). These provisions are extended to officers of designated policing units and designated law enforcement units under their operational regulations.

Confidential DRAFT

Section 1.0 – Use of Force	Page 1 of 2
Sub Section 1.9 – Use-of-Force Model	Effective: Approved date Revised: n/a
Subject 1.9.1 – Use-of-Force Models and Techniques	

Definitions

"Director" – the director of police services, Ministry of Public Safety and Solicitor General.

"Officer" - a constable appointed under the *Police Act* or an enforcement officer appointed under s. 18.1 of the *Police Act*.

Standards

The chief constable, chief officer, or commissioner:

Approved use-of-force model

- (1) Must ensure a use-of-force model approved by the director is in use in the police force.
- (2) May, notwithstanding Standard (1) above, continue to use the use-of-force model that was in use in their police force on or before [insert date], 2011.

Training, qualification, and requalification

- (3) Must ensure each officer successfully completes a training course, qualifies, and thereafter requalifies on the use-of-force model and techniques.
- (4) Must maintain written records of the training and requalification courses completed by each officer of the police force.

Policies and procedures

- (5) Must ensure the police force maintains written use-of-force policy and procedures.
- (6) Must ensure the police force's written use-of-force policy and procedures provide direction to officers on at least the following force options:
 - (a) Officer presence;
 - (b) Communication;
 - (c) Physical control;
 - (d) Intermediate weapons; and
 - (e) Lethal force.

- (7) Must ensure policies and procedures are consistent with these *BC Provincial Policing Standards*.

NOTE: These BC Provincial Policing Standards replace the Police Act Use of Force Regulation s. 10(3) and 11.

Confidential DRAFT

BCPPS 1.9.1 – Use-of-Force Models and Techniques

Purpose

The intent of the *BC Provincial Policing Standards 1.1.1–Firearms and Ammunitions; 1.2.2–Intermediate Weapons; 1.7.1–Investigation Following the Use of Weapons; and 1.9.1–Use-of-Force Models and Techniques* is to preserve key elements and replace the content of the *Police Act Use of Force Regulation*. This regulation was repealed when amendments to the *Police Act* were brought into effect in [insert date] 2011, which transferred the authority to regulate police training from the Lieutenant Governor in Council and the Minister to the director of police services.

The underlying principle of these *Standards* is to enhance police accountability through provincial oversight.

Background

In his July 2009 report *Restoring Public Confidence*, Justice Braidwood was critical of the provincial government for not establishing binding provincial policing standards for use of force and conducted energy weapons (CEWs). He recommended that detailed provincial standards and rules regarding CEW policy, training and reporting were required. He concluded that it is the role of the Province to set such standards.

Amendments to the *Police Act* which give authority to the director of police services to establish binding provincial standards for policing were brought into effect in [insert date] 2011 (s. 40). To avoid duplication, the amendments also repealed the Lieutenant Governor in Council's and the Minister's power to make regulations concerning the use of force by police officers (formerly s. 74 (2)(t)). The *Police Act Use of Force Regulation*, created under the authority of s. 74 (2)(t), was also repealed.

As an interim measure and until Police Services Division consults with stakeholders regarding more substantive changes, the content of the *Use of Force Regulation* was transferred into the following *BC Provincial Policing Standards* (the *Standards*):

- 1.1.1 – *Firearms and Ammunitions*;
- 1.2.2 – *Intermediate Weapons*;
- 1.7.1 – *Reporting and Investigation Following the Use of Weapons*; and
- 1.9.1 – *Use-of-Force Models and Techniques*.

PSD is developing other *Standards* in consultation with police and other stakeholders. To date, the priority has been to develop *Standards* concerning the use of CEWs in response to the Braidwood Commission of Inquiry.

Certain sections were streamlined and edited or removed but few substantive changes were made to the content of the *Use of Force Regulation* in this process. Police Services Division will consult with stakeholders to further amend these *Standards* in the future.

Changes from the repealed *Use of Force Regulation* include the following:

- The *Regulation* did not apply to the provincial police force. The *Standards* are addressed to chief constables, chief officers, and commissioner of the provincial police force.
- The *Standards* include new requirements: to notify a supervisor when an officer discharges a firearm with bean bag ammunition; that the supervisor notified investigate and reports the reasons for the discharge; and for the chief constable to report to the chair of the board if he or she discharges a firearm with bean bag ammunition. In the *Regulation*, such requirements applied to firearms discharges but not when bean bag ammunitions were used.
- A section that required the director to appoint a use-of-force coordinator to handle the development of use-of-force policies and to establish a use-of-force committee to make recommendation on use-of-force policy has been removed. Some of the functions fulfilled by the use-of-force coordinator position were either transferred to public servants within Police Services Division, fulfilled through other means, or are no longer relevant. The committee referred to in the *Regulation* will be subsumed under another committee with a broader mandate.
- A section which authorized officer discharges of firearms if in accordance with the protections and authorizations provided by the *Criminal Code* has been removed. It is not necessary to reiterate federal legislation provisions in the *Standards*.
- The *Regulation* left it to each police force to determine the requalification period for intermediate weapons. A new requirement in the *Standards* sets the requalification period for intermediate weapons to 12 months, aligning with that of firearms and CEWs. It is also consistent with the requalification period for intermediate weapons specified in the *Provincial Standards for Municipal Police Departments in British Columbia* developed by the British Columbia Police Commission.
- The requirements that the chief constable or board initiate an investigation into an incident where someone is killed or injured as a result of the discharge of a firearm or the use of an intermediate weapon by an officer or chief constable have been removed. Part 11 of the *Police Act* now requires the police complaint commissioner to order an investigation when a person is killed or suffers serious harm in the custody of an officer or as a result of the operations of a municipal police department (s. 89). In addition, the police complaint commissioner may order in an investigation into the actions of any member of a municipal police department which could constitute misconduct, whether or not a complaint is made

(s. 93). These provisions are extended to officers of designated policing units and designated law enforcement units under their operational regulations.

Confidential DRAFT

Section 2.0 – Training for Police Officers	Page 1 of 4
Sub Section 2.1 – Recruit and Advanced Training	Effective: Approved date
Subject 2.1.1 – Recruit and Advanced Training	Revised: n/a

Definitions

"Board" – a municipal police board or a designated board, as defined in the *Police Act*.

"Certified constable" - an officer who:

- (a) On or prior to April 1, 1977 was and has since that date been a continuous employee of a board by virtue of section 26 (3) of the *Police Act*;
- (b) Was appointed under section 4.1, 18.1 or 26 of the *Police Act* and is certified by the director of the Police Academy to have:
 - (i) Successfully completed the police recruit training program (blocks 1-4),
 - (ii) Been exempted from blocks 1-3 of the police recruit training program and successfully completed block 4 of the police recruit training program.
- (c) Is a member of the provincial police force who has served in the province for a minimum of two continuous years or more, and who successfully applied to be a constable in a municipal police department, designated policing unit or designated law enforcement unit.

"Director of police services" – the director of police services, Ministry of Public Safety and Solicitor General.

"Director of the Police Academy" - the person employed to administer the Police Academy and to ensure that the training of recruits, qualified and certified constables is in compliance with the standards set by the director of police services.

"Field trainer" - a certified constable who is appointed by his/her chief constable or chief officer to supervise students of the police recruit training program during their practicum periods.

"Police Academy" - the entity authorized by the director of police services to administer provincially-approved recruit and advanced training for municipal constables, designated constables and enforcement officers.

"Police recruit training program" - periods of training at or under the auspices of the Police Academy during which students will acquire the knowledge, skills, experience and understanding to function as police officers. The police recruit training program is divided into 4 distinct blocks of training:

- (a) The first and third are comprised of curriculum developed by the Police Academy in consultation with the police training advisory committee and in compliance with standards set by the director of police services;
- (b) The second block is a practicum monitored by the director of the Police Academy or designate, during which the recruit works under the direct supervision of a field trainer; and
- (c) The fourth block is a minimum 1 year field practicum requiring a satisfactory competency-based assessment of performance by the recruit's supervisor and approved by the recruit's chief constable or chief officer and training officer and certified by the director of the Police Academy.

"Police training advisory committee" - a sub-committee of the police training governance steering committee, co-chaired by the director of police services (or designate), the director of the Police Academy (or designate) and the training program manager, Pacific Region Training Centre (PRTC) (or designate) to advise on the training programs conducted by the Police Academy and PRTC.

"Qualified constable" – an officer who:

- (a) Was appointed under section 4.1, 18.1 or 26 of the Police Act and is certified by the director of the Police Academy to have
 - (i) Successfully completed blocks 1, 2, and 3 of the recruit training program, or
 - (ii) Been exempted from blocks 1, 2, and 3 of the recruit training program; or
- (b) Was a member of the provincial police force who has served in the province for a minimum of 12 continuous months but less than 24 continuous months, and who successfully applied to be a constable in a municipal police department, designated policing unit or designated law enforcement unit.

"Training officer" – an officer who has been appointed by their chief constable or chief officer to administer the training obligations of the police force and attend meetings of the police training advisory committee.

Standards

Training – qualified constable

- (1) The board must ensure that every officer of the police force it governs:
 - (a) Attains the status of qualified constable within 18 months of their appointment under section 4.1, 18.1 or 26 of the *Police Act*, or;
 - (b) Is granted an extension to the time limit under (a) from the director of the Police Academy, upon application by the chief constable or chief officer.

Training - certified constable

- (2) The board must ensure that every qualified constable of the police force it governs:
- (a) Attains the status of certified constable prior to the third anniversary of their appointment under section 4.1, 18.1 or 26 of the *Police Act*; or
 - (b) Is granted an extension to the time limit under (a) from the director of the Police Academy, upon application by the chief constable or chief officer.

Exemptions

- (3) A chief constable or chief officer must apply to the director of police services to exempt a police officer employed outside of British Columbia or a person with previous police experience from attending the police recruit training program (blocks 1, 2 and 3 only).

NOTE: the exemption process is outlined in BCPPS Policy Directive 2.2.1P – Exemption Process.

Training function

- (4) The chief constable or chief officer must ensure that a training function is established for the police force. At minimum, the responsibilities of the training function must include:
- (a) Maintaining training records;
 - (b) Ensuring that all required training, requalification and recertifications are completed; and
 - (c) Ensuring that training is provided through a provincially-approved training course where required. This includes recruit, core advanced and fee-for-service training.

Training records

- (5) The chief constable or chief officer must ensure that records are maintained of each training class, including:
- (a) Course content;
 - (b) Names of attendees; and
 - (c) Performance of individual attendees, as measured by tests, if administered.

Municipal constable registry

- (6) The board must ensure that officers of the police force it governs are registered with the Police Academy by submitting, within 30 days of the commencement of their employment, and keeping current the following information:
- (a) Full name and date of birth;
 - (b) Date of appointment;
 - (c) Termination of employment; and

- (d) Successfully completed training or educational courses which are prerequisite to a status or rank.

Termination of training

- (7) Where the director of the Police Academy has determined, in consultation with the training officer of the police force of which the student is a member, that a student's participation in a course or program is unsatisfactory and the Director of the Police Academy so terminates the student's participation in the course or program, the chief constable must:
 - (a) Inform the board; and
 - (b) Accept the decision; or
 - (c) Appeal the decision to the director of police services.

NOTE: the appeal process is outlined in BCPPS Police Directive 2.3.1P – Process for Appealing Decisions of the Director of the Police Academy.

BCPPS 2.1.1 – Recruit and Advanced Training**Purpose**

The intent of the *BC Provincial Policing Standards 2.1.1, 2.2.1P and 2.3.1P* is to immediately update and preserve key elements of the *Rules Regarding Training, Certification and Registration of Municipal Constables Appointed under Section 26 of the Police Act*. This regulation was repealed when amendments to the *Police Act* were brought into effect in [insert date] 2011, which transferred the authority to regulate police training from the Lieutenant Governor in Council and the Minister to the director of police services.

The underlying principle of the *BC Provincial Policing Standards* is to enhance police accountability through provincial oversight.

Background

Amendments to the *Police Act* which give authority to the director of police services to establish binding provincial standards for policing were brought into effect in [insert date] 2011 (s. 40). To avoid duplication, the amendments also repealed the Lieutenant Governor in Council's and the Minister's power to make regulations concerning the training of police officers (formerly s. 74 (2)(u) and s. 74 (5)). The *Rules Regarding Training, Certification and Registration of Municipal Constables Appointed under Section 26 of the Police Act*, created under the authority of s. 74 (2)(u), was also repealed.

As an interim measure and until Police Services Division consults with stakeholders regarding more substantive changes, the content of the *Rules Regarding Training* was transferred into the following *BC Provincial Policing Standards (the Standards)*:

- 2.1.1 – Recruit and Advanced Training;
- 2.2.1P – Exemption Process; and
- 2.3.1P – Process for Appealing Decisions of the Director of the Police Academy.

While the interim *Standards* closely mirror the *Rules Regarding Training*, this regulation was drafted in 1981 and was considerably outdated when it was repealed in 2011. Police Services Division streamlined and updated many sections of the *Rules Regarding Training* in the *Standards* to ensure consistency with current police training. For example, the *Rules Regarding Training* described five blocks of recruit training. In practice, the police recruit training program had consisted of three periods of training followed by a fourth period of practicum for many years. Police Services Division also expanded the language of the *Standards* to include police officers working for a designated policing unit (DPU) or designated law enforcement unit (DLEU). In practice, the *Rules Regarding Training* had been adapted or interpreted to apply to

these officers as well as those appointed to a municipal police department. In addition, Police Services Division carried over two requirements from the *Provincial Standards for Independent Municipal Police Departments in BC*, which were developed by the British Columbia Police Commission (BCPC) prior to its dissolution in 1998, into the new *Standards*.

Police Services Division will consult with stakeholders to further amend these *Standards* in the future.

Summary of Differences between the *Rules Regarding Training* and the *Standards*

Overall, the substance of the *Rules Regarding Training* was configured to read as *Standards* that could be imposed on a chief constable, chief officer or board. In addition, the scope of the *Standards* was broadened to include officers appointed under s. 4.1 and 18.1 of the *Police Act* (i.e., officers working for a DPU or DLEU) and the language was updated to replace references to the BCPC with the director of police services.

The “peace officers basic training program”, which referred to blocks one to three of recruit training, and the “peace officers general training program”, which referred to blocks four and five, were consolidated into four blocks of training in the *Standards* and re-named the “police recruit training program”, to simplify the *Standards* and ensure consistency with current practice.

The time limit for completing the first three blocks of the police recruit training program (and attaining the status of qualified constable) was extended from 12 months from the officer’s appointment to 18 months. The time limit for completing the fourth and now final block of training (and attaining the status of certified constable) was established as three years from the officer’s appointment. Under the regulation, the time limit for completing blocks four and five was four years. The director of the Police Academy may grant extensions to either time limit. Restrictions on the length of the extension were removed. Under the regulation, the extension period for completing blocks one to three was limited to a maximum of six months.

The definitions of “qualified constable” and “certified constable” were expanded to include members of the provincial force who have served in the province for specific lengths of time, allowing provincial force members to apply to work in a municipal police department, DPU or DLEU without going through the exemption or challenge processes.

The terms “eligible qualified constable” and “eligible certified constable” are not included in the *Standards*. These terms were used in the regulation to specify time limits for entry or re-entry into policing in BC without going through the exemption or challenge processes. Anyone not meeting the expanded definition of “qualified constable” or “certified constable” in the *Standards* must now apply to a municipal police department, DPU or DLEU and go through the exemption process.

The process for obtaining an exemption from the police recruit training program and the process for appealing decisions of the director of the Police Academy have been moved to separate documents:

- 2.2.1P – *Exemption Process*; and
- 2.3.1P – *Process for Appealing Decisions of the Director of the Police Academy*.

These processes could not be adequately described in minimum standards directed at chief constables, chief officers, or boards.

Decisions of the director of the Police Academy that may be appealed have been expanded in the *Standards* to also include the director's denial of a request for an extension of the time limits for becoming a "certified constable" and an exemption request. Under the regulation, the only decisions that could be appealed included the denial of a request for an extension of the time limits for becoming a "qualified constable" and a student's termination from a training program or course.

The challenge process (i.e., the process of obtaining an exemption from the "peace officers general training program", also known as blocks 4 and 5 in the regulation) is not included in the *Standards*. The "peace officers basic training program" and the "peace officers general training program" have been consolidated into a single program which is 4 blocks in length, and renamed the "police recruit training program". In addition, the exemption process and the definitions of "qualified constable" and "certified constable" have been expanded, removing the need for a separate challenge process.

References to the Justice Institute of BC (JIBC) were removed from the definitions of the "Police Academy" and the "director of the Police Academy", to provide a more generic meaning of these terms. This is consistent with the treatment of the provincial police force and provincial constables in the *Police Act*, which in most sections does not reference the RCMP specifically.

The definitions of "field trainer" and "training officer" were amended to remove the requirements that "field trainers" have a minimum of 5 years policing experience and that "training officers" hold a supervisory rank, in keeping with current practice.

References to the "training officers advisory committee" were replaced with the "police training advisory committee" (PTAC). PTAC has an expanded role and includes representation from other agencies related to police training in BC, in particular the RCMP's Pacific Region Training Centre. Sections dealing with meeting frequency and resolves of the committee have been deleted. These issues can be addressed as policy matters by the director of police services.

Two requirements from the BCPC's *Provincial Standards for Independent Municipal Police Departments in BC*, which were implemented in consultation with stakeholders in 1995, have been adapted and incorporated into the new *Standards*. The first requires that the chief

constable or chief officer ensure that a training function is established for the police force and specifies the minimum responsibilities of that function. The minimum responsibilities have been expanded in the new *Standards* to also include ensuring that training is delivered through a provincially-approved training course where required. The second BCPC standard incorporated into the new *Standards* requires that the chief constable or chief officer ensure that records of training are maintained.

The *Standards* also include a new requirement that the chief constable or chief officer notify the board upon receiving a notice from the director of the Police Academy regarding a student's termination from a course or program. This requirement is consistent with the board's employer role.

Sections in the regulation dealing with deportment, hygiene and grooming were not included in the *Standards*. These issues can be addressed as policy matters by the director of the Police Academy.

Section 2.0 – Training for Police Officers	Page 1 of 4
Sub Section 2.2 – Exemptions	Effective: Approved date
Subject 2.2.1P – Exemption Process	Revised: n/a

Definitions

"Certified constable" – an officer who:

- (a) On or prior to April 1, 1977 was and has since that date been a continuous employee of a board by virtue of section 26 (3) of the Police Act;
- (b) Was appointed under section 4.1, 18.1 or 26 of the Police Act and is certified by the director of the Police Academy to have:
 - (i) Successfully completed the recruit training program (blocks 1-4),
 - (ii) Been exempted from blocks 1-3 of the recruit training program and successfully completed block 4 of the recruit training program.
- (c) Is a member of the provincial police force who has served in the province for a minimum of two continuous years or more, and who successfully applied to be a constable in a municipal police department, designated policing unit or designated law enforcement unit.

"Director of police services" – the director of police services, Ministry of Public Safety and Solicitor General.

"Director of the Police Academy" - the person employed to administer the Police Academy and to ensure that the training of recruits, qualified and certified constables is in compliance with the standards set by the director of police services.

"Police Academy" - the entity authorized by the director of police services to administer provincially-approved recruit and advanced training for municipal constables, designated constables and enforcement officers.

"Police recruit training program" - periods of training at or under the auspices of the Police Academy during which students will acquire the knowledge, skills, experience and understanding to function as police officers. The police recruit training program is divided into four distinct blocks of training:

- (a) The first and third are comprised of curriculum developed by the Police Academy in consultation with the police training advisory committee and in compliance with standards set by the director of police services;
- (b) The second block is a practicum monitored by the director of the Police Academy or designate, during which the recruit works under the direct supervision of a field trainer; and

- (c) The fourth block is a minimum 1 year field practicum requiring a satisfactory competency-based assessment of performance by the recruit's supervisor and approved by the recruit's chief constable or chief officer and training officer and certified by the director of the Police Academy.

"Qualified constable" – an officer who:

- (a) Was appointed under section 4.1, 18.1 or 26 of the Police Act and is certified by the director of the Police Academy to have
 - (i) Successfully completed blocks 1, 2, and 3 of the police recruit training program, or
 - (ii) Been exempted from blocks 1, 2, and 3 of the police recruit training program; or
- (b) Was a member of the provincial police force who has served in the province for a minimum of 12 continuous months but less than 24 continuous months, and who successfully applied to be a constable in a municipal police department, designated policing unit or designated law enforcement unit.

Policy Directive

In accordance with *BCPPS 2.1.1 (3)*, the chief constable or chief officer must ensure that any candidate seeking to be exempted from attending blocks 1, 2 or 3 of the police recruit training program is certified as exempt through one of the following processes: (1) Exemption process for candidates from within Canada; or (2) Exemption process for candidates from outside Canada.

Candidates from within Canada may be exempted from blocks 1, 2 and 3 of the police recruit training program while international candidates may be exempted from block 3 only. Candidates from within BC who are currently working for a municipal police department, designated policing unit, designated law enforcement unit or the provincial police force may satisfy the definition of qualified or certified constable under *BCPPS 2.1.1* and would therefore not be required to go through the exemption process. Please refer to *BCPPS 2.1.1* for more information.

(1) Exemption candidates from within Canada:

- (a) The chief constable or chief officer must submit a written request to the director of police services to consider a candidate's exemption from blocks 1, 2 and 3 of the police recruit training program. Candidates must complete block 4.
- (b) The request must include a description of the candidate's previous police experience, all education and training transcripts, and a minimum of two reference letters confirming the competence and expertise claimed.

- (c) If the director of police services is satisfied that the candidate is eligible for consideration, the director of police services will refer the candidate to the Police Academy for examinations and testing of skills.
- (d) The Police Academy will coordinate the examinations and testing. Testing will consist of a written exam and the Police Officers' Physical Abilities Test (POPAT). To be exempted from the police recruit training program (blocks 1, 2 and 3 only), candidates must score at least 70% on the written exam and complete the POPAT in a time of less than 4 minutes 15 seconds. When the examination and testing are completed, the director of the Police Academy will notify in writing the chief constable or chief officer and the director of police services of the candidate's test results and the Police Academy's decision on exemption. The director of the Police Academy may specify additional training requirements or attach conditions to the exemption.
- (e) If the director of the Police Academy certifies a candidate as exempt from block 1, 2 and 3 of the police recruit training program, the candidate attains the status of qualified constable.
- (f) A candidate's exemption from blocks 1, 2 and 3 of the police recruit training program may remain in place for a period not exceeding 12 months.

(2) Exemption candidates from outside Canada:

- (a) Upon hiring a police officer employed outside Canada or a person with previous policing experience from outside Canada, the chief constable or chief officer must submit a written request to the director of police services and the director of the Police Academy to consider a candidate's exemption from block 3 of the police recruit training program. Candidates must complete blocks 1, 2 and 4.
- (b) The request must include a certificate confirming completion of a police recruit training program and a course outline from that program, and all education and training transcripts.
- (c) If the director of police services is satisfied that the candidate is eligible for consideration, the director of police services will refer the candidate to the Police Academy for assessment.
- (d) The Police Academy will assess the candidate's performance during block 1 and 2. The director of the Police Academy will notify in writing the chief constable or chief officer and the director of police services of the candidate's performance and the Police Academy's decision on exemption. The director of the Police Academy

may specify additional training requirements or attach conditions to the exemption.

- (e) If the director of the Police Academy certifies a candidate as exempt from block 3 of the police recruit training program, the candidate attains the status of qualified constable.
- (f) A candidate's exemption from block 3 of the police recruit training program may remain in place for a period not exceeding 12 months.

(3) General

- (a) The director of the Police Academy, in consultation with the director of police services, shall make policies regarding the examination and testing of skills, the distribution of study material, periods of time for familiarization of program content, rewriting of examinations, invigilation and like matters relevant to the exemption process.

Section 2.0 – Training for Police Officers	Page 1 of 3
Sub Section 2.3 – Appeals	
Subject 2.3.1P – Process for Appealing Decisions of the Director of the Police Academy	Effective: Approved date Revised: n/a

Definitions

“Appeal review committee” - a committee consisting of a representative of the BC Association of Municipal Chiefs of Police, a representative of the BC Police Association and a representative of the police training advisory committee.

“Certified constable” – an officer who:

- (a) On or prior to April 1, 1977 was and has since that date been a continuous employee of a board by virtue of section 26 (3) of the Police Act;
- (b) Was appointed under section 4.1, 18.1 or 26 of the Police Act and is certified by the director of the Police Academy to have:
 - (i) Successfully completed the recruit training program (blocks 1-4),
 - (ii) Been exempted from blocks 1-3 of the recruit training program and successfully completed block 4 of the recruit training program.
- (c) Is a member of the provincial police force who has served in the province for a minimum of two continuous years or more, and who successfully applied to be a constable in a municipal police department, designated policing unit or designated law enforcement unit.

“Director of police services” – the director of police services, Ministry of Public Safety and Solicitor General.

“Director of the Police Academy” - the person employed to administer the Police Academy and to ensure that the training of recruits, qualified and certified constables is in compliance with the standards set by the director of police services.

“Police Academy” - the entity authorized by the director of police services to administer provincially-approved recruit and advanced training for municipal constables, designated constables and enforcement officers.

“Police Act” - Police Act, R.S.B.C. 1996, c. 367.

“Police training advisory committee” - a sub-committee of the police training governance steering committee, co-chaired by the director of police services (or designate), the director of the Police Academy (or designate) and the training program manager, Pacific Region Training Centre (PRTC) (or designate) to advise on the training programs conducted by the Police Academy and PRTC.

“Qualified constable” – an officer who:

- (a) Was appointed under section 4.1, 18.1 or 26 of the *Police Act* and is certified by the director of the Police Academy to have
 - (i) Successfully completed blocks 1, 2, and 3 of the recruit training program, or
 - (ii) Been exempted from blocks 1, 2, and 3 of the recruit training program; or
- (b) Was a member of the provincial police force who has served in the province for a minimum of 12 continuous months but less than 24 continuous months, and who successfully applied to be a constable in a municipal police department, designated policing unit or designated law enforcement unit.

Policy Directive

Decisions that may be appealed

- (1) Where an officer fails to attain the status of qualified constable within 18 months of their appointment under section 4.1, 18.1 or 26 of the *Police Act*, and the director of the Police Academy does not allow an extension, the officer’s chief constable or chief officer may appeal the decision to the director of police services.
- (2) Where a qualified constable fails to attain the status of certified constable prior to the third anniversary of their appointment under section 4.1, 18.1 or 26 of the *Police Act*, and the director of the Police Academy does not allow an extension, the officer’s chief constable or chief officer may appeal the decision to the director of police services.
- (3) Where the director of the Police Academy determines that a candidate is not suitable for exemption from blocks 1, 2 or 3 of the recruit training program, the candidate’s chief constable or chief officer may appeal the decision to the director of police services.
- (4) Where the director of the Police Academy terminates a student’s participation in a course or program, the student’s chief constable or chief officer may appeal the decision to the director of police services.

Appeal process

- (5) All appeals must be submitted to the director of police services within 30 days of the date of the decision being appealed.
- (6) All appeals must be outlined in a statement of grievance, and submitted to the director of police services via the chief constable or chief officer of the police force of which the officer is a member.

- (7) The director of police services may refer a statement of grievance to the appeal review committee for a recommendation regarding the disposition of the appeal.

Confidential DRAFT

Section 3.0 – Training Courses and Development	Page 1 of 2
Sub Section 3.2 – Provincially-Approved Training Courses	Effective: Training available date + 12 months Revised: n/a
Subject 3.2.1 – CEW Operator Training	

Definitions

“Conducted energy weapon (CEW)” - a weapon that when discharged uses a conducted electrical current in order to incapacitate a person, or to generate compliance through pain.

“Officer” – a constable appointed under the *Police Act* or an enforcement officer appointed under s. 18.1 of the *Police Act*.

“Police Academy” - the entity authorized by the director of police services to administer provincially-approved recruit and advanced training for municipal constables, designated constables and enforcement officers.

“Provincially-approved training” – training that has been acknowledged by Police Services Division as adequate to meet BC requirements pertaining to training on a specific topic or set of topics.

Standards

The chief constable, chief officer, or commissioner must:

Certification

- (1) Ensure that any officer authorized to carry and use a CEW has successfully completed BC's *CEW Operator Training* course, or other provincially-approved training for CEW operators.

Prerequisites to certification

- (2) Ensure that any officer authorized to begin training as a CEW operator:
 - (a) Has successfully completed BC's *Crisis Intervention and De-escalation (CID) Training* course, or other provincially-approved training in crisis intervention and de-escalation within the previous three years; and
 - (b) Meets the selection criteria established by the police force for CEW operator training.

Recertification

- (3) Ensure that any officer authorized to carry and use a CEW is recertified by reviewing the topics contained in BC's *CEW Operator Training course*, or other provincially-approved training for CEW operators, and passing the final assessment or a provincially-approved equivalent of the final assessment:
 - (a) At least once each year; and
 - (b) Any time a police force determines, for any reason, that a CEW operator has not operated a CEW in accordance with any of the *BC Provincial Policing Standards*.
- (4) Ensure that any officer seeking to be recertified to carry and use a CEW has, at minimum:
 - (a) Previously fulfilled Standard (1), above;
 - (b) Successfully completed BC's *Crisis Intervention and De-escalation (CID)* course, or other provincially-approved training in crisis intervention and de-escalation within the previous three years; and
 - (c) Met the selection criteria established by the police force for CEW operator training.

Training delivery

- (5) Ensure that the CEW operator training is taught by a certified Police Academy use-of-force instructor or equivalent.
- (6) Prohibit a trainer's or trainee's exposure to the electrical current of a CEW.

Training records

- (7) Ensure that written records are maintained of the CEW operator certification, and recertification completed by each officer in the police force.

Policies and procedures

- (8) Ensure policies and procedures are consistent with these *BC Provincial Policing Standards*.

BCPPS 3.2.1 – CEW Operator Training

Purpose

The intent of the *Conducted Energy Weapon (CEW) Operator Training Standards* is to ensure that CEW Operators have access to the training required to safely deploy a CEW and to articulate the legal, technical, medical and accountability requirements for deployment of a CEW in the province of BC.

Background

Police Services Division, Ministry of Public Safety and Solicitor General developed the *CEW Operator Training Standards* as a result of the recommendations made by Justice Braidwood in his report *Restoring Public Confidence: Restricting the Use of Conducted Energy Weapons* issued in July, 2009.

Twelve of the 19 recommendations in this report have implications for police training. In addition to training-related requirements in Braidwood's recommendations on circumstances of CEW use and crisis intervention and de-escalation (CID) techniques (see related *BCPPS 3.2.2 CID Training*), Justice Braidwood made specific recommendations pertaining to pre-training qualifications and curriculum of CEW operator, instructor, and master instructor training programs. The specific Braidwood recommendations are as follows:

Emotionally disturbed persons

5. I recommend that officers of provincially regulated law enforcement agencies, when dealing with emotionally disturbed people, be required to use de-escalation and/or crisis intervention techniques before deploying a conducted energy weapon, unless they are satisfied, on reasonable grounds, that such techniques will not be effective in eliminating the risk of bodily harm.

Provincial regulation

10. I recommend that the provincial government set province-wide standards relating to conducted energy weapons, including, but not necessarily limited to:

- Qualifications to begin training as an operator, instructor, or master trainer;
- The curriculum for operator, instructor, and master instructor training programs, including content, duration, pass/fail level, remedial training, and re-certification

....

Training and re-training

11. I recommend that the Police Academy be responsible for training officers of provincially regulated law enforcement agencies in the use of conducted energy weapons, as an integral component of use-of-force training generally, and that training be conducted in accordance with the policies established by the provincial government, taking into consideration the medical risks discussed in this Report.
12. I recommend that the province's standards relating to the curriculum for operator, instructor, and master instructor training and re-training prohibit a trainer's or trainee's exposure to the electrical current of a conducted energy weapon.

The *CEW Operator Training Standards* require that, to be authorized to carry a CEW in BC, an officer must: be selected by their police force; have taken BC's *CID Training* course, or another approved equivalent, within the last 3 years; and, successfully complete BC's *CEW Operator Training* course, or another approved equivalent. Recertification is required annually and a record of all certification and recertification must be kept by the police force.

The *CEW Operator Training Standards* directly address Recommendation 10 by setting out the qualifications¹ that an officer must have in order to begin training as a CEW Operator, and by mandating that the training materials must be provincially approved and delivered by a Police Academy certified instructor. The *Standards* also directly address Recommendation 12 by prohibiting a trainer or trainee's exposure to the electrical current of a CEW.

Beyond Braidwood

Police Services Division also created CEW operator training materials for the policing community to complement these *Standards*. The training materials were developed in consultation with subject matter experts and selected, current CEW Operators. These training materials are consistent with other relevant Braidwood recommendations.²

A Systematic Instructional Design process was used to create the CEW Operator training curriculum. As part of this process, Police Services Division reviewed existing training materials and conducted a task analysis to determine the knowledge, skills and abilities required. The training materials were gathered from various independent municipal police agencies and the RCMP. The task analysis was conducted with a group of subject matter experts who were

¹ Importantly, these *Standards* require that an officer must complete a provincially approved CID course prior to undertaking CEW Operator Training.

² Specifically, BC's *CEW Operator Training* course materials directly involve discussion of dealing with emotionally disturbed persons. The training materials also prohibit trainee/trainer exposure to the electrical current of a CEW.

nominated to the consultation group by members of the Braidwood Recommendation Implementation Committee or selected by Police Services Division given their established expertise in the area.

With regard to CEW operator training and the Police Academy, the Academy will provide CEW familiarization (not certification) training as a component of general use-of-force training for all police recruits.

Confidential DRAFT

Section 3.0 – Training Courses and Development	Page 1 of 2
Sub Section 3.2 – Provincially-Approved Training Courses	Effective: Training available date + 3 yrs Revised: n/a
Subject 3.2.2 – Crisis Intervention and De-escalation Training	

Definitions

“CID techniques” - CID techniques include verbal and nonverbal communications that are designed to de-escalate crises.

“Front-line police officer” – any police officer who as part of their duties is regularly interacting with the public and may be in contact with persons in crisis situations.

“Front-line supervisor” – any police officer who directly supervises a front-line police officer.

“Officer” – a constable appointed under the *Police Act* or an enforcement officer appointed under s. 18.1 of the *Police Act*.

“Police Academy” - the entity authorized by the director of police services to administer provincially-approved recruit and advanced training for municipal constables, designated constables and enforcement officers.

“Provincially-approved training” – training that has been acknowledged by Police Services Division as adequate to meet BC requirements pertaining to training on a specific topic or set of topics.

Standards

The chief constable, chief officer, or commissioner must:

Mandatory training for front-line police officers and supervisors

- (1) Ensure that all of the following police officers have successfully completed BC’s *Crisis Intervention and De-escalation (CID) Training* course, or other provincially-approved training in crisis intervention and de-escalation:
 - (a) Every front-line police officer;
 - (b) Every front-line supervisor;
 - (c) Every recruit prior to graduating from the police academy or every provincial force cadet prior to completing their field coaching period; and

- (d) Any front-line police officer deemed by their police agency, for any reason, as unable to effectively utilize CID techniques.

Refresher training

- (2) Ensure that every front-line police officer or front-line supervisor who has completed BC's *Crisis Intervention and De-escalation (CID) Training* course, or other provincially-approved training in crisis intervention and de-escalation, has updated their skills by successfully completing a provincially-approved training course once every three years.

Training records

- (3) Ensure that written records are maintained of the CID training completed by each officer in the police force.

Policies and Procedures

- (4) Ensure policies and procedures are consistent with these *BC Provincial Policing Standards*.

BCPPS 3.2.2 – Crisis Intervention and De-escalation Training

Purpose

The intent of the *Crisis Intervention and De-escalation (CID) Training Standards* is to ensure that all police officers receive training on techniques for effective crisis intervention and de-escalation, and that officers can apply these techniques in the field.

Background

Police Services Division, Ministry of Public Safety and Solicitor General developed the *CID Training Standards* as a result of recommendations made by Justice Braidwood in his report *Restoring Public Confidence: Restricting the Use of Conducted Energy Weapons* issued in July, 2009.

Twelve of the 19 recommendations arising from this report have implications for police training. In addition to the training-related requirements in Braidwood's recommendations concerning conducted energy weapons (CEWs) and their use (see related *BCPPS 3.2.1 CEW Operator Training*), Justice Braidwood made a specific recommendation pertaining to training on CID techniques that is **applicable to all police officers in the province**, not just those authorized to use CEWs. Recommendation 4 reads as follows:

Emotionally Disturbed Persons

4. I recommend that the Ministry of Public Safety and Solicitor General approve a curriculum for crisis intervention training comparable to that recommended by presenters at our public forums, and require:
 - That it be incorporated without delay in recruit training for officers of provincially regulated law enforcement agencies, and
 - That all currently serving officers of provincially regulated law enforcement agencies satisfactorily complete the training within a time frame established by the ministry.

The *CID Training Standards* directly address the Braidwood recommendation by requiring that every front-line officer, every front-line supervisor, and every recruit must successfully complete BC's *CID Training* course or a provincially-approved equivalent. Additionally, these *Standards* state that at any time, should a police force deem that an officer is unable to effectively utilize CID techniques, then that officer must again successfully complete CID training. Officers must update their CID skills once every 3 years.

Beyond Braidwood

Police Services Division developed BC's *CID Training* course for the policing community. A Systematic Instructional Design process was used to create the CID training curriculum. As part of this process, Police Services Division reviewed existing training materials on CID and conducted a task analysis to determine the knowledge skills and abilities required for police to employ crisis de-escalation techniques. The training materials were gathered from various independent municipal police agencies and the RCMP. The task analysis was conducted with a group of subject matter experts who were nominated to the consultation group by members of the Braidwood Recommendation Implementation Committee (BRIC) or selected by Police Services Division given their established expertise in the area.

Section 4.0 – Equipment and Facilities	Page 1 of 2
Sub Section 4.1 – Video Surveillance Recordings in Police Buildings	Effective: Approved date + 3 yrs Revised: n/a
Subject 4.1.1 – Video Surveillance Recordings in Police Buildings	

Definitions

“Detained person” – any person held or confined in the custody of police.

“Fingerprint rooms” – any room in a police building used to fingerprint a person unless the room is used exclusively for volunteer fingerprinting.

“Interview rooms” – locations or rooms in police buildings, inside and external to the cell block, used to conduct all investigative and patrol interviews including: “hard” and “soft” interview rooms; polygraph rooms used for detained persons; and statement and bail hearing rooms.

“Sally port” – the secure parking bay immediately adjacent to a police building where detained persons are loaded or unloaded into and out of vehicles.

Standards

Each municipality or other entity, as defined by the *Police Act*, must ensure that:

Video surveillance equipment locations and specifications

- (1) A digital video surveillance and recording system is installed in any and all of the following locations:
 - (a) Sally port;
 - (b) Outside locations that may be used for unloading or for release of detained persons;
 - (c) Prisoner booking area;
 - (d) Hallways and elevators inside cell block;
 - (e) Cells and holding/observation rooms;
 - (f) Interview rooms;
 - (g) Fingerprint rooms; and
 - (h) Breathalyzer test apparatus rooms or areas.
- (2) The digital video surveillance and recording system in each of the locations listed under Standard (1) operates at a sufficient rate of speed so that recorded movement of all persons appears fluid, and enables a time and date stamp on original recordings, and any copies or extracts that are made.

The chief constable, chief officer, or commissioner must:

Operation of digital video surveillance and recording system

- (3) Require that the digital video surveillance and recording system is continuously operated when a detained person is in any of the locations listed in Standard (1).
- (4) Ensure that to the maximum extent possible all interaction with or between detained persons, while inside police buildings, is restricted to areas under surveillance.
- (5) Ensure compliance Office of the Information and Privacy Commissioner guidelines regarding privacy and the monitoring of persons, as well as access, security and retention of recordings.
- (6) Require that appropriate safeguards are in place to protect solicitor-client privilege during legal consultation.
- (7) Require verbal and posted warnings advising those entering an interview room that they will be recorded.
- (8) Ensure that, if a location where a digital video surveillance and recording system is operational is used to interview a victim or witness, and the victim or witness requests that the interview not be recorded, then the camera is blocked or turned off and the victim or witness signs a declaration of refusal or waiver documenting their request.

Maintenance of digital video surveillance and recording system

- (9) Ensure that the digital video surveillance and recording system is maintained in good working order.

Policies and procedures

- (10) Ensure policies and procedures are consistent with these *BC Provincial Policing Standards*.

BCPPS 4.1.1 – Video Surveillance Recordings in Police Buildings**Purpose**

The intent of the *Video Surveillance Recordings in Police Buildings Standards* is to:

- Increase the safety of officers and the public;
- Provide evidence for any investigation; and
- Contribute to the consistent application of this technology throughout the province.

The principle behind these *Standards* is to ensure a digital video surveillance and recording system is present in all interview rooms and areas of police buildings where detained persons, victims, witnesses or other persons of interest routinely interact with police personnel.

Background

Police Services Division, Ministry of Public Safety and Solicitor General developed the *Video Surveillance Recordings in Police Buildings Standards* as a result of recommendations made following a BC Coroners Service inquest into the death of Ian Bush, who died as a result of a police shooting in Houston, BC. The jury's recommendations were released in July 2007.

One of the jury's recommendations pertained to the installation and mandatory use of audio and visual recording equipment in police buildings:

- To: RCMP "E" Division - RCMP "E" Division's information technology staff should design and set the standard for audio and visual recording equipment to be installed in every detachment. Further, it is recommended that the equipment be similar to those commonly in use by banks and retail stores to minimize human intervention with the equipment. Finally, the use of the recording equipment be made mandatory. Verbal warnings be given, and printed signage be installed, advising those entering an interview room that they will be recorded for everyone's safety.

On July 9, 2007, then Solicitor General John Les publicly announced his support for the Coroner's Inquest recommendation, stating a need to have such recordings and that, in future, recording systems would be in place in every police building in BC. Police Services Division assembled a working group and developed the *Standards* in consultation with the independent municipal police departments and the RCMP.

The *Video Surveillance Recordings in Police Buildings Standards* require that a digital video surveillance and recording system is installed in several identified locations in police buildings, including: cells and holding rooms; sally port; prisoner booking area; hallways and elevators inside the cellblock; interview rooms; fingerprint rooms; and, breathalyser test apparatus (BTA)

rooms or areas. Anytime a detained person is in any of these locations, the *Standards* require that the video surveillance system must be continuously operated. These locations were selected because they were identified by the working group as high-risk; that is, areas in which detained persons most often are present and/or interacting with officers inside police buildings. Specific to interview rooms, posted and verbal warnings will advise those entering these locations that a surveillance system is operational.

As the surveillance system must be continually operated when a detained person is in any of the specified locations, the *Standards* also require that police forces must protect solicitor-client privilege during legal consultation. That is, if a detained person is meeting with his or her lawyer in an interview room, safeguards such as covers or flaps must be available to cover the cameras during this time.

Lastly, the *Standards* include a provision for cameras to be turned off or covered if a witness or a victim requests that their interview is conducted without the surveillance system recording. In these circumstances the *Standards* require the victim or witness sign a declaration of refusal or waiver documenting their request.

Setting policy and procedures

Policy and procedure requirements pertaining to privacy and the monitoring of persons, as well as security, access and the retention of recordings are largely covered under other enactments and case law. Applicable provincial and federal legislation includes: *Freedom of Information and Protection of Privacy Act* [RSBC 1996] Chapter 165; *Access to Information Act* (R.S., 1985, c. A-1); *Privacy Act* (R.S., 1985, c. P-21) and *Privacy Regulations* (SOR/83-508). Police forces must refer to these statutes when developing or maintaining policies and procedures pertaining to video surveillance.

The *Video Surveillance Recordings in Police Buildings Standards* additionally require that police forces must comply with the BC Office of Information and Privacy Commissioner (OIPC) guidelines with respect to these issues. These are found within the OIPC's *Public Surveillance System Privacy Guidelines*. Police forces should review these *Guidelines* directly, with specific attention paid to sections 4.2 and 4.4 (<http://www.oipc.bc.ca/advice/VID-SURV%282006%29.pdf>).



Changes to the Police Act

BC Provincial Policing Standards

February 16, 2012

Functions of the director

40 (1) Without limiting section 39 (1), the director has the following functions:

- (a) to inspect and report on the quality and standard of policing and law enforcement services delivery;
- (a.1) to establish standards respecting the following:
 - i. the training of persons to become officers or IIO investigators;
 - ii. the training and retraining of officers, IIO investigators or the chief civilian director;
 - iii. the use of force;
 - iv. places of detention and equipment and supplies to be used in relation to policing and law enforcement;
- (a.2) to evaluate compliance with the following:
 - i. the director's standards;
 - ii. section 68.1 [*requirement to use information management system*];

INTRO

As you are aware, amendments to the *Police Act* recently took effect which, in short, enhance the standards and audit function of my office. Specifically, the amendments authorize the director of police services to:

establish binding standards respecting the training and retraining of officers, the use of force, places of detention and policing equipment and supplies and to evaluate compliance with those standards.

The amendments also repeal overlapping regulations including the Use of Force Regulation and the Rules Regarding Training.

The amendments were passed in June 2010 and came into effect in January 2012. This time lag ensured that we had the requisite authority to begin drafting the Braidwood-related standards, adequate time to complete these, and time to transfer the Use of Force Regulation and the Rules Regarding Training into standards before these regulations were repealed by the amendments.

BC Provincial Policing Standards

1 Use of Force

- 1.1.1 Firearms & Ammunition
- 1.2.1P Intermediate Weapon Approval Process
- 1.2.2 Intermediate Weapons
- 1.3.1 CEW Threshold and Circumstances of Use
- 1.3.2 Approved CEW Models
- 1.3.3 Internal CEW Controls and Monitoring
- 1.3.4 Medical Assistance to CEW Monitoring
- 1.3.5 CEW Testing
- 1.7.1 Reporting & Investigation
- 1.9.1 Use of Force Model & Techniques

2 Training for Police Officers

- 2.1.1 Recruit & Advanced Training
- 2.2.1P Exemption Process
- 2.3.1P Appeal Process

3 Training Courses & Development

- 3.2.1 CEW Operator Training
- 3.2.2 CID Training

4 Equipment and Facilities

- 4.1.1 Video Surveillance Recordings in Police Buildings

In January of this year, the first standards developed under this new regulatory scheme began to take effect. These include:

The CEW-related standards which address Justice Braidwood's recommendations;

Standards requiring video surveillance recording equipment in areas of police buildings where detained persons routinely interact with police personnel; and

"Placeholder" standards to replace the Use of Force Regulation and the Rules Regarding Training.

Later in my presentation I will review some of the more technical points about the amendments and these first standards, but first I would like to talk about the process of developing these standards and next steps.

CONSULTATION/PROCESS OF DEVELOPING THE STANDARDS

Police Services Division undertook significant consultation with police stakeholders as well as external stakeholders such as mental health advocates and the BC Civil Liberties Association to create the Braidwood-related standards. The Braidwood Recommendations Implementation Committee (or BRIC) met five times, and subject matter experts participated in the development of the CEW operator and Crisis Intervention and De-escalation (CID) training.

The video surveillance requirements were also developed in consultation with a police working group in 2008 and 2009. The mayors of all municipalities over 5,000 population were advised of these pending standards (in draft form) in late 2009 and early 2010. The standards were not ultimately released until this January when the Police Act amendments took effect.

Given that the "placeholder" standards to replace the Use of Force Regulation and the Rules Regarding Training are interim, there was considerably less stakeholder consultation on these standards. Copies were sent to the RCMP and the BCAMCP last June with an invitation to meet with Police Services Division and provide feedback. This process resulted in some minor revisions. We intend to undertake more robust consultation with police and other stakeholders about further changes to these standards. The regulations on which these "placeholder" standards are based were considerably dated. Which leads to discussion of next steps...

Next Steps

- Standing Advisory Committee on Provincial Policing Standards (ACOPPS)
- Review and amend use of force standards including:
 - “placeholder” use of force standards
 - Use of force instruction
 - Data collection and reporting
 - Pursuits
- BC Police Commission standards into BCPPS
- Major Case Management

NEXT STEPS

The Braidwood Recommendations Implementation Committee proved to be an effective process for consultation on standards. We will be striking a similar committee as a standing forum for consultation. The Advisory Committee on Provincial Policing Standards will be chaired by Police Services Division. The BCACP, BC Association of Police Boards, the BC Police Association, police training organizations, the BC Civil Liberties Association, mental health and addictions agencies, the Union of BC Indian Chiefs, and others will be invited to appoint representatives to this committee.

The first priorities for the ACOPPS will be to develop new use of force standards, including use of force instructor standards, data collection and reporting, and bringing past directives and guidelines concerning pursuits into the new scheme of director’s standards.

Another priority will be to review the provincial policing standards originally developed by the BC Policing Commission, and amend and transfer them to the new scheme of director’s standards.

We anticipate that the Missing Women Inquiry will make recommendations about major case management that may be appropriate to address through provincial policing standards. This will also be a priority area.

Police Act amendments:

40 (1) Without limiting section 39 (1), the director has the following functions:

(a) to inspect and report on the quality and standard of policing and law enforcement services delivery;

(a.1) to establish standards respecting the following:

- i. the training of persons to become officers or IIO investigators;
- ii. the training and retraining of officers, IIO investigators or the chief civilian director;
- iii. the use of force;
- iv. places of detention and equipment and supplies to be used in relation to policing and law enforcement;

(a.2) to evaluate compliance with the following:

- i. the director's standards;
- ii. section 68.1 [*requirement to use information management system*];

KEY POINTS ABOUT THE POLICE ACT AMENDMENTS

While we are committed to developing the standards in consultation with stakeholders and reaching consensus where possible, the standards are ultimately established by the director.

The scope of standards includes officers as defined in the Police Act as well as IIO investigators.

Police Act amendments:

40 (1.1) The director may

(a) establish different standards under subsection (1) (a.1) for different classes of officers and different police forces, designated policing units, designated law enforcement units or other law enforcement agencies, and

(b) vary or cancel those standards.

(1.2) A director's standard

(a) is binding on an entity, a designated board, a municipal police board, the chief civilian director, a chief officer, a chief constable or the commissioner, as the case may be, only after

(i) the standard is approved by the minister,

(ii) the standard is made available to the public under subsection (1.3), and

(iii) the entity, designated board, municipal police board, chief civilian director, chief officer, chief constable or commissioner receives written notice of the standard, but

(b) is not effective to the extent it conflicts with this Act or the regulations.

The standards may be directed to an entity (such as a municipality), a designated board, a municipal police board, the chief civilian director of the IIO, a chief officer, a chief constable or the commissioner of the provincial force. They are binding only after they have been:

Approved by the Minister

provided in writing to the person or entity to whom they are directed

made publicly available by posting on a publicly accessible website and having the standards available for public inspection in the office of the director.

Police Act amendments:

- 74 (1) The Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.
- (2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:
- ...
- (g) ~~prescribing requirements respecting offices, buildings, places of detention, and equipment and supplies to be provided by municipalities;~~
- ...
- (t) ~~respecting the use of force by a class of officers in the performance of their duties, including, without limitation,~~
- ~~(i) the training or retraining in the use of physical force~~
- ~~(A) in emergency response situations, pursuits or forcible entries, and~~
- ~~(B) as a means of restraining an individual, and~~
- ~~(ii) the training or retraining in the use of~~
- ~~(A) firearms, ammunition, batons, capsicum spray, physical restraint devices or other weapons and equipment;~~
- ~~(B) police dogs, horses and other animals, and~~
- ~~(C) motor vehicles when in pursuit or in emergency response situations;~~
- (u) governing the qualifications, ranks, conduct, training, retraining, dress, duties, suspension, promotion, dismissal, punishment or discipline of a class of officers.

Major consequential amendments associated with the new director's standards include repealing the overlapping regulation-making authorities outlined in s. 74. In turn, this required that any regulations made under these authorities be repealed (i.e., the Use of Force Regulation and the Rules Regarding Training).

Police Act amendments:

Duties of a municipality

- 15 (1) Subject to this section, a municipality with a population of more than 5 000 persons must bear the expenses necessary to generally maintain law and order in the municipality and must provide, in accordance with this Act, the regulations and the director's standards,
- (a) policing and law enforcement in the municipality with a police force or police department of sufficient numbers
 - (i) to adequately enforce municipal bylaws, the criminal law and the laws of British Columbia, and
 - (ii) to maintain law and order in the municipality,
 - (b) adequate accommodation, equipment and supplies for
 - (i) the operations of and use by the police force or police department required under paragraph (a), and
 - (ii) the detention of persons required to be held in police custody other than on behalf of the government, and
 - (c) the care and custody of persons held in a place of detention required under paragraph (b) (ii).

Other consequential amendments include adding references to the director's standards to sections that required compliance "with the Act or the regulations". For example:

s. 15: municipalities must bear the expenses necessary and must provide policing of sufficient numbers, adequate accommodation, equipment and supplies and care and custody of persons held in a place of detention, *in compliance with the director's standards* (as well as the Act and the regulations), and...

Police Act amendments:

Rules

- 28 (1) A municipal police board must make rules consistent with this Act, the regulations and the director's standards respecting the following:
- (a) the standards, guidelines and policies for the administration of the municipal police department;
 - (b) the prevention of neglect and abuse by its municipal constables;
 - (c) the efficient discharge of duties and functions by the municipal police department and the municipal constables.

s. 28: rules made by a police board must be compliant with the director's standards (in addition to the Act and the regulations)

(Similar changes were made to sections 4.2, 7, 17.1, 18.2, 34)

BCPPS – Timelines

- January 30, 2012 except as below
- January 30, 2013
 - 1.3.4 Medical Assistance to CEW Discharges: (1), (2) and (3)
 - 1.3.5 CEW Testing: (1)(a)
 - 3.2.1 CEW Operator Training
- January 30, 2015
 - 3.2.2 CID Training (front line officers NOT equipped with CEW)
 - 4.1.1 Video Surveillance Recording Equipment

KEY POINTS ABOUT STANDARDS IMPLEMENTED TO DATE

Most of the standards published in January took effect January 30, 2012. Later in force dates were prescribed for standards requiring equipment or training including:

Standards (1) and (2) of 1.3.4 Medical Assistance to CEW Discharges, which require that AEDs be readily available to CEW operators. These come into effect January 30, 2013.

Standard (3) of 1.3.4 Medical Assistance to CEW Discharges, which requires that AED operators receive and maintain training as determined by the Emergency Health Services Commission (EHSC). This also comes into effect January 30, 2013. (Note: EHSC has not formally issued its consent requirements yet but preliminary indications are that they will require CPR/AED training equivalent to Canadian Red Cross level A or higher).

Standards (1)(a) and (b) of 1.3.5 CEW Testing, which require regular testing of CEWs. These will take effect January 30, 2013.

Standards 3.2.1 CEW Operator Training and 3.2.2 CID Training. CEW Operators have until January 30, 2013 to complete both of these training courses. Other front-line members (i.e., who are not equipped with a CEW) are required to take the CID training only and they must complete this by January 30, 2015. (Note: training materials for both courses were recently sent to all police forces. Until such time as we develop a new provincial standard for use of force instruction, the CEW operator training may be delivered by your existing agency CEW instructors but they must use these new materials).

Standard 4.1.1, which requires video surveillance equipment in areas of detention. These take effect January 30, 2015.

Key Changes from Use of Force Regulation

- Includes RCMP; ammunition expanded to include 9 mm
- Firearms discharges with bean bag ammunition are not exempted from reporting requirements
- Minimum requalification period for intermediate weapons set at 3 years unless otherwise specified (eg. as for CEWs)
- Requirement to investigate death/serious injury removed (overlap with Part 11, IIO)

For the most part the “placeholder” use of force standards transferred the content of regulation into the standards. However, some changes were made. Here are the key differences:

Inclusion of the provincial police force in these standards. Approved ammunition was expanded to include 9 mm ammunition used by the RCMP.

The regulation exempted firearms discharges with bean bag ammunition from reporting requirements. The standards do not include this exemption. Firearms discharges with bean bag ammunition must be reported. (Note: this is not meant to imply that extended range impact weapons (e.g., ARWEN + bean bag ammunition), when used as intended, are to be considered firearms under the standards. We may clarify this in revisions to the standards)

The standards set the minimum requalification period for intermediate weapons other than CEWs at 3 years. Under the regulation, requalification periods were set at discretion of chief constable. Requalification periods for other intermediate weapons may be set in future standards.

In light of changes to Part 11 and the creation of the IIO, the requirement that the chief constable or board initiate an investigation into an incident where someone is killed or injured as a result of the discharge of a firearms or the use of an intermediate weapon have been removed.

Key Changes from Training Reg

- Includes DPUs and DLEUs
- Police recruit training program = 4 blocks
 - 18 months (from appointment) to complete blocks 1-3 and become a qualified constable
 - 3 years (from appointment) to complete block 4 and become a certified constable
- “Qualified constable” includes RCMP who have served in BC for at least 12 consecutive months
- “Certified constable” includes RCMP who have served in BC for at least 24 consecutive months

A number of changes were made to the Rules Regarding Training in an effort to streamline and modernize these standards. Many of these changes had been initiated in 2004 but not completed. The major changes are as follows:

The scope was expanded to include designated policing units and designated law enforcement units.

The references to basic training (blocks 1-3) and general training (blocks 4-5) were consolidated into a single “police recruit training program”, 4 blocks in length. This is consistent with current practice. A recruit becomes a “qualified constable” upon completion of blocks 1 to 3 and a “certified constable” upon completion of block 4. The time limits for completing blocks 1 to 3 were extended from 12 months (from appointment) to 18 months and the time limit for completing the 4th and now final block is 3 years. Under the regulation, the time limit for completing blocks 4 and 5 was 4 years.

The definitions of qualified and certified constable were expanded to include members of the provincial police force who have served in the province for at least 12 or 24 months.

Key Changes from Training Reg

- “Eligible qualified” and “eligible certified” constable removed
- Field trainers not required to have minimum five years experience
- Training officers not required to hold supervisory rank
- Board must be notified of a student’s termination

The terms “eligible qualified” and “eligible certified” constable were removed. The challenge process was also removed. In light of other changes these had limited purpose.

The requirement that field trainers have a minimum five years experience and that training officers hold a supervisory rank were removed. This is consistent with current practice.

The board must now be notified regarding a student’s termination from a course or program.

Key Changes from Training Reg

- 2 new standards added, adapted from BC Police Commission standards C6.1.2 and C6.1.7:
 - (4) The chief constable or chief officer must ensure that a training function is established for the police force. At minimum, the responsibilities of the training function must include:
 - Maintaining training records;
 - Ensuring that all required training, requalification and recertifications are completed; and
 - Ensuring that training is provided through a provincially-approved training course where required. This includes recruit, core advanced and fee-for-service training.
 - (5) The chief constable or chief officer must ensure that records are maintained of each training class, including:
 - Course content;
 - Names of attendees; and
 - Performance of individual attendees, as measured by tests, if administered.

Two requirements from the BC Police Commission standards were updated and incorporated into the director's standards.

Questions?

Lynne McInally
Executive Director
Standards & Evaluation Unit
Police Services Division
lynne.mcinally@gov.bc.ca

Jenni Bard
Program Manager
jenni.bard@gov.bc.ca

QUESTIONS??

Pages 302 through 350 redacted for the following reasons:

s.13, s.15

INFORMATION FOR INCORPORATION OF A BRITISH COLUMBIA SOCIETY

Thank you for your request on how to form a British Columbia society under the *Society Act* (the Act).

A society is a non-profit organization. Any funds or profits must be used only for purposes of the society itself. Funds or profits cannot be distributed to a member of the society without the member giving appropriate compensation to the society first.

Societies are not required by law to incorporate. However, there are benefits to incorporating.

When a society is incorporated, it acquires all of the powers of an individual, as well as an independent existence – separate and distinct from its members – and an unlimited life expectancy.

If you have any questions about whether or not to incorporate, you should see a lawyer.

By filing the necessary paperwork and paying the filing fees, five or more individuals can form a society.

STEP ONE NAME APPROVAL AND RESERVATION

The first step in incorporation is to ensure the proposed name of your society is available. The Name Approval request form, included with this package, allows you to make a maximum of three choices of society names. Please read the Name Approval Request Instructions carefully before making your three choices. **The filing fee for this form is \$30.**

You can apply for your name in the following ways:

BY GOVERNMENT AGENT: Visit your local Government Agent office. Upon payment of the specified fee, they can provide you with the Name Approval Request form and will submit your request to the Name Reservation Unit for examination, at the Corporate Registry. For a location near you, go to www.governmentagents.gov.bc.ca

BY ONESTOP KIOSK: Visit your local OneStop kiosk. Upon payment of the specified fee, they can provide you with the Name Approval Request form and will submit your request to the Name Reservation Unit for

examination, at the Corporate Registry. User fees may apply. For a location near you, go to www.bcbusinessregistry.ca

BY BC ONLINE: If you have a BC OnLine account you can submit your request electronically.

BY MAIL: Submit your Name Approval Request form, with the \$30 filing fee by cheque or money order payable to the Minister of Finance, to the Corporate Registry, PO Box 9431 Stn Prov Govt, Victoria BC V8W 9V3.

Note: You should allow for an additional 5 to 7 working days for your name approval to be processed if you choose to submit by mail.

For information regarding completion of your Name Approval Request form, contact the Corporate Registry at **250 356-2893**. If calling from the Greater Vancouver area, the direct dial free line is **604 775-1044**. Corporate Registry staff **cannot** provide legal or business advice.

Incorporation documents cannot be processed until the society name has been approved and reserved.

Note: Once your name is approved, it is reserved for you for a period of 56 calendar days.

STEP TWO INCORPORATION

Every society wanting to incorporate must have both a constitution and a set of bylaws as set out in the *Society Act* – refer to **Appendix B**. This package contains examples and instructions on how to set up the constitution and bylaws to incorporate a society.

The **constitution** of a society must state the following:

1. the name of the society; and
2. the **purposes** of the society – refer to **Appendix A**. This is usually comprised of a statement(s) indicating why the society exists (e.g. educational, sporting, religious, etc.)

The **bylaws** must state the rules of conduct of the society. The society must ensure their bylaws comply with section 6 of the Act.

The Act provides for three different ways to set up the constitution and bylaws, by typing on 8 1/2" x 11" paper and following one of three formats as required by the *Society Act*. You must submit your constitution and bylaws in only one format, either a Form 1 OR a Form 2 OR a Form 3.

FORM 1 (See Sample No. 1)

This method of incorporation is the simplest and easiest way to set up your constitution and bylaws. It allows you to adopt bylaws as set out in "Schedule B" of the Act. A copy of the "Schedule B" bylaws is enclosed with this package – refer to **Appendix D**.

All this method requires is for you to show the name of the society; the purposes of the society; and a statement under the heading "bylaws" (which must read "The bylaws of the society are those set out in Schedule "B" to the *Society Act*"). There is **no requirement** to send us an actual copy of the Schedule "B" bylaws. The statement as outlined above is all that is required.

FORM 2 (See Sample No. 2)

This method of incorporation allows you to adopt bylaws set out in "Schedule B" with some variations, deletions or additions. These variations, deletions or additions must be stated on the Form 2 and follow the numbering and lettering sequence of the original Schedule "B" bylaws – refer to **Appendix D**. The changes must also comply with the Act, specifically section 6(1) – refer to **Appendix C**. Again, there is **no requirement** to send us an actual copy of the Schedule "B" bylaws.

FORM 3 (See Sample No. 3)

This method of incorporation is more complex and is used when a society wishes to define their own bylaws. However, in using this method, the society must ensure the bylaws are stated in full and must contain all of the provisions in section 6(1) of the Act – refer to **Appendix C**.

STEP 3 SIGNING THE CONSTITUTION AND BYLAWS

Regardless of which form you follow, the constitution and bylaws must be followed by the date of signing, signatures, full names and residential addresses of at least five applicants for incorporation and a witness to each name.

STEP 4 PREPARE A LIST OF FIRST DIRECTORS (Form 4 – included in package)

Full names and residential addresses of each of the first directors must be shown. The residential address of a director must be a complete **physical address**. You may include general delivery, post office box, rural route, site or comp. number as part of the address, but the Corporate Registry cannot accept this information as a complete address. You must also include a postal code. If an area does not have street names or numbers, provide a description that would readily allow a person to locate the director.

A minimum of three directors is required and at least one of the directors must be ordinarily resident in British Columbia.

STEP 5 PREPARE A NOTICE OF ADDRESS OF SOCIETY (Form 5 – included in package)

Section 10 of the Act requires every society have an address in British Columbia to which all communications and notices may be sent and at which all documents may be served. The Notice of Address must set out the complete **physical address** of the society to enable a person to locate the office readily. You may include general delivery, post office box, rural route, site or comp. number as part of the address but the Corporate Registry cannot accept this information as a complete address. The postal code must be included. If an area does not have street names or numbers, a description must be provided that would enable a person to readily locate the office.

FEES

Incorporation	\$100
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If you wish your documents processed on a **priority basis**, an additional \$100 will be required, in addition to the regular filing fee.

Send your documents with cheque or money order payable to the Minister of Finance to:

Mailing Address:
Corporate Registry
PO Box 9431 Stn Prov Govt
Victoria BC V8W 9V3

ADDITIONAL INFORMATION

All applications for incorporation are processed on a first-come, first-served basis, unless you pay the additional \$100 priority fee. A regular incorporation normally takes about 10 working days to process – from reserving the name until the Certificate of Incorporation is issued.

For information regarding completion of your incorporation documents, contact the Society/Cooperative Association Unit at **250 356-8609**. If calling from the Greater Vancouver area, direct dial **604 775-1042**. The Society/Cooperative Association Unit **cannot** provide legal or business advice.

Our Web site address is: www.fin.gov.bc.ca/registries

Every director should have a copy of the *Society Act* and be aware of its contents. It is a useful source of information and may be purchased from Crown Publications Inc. You may contact them at 250 386-4636, or fax 250 386-0221, or Web site www.crownpub.bc.ca or write to 106 Ontario Street, Victoria BC V8V 1M9. To view the Act, go to the Queen's Printer Web site at www.qp.gov.bc.ca/statreg

An additional source of information is the *Society Guide for British Columbia*. This booklet is produced by the Community Legal Assistance Society and you may contact them to enquire about the purchase of this booklet by calling 604 685-3425 or writing to 300 - 1140 West Pender Street, Vancouver BC V6E 4G1.

NOTE: To apply for charitable status on behalf of the society contact Canada Revenue Agency at 1 800 267-2384 or a local federal tax office in B.C.

The primary role of the Registrar of Companies is to make sure that societies comply with the filing requirements of the Act. **The Registrar does not supervise the conduct of societies or intervene in the internal affairs of a society.** If members are unhappy with the society's conduct, they may exercise their rights by calling a meeting or voting for a different board of directors (refer to section 31 and 58 of the Act.)

If a society breaches the Act or does not comply with its constitution or bylaws, section 85 of the Act permits members to seek remedy in the courts.

CHECKLIST FOR SOCIETY INCORPORATION DOCUMENTS

The following is a list of items which should be checked prior to submitting your incorporation documents for processing:

1. There should be an originally signed constitution, bylaws, notice of address (Form 5) and list of first directors (Form 4) PLUS an extra copy of the constitution and bylaws.
2. The society name has been reserved.
3. Society's name is shown consistently throughout the incorporation documents.
4. A cheque for the appropriate fee has been attached OR a request to debit your BC OnLine account.
5. Bylaws contain all of the provisions required by section 6(1) of the Act (refer to Appendix C), which are:
 - admission of members, their rights and obligations and when they cease to be in good standing;
 - condition under which membership ceases and the manner, if any, in which a member may be expelled;
 - procedure for calling general meetings;
 - rights of voting at general meetings, whether proxy voting is allowed, and if so, provisions for it;
 - appointment and removal of directors and officers and their duties, powers and remuneration, if any;
 - exercise of borrowing powers; and
 - preparation and custody of minutes of meetings of the society and directors.

NOTE: *The Corporate Registry is the repository of the bylaws for public access. Therefore, it is important for you to ensure your bylaws comply with section 6 of the Act before submitting to the Registry.*

6. Full names and residential addresses of all applicants and witness(es) are shown. A residential address must be a complete physical address. A PO Box number alone without a **physical** address is not acceptable.
7. The address of the society must be a complete physical address. You may include general delivery, post office box, rural route, site or comp. number as part of the address, but the Corporate Registry cannot accept this information as a complete address. If an area does not have street names or numbers, provide a description that would readily allow a person to locate the office.
8. Documents are legible. We prefer them to be typewritten.
9. Any amendments or changes to documents have been initialed.

NOTE: *It is good practice to retain a copy of all documents sent to the Corporate Registry.*

SAMPLE NO. 1

FORM 1

SOCIETY ACT

CONSTITUTION

1. The name of the society is The Happy Client Support Group Society.
[Note: you must have the name of the society approved and reserved by this office before proceeding with incorporation. Society name MUST be consistently shown throughout the incorporation documents.]
2. The purpose(s) of the society is (are):
 - (a) To assist the client in managing their home support services.
 - (b) To promote client well-being through choice and control of their home support services.
 - (c) To provide similar and related services as determined by the membership.

BYLAWS

The bylaws of the society are those set out in Schedule B to the Society Act.

Dated June 1, 1998

WITNESS(ES)	APPLICANTS FOR INCORPORATION
<i>Joe Witness</i> Joe Witness 123 Any Street, Victoria BC V1V 1V1 [Note: you may have a witness for each signature or one person may witness all applicants' signatures. You may witness each others' signatures.]	<i>John Doe</i> John Doe 1 Any Street, Victoria BC V1V 1V1 [Note: A residential address must be a complete physical address. You may include general delivery, post office box, rural route, site or comp. number as part of the address, but the Registry cannot accept this information as complete address. You must also include a postal code. If an area does not have street names or numbers, provide a description that would readily allow a person to locate you. (e.g. 4 miles east on Howard Road, left hand side near the Church, Creston, BC).] <i>Jane Doe</i> Jane Doe 2 Any Street, Victoria BC V2V 2V2 <i>John Applicant</i> John Applicant 3 Any Street, Victoria BC V3V 3V3 <i>Jane Applicant</i> Jane Applicant 4 Any Street, Victoria BC V4V 4V4 <i>Jack Director</i> Jack Director 5 Any Street, Victoria BC V5V 5V5 [Note – At least 5 applicants must sign.]

SAMPLE NO. 2

FORM 2

SOCIETY ACT

CONSTITUTION

1. The name of the society is The Lucky Veterans Benevolent Society.

[Note: you must have the name of the society approved and reserved by this office before proceeding with incorporation. Society name MUST be consistently shown throughout the incorporation documents.]

2. The purpose(s) of the society (are):

- (a) To assist Naval Veterans and their families in times of need.
- (b) To provide financial assistance for members who wish to attend special functions.
- (c) To provide similar or related services as recommended by the membership and executive.

BYLAWS

The bylaws of the society are those set out in Schedule B to the *Society Act*, with the following variations, deletions and additions:

1. Bylaw 3 of Part 2- Membership - be revised to:

The members of the society are the applicants for incorporation of the society, and those persons who subsequently become members, in accordance with these bylaws and, in either case, have not ceased to be members. No person under the age of 19 years shall be admitted as a member.

2. Bylaw 42(e) of Part 7 - Duties of Officers be deleted and remaining 42(f) be renumbered to 42(e).

3. To Part 7 - Duties of Officers add new bylaw after Bylaw 45 and the remaining bylaws renumbered accordingly. New Bylaw 46 to read as follows:

The President must have custody of the common seal of the society.

[Note: If you are deleting, adding, or varying the bylaws ensure your bylaws cover all the items listed in section 6(1) of the Society Act. Bylaws adopted in addition to those in Schedule B bylaws must be numbered to indicate where they have been added into the number sequence in Schedule B.]

Dated June 1, 1998

WITNESS(ES)

APPLICANTS FOR INCORPORATION

Joe Witness

Joe Witness

123 Any Street, Victoria BC V1V 1V1

[Note: you may have a witness for each signature or one person may witness all applicants' signatures. You may witness each others' signatures.]

John Doe

John Doe

1 Any Street, Victoria BC V1V 1V1

[Note: A residential address must be a complete physical address. You may include general delivery, post office box, rural route, site or comp. number as part of the address, but the Registry cannot accept this information as complete address. You must also include a postal code. If an area does not have street names or numbers, provide a description that would readily allow a person to locate you. (e.g. 4 miles east on Howard Road, left hand side near the Church, Creston, BC).]

Jane Doe

Jane Doe

2 Any Street, Victoria BC V2V 2V2

John Applicant

John Applicant

3 Any Street, Victoria BC V3V 3V3

Jane Applicant

Jane Applicant

4 Any Street, Victoria BC V4V 4V4

Jack Director

Jack Director

5 Any Street, Victoria BC V5V 5V5

[Note - At least 5 applicants must sign]

SAMPLE NO. 3

FORM 3 SOCIETY ACT CONSTITUTION

1. The name of the society is Vic's Juvenile Bicycle Sports Association.
[Note: you must have the name of the society approved and reserved by this office before proceeding with incorporation. Society name MUST be consistently shown throughout the incorporation documents.]
2. The purpose(s) of the society is (are):
 - (a) To promote bicycle sports for juveniles and their families within the community.
 - (b) To provide financial assistance for members in purchasing bicycle equipment.
 - (c) To foster community spirit through organizing related community sports events.

BYLAWS

Here set out, in numbered clauses, the bylaws providing for the matters referred to in section 6(1) of the *Society Act* and any other bylaws.

[Note: List society bylaws in full and ensure all the provisions in section 6(1) of the *Society Act* are covered. Bylaws must appear in numerical order.]

Dated June 1, 1998

WITNESS(ES)

Joe Witness

Joe Witness

123 Any Street, Victoria BC V1V 1V1

[Note: you may have a witness for each signature or one person may witness all applicants' signatures.

You may witness each others' signatures.]

APPLICANTS FOR INCORPORATION

John Doe

John Doe

1 Any Street, Victoria BC V1V 1V1

[Note: A residential address must be a complete physical address. You may include general delivery, post office box, rural route, site or comp. number as part of the address, but the Registry cannot accept this information as complete address. You must also include a postal code. If an area does not have street names or numbers, provide a description that would readily allow a person to locate you. (e.g. 4 miles east on Howard Road, left hand side near the Church, Creston, BC).]

Jane Doe

Jane Doe

2 Any Street, Victoria BC V2V 2V2

John Applicant

John Applicant

3 Any Street, Victoria BC V3V 3V3

Jane Applicant

Jane Applicant

4 Any Street, Victoria BC V4V 4V4

Jack Director

Jack Director

5 Any Street, Victoria BC V5V 5V5

[Note - At least 5 applicants must sign]
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SOCIETY ACT (RSBC 1996) Chapter 433

Part 1 – Incorporation Section 2 – Purposes

Purposes

- 2 (1) A society may be incorporated under this Act for any lawful purpose or purposes such as national, patriotic, religious, philanthropic, charitable, provident, scientific, fraternal, benevolent, artistic, educational, social, professional, agricultural, sporting or other useful purposes, but not for any of the following:
- (a) the operation of a boarding home, orphanage or other institution for minors, or the supplying of any other form of care for minors without the written consent of the director designated under the *Child, Family and Community Service Act* for the purposes of this section;
 - (b) the ownership, management or operation of a hospital without the written consent of the Minister of Health;
 - (c) [Repealed 2004-27-2.]
 - (d) the purpose of paying benefits or rendering services as described in section 14 without the written consent of the commission;
 - (e) any purpose without the consent of an existing society should the registrar require it;
 - (f) the purpose of carrying on a business, trade, industry or profession for profit or gain.
- (2) Carrying on a business, trade, industry or profession as an incident to the purposes of a society is not prohibited by this section, but a society must not distribute any gain, profit or dividend or otherwise dispose of its assets to a member of the society without receiving full and valuable consideration except during winding up or on dissolution and then only as permitted by section 73.

SOCIETY ACT (RSBC 1996) Chapter 433

Part 1 – Incorporation

Section 3 – Procedure for incorporation

Procedure for incorporation

- 3 (1) Five or more persons may form a society by
 - (a) filing with the registrar:
 - (i) an original, signed by all applicants, and a copy of the constitution and bylaws of the proposed society in the form established by the registrar,
 - (ii) a list, in the form established by the registrar, of persons who will be the first directors of the society, stating their full names and resident addresses, and
 - (iii) a notice of the address of the proposed society in the form established by the registrar, and
 - (b) submitting to the registrar, with the documents referred to in paragraph (a), the prescribed fee.
- (2) If the purposes of the proposed society do not appear to the registrar to be authorized by this Act or to be sufficiently set out, the registrar may require, as a prerequisite to incorporation, that they be altered accordingly.
- (3) If
 - (a) no consent is required by law as a condition precedent to incorporation or the use of a name, or the consent has been obtained,
 - (b) the constitution of the proposed society appears to the registrar to comply with this Act,
 - (c) the name of the proposed society is reserved under Division 2 of Part 2 of the *Business Corporations Act* as it applies for the purposes of this Act, and
 - (d) a prerequisite under subsection (2) has been fulfilled,the registrar must incorporate the society by issuing a certificate showing that the society is incorporated.
- (4) On incorporation of a society, the registrar must
 - (a) retain and register one copy of the constitution and bylaws and return the other copy to the applicants, certified as having been registered by the registrar, and
 - (b) publish a notice of the incorporation in the prescribed manner.
- (5) A certificate of incorporation given by the registrar for a society is conclusive proof that the requirements of this Act in respect of incorporation have been complied with and that the society is incorporated under this Act.
- (6) Division 2 of Part 2 of the *Business Corporations Act* applies in respect of the name of
 - (a) a society that is or may be incorporated under this Act, or
 - (b) an extraprovincial society that is or may be registered under this Act.

This is an unofficial excerpt from the *Society Act* and is enclosed for ease of reference only. For complete information, refer to the *Society Act*. Acts and Regulations are available for purchase through Crown Publications Inc. You may contact them at 250 386-4636, or fax 250 386-0221, or Web site www.crownpub.bc.ca or write to 106 Ontario Street, Victoria, British Columbia V8V 1M9.

SOCIETY ACT (RSBC 1996) Chapter 433

Part 1 – Incorporation
Section 6 – Bylaws

Bylaws

- 6 (1) The bylaws of a society incorporated under this Act must contain provisions for the following:
- (a) the admission of members, their rights and obligations and when they cease to be in good standing;
 - (b) the conditions under which membership ceases and the manner, if any, in which a member may be expelled;
 - (c) the procedure for calling general meetings;
 - (d) the rights of voting at general meetings, whether proxy voting is allowed, and if proxy voting is allowed, provisions for it;
 - (e) the appointment and removal of directors and officers and their duties, powers and remuneration, if any;
 - (f) the exercise of borrowing powers;
 - (g) the preparation and custody of minutes of meetings of the society and directors.
- (2) Subject to subsection (1), the bylaws of a society may be in the form of Schedule B or a modified form or another form altogether.

SCHEDULE B
SOCIETY ACT

Bylaws of(Name of Society)

Part 1 — Interpretation

- 1 (1) In these bylaws, unless the context otherwise requires:
“**directors**” means the directors of the society for the time being;
“**Society Act**” means the Society Act of British Columbia from time to time in force and all amendments to it;
“**registered address**” of a member means the member’s address as recorded in the register of members.
- (2) The definitions in the *Society Act* on the date these bylaws become effective apply to these bylaws.
- 2 Words importing the singular include the plural and vice versa, and words importing a male person include a female person and a corporation.

Part 2 — Membership

- 3 The members of the society are the applicants for incorporation of the society, and those persons who subsequently become members, in accordance with these bylaws and, in either case, have not ceased to be members.
- 4 A person may apply to the directors for membership in the society and on acceptance by the directors is a member.
- 5 Every member must uphold the constitution and comply with these bylaws.
- 6 The amount of the first annual membership dues must be determined by the directors and after that the annual membership dues must be determined at the annual general meeting of the society.
- 7 A person ceases to be a member of the society
 - (a) by delivering his or her resignation in writing to the secretary of the society or by mailing or delivering it to the address of the society,
 - (b) on his or her death or, in the case of a corporation, on dissolution,
 - (c) on being expelled, or
 - (d) on having been a member not in good standing for 12 consecutive months.
- 8 (1) A member may be expelled by a special resolution of the members passed at a general meeting.
(2) The notice of special resolution for expulsion must be accompanied by a brief statement of the reasons for the proposed expulsion.
(3) The person who is the subject of the proposed resolution for expulsion must be given an opportunity to be heard at the general meeting before the special resolution is put to a vote.
- 9 All members are in good standing except a member who has failed to pay his or her current annual membership fee, or any other subscription or debt due and owing by the member to the society, and the member is not in good standing so long as the debt remains unpaid.

Part 3 — Meetings of Members

- 10 General meetings of the society must be held at the time and place, in accordance with the *Society Act*, that the directors decide.
- 11 Every general meeting, other than an annual general meeting, is an extraordinary general meeting.
- 12 The directors may, when they think fit, convene an extraordinary general meeting.
- 13 (1) Notice of a general meeting must specify the place, day and hour of the meeting, and, in case of special business, the general nature of that business.
(2) The accidental omission to give notice of a meeting to, or the non-receipt of a notice by, any of the members entitled to receive notice does not invalidate proceedings at that meeting.
- 14 The first annual general meeting of the society must be held not more than 15 months after the date of incorporation and after that an annual general meeting must be held at least once in every calendar year and not more than 15 months after the holding of the last preceding annual general meeting.

Part 4 — Proceedings at General Meetings

- 15 Special business is
 - (a) all business at an extraordinary general meeting except the adoption of rules of order, and
 - (b) all business conducted at an annual general meeting, except the following:
 - (i) the adoption of rules of order;
 - (ii) the consideration of the financial statements;

- (iii) the report of the directors;
 - (iv) the report of the auditor, if any;
 - (v) the election of directors;
 - (vi) the appointment of the auditor, if required;
 - (vii) the other business that, under these bylaws, ought to be conducted at an annual general meeting, or business that is brought under consideration by the report of the directors issued with the notice convening the meeting.
- 16 (1) Business, other than the election of a chair and the adjournment or termination of the meeting, must not be conducted at a general meeting at a time when a quorum is not present.
- (2) If at any time during a general meeting there ceases to be a quorum present, business then in progress must be suspended until there is a quorum present or until the meeting is adjourned or terminated.
- (3) A quorum is 3 members present or a greater number that the members may determine at a general meeting.
- 17 If within 30 minutes from the time appointed for a general meeting a quorum is not present, the meeting, if convened on the requisition of members, must be terminated, but in any other case, it must stand adjourned to the same day in the next week, at the same time and place, and if, at the adjourned meeting, a quorum is not present within 30 minutes from the time appointed for the meeting, the members present constitute a quorum.
- 18 Subject to bylaw 19, the president of the society, the vice president or, in the absence of both, one of the other directors present, must preside as chair of a general meeting.
- 19 If at a general meeting
- (a) there is no president, vice president or other director present within 15 minutes after the time appointed for holding the meeting, or
 - (b) the president and all the other directors present are unwilling to act as the chair, the members present must choose one of their number to be the chair.
- 20 (1) A general meeting may be adjourned from time to time and from place to place, but business must not be conducted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- (2) When a meeting is adjourned for 10 days or more, notice of the adjourned meeting must be given as in the case of the original meeting.
- (3) Except as provided in this bylaw, it is not necessary to give notice of an adjournment or of the business to be conducted at an adjourned general meeting.
- 21 (1) A resolution proposed at a meeting need not be seconded, and the chair of a meeting may move or propose a resolution.
- (2) In the case of a tie vote, the chair does not have a casting or second vote in addition to the vote to which he or she may be entitled as a member, and the proposed resolution does not pass.
- 22 (1) A member in good standing present at a meeting of members is entitled to one vote.
- (2) Voting is by show of hands.
- (3) Voting by proxy is not permitted.
- 23 A corporate member may vote by its authorized representative, who is entitled to speak and vote, and in all other respects exercise the rights of a member, and that representative must be considered as a member for all purposes with respect to a meeting of the society.

Part 5 — Directors and Officers

- 24 (1) The directors may exercise all the powers and do all the acts and things that the society may exercise and do, and that are not by these bylaws or by statute or otherwise lawfully directed or required to be exercised or done by the society in a general meeting, but subject, nevertheless, to
- (a) all laws affecting the society,
 - (b) these bylaws, and
 - (c) rules, not being inconsistent with these bylaws, that are made from time to time by the society in a general meeting.
- (2) A rule, made by the society in a general meeting, does not invalidate a prior act of the directors that would have been valid if that rule had not been made.
- 25 (1) The president, vice president, secretary, treasurer and one or more other persons are the directors of the society.
- (2) The number of directors must be 5 or a greater number determined from time to time at a general meeting.
- 26 (1) The directors must retire from office at each annual general meeting when their successors are elected.
- (2) Separate elections must be held for each office to be filled.
- (3) An election may be by acclamation, otherwise it must be by ballot.
- (4) If a successor is not elected, the person previously elected or appointed continues to hold office.

- 27 (1) The directors may at any time and from time to time appoint a member as a director to fill a vacancy in the directors.
- (2) A director so appointed holds office only until the conclusion of the next annual general meeting of the society, but is eligible for re-election at the meeting.
- 28 (1) If a director resigns his or her office or otherwise ceases to hold office, the remaining directors must appoint a member to take the place of the former director.
- (2) An act or proceeding of the directors is not invalid merely because there are less than the prescribed number of directors in office.
- 29 The members may, by special resolution, remove a director, before the expiration of his or her term of office, and may elect a successor to complete the term of office.
- 30 A director must not be remunerated for being or acting as a director but a director must be reimbursed for all expenses necessarily and reasonably incurred by the director while engaged in the affairs of the society.

Part 6 — Proceedings of Directors

- 31 (1) The directors may meet at the places they think fit to conduct business, adjourn and otherwise regulate their meetings and proceedings, as they see fit.
- (2) The directors may from time to time set the quorum necessary to conduct business, and unless so set the quorum is a majority of the directors then in office.
- (3) The president is the chair of all meetings of the directors, but if at a meeting the president is not present within 30 minutes after the time appointed for holding the meeting, the vice president must act as chair, but if neither is present the directors present may choose one of their number to be the chair at that meeting.
- (4) A director may at any time, and the secretary, on the request of a director, must, convene a meeting of the directors.
- 32 (1) The directors may delegate any, but not all, of their powers to committees consisting of the director or directors as they think fit.
- (2) A committee so formed in the exercise of the powers so delegated must conform to any rules imposed on it by the directors, and must report every act or thing done in exercise of those powers to the earliest meeting of the directors held after the act or thing has been done.
- 33 A committee must elect a chair of its meetings, but if no chair is elected, or if at a meeting the chair is not present within 30 minutes after the time appointed for holding the meeting, the directors present who are members of the committee must choose one of their number to be the chair of the meeting.
- 34 The members of a committee may meet and adjourn as they think proper.
- 35 For a first meeting of directors held immediately following the appointment or election of a director or directors at an annual or other general meeting of members, or for a meeting of the directors at which a director is appointed to fill a vacancy in the directors, it is not necessary to give notice of the meeting to the newly elected or appointed director or directors for the meeting to be constituted, if a quorum of the directors is present.
- 36 A director who may be absent temporarily from British Columbia may send or deliver to the address of the society a waiver of notice, which may be by letter, telegram, telex or cable, of any meeting of the directors and may at any time withdraw the waiver, and until the waiver is withdrawn,
 - (a) a notice of meeting of directors is not required to be sent to that director, and
 - (b) any and all meetings of the directors of the society, notice of which has not been given to that director, if a quorum of the directors is present, are valid and effective.
- 37 (1) Questions arising at a meeting of the directors and committee of directors must be decided by a majority of votes.
- (2) In the case of a tie vote, the chair does not have a second or casting vote.
- 38 A resolution proposed at a meeting of directors or committee of directors need not be seconded, and the chair of a meeting may move or propose a resolution.
- 39 A resolution in writing, signed by all the directors and placed with the minutes of the directors, is as valid and effective as if regularly passed at a meeting of directors.

Part 7 — Duties of Officers

- 40 (1) The president presides at all meetings of the society and of the directors.
- (2) The president is the chief executive officer of the society and must supervise the other officers in the execution of their duties.
- 41 The vice president must carry out the duties of the president during the president's absence.
- 42 The secretary must do the following:
 - (a) conduct the correspondence of the society;
 - (b) issue notices of meetings of the society and directors;

- (c) keep minutes of all meetings of the society and directors;
 - (d) have custody of all records and documents of the society except those required to be kept by the treasurer;
 - (e) have custody of the common seal of the society;
 - (f) maintain the register of members.
- 43 The treasurer must
- (a) keep the financial records, including books of account, necessary to comply with the *Society Act*, and
 - (b) render financial statements to the directors, members and others when required.
- 44 (1) The offices of secretary and treasurer may be held by one person who is to be known as the secretary treasurer.
- (2) If a secretary treasurer holds office, the total number of directors must not be less than 5 or the greater number that may have been determined under bylaw 25 (2).
- 45 In the absence of the secretary from a meeting, the directors must appoint another person to act as secretary at the meeting.

Part 8 — Seal

- 46 The directors may provide a common seal for the society and may destroy a seal and substitute a new seal in its place.
- 47 The common seal must be affixed only when authorized by a resolution of the directors and then only in the presence of the persons specified in the resolution, or if no persons are specified, in the presence of the president and secretary or president and secretary treasurer.

Part 9 — Borrowing

- 48 In order to carry out the purposes of the society the directors may, on behalf of and in the name of the society, raise or secure the payment or repayment of money in the manner they decide, and, in particular but without limiting that power, by the issue of debentures.
- 49 A debenture must not be issued without the authorization of a special resolution.
- 50 The members may, by special resolution, restrict the borrowing powers of the directors, but a restriction imposed expires at the next annual general meeting.

Part 10 — Auditor

- 51 This Part applies only if the society is required or has resolved to have an auditor.
- 52 The first auditor must be appointed by the directors who must also fill all vacancies occurring in the office of auditor.
- 53 At each annual general meeting the society must appoint an auditor to hold office until the auditor is re-elected or a successor is elected at the next annual general meeting.
- 54 An auditor may be removed by ordinary resolution.
- 55 An auditor must be promptly informed in writing of the auditor's appointment or removal.
- 56 A director or employee of the society must not be its auditor.
- 57 The auditor may attend general meetings.

Part 11 — Notices to Members

- 58 A notice may be given to a member, either personally or by mail to the member at the member's registered address.
- 59 A notice sent by mail is deemed to have been given on the second day following the day on which the notice is posted, and in proving that notice has been given, it is sufficient to prove the notice was properly addressed and put in a Canadian post office receptacle.
- 60 (1) Notice of a general meeting must be given to
- (a) every member shown on the register of members on the day notice is given, and
 - (b) the auditor, if Part 10 applies.
- (2) No other person is entitled to receive a notice of a general meeting.

Part 12 — Bylaws

- 61 On being admitted to membership, each member is entitled to, and the society must give the member without charge, a copy of the constitution and bylaws of the society.
- 62 These bylaws must not be altered or added to except by special resolution.

NAME APPROVAL REQUEST INSTRUCTIONS

IMPORTANT – READ CAREFULLY

RESEARCH YOUR CHOICES!

The Names Examiner searches the Corporate Register only. This register includes the names of corporations incorporated or registered extraprovincially in British Columbia. It does not include names of British Columbia firms, trademarks or corporations registered outside British Columbia. If you want to ensure your name is not used outside of British Columbia, you could also access the Trademarks database at www.strategis.ic.gc.ca, or you may wish to search other jurisdictions in Canada. Most public business and trademark registers in Canada are reflected in the NUANS database, which may be searched for a fee through private search firms.

The approval of any name is at the discretion of the Registrar. You are paying for three choices. **Do not commit to any name before it is approved.** Provide three choices for each company you wish to name, in descending order of preference. Check them out for potential conflicts through telephone listings, business directories and other publications.

Occasionally this office will reject all three of your choices. If that happens, it will be necessary for you to complete another Name Approval form with three more choices and submit it to this office with another reservation fee.

GENERAL

This form is used for the approval of all corporate and business names in British Columbia.

The first step in incorporation (company, society, cooperative association, financial institution) or registration of firms (partnership, proprietorship) or extraprovincial companies, is the approval of the name through the Names Unit of the Corporate Registry.

Once your name is approved, it is reserved for you for a period of 56 calendar days. Any renewals of the reservation period will require payment of another reservation fee.

If you need assistance call our help telephone number at 250 356-2893.

Once your name is reserved, the next step is to submit the necessary information to incorporate a company or society, register a proprietorship, partnership or limited partnership or register a foreign entity as an extraprovincial company.

Please go to the Corporate Registry's Web site for information on how to incorporate or register, as well as information on other services provided by the Corporate Registry.

The Web site address is: www.fin.gov.bc.ca/registries.

Approval of a name by the Registrar for either a corporation or a firm does not provide a proprietary right or interest in the name under any circumstances. It is intended solely to protect the public interest by:

- preventing names of corporations which are so similar as to confuse or mislead; and
- providing a record which allows the public to determine which individuals are associated with a corporation or firm name.

A corporation or a firm name may be registered under the same name as another firm. As a result there are many duplications of firms names, however, a firm or a corporation name will **not** be accepted if it can be confused with another corporate name.

FIRM NAMES (partnership, proprietorship, limited partnership)

Registration of a firm does not provide any protection for that name and does not mean that the name will be available if you decide to incorporate a company using this name.

FEES

The payment of fees in advance is a mandatory requirement of doing all business with the Corporate Registry office. The fee to submit a Name Request to the Corporate Registry by mail is \$30.00

Applicants are urged to consult the current Fee Schedule.

Payment of the wrong amount is a common cause for the rejection of name requests. Cheques and money orders are to be made payable to the Minister of Finance.

PRIORITY SERVICE

Names are processed in the order of time of receipt. Upon request and on payment of an additional fee, an application will be processed in priority to others, normally within 24 hours of receipt.

PROCESS

This form allows you to make a maximum of three choices, in order of preference, for each name approval. If you wish to have more than one name approved, you must complete an additional form and pay another fee. Your first choice for a name may be approved, if available, and held for a period of **56 calendar days**. Any renewals of the reservation period will require payment of another reservation fee. **Your 2nd and 3rd choices are not examined unless the initial choice of name is not available.** Regardless of whether your three choices are all examined or not, the full fee is charged.

A name approval request may be made on this form, or in writing with the same information as is required on this form.

You can apply for your name in the following ways:

BY GOVERNMENT AGENT: Visit any Government Agent who will transmit the request to the Registrar. For locations go to www.governmentagents.gov.bc.ca

BY ONESTOP KIOSK: Visit your local OneStop kiosk location. They will transmit the request to the Registries. User fees may apply. For locations go to www.bcbusinessregistry.ca

BY MAIL: Names Reservation Section, Corporate Registry
PO Box 9431 Stn Prov Govt
Victoria BC V8W 9V3

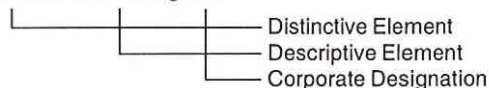
You can also apply for your name by visiting the Names Unit in Victoria, located on the 2nd Floor of 940 Blanshard Street.

Results will be confirmed in the same manner as the application was made.

NAME COMPONENTS

In assessing names, the Registrar's staff analyze them according to their constituent components. The form of name acceptable in principle consists of a distinctive element, followed by a descriptive element and ending with a corporate designation (if applicable).

e.g. ABC Manufacturing Ltd.



DISTINCTIVE ELEMENT

The distinctive element serves to differentiate names having identical or similar descriptive elements, and for that reason, is the **most important** element to be examined in the name.

Names such as "Tire Shop Ltd." and "Shoe Store Ltd." lack an appropriate distinctive element and would be rejected for that reason.

They would be acceptable, if prefixed with an additional distinctive element (e.g. coined word, geographical location or personal name) that would distinguish them from all the other tire shops and shoe stores.

e.g. **Vancouver** Tire Shop Ltd. **Sandell's** Shoe Store Ltd.

Coined and made-up words are acceptable distinctive elements, provided they do not conflict with others already registered.

e.g. **Intertex** Enterprises Ltd. **Fabuform** Diet Centre Ltd.

A uniquely coined word, used in addition to a geographical location (e.g. Altrex Canada Ltd.), is normally considered sufficiently distinctive by itself that a descriptive element is not usually required.

DESCRIPTIVE ELEMENT

The descriptive element is useful in describing the nature of the business as well as expanding the options available. It allows for use of identical or similar distinctive elements, which might be desirable in developing a particular presence in the marketplace.

e.g. Victoria **Brake Shop** Ltd. Victoria **Stationery** Ltd.

CORPORATE DESIGNATION

Incorporating companies **must have as the last word in the name**, the corporate designation, "Limited", "Limitee", "Incorporated", "Incorporee" or "Corporation".

For all purposes, using the abbreviations of these words (e.g. "Ltd.", "Ltee.", "Inc." or "Corp.") is acceptable.

Extraprovincial companies may have "Limited Liability Company" or "LLC." as the last word in their name.

The corporate designation is **not** applicable to a firm name, society or cooperative name.

Firm names for partnerships and proprietorships **cannot** use "Ltd.", "Inc." or "Corp." in their names, but they may use "Company" or "Co."

Firm names for limited partnerships **must** use "Limited Partnership" at the end of the name.

Firm names for limited liability partnerships **must** use "Limited Liability Partnership" or "LLP." at the end of the name.

Societies should have the designation "Society" or "Association" as the last word in their name. Companies are precluded from the use of these words in their names.

Cooperatives should use the word "Cooperative" in their name and may also use "Association", "Society", "Union" and "Exchange".

SINGLE WORD NAMES

Single word names (such as International Limited) are normally not sufficiently distinct from other names containing the same word and generally will not be approved.

An exception may be allowed if the proposed, single-word name contains a coined word that has been trademarked and evidence of the trademark is presented with the name request. Each case will be determined on its merits.

Obvious contractions of common words (e.g. Petrochem, being a contraction of petroleum and chemical) are not considered to be coined words for the purposes of single-word names.

NUMBER NAMES

Numerals may be used in company names as the distinctive element. A year may be used in a name provided that it is the year of incorporation, amalgamation or registration.

e.g. 123456 Enterprises Ltd. Pacific Enterprises (1997) Ltd.

The incorporation number may be used as the name of a British Columbia company. The accepted format is "345678 B.C. Ltd."

A name reservation or fee is not required for B.C. companies using just their incorporation number. The name will be given according to the next available number at the time of incorporation.

Numbered companies from other jurisdictions, continuing into British Columbia and wishing to retain their numbered names, will be required to conform with the name requirements of this province.

PERSONAL NAMES

In most cases, a natural person's full name will be considered to be sufficiently distinctive and therefore acceptable.

e.g. Bill Brown Ltd. John Smith Inc.

Two surnames, or initials with a surname, are normally accepted.

e.g. Brown, Green Inc. J.R. Black Corp.

WELL KNOWN NAMES

Names, which include well known trade names and trademarks, will not be allowed without the advance written consent of the holder.

e.g. Exxon, Xerox, Coke

EXTRAPROVINCIAL NAMES

Special consideration will be given to established extraprovincial companies applying for registration in the province, provided there is not a direct conflict in names.

SPECIAL CHARACTERS

The use of special characters (such as % or *) should be avoided in corporate and business names.

Some special characters may not be recognized by computer, will not print accurately and may not be allowed.

The "¢" symbol will not be approved in a name under any circumstances.

NO SUGGESTION OF GOVERNMENT CONNECTION

The word "government" (in either its English or French form) will not be allowed. Other words which might imply connection with, or endorsement by, any government require written consent of that government. Examples of other words which imply government connection are "ministry", "bureau", "secretariat", "commission" and "certified".

The use of "British Columbia" or "BC" as the distinctive element in any name is considered to imply connection with the Government of the Province of British Columbia. Use will be accepted only on the written consent of that government, usually obtained from the Protocol Office, Intergovernmental Relations Secretariat, after the name has been approved by the Registrar.

Use of the words "British Columbia" and "BC" will be accepted without consent, if they are placed at the end of a name and before the corporate designation.

e.g. Pacific Warehouse Storage BC Ltd.

NO SUGGESTION OF CONNECTION WITH CROWN OR ROYAL FAMILY

A name which suggests or implies a connection with the Crown, any living member of the Royal family, or endorsement by the Crown or Royal family will not be accepted without the written consent from the appropriate authority after the name has been approved by the Registrar.

e.g. Prince Charles Tea Room Ltd.

This does not apply to references in a name to geographical locations such as Prince George, Prince Rupert and references to New Westminster as the Royal City.

The use of the words "Crown" or "Royal" in combination with another word(s) that does not imply connection with the Crown or Royal family may be allowed.

e.g. Triple Crown Painting Ltd. Royal Star Holdings Ltd.

OBJECTIONABLE NAMES

Names that are considered to be objectionable on public grounds will not be accepted.

A name will not be approved if it includes a vulgar expression, obscene word or connotation, racial, physical or sexual slur.

The use of names of public figures will not be accepted without the advance written consent of the person named.

GUIDELINES

This abbreviated information is provided for convenience only. Corporate and business law is complicated, and there can be no substitute for sound professional advice. Neither the Corporate Registry nor the Ministry of Finance can accept responsibility for any errors or omissions in this information.

HELP IS AVAILABLE

For assistance or further information, please call 250 356-2893.

NAME REQUEST

NAME
APPROVAL NUMBER **NR**

Important: Use this number on all documents and in the electronic submission of documents.

Phone: 250 356-2893 or
604 775-1044 (Greater Vancouver only)

INSTRUCTIONS:

- Please retain the yellow copy for your records. If the request is mailed, the Name Reservation section will notify you by letter once your request is completed.
- Please type or print clearly.
- **SHADED AREAS ARE FOR OFFICE USE ONLY.**

Freedom of Information and Protection of Privacy Act (FOIPPA):
Personal information provided on this form is collected, used and disclosed under the authority of the FOIPPA and the *Business Corporations Act*, *Cooperative Association Act*, *Partnership Act* or *Society Act* for the purposes of assessment. Questions regarding the collection, use and disclosure of personal information can be directed to the Executive Coordinator of the BC Registry Services at 250 356-1198, PO Box 9431 Stn Prov Govt, Victoria BC V8W 9V3.

PRIORITY REQUEST – Additional fee required	
<input type="checkbox"/> YES – This is a priority request and I have enclosed an additional fee for this service.	
ROUTING SLIP NO.	DEBIT BCOL ACCOUNT NO.
FOLIO NO.	DEPOSIT ACCOUNT TRANSACTION NO.
GOVT. AGENT TRANSACTION DATE YYYY MM DD	DATERECEIVED YYYY MM DD
GOVT. AGENT TRANSACTION NO.	GOVT. AGENT AMOUNT COLLECTED \$

APPLICANT SURNAME		FIRST NAME AND INITIALS	
ADDRESS			
CITY		PROVINCE	POSTAL CODE
APPLICANT PHONE NO. ()	APPLICANT FAX NO. ()	CONTACT PERSON NAME	
Indicate what the name request is for: (In order for this request to be completed, one box must be (✓) ticked)			
<input type="checkbox"/> CORPORATION (INCLUDES A FOREIGN CORPORATION)	<input type="checkbox"/> PROPRIETORSHIP/ PARTNERSHIP	<input type="checkbox"/> SOCIETY	<input type="checkbox"/> FINANCIAL INSTITUTION
<input type="checkbox"/> COOPERATIVE ASSOCIATION			
Is this request for a foreign corporation incorporated in another province or country? <input type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, ENTER THE JURISDICTION	NATURE OF BUSINESS	
ADDITIONAL INFORMATION			

Name Request (*first choice*) PLEASE TYPE OR PRINT CLEARLY

Name Request (*second choice*) PLEASE TYPE OR PRINT CLEARLY

Name Request (*third choice*) PLEASE TYPE OR PRINT CLEARLY



BRITISH
COLUMBIA
The Best Place on Earth

Ministry
of Finance
BC Registry Services

Mailing Address:
PO Box 9431 Stn Prov Govt
Victoria BC V8W 9V3
Location:
2nd Floor – 940 Blanshard Street
Victoria BC
www.fin.gov.bc.ca/registries

**SOCIETY
NOTICE OF ADDRESS
OF SOCIETY
Form 5**
Sections 3 and 10
SOCIETY ACT

Telephone: 250 356-8609

INSTRUCTIONS:

Please type or print clearly in block letters and ensure that the form is signed and dated in ink. Complete all areas of the form. The Corporate Registry may have to return documents that do not meet this standard.

- Item A** Enter the Incorporation Number. This number is assigned at the time of incorporation and is located in the upper right-hand corner of the Certificate of Incorporation.
- Item B** Enter the exact name as shown in Item 1 of the society's constitution, or on the Certificate of Incorporation or Change of Name.
- Item C** Enter the complete **physical address** for the society. In addition you may include general delivery, post office box, rural route, site or comp. number as part of the address. The Corporate Registry cannot accept a PO Box number alone as a physical address. You must include a postal code. If an address does not have street names or numbers, provide a description that would readily allow a person to locate the office. This is the address of the society in British Columbia to which all communications and notices may be sent where the society's records are kept and at which all documents **may be served**.

Filing Fee:

To register the address of a society at the time of incorporation: **no fee**
To change the address of an incorporated society: **\$15.00** Submit this form with a cheque or money order made payable to the Minister of Finance, or provide the registry with authorization to debit the fee from your BC OnLine Deposit Account. Please pay in Canadian dollars or in the equivalent amount of US funds.

Important Note:

If this form is used to register the address of a society at the time of incorporation no filing fee is charged. If this form is used to change the address of a society after it is incorporated a filing fee of \$15.00 is applicable.

Note: A change of address has effect on the day after the notice is filed with the registrar.

A CERTIFICATE OF INCORPORATION NUMBER

OFFICE USE ONLY – DO NOT WRITE IN THIS AREA

Freedom of Information and Protection of Privacy Act (FOIPPA):
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B FULL NAME OF SOCIETY

C ADDRESS OF SOCIETY (must be a physical address – refer to definition in Instructions above)

PROVINCE

POSTAL CODE

B.C.

D CERTIFIED CORRECT – I have read this form and found it to be correct.

Signature of a current Director, Officer, or Society Solicitor

DATE SIGNED

YYYY / MM / DD

X



Ministry
of Finance
BC Registry Services

Mailing Address:
PO Box 9431 Stn Prov Govt
Victoria BC V8W 9V3
Location:
2nd Floor – 940 Blanshard Street
Victoria BC
www.fin.gov.bc.ca/registries

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(Section 3)
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LIST OF FIRST DIRECTORS OF _____

(Name of Society)

FULL NAMES

RESIDENTIAL ADDRESSES*

1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

Note: (a) One director must be ordinarily resident in British Columbia.

(b) Full names and residential addresses are required for all directors.

* This address must be a complete **physical address**. You may include general delivery, post office box, rural route, site or comp. number as part of the address, but the Registry cannot accept this information as a complete address. You must also include a postal code. If an area does not have street names or numbers, please provide a description that will readily allow a person to locate the office.

YYYY / MM / DD

Dated on _____

(Name of Society)

by _____
(Signature)

(Relationship to Society)

July 24, 2012

**MINISTRY OF JUSTICE
POLICING AND SECURITY PROGRAMS BRANCH
BRIEFING NOTE**

PREPARED FOR: ADM Clayton Pecknold
FOR INFORMATION

ISSUE: Change of cost-sharing formula for the BCAFIS Program

BACKGROUND:

- The Vancouver Police Department (VPD) and the RCMP entered into an agreement in 1988 to jointly purchase and operate an automated fingerprint identification system (AFIS) which has proven as a very useful crime-solving tool.
- 10 years later in 1998, AFIS was not only at the end of its life cycle, but was also becoming obsolete. Both parties agreed to replace it with current compatible technology and subsequently in February 1999, a MOU was signed to reflect the terms and conditions of the agreement.

July 24, 2012

- In March 2011, Chief Constable Jim Chu wrote to Assistant Commissioner Craig Callens with regards to VPD's commitment to renew the long-standing partnership for the automated fingerprint identification system (now called BCAFIS), to identify offenders and improve public safety in BC. BCAFIS was to be upgraded to meet current technological requirements.

-

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s.16, s.17

- In April 2011, Assistant Commissioner Craig Callens replied in writing to Chief Constable Jim Chu to confirm the RCMP's intention to continue with the partnership and his agreement to the new cost-sharing formula by signing the 'Fee for Service Confirmation' document prepared by VPD.

-

s.16, s.17

Page 372 redacted for the following reason:

s.16, s.17

July 24, 2012

s.16, s.17

Prepared by:

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Approved by:

Clayton Pecknold
Assistant Deputy Minister and
Director of Police Services
250 387-1100

Page 374 redacted for the following reason:

s.16, s.17

Williamson, Joy JAG:EX

From: Butterfield, Nicole JAG:EX
Sent: Thursday, June 14, 2012 4:25 PM
To: XT:Harper, Sue FIN:IN
Subject: FW: Agenda item - June meeting
Attachments: BCAMCP Presentation re Economics of Policing June 20 FINAL.PPT

<<BCAMCP Presentation re Economics of Policing June 20 FINAL.PPT>>

Hi Sue – attached is CP's presentation.

Thanks.

Nicole

From: Butterfield, Nicole JAG:EX
Sent: Monday, May 7, 2012 2:25 PM
To: XT:Harper, Sue FIN:IN
Cc: Pecknold, Clayton JAG:EX; McLean, Kimberley M JAG:EX; Kirby, Katherine JAG:EX
Subject: Agenda item - June meeting

Hi Sue:

In addition to Clayton's regular report, he would like another 30 minutes to speak to the following issue:

Economics of Policing Working Group

Thanks!

Nicole

Nicole Butterfield

Executive Administrative Assistant to the

Assistant Deputy Minister and

Director of Police Services

Policing and Security Programs Branch

Ministry of Justice

Phone - 250 387-1100

Fax - 250 356-7747

Email - Nicole.Butterfield@gov.bc.ca



Economics of Policing

Clayton Pecknold, Director of
Police Services & ADM Policing
and Community Safety

June 20, 2012

OBJECTIVES

1. Awareness & Dialogue: To gain a shared understanding of the challenges facing policing, and escalating policing costs, in Canada.
2. Action: To move forward on actions to strengthen the efficiency and effectiveness of policing in Canada.

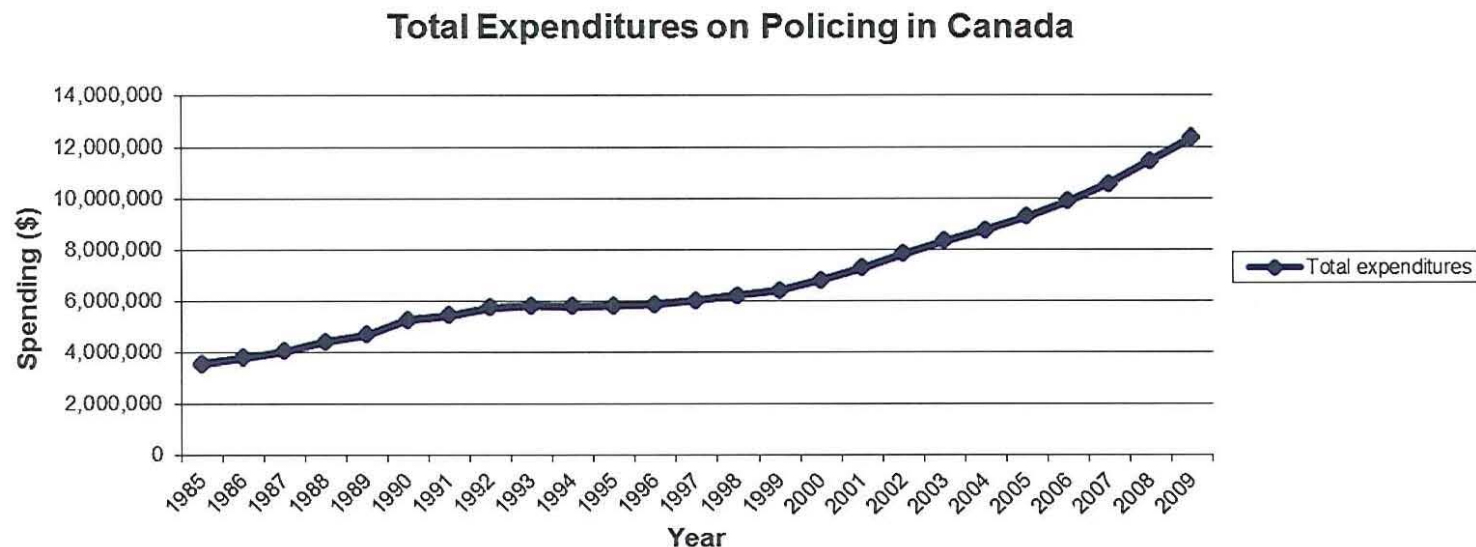
OVERVIEW

1. Increasing demands on police combined with decreasing reported crime rates.
2. Escalating policing costs that are increasingly unsustainable in the current fiscal environment.
3. Limited clarity on how police funding is spent and its efficiency and effectiveness.
4. Need for coordination, focus and leadership.

CONTEXT

Police Spending at Record High

- Governments across Canada employed **69,000** sworn police officers in 2010 and just over **27,000** civilian staff.
- In 2009, policing expenditures totalled over **\$12 billion** or about **\$365 per Canadian**.
 - Between 1997 and 2009, police expenditures more than doubled.

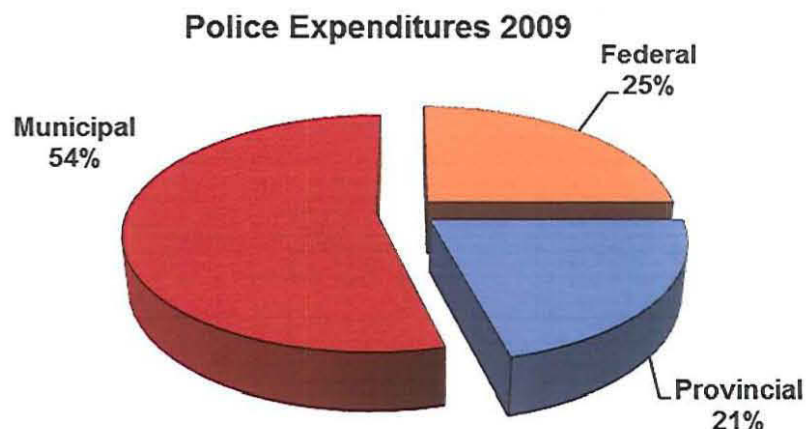


- While policing costs continue to rise, reported crime rates and crime severity are declining; this is a trend among most developed countries.

POLICE EXPENDITURES

Expenditures by Order of Government:

- Most policing is local.
- Based on 2009 spending (\$12.2B), more than half of expenditures were allocated to municipal policing; a quarter to federal policing and less than a quarter to provincial policing.

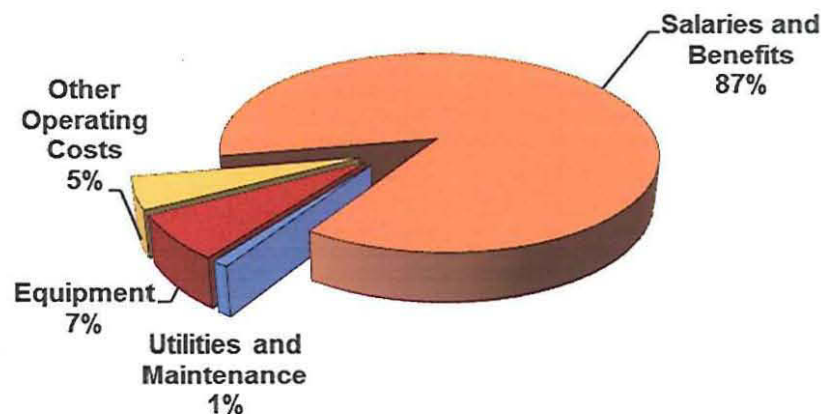


Police Service Budgets:

- Typically, salaries and benefits make up 80-90% of a police service's costs.

Example: ^{s.16}

Operating Budget, 2011



-4

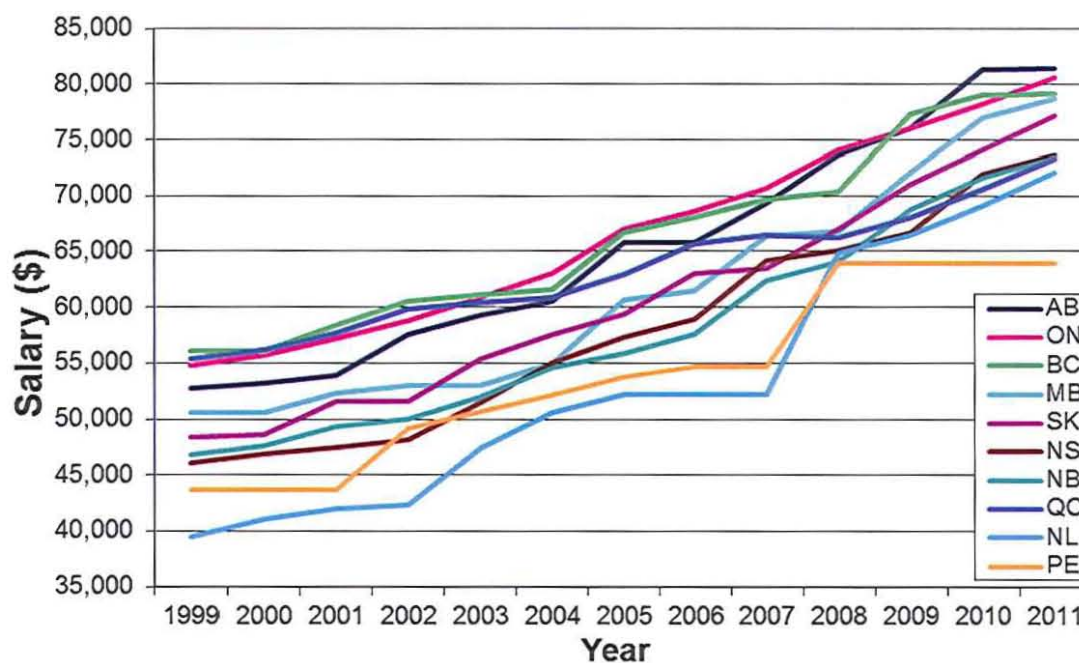
Sources: *Police Resources in Canada* (2010), Canadian Centre for Justice Statistics, Statistics Canada;
Vancouver Police Department Financial Services Section Administrative Report February 2012.

POLICE EXPENDITURES

Increasing Cost of a Police Officer

- In 2010, the average salary of a First Class Constable (5 years of experience) was \$76,000 (excluding overtime).
- Salary compensation for police personnel (in police services with more than 50 officers) has increased by an average of 40% since 2000.
- By comparison, salary compensation for all employed Canadians increased by an average of 11% since 2000.
- Competition: Compensation “ratcheted up” based on the collective agreements of other police services (and other first responders).

Police Salary Trends by Province
(Average 1st Class Constable Salaries of Police Services with more than 50 Officers)



-5

POLICE EXPENDITURES

Police work takes more time and is more complicated

- Changes to policies, legislation, and procedures increased investigation workload, for example:
 - Warrant applications for electronic surveillance now require affidavits of over 350 pages, up from 25-35 pages.
 - Impaired driving investigations can consume most of an entire shift for the officer involved.
 - Higher standards for arrest and DNA samples impact the cost and time to prepare and execute.
- Greater expectations and need for accountability from governments, courts and the public.
- Increased non-police expectations resulting from cuts to legal and social service supports.

POLICE EXPENDITURES

New priorities / crimes have emerged

- **Organized crime** networks have become increasingly pervasive at the domestic and international levels, and have been amplified through the use of technology.
- Since 9/11, most police services have taken on a greater role in **counter-terrorism** efforts.
- Increasing reliance on information technologies has also increased vulnerability to **cyber crimes**, including identity theft, intellectual property crimes and disruption of critical infrastructure.
- **Commercial and financial crimes** have also been on the rise, crossing national and international boundaries to lessen the chances of detection (e.g. telemarketing fraud).

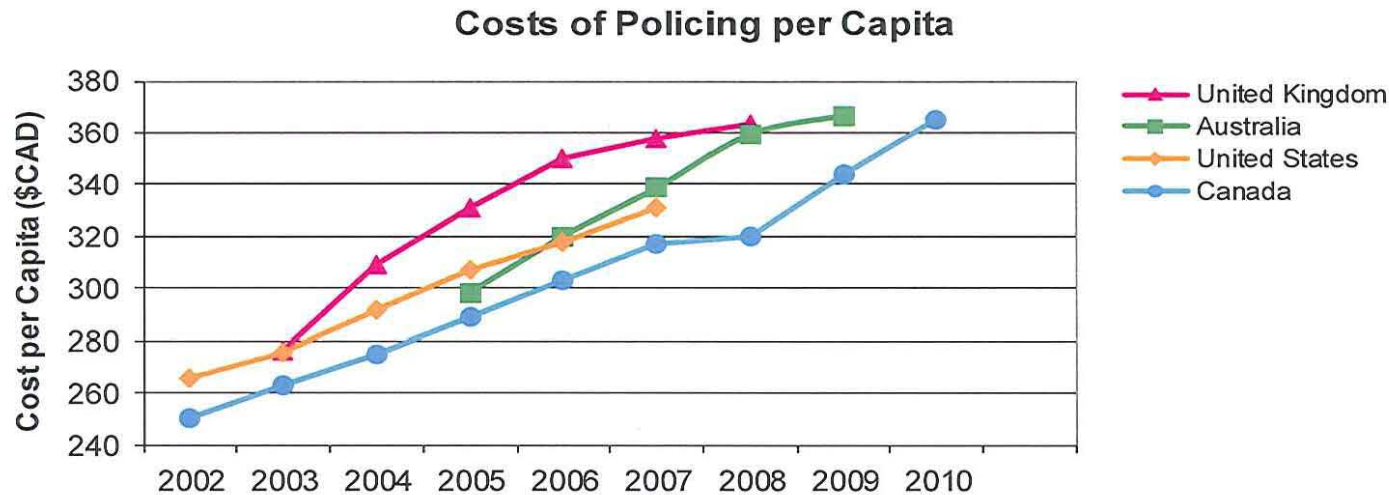
POLICE EXPENDITURES

Fewer schedulable hours are available due to increased leave and training requirements

- For example, in some police services frontline officers have approximately 12 weeks of un-schedulable hours for vacation, training, and other forms of leave.

INTERNATIONAL COMPARISONS

- In comparable jurisdictions, policing expenditures have also steadily increased over the last decade.



- Notwithstanding increasing costs and the increasing number of police officers, Canada still has fewer police officers per capita than many countries.
- Police officer salaries in Canada are higher than those in the US and lower than those in the UK and Australia.
- Aggressive measures are being taken to address rising police costs in certain countries (UK and US), while others, including Canada, are only now confronting these challenges.

STRATEGIES

- Incremental measures to improve efficiency and effectiveness:

s.15, s.16, s.17

STRATEGIES

- In addition to incremental strategies to improve efficiency and effectiveness, innovative, transformative approaches to policing and community safety are emerging.
- For example, Prince Albert Police Service:
 - An integrated community safety model ('Hub') has been established to address the root causes of crime in the community.
 - The Hub consists of a collective of municipal agencies (e.g., police service, school board, provincial health and social services) who work together to identify at-risk youth, share information on the individuals involved and develop integrated early intervention strategies.
 - Prince Albert has also focused resources in several areas of police enforcement, specifically bylaw enforcement and the family service unit.
 - This has led to a 53% reduction in assaults and 23% reduction in property crimes. With the increased resources to the family service unit, police report a 47% reduction in the number of missing persons filed to 366 cases (down from 690).

-11

STRATEGIES

- Obstacles to reform include:

s.16

MOVING FORWARD

- Among the FPT community, actions currently underway include:

s.16

THANK YOU



High Risk Offender Identification Program



Presented by

M. Joyce DeWitt-Van Oosten, Q.C.
A/Assistant Deputy Attorney General
Criminal Justice Branch
Ministry of Justice

- and -

Troy Kimber
HROIP Manager
B.C. Co-ordinator for National Flagging System
HRRAC Member

June 2012

History



The High Risk Offender Identification Program originated in BC in the early 1990's through the Criminal Justice Branch and since then has developed across the Nation.

In 1996 each Province and Territory in Canada adopted a similar program operating under each Provincial Attorney General. The national umbrella program is called the National Flagging System for High Risk Violent Offenders. Offenders flagged under this national umbrella are flagged on CPIC to facilitate a national flag.

Current Status

HROIP Offenders

- Over 1,700 offenders flagged by HROIP
- 765 of them are also flagged with the National Flagging System
- Almost 8,000 offenders flagged by the National Flagging System
- 240 offenders designated DO/LTSO by B.C. courts
- 458 offenders designated DO and 710 offenders designated LTSO nationally

Role

The primary function of the HROIP is to ensure that all viable information is available to Crown Counsel, Community Corrections and Police in relation to high-risk violent offenders. It ensures that offenders identified under the program receive the appropriate attention by the Criminal Justice Branch. The High Risk Offenders Identification Program is a Criminal Justice Program in British Columbia designed to assist Crown Counsel with Dangerous Offender, Long Term Offender Applications, Section 810.1 and 810.2 CCC Recognizance, general sentencing and bail applications. The HROIP facilitates information sharing between Crown Counsel, Police, Corrections and Forensic Psychiatric Services. Information includes circumstances from previous convictions or stay of proceedings, Provincial and Federal correctional file information concerning previous incarcerations and professional assessments that might have been conducted i.e: Forensic Psychiatric Services. HROIP maintains a close contact with all justice partners in the sharing of information. The HROIP is well known within the law enforcement community.

Referrals Received by HROIP

- Crown Counsel throughout B.C.
- Institutional Parole Officers
- Probation Officers
- National Flagging System

HROIP reviews the Criminal Justice Branch's Significant Case List, media etc. for possible new additions to HROIP.

HROIP Criteria

➤ Violence

- Multiple convictions involving violence.
- Few convictions involving violence, but multiple files stayed or withdrawn involving violence.
- Few or no convictions involving violence, but a high degree of violence employed during the commission of an offence currently before the courts.
- Seriousness of offences has increased throughout criminal history.

➤ Programming/Treatment

- Minimal success or unresponsive to programming/treatment while incarcerated or under community supervision.
- Assessed by Correctional Services of Canada as a high risk for violent re-offending prior to release from federal institution.
- Assessed by Parole Board of Canada as a high risk for violent re-offending prior to release from community supervision.

➤ Crime Cycle

- Behaviour progression of inactive offender indicates possible re-entry into crime cycle:
 - ▶ Emotional collapse
 - ▶ Collapse of social supports

- ▶ Sexual preoccupations and / or fixations
- ▶ Rejection of supervision
- ▶ Substance abuse
- ▶ Negative mood / anger / hostility
- ▶ Increased victim access
- ▶ Frequenting certain geographic areas
- ▶ Associating with known offenders

How An Offender is “Flagged”

- JUSTIN
- CORNET (B.C. Provincial Corrections)
- Parole Board of Canada decision registry
- CPIC using a Special Interest Police entry (SIP)
- National Flagging System facilitated by CPIC

NFS System

- Each province / territory has a designated Coordinator
- Facilitated through SIP entries on CPIC
- Requires any person querying a flagged offender to contact NFS to provide details
- Helps alert NFS when an offender has crossed jurisdictional lines
- Secure NFS website for sharing data between provinces / territories

High Risk Recognizance Advisory Committee

- Offender released at Warrant Expiry Date (WED) considered at high risk to violently re-offend.
- Institutional Parole Officer forwards materials to HRRAC and other justice agencies in the jurisdiction where the offender intends to reside.
- HRRAC determines if 810.1 or 810.2 recognizance should be sought to protect public.
- HRRAC suggests specific conditions to be sought and duration of supervision (1 or 2 years).
- Crown Counsel make ultimate decision on whether to bring an application (with approval of ADAG).

Materials Sought by HROIP

- Correctional Services of Canada
- B.C. Provincial Corrections
- National Flagging System partners
- Forensics Assessments
- RTCC's Nationally

Responsibility and Assistance

The Criminal Justice Branch is in the process of expanding the program to include three new categories.

1. Individuals who have been charged under the Criminal Code of Canada with threatening a Justice Official.
2. Individuals identified by Police as members of a gang or criminal organization.
 - Gang affiliated offenders
 - Discussions with police agencies to maintain information regarding known gang affiliations to assist with prosecutions, sentencing and bail hearings
3. Individuals identified by Police as Prolific Offenders.
 - Prolific, public nuisance offenders
 - Though these offenders are a minimal danger to the public, maintaining background information can assist Crown Counsel with sentencing hearings

The HROIP will need to rely on Police to identify individuals that meet the requirements of the above listed categories at the RTCC stage. Files will be flagged in the Justin System under the current flagging mechanism.

The HROIP program will ensure that any files identified by Police in the above listed categories will have the appropriate information collected and available for Crown Counsel.

These changes will allow Crown Counsel to prosecute each case with additional information where legally admissible, and ensure that enquires are met in a timely and accurate manner with information obtained from as many parts of the Canadian Criminal Justice System as possible.

In order to implement the expansion of the HROIP program full support is required from Police as the primary role to identify individuals who meet the three categories. It may be required for each agency to assign a dedicated file officer that will indentify and inform the HROIP Manager of new subjects to be placed on the program.

Once the Criminal Justice Branch has the support of Police to move forward with the expansion of the program, all involved agencies will require communicating the changes and the new program plan to all staff.

HROIP is not intended to be used for the purpose of fathering criminal-intelligence. It is an identification system.

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This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

KEVIN BEGG SPEAKING NOTES

BCAMCP

January 2011

Intersection Safety Camera Sites

Just as an FYI, the first set of Intersection Safety Camera (ISC) sites are scheduled to go live next week. I will provide further information in an email notice this week to applicable communities.

SBOR

I would like to talk to you about SBOR use-of-force reporting and the recent evaluation conducted by Police Services Division.

As you know, PSD implemented a standardized use-of-force report template called Subject Behaviour-Officer Response (SBOR) in PRIME at the beginning of 2010 for all independent municipal police departments. (The RCMP also implemented SBOR but in stand-alone software.)

An evaluation of SBOR reporting for municipal departments was conducted by my staff. The purpose and scope of the SBOR evaluation was to:

- examine the quality of reporting using the SBOR report form;
- review the threshold of reporting;
- identify issues that may have impacted the successful implementation of SBOR reporting; and
- identify potential amendments to the SBOR report form.

The evaluation consisted of:

- observation of SBOR training sessions;
- consultation /interview with all participating police agencies; and
- review of common errors in SBOR reporting.

The evaluation report outlines the findings resulting from the evaluation and makes recommendations regarding:

- threshold of reporting
- content of the SBOR report form;
- training for SBOR reporting;
- the reporting platform for SBOR.

Threshold

The threshold of reporting for SBOR was originally set at the level of physical control-soft and higher. This was based on the recommendation from the Provincial Use of Force Co-ordinator and was consistent with the exiting Provincial Standard (from the old Police Commission). This threshold provides for a comprehensive view of force options used by police, it gives police agencies the capacity to monitor use of force at all levels, and data from all levels of force can be used to inform training and policy.

The evaluation found that, although a majority of agencies supported the threshold of reporting to SBOR at the soft-physical-control level, some agencies, notably some larger agencies, did not. The fundamental reason was that it was considered much too resource intensive to require officers to report at the soft-physical control level. However, all agencies, even those that did not support the general threshold of soft

physical control, were in agreement that an SBOR report should be completed if a soft physical control technique resulted in injury.

We accept that use-of-force reporting and data from the soft physical control level is useful, however this needs to be balanced against the resources required for this level of reporting. In consideration of this, there will be a change to the provincially-mandated SBOR reporting threshold. That is, the new threshold will be *hard* physical force and higher. Soft physical control will only need to be reported if an injury occurred to either the subject or the officer.

I want to emphasise, and this is important, that this will be the minimum standard required by the Province. Any agency, if it chooses, can still set internal policy requiring officers to report use of force at a lower, more inclusive threshold.

Reporting at different thresholds will NOT be a problem for provincial statistics as it is a very simple matter to separate out the reports of the lower threshold to ensure that the collection and summary of provincial statistics, or any basis of comparison, is the same. That is, that we are comparing apples to apples.

Gabi Hoffmann will provide some more detail about the rest of the findings from the SBOR evaluation.

Ministry of Public Safety and Solicitor General
Police Services Division
BCAMCP Update
June 2011

1. PART 11 – POLICE COMPLAINTS

Today my update will focus mainly on the Province's response to Justice Braidwood's recommendations and the activities we have accomplished to date. However, I would like to start with a few comments on recent amendments to Part 11 of the *Police Act*.

As you are all aware, Bill 12 – *the Police Independent Investigations Office Amendment Act* – received Royal Assent on June 2nd. Bill 12 contained a number of amendments to the Part 11 complaints process.

These amendments are largely the result of consultations we conducted since the Province last overhauled the complaints process in 2009 – following the recommendations of the Wood report.

These amendments are in force as of June 2nd – and a summary of the changes is as follows:

An additional subsection was added to **section 125** regarding the conclusion of discipline proceedings. The amendment establishes a time period of 10 business days in which a member, former member, or his or her legal counsel, can make a submission to a discipline authority regarding appropriate disciplinary or corrective measures. ✓

- Previously, section 125 was silent on the timeline for submissions at the conclusion of a discipline hearing. This amendment therefore provides clarity and consistency of practice for submissions. ✓

Next, **section 141** was amended by adding a subsection that establishes a time period of 10 business days within which an adjudicator who conducts a review on the record must provide specified persons with notice of, and written reasons for, a decision.

- This amendment provides fairness to the parties involved in a complaint and is consistent with the provisions governing public hearing decisions in section 143 of the *Act*. ✓

Next, several amendments were also made to **section 180** in order to clarify the process for expunging members' service records of discipline and to ensure consistency across independent municipal police departments:

- First, two new paragraphs were added to section 180 subsection (1) to require records of complaints that are withdrawn by a complainant – or investigations that are discontinued by the police complaint commissioner – to be included in the service record of discipline of a member or former member.
 - This amendment helps to provide a more complete picture of a member or former member's service record of discipline. ✓
- Second, an amendment was made to section 180 to include in the 3-year expungement schedule, the disciplinary or corrective measure of requiring a member to participate in a program or activity.

- This amendment clarifies that any record of discipline that requires a member to participate in a program or activity is to be expunged from a service record – provided that no other substantiated complaint is made against that member within 3 years.
- Finally, two new subsections were added to section 180 to ensure that those complaints that are withdrawn by a complainant – or those investigations that are discontinued by the police complaint commissioner – do not affect the expungement timeline for earlier complaints for which discipline or corrective measures were imposed.
 - This amendment therefore ensures that records of discipline are not retained longer than was intended, due to unsubstantiated complaints.

2. INDEPENDENT INVESTIGATIONS OFFICE

Getting back to the main purpose of Bill 12 now – –
The *Police Independent Investigations Office Amendment Act* creates the statutory framework for the IIO under a *new* Part 7.1 in the *Police Act*.

The Ministry of Attorney General and Ministry of Public Safety and Solicitor General are working jointly together to assess the office's location, budget, and staffing requirements. In the coming months, a series of regulations will bring into force sections of Part 7.1, as well as other sections of Bill 12 pertaining to the IIO.

I will present more on this topic at the BCACP meeting and will do my best to provide regular updates on the IIO as we move forward.

3. BRITISH COLUMBIA PROVINCIAL POLICING STANDARDS / BRAIDWOOD IMPLEMENTATION

Now I will turn my attention implementation of recommendations from Justice Braidwood's first report. Events may have been overtaken by the IIO, but there is still quite a bit of work being done in other areas to address deficits identified by Braidwood.

You may recall from his first report, Justice Braidwood was critical of the Provincial Government for not setting binding provincial policing standards for police agencies in BC.

One of the first steps that the Province took to address this criticism was to amend Section 40 of the *Police Act*, to mandate Police Services Division to establish *Provincial Policing Standards* that are legally binding on police agencies. Specifically, the authority to set binding Standards extends to: Use of Force; Training; Facilities and Equipment.

This amendment to the *Police Act* was passed by the legislature last June, and is expected to come into effect this fall. The amendment stipulates that in order for these *Standards* to become binding they must be approved by the Solicitor General, provided to the affected parties, be published on a publicly accessible website, and hardcopies available if requested.

Specifically, the 4 sets of *Standards* that will be coming into effect include:

First – *Standards* developed as a consequence of the Braidwood Recommendations in his first report:

As you will recall, Police Services Division established an advisory committee to consult with stakeholders on the implementation of Braidwood's Recommendations, in particular around the development of Provincial Policing Standards regarding CEW use and training.

The BCAMCP was represented on this committee, known as "BRIC" – the Braidwood Recommendations Implementation Committee, by:

- C/Cst. Jim Cessford,
- Now retired Lorne Zapnotichny
- Deputy C/Cst. Bob Downie,
- Deputy C/Cst. Del Manak, and
- C/Cst. Jim Chu, who was represented by Supt. Jeff Sim

Please note that staggered effective dates have been identified for the *Standards* that require lead time for compliance – such as those involving training or equipment.

Second – *Standards* concerning video surveillance recording in police buildings:

The requirement for these *Standards* came about as a result of the death of Ian Bush in Houston, BC. I'm sure you all remember the incident. Shortly after the Coroner's Inquest, then SG John Les announced that the province would implement *Regulations* to ensure appropriate video surveillance in police buildings. Recent amendments to the *Police Act* require that these now be binding *BC Provincial Policing Standards*.

As you will recall, the contents of the pending *Standards* were developed in consultation with subject matter experts identified by this group. The video surveillance *Standards* will have a 3 year time frame for departments to meet compliance.

Third – *Police Training Standards* to replace the *Police Act Training Regulations*:

My staff, in consultation with Police Academy staff, have modernized and streamlined the existing *Rules Regarding Training Regulation*, while keeping the basic intent of the original.

Finally – *Use of Force Standards* to replace the *Use of Force Regulation*.

The *Use of Force Regulation* is being replaced with a streamlined set of Interim *Use of Force Standards*. The new *Standards* capture the intent of the original *Regulation*, while bringing some aspects up-to-date.

Both the Interim *Police Training Standards* and the *Use of Force Standards* will be the subject of continued consultation with the police and other stakeholders as part as the ongoing development of provincial policing standards.

The BRIC committee will be reconstituted into the Advisory Committee on Provincial Policing Standards or “ACOPPS” and will begin meeting in the fall.

At this time, in the short-term, there is a need to meet with key stakeholder groups individually, including the BCAMCP and RCMP, to review the CEW-related *Standards* that received BRIC sign-off and to consult on the other *Standards* that I've just outlined.

Last week I wrote to the BCAMCP and the RCMP with a request for a consultation meeting with my staff with respect to the four sets of *Standards* drafted to date – i.e., those concerning CEWs, use of force, police training, and video surveillance recording equipment. I believe that copies of the *Standards* under discussion will be forwarded to you through the BCAMCP.

We are trying to meet some tight deadlines due to governmental processes so we are anticipating meeting with a delegation from the BCAMP before mid-July.

I encourage you to review these materials and to communicate with the BCAMCP members who will be consulting with PSD to ensure that your concerns are represented. I'm also available to answer questions or discuss this issue throughout the BCACP meetings.

As an aside, we met with Justice Braidwood and his counsel last week to review the CEW-related *Standards* package and discuss other activities PSD has undertaken to meet the 19 recommendations from the first Braidwood Report.

Justice Braidwood approved all the work done and was very complementary of the efforts put forward by all of the stakeholders involved in this process as well PSD staff.

4. BUDGET FOR COUNTERATTACK

My final topic for today is a bit of a “feel good” story: Police Services Division’s Road Safety Unit is working with ICBC and RCMP ‘E Division’ Traffic Services to ensure that surplus funds from the 2010/11 enhanced enforcement budget go to support impaired driving initiatives in 2011/12.

s.16, s.17

enhanced traffic

enforcement dollars will be provided to independent municipal police departments for a summer CounterAttack campaign. Once the 2010/11 budget has been fully reconciled, we anticipate being able to earmark a further s.16, s.17 for the winter campaign.

Letters of agreement have been sent out, and each department has been advised of total funding provided for road checks. In

s.16, s.17

Expect Criminal Code charges and ADPs to drop as Immediate Roadside Prohibitions take their place. PSD will be monitoring whether time freed up from doing Criminal Code charges results in an overall increase in alcohol impaired interventions.

FOR CLAYTON'S INFO ONLY

Summer CA Campaign			s.16, s.17
Department	2009 Strength	Allocation based on Strength	
Abbotsford	s.15	s.16, s.17	
Central Saanich			
Delta			
Nelson			
New Westminster			
Oak Bay			

Port Moody		s.15			s.16, s.17	
Saanich						
Vancouver						
Victoria						
West Vancouver						
TOTALS						

Miller, Lesley SG:EX

From: Chuhran, Dorothy J SG:EX
Sent: Tuesday, November 8, 2011 9:42 AM
To: Miller, Lesley SG:EX
Subject: FW: BCAMCP and BCACP Speaking Notes
Attachments: 20110614 BCACP.docx; 20110614 BCAMCP.docx

Dorothy Chuhran
Administrative Assistant
Police Services Division/ADM
Ministry of Public Safety and Solicitor General

phone 250 387-6925
fax 250 356-7747

-----Original Message-----

From: Chuhran, Dorothy J SG:EX
Sent: Monday, June 13, 2011 3:30 PM
To: Allen, Tanya SG:EX
Cc: Sitter, Donna GCPE:EX
Subject: FW: BCAMCP and BCACP Speaking Notes

These are the speaking notes for BCAMCP/BCACP that have gone to Prince George with Clayton - the attachment mentioned in the email (below) has been deleted.

Dorothy Chuhran
Administrative Assistant
Police Services Division/ADM
Ministry of Public Safety and Solicitor General

phone 250 387-1741
fax 250 356-7747

-----Original Message-----

From: Smith, Melissa SG:EX
Sent: Monday, June 13, 2011 1:03 PM
To: Chuhran, Dorothy J SG:EX
Subject: FW: BCAMCP and BCACP Speaking Notes

-----Original Message-----

From: Kirby, Katherine SG:EX
Sent: Monday, June 13, 2011 12:55 PM
To: Smith, Melissa SG:EX
Subject: FW: BCAMCP and BCACP Speaking Notes

For Clayton's update at BCACP/MCP

-----Original Message-----

From: Allen, Tanya SG:EX

Sent: Friday, June 10, 2011 1:02 PM
To: Kirby, Katherine SG:EX
Cc: Chuhran, Dorothy J SG:EX
Subject: BCAMCP and BCACP Speaking Notes

Hi Kathy,

Please see attached BCAMCP and BCACP speaking notes for your approval. Also attached is documents received from Jan Staples for inclusion in Clayton's binder.

~Tanya

-----Original Message-----

From: Staples, Jan SG:EX
Sent: Thursday, June 9, 2011 7:45 AM
To: Allen, Tanya SG:EX
Subject: Fw: BCACP / Crown Liaison Disclosure Response

Tanya

FYI-- BG fr the RCMP re Crown Disclosure policy for Clayton's Briefing Binder.
Jan

Not Responsive

Ministry of Public Safety and Solicitor General
Police Services Division
BCAMCP Update
March 2011

1. PROVINCIAL COURT RECORDS ACCESS POLICIES

I will start today's update with some basic information regarding changes to the Provincial Court Records Access Policies that came into effect February 28th, 2011.

The principal changes that may be of interest to police relate to publication bans and search warrants.

First, with **publication bans**: the court registry staff used to differentiate between bans ordered pursuant to the *Criminal Code* and other publication bans; and would black out banned details before providing access to the documents.

However, with the recent changes, access to the documents will now provide the same access to information that is available to a person attending an open courtroom proceeding.

The documents will be now marked with the banned details and the receiver of the documents will be obligated to comply with the terms of the ban to not publish, broadcast or transmit banned details in any way.

Second, changes to the court records access policies regarding **search warrants** are such that – unless a sealing order is in place – the public access file available for public viewing will now also include a copy of the 5.2 Report to Justice.

I will send you an email shortly with more information on these changes and links to the Court Access Policies online.

2. WITNESS PROTECTION PROGRAM

Now I would like to change topics to briefly discuss the Witness Protection Program.

The Memorandum of Agreement which brought the Integrated Witness Protection Program into existence in 2005 has expired.

The Memorandum of Agreement now needs to be re-signed by all the signatories of the original agreement. I am hoping that we can go with pretty much the same agreement as last time. We will be in contact with you shortly to talk about how best we can proceed.

3. BILL C-30 RESPONSE TO THE SUPREME COURT OF CANADA DECISION IN R. V. SHOKER ACT

Now I would like to give you an update regarding the federal Bill C-30 *Response to the Supreme Court of Canada Decision in R. V. Shoker Act*.

Up until 2006, the courts were able to impose conditions against the consumption of alcohol and non-prescription drugs and could require offenders to provide bodily samples on demand to police and probation workers.

However, in 2006, the Supreme Court of Canada held that there was no such authority in the *Criminal Code* for a court to require offenders to provide bodily samples and – as a result – the ability to monitor offenders in the community was diminished.

Bill C-30 is the federal government's response to the 2006 Supreme Court decision. Bill C-30 has passed through the House of Commons and is now before the Senate.

Our colleagues at Justice Canada are currently working to draft Regulations under the Act that will again allow the courts to impose abstention conditions on probation orders, conditional sentences and peace bonds.

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, 42nd 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 be doing the confidential consultations. We will keep you posted on this process the best that we can

Ministry of Public Safety and Solicitor General
Police Services Division
BCAMCP Update
November 2011

Note to Clayton: The speaking notes for BCACP and BCAMCP are identical. Use your discretion as to whether you would like to speak at both BCACP and BCAMCP, or simply deliver your update at BCACP.

1. METAL THEFT LEGISLATION

As you are likely aware, the Province has recently introduced legislation to combat 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 by local governments, industry and police, Government is closely examining its options to regulate the scrap metal industry.

As part of a broader approach, the Province will also approach the federal government to push for increased sanctions under the Criminal Code for tampering with critical infrastructure.

The Province continues to support the efforts of community partners, including Crimestoppers and Telus, in raising public awareness of the metal theft issue in B.C. communities.

Ministry representatives have met with representatives of police, industry and other stakeholders to build the legislative response and will continue to consult with these groups in the upcoming months as we develop the regulations to the Act.

2. MARIJUANA GROW OPERATIONS

As a result of a request by the RCMP for the Province to facilitate and coordinate a comprehensive, multi-stakeholder approach to this issue, a Marijuana Grow Ops Provincial Working Group has been struck. The initial meeting of the Working Group, which is co-chaired by the RCMP and ministry staff, occurred on July 14, 2011, and since that date two further meetings have been held.

The Working Group includes representatives from BC Hydro, UBCM, the Real Estate Board of Canada, BCACP, Independent Municipal Police, the Office of the Fire Commissioner, Canada Revenue Agency, Ministry of Community, Sport and Cultural Development, Ministry of the Environment, Emergency Management BC, Public Prosecution Services of Canada (PPSC), Civil Forfeiture Office, Ministry of Health, Surrey Fire Department, and the University of the Fraser Valley.

At the last meeting of the working group held on November 3, 2011, a number of table-top exercises lead to the following next steps:

- An operational case study will be undertaken in collaboration with Abbotsford Police Service which has recently launched a MGO Enforcement Initiative. This will be the first practical application of an all agencies approach to MGO's and will look at not only enforcement but also administrative processes (remediation, disclosure of property, fire, structural, etc.).

- s.15

RCMP's strategy to replicate the Cariboo Regional



Integrated Marijuana Enforcement (CRIME) initiative. Again, this will be an all agency response with an enforcement and administrative focus.

3. SPC APPOINTMENTS FOR FISHERIES AND OCEANS CANADA

Now I would like to give you a quick update regarding the Special Provincial Constable program. As some of you may be aware, federal fisheries officers have been seeking Special Provincial Constable status for their work inside the Province of B.C.

The MOU between Police Services Division and Fisheries and Oceans Canada Pacific Region was prepared and issued to them for sign off,

s.16

4. POLICE HONOURS NIGHT

As I am sure you are all aware, Police Honours Night is being held on Thursday November 17th at Government House here in Victoria.

Police Honours provides the Province an opportunity to recognize members of the RCMP, Independent Municipal Police Departments, First Nations Police Services and the Greater Vancouver Transportation Authority Police Service who have performed an exemplary service to the citizens of British Columbia.

Awards are given in three categories, Valorous Service, Meritorious Service and Outstanding Service. The Outstanding Service award is only presented to retired Chief Constables.

Guests are invited to attend Police Honours Night by invitation only. Due to space limitations, only those BCACP detachment commanders with recipients were extended invitations this year.

This year 65 awards will be presented (62 will be in attendance for the presentation, 3 not in attendance), 22 officers for Valorous Service and 43 officers for Meritorious Service. One retired Deputy Commissioner and three retired Chief Constables will be awarded for Outstanding Service. 195 guests will be attending Police Honours 2011.

All guests who have sent in their RSVP are to arrive between 5:00 and 5:15. The Order of Proceedings has been sent out to Chief Constables or designate for the Abbotsford, Delta, New Westminster, Oak Bay, Vancouver, and Victoria Police Departments and the A/CO for the RCMP.

All seating for the event has been pre-assigned. Attendees are to check the board for the seating arrangements upon arrival. Upon arrival at Government House, guests will proceed to the coat check then into the Great Hall for a reception. There will be no receiving line.

Awards recipients, Chief Constables and Assistant Commissioner Callens will be asked to move to the Drawing Room at 5:45 for a short 10 minute briefing and then on to have their group photos taken. The awards ceremony will commence at 6:30 and will be followed by dinner at 8:10. There will be a ten minute break before dinner is served. Guests may stretch their legs at this time if required.

The Loyal Toast will be proposed after the main course plates have been cleared. Government House has advised that it is a breach of protocol to leave your seat prior to the Loyal Toast being proposed.

5. RIOT REVIEW UPDATE

For my final item, I would like to provide you with an update regarding the riot review. 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.

KEY FINDINGS:

The co-chairs reached a number of conclusions within the report. A summary of their key findings includes:

- First, for the most part, the recommendations from the 1994 Riot Review reports were achieved.
- Second, there was no political or bureaucratic interference in VPD's planning or resource allocation for the 2011 playoffs.
- Third, operationally, the police were challenged by:
 - an unexpected crowd size,
 - the early arrivals of fans in the core (many of whom were already intoxicated or could easily smuggle alcohol in with them), and

- multiple incidents in multiple locations in a very short time frame.
- Fourth, the number of police identified in VPD's plan was appropriate given the threat level identified.
- Fifth, an aggressive police response to disorder is often provocative resulting in greater injuries, longer riots and more property damage. Overall the riot was well handled by the police under the direction of the VPD.
- And finally, that there is a need to formalize regional emergency services collaboration.

KEY RECOMMENDATIONS:

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, 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.

PROVINCE 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

s.14

As well, your agencies received communications from me last week requesting that you take into consideration, when planning for events, 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.

First, I will start with training:

In a letter that was sent last week to your agencies, I requested contact information for someone from each agency who can provide my staff with information regarding in-house crowd management training and tactics. 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 asked that the RCMP tactical troop and VPD public order unit train together and 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.

Now I will turn to discussion of the sharing of police resources:

In addition to mutual training exercises, my 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 underway to begin to define what is to be considered "regional event" that would necessitate mutual aid and to better

understand how such events would impact policing agencies across the region. The sharing of police resources is something that happens rather effectively at present.

To prove this point: by the end of the day, there were nearly 1,000 officers deployed to manage the Stanley Cup Riot; and the co-chairs of the report noted that the riot was well handled by police under the direction of the VPD.

My staff is currently drafting a project plan to engage police, municipalities and TransLink in discussions to identify potential authorities and cost allocations for policing regional events. Over the coming weeks, we hope to finalize this engagement plan and will be in touch with your agencies to begin work toward the development of an *“Authority and Cost Allocation Framework”* for policing regional events.

Finally, I turn to enhanced communication activities.

IPREM has recently launched a *“Regional Emergency Communications Strategy and Governance Development project”*. The project is being supported by funding provided through the Canadian Police Research Centre and local government partners. The project aims to develop a regional strategic plan and governance model to enable:

- The development of communications plans and exercises to support integrated response and recovery plans associated with local and regional emergencies that involve multiple jurisdictions or agencies; and
- The development and sustainment of interoperable information and communications technologies and systems to support the regional communications plans.

IPREM has constituted a steering committee tasked with developing a strategic plan and actions steps. The group consists of first responders (fire, ambulance), provincial and municipal representatives. The group is looking to include LMD independent police agencies and the RCMP and asked if I would contact PSD for your assistance in making that contact.

IPREM is now requesting two police representatives to sit on the IPREM steering committee.

***** Collect names *****

CLOSE-OUT:

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.

Ministry of Public Safety and Solicitor General
Police Services Division
BCAMCP Update
October 2011

1. METAL THEFT LEGISLATION

I have a few items to update and will start things off with some information on the Province's efforts to combat 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). Our Minister has announced her intention to introduce legislation to respond to the problem 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 by local governments, industry and police, Government is closely examining its options to regulate the scrap metal industry.

As part of a broader approach, the Province will also approach the federal government to push for increased sanctions under the Criminal Code for tampering with critical infrastructure.

The Province continues to support the efforts of community partners, including Crimestoppers and Telus, in raising public awareness of the metal theft issue in B.C. communities.

Ministry representatives have met with representatives of police, industry and other stakeholders in the recent weeks and are in the

process of developing a more fulsome framework for compliance and enforcement.

2. FUGITIVE RETURN PROGRAM

Next I would like to provide a very brief update 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.

The Vancouver and Victoria police departments have been conducting fugitive return (CONAIR) initiatives for several years through funding from the Civil Forfeiture Office. The Province wants to build on these successes by expanding the program provincially.

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 has been liaising 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 JMT comprised of representatives from RCMP, VPD (municipal police representative), and Crown will review and approve the provincial fugitives' list, and make funding decisions as needed. 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 roles and responsibilities of agencies involved and funding mechanism is being developed.

Inspector Brendan Fitzpatrick, Operations Officer, E Division Major Crime Section will be providing more information on the Provincial Fugitive Return Program in a presentation today. [PLEASE NOTE THAT THE RCMP WILL BE PROVIDING A PRESENTATION AT BCAMCP ON THE FUGITIVE RETURN PROGRAM. THE NAME AND TITLE OF THE PERSON(S) PRESENTING WAS NOT AVAILABLE AT THE TIME OF WRITING.]

3. RETENTION OF EVIDENCE

Finally, the BC Advisory Committee on the Retention of Evidence will begin meeting tomorrow to discuss the potential for national standards on retention of evidence and exhibits for criminal trials.

The BC Advisory Committee will be chaired by Tom Steenvoorden, from my office, and includes representatives from Courts; Crown; RCMP; Independent Municipal Police and 2 from your agencies; and Police Services Division, Standards Unit.

The Independent Municipal Police representatives are Inspector Michelle Davey from Vancouver and Staff Sergeant Mike Nedzelski from Saanich. Thank you for providing these representatives for the BC Advisory Committee.

Speaking Notes: BCAMCP October 10, 2012

Clayton Pecknold, ADM, Policing and Security Program Branch

- My staff have begun cataloguing police MOUs, LOAs, and agreements in BC. The reason we are doing this is twofold – first for internal information purposes so that we are aware of the existing agreements – and second so we can develop a database that may be a resource tool for BC police agencies when developing new agreements.
- My staff have already compiled the agreements that we currently have on file, and have begun contacting your agencies to collect lists of agreements your department has signed and, where necessary, to obtain copies of those agreements.
- If you haven't been contacted yet, I ask 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 my office for adding into the database.
- I intend for the database to be kept current in order to provide an accurate snapshot of all of the policing agreements in BC.

Domestic Violence Training

- As you will recall 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, called Assessing Risk and Safety Planning in Domestic Violence Cases is now under development and we plan to launch this course 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 our ongoing commitment to improve collaboration and build a systemic capacity to respond effectively to cases of domestic violence in our communities.

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 our efforts to engage with our partners to build a strategic plan for policing and community safety in BC.

- We have also attempted to solicit input from the public through the BC Policing Plan blog and a telephone survey. Unfortunately, the blog has not seen the volume of participation we had hoped for, but we will continue to use it as a tool for reporting on our 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?].
- We are now moving into our 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 (which took place September 20)
 2. Multi-agency Collaboration and Integration of Services (which took place October 3)
 3. Police Funding (which takes place October 11)
 4. Continuum of Law Enforcement (scheduled for October 15)
 5. Crime Prevention and Public Safety (also scheduled for October 15)
 6. Mental Health and Policing (schedule October 23)
 7. Performance Management of Policing (October 25)
 8. Community Engagement (October 26)

- I know that some of you have been asked to participate in the focus group process and I thank you for your 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.

Thank you for your time here today.

Williamson, Joy JAG:EX

From: Webb, Sandy J JAG:EX
Sent: Tuesday, October 9, 2012 4:18 PM
To: Williamson, Joy JAG:EX; Butterfield, Nicole JAG:EX
Subject: Oct 10, 12 Speaking Notes C. Pecknold
Attachments: Oct 10, 12 Speaking Notes C. Pecknold.docx

Clayton's notes for Wednesday.

Thanks,

Sandy

Cornett, Kathy M SG:EX

Subject: BCAMCP Open
Location: Central Saanich Firehall Training Room, 1903 Mt. Newton Cross Road, Central Saanich
Start: Tue 2010-07-13 9:30 AM
End: Tue 2010-07-13 1:00 PM
Recurrence: (none)
Organizer: Begg, Kevin L SG:EX

PA-ADM

**BC ASSOCIATION OF MUNICIPAL
CHIEFS OF POLICE**

Tuesday, July 13, 2010 at 9:30 am

**Central Saanich Firehall Training Room
1903 Mt. Newton X Road
Central Saanich, BC**

BRIEFING BINDER

**Kevin Begg
Police Services Division
Policing and Community Safety Branch
Ministry of Public Safety and Solicitor General**

Speaking Notes for Kevin Begg –
Submitted by Standards & Evaluation Unit
BCAMCP July 2010, Central Saanich

JI Police Academy

I want to talk to you today about the Police Academy.

I was as surprised - as I'm sure you all were - to hear that ^{s.22}
of the Police Academy. Before I begin my
remarks on this topic, I wanted to say how appreciative Police
Services Division is of ^{s.22} contribution to police training in the
province.

Some of what I'm about to say about 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:

- My 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.

^{s.16, s.17}

- In the last year, we established the Police Training Governance Steering Committee (we call it the PT) 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: Ron Gaudet, Rich Drinovz, Ward Clapham, and Steve Schnitzer, as well as a representative from VicPD (it was Bill Naughton).

modified

We had our first meeting in April and I found it to be very valuable. 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.
- And of course, we have seconded Jane for a number of years from Saanich – which we are very appreciative of. Jane is integral to the successful “rebuild” of police training in the province.

As unfortunate as ^{s.22} 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 you to contribute - as the leaders of your organizations - 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.

As I noted, the PT will be meeting again in September. Before that 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 (yet another) 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, my 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 and you may contact Sam MacLeod for more information.

Cornett, Kathy M SG:EX

From: Graf, Betty SG:EX
Sent: Friday, July 9, 2010 10:49 AM
To: Butterfield, Nicole SG:EX
Cc: Kirby, Katherine SG:EX; Cornett, Kathy M SG:EX
Subject: Speaking Notes BCAMCP

Hi Sweetie...here you are....



BCAMCP July
2010.docx

BETe

Ministry of Public Safety and Solicitor General
Police Services Division
BCACP Update
June 2011

1. INDEPENDENT INVESTIGATIONS OFFICE (IIO)

I will start my update today with a brief overview of legislative changes to introduce the Independent Investigations Office – or the IIO.

Bill 12 – the Police Independent Investigations Office Amendment Act – received Royal Assent on June 2nd, 2011. This legislation creates the IIO under a new Part 7.1 in the *Police Act*.

Bill 12 also contained some minor housekeeping amendments to the complaints process under Part 11 of the Act. With regard to the sections of Bill 12 concerning the IIO, these will be brought into force over the coming months via regulation.

My office and the Ministry of Attorney General will provide you with plenty of notice as to when provisions under Part 7.1 of the *Police Act* come into force, particularly those that require police officers in the province to notify the IIO of incidents falling within its mandate.

2. CJB DISCLOSURE/CROWN POLICE LIAISON COMMITTEE

Now I will turn to the Crown Police Liaison Committee. This committee has been working on a Memorandum of Understanding respecting the disclosure of information to the Criminal Justice Branch.

This MOU is a comprehensive overview of disclosure requirements and includes direction that police must provide the Criminal Justice Branch with one full hard-copy transcript of all potentially relevant file material.

This would include audio and video recorded statements from witnesses or the accused, including recordings made at roadside or in vehicles.

The BCACP Traffic Safety Committee and the Traffic Commanders' assessment of the impact of this proposed disclosure policy is that this policy will effectively undermine their ability to utilize in-car cameras and/or body-worn camera footage from traffic stops.

PSD contributed over \$2 million to the purchase and installation of in-car cameras in provincial traffic vehicles – and information from Crown and police indicates that this footage has been instrumental in expediting regulatory and criminal prosecutions.

We are hoping that options may exist to either better reflect traffic enforcement needs in the policy, such as excluding traffic-related footage; or that the impact of this policy on traffic-related activities is fully considered before the policy is tabled for approval.

3. IMPAIRED DRIVING CHARGE ASSESSMENT GUIDELINES

Next, I want to report on the new Impaired Driving Charge Assessment Guidelines.

Crown Counsel has issued a policy update of the Charge Assessment Guidelines for alcohol impaired driving. The new policy outlines the types of aggravating circumstances required to proceed with a criminal prosecution of impaired driving.

Aggravating circumstances include, for example: prior convictions or prior prohibitions; significant impairment; ^{s.15} or other aggravating factors.

The policy has been shared with the BCACP membership as well as the Traffic Safety Committee. If anyone needs a copy of the policy, please contact Stacey Perri within Police Services Division's Road Safety Unit.

Now that Crown has officially confirmed this approach as their policy, there could be a public perception that BC has decriminalized impaired driving. Police agencies may wish to plan appropriate communications strategies.

4. POLICE TRAINING GOVERNANCE STEERING COMMITTEE

My final topic of the day is police training.

As you know, the *Police Training Governance Steering Committee* (or "P-T-G-S-C") replaced the BCACP Training committee. The mandate of PTGSC is to develop strategies for improving and harmonizing police training in BC.

I chaired my first meeting of the group last week. Right now we are working to establish a "Police Training Approval Process". This will allow the Committee to review proposed training projects that have implications for all police in BC, and to take coordinated steps towards prioritizing and implementing these projects, given the resources available.

Also, in the coming months we will be establishing a Working Committee to support the work of PTGSC. This Working Committee will provide training expertise, information on available resources, and advice on training projects.

The proposed name of this group is the "Police Training Advisory Committee or "P-Tack", and will replace the TOAC Training Officers Advisory Committee that the independent municipal police will be familiar with.

P-TAC will be more project-driven than the TOAC and will include the RCMP to ensure all police in BC participate in the planning of provincially-relevant training projects. We will be in touch with your agencies to get your assistance in selecting representatives for this training advisory committee.

5. BRAIDWOOD-RELATED TRAINING

This may also be a good time to provide a brief update on the BRIC training initiatives. As you know there are two provincially mandated training projects arising from the Braidwood Inquiry. These are the Crisis Intervention and De-escalation (or C-I-D) training and the CEW Operator training.

CID is required learning for all frontline police in BC and will include 3 to 4 hours of eLearning and a day of classroom time. The CEW course will also include 3 to 4 hours online and a day of hands-on training. The CID course is a pre-requisite for the CEW operator course.

The release dates for the courses are linked to the pending release of the new *British Columbia Provincial Policing Standards*. Compliance timelines for these courses are being set to ensure that all agencies can meet the timelines.

More specific communications on these matters will be coming out as we get closer to the release dates for the *Standards*.

Thank you Jamie. Thank you for giving me the opportunity to speak with you today.

Often in policing, we find ourselves in the middle of conflict: conflict between individuals, between families, between gangs, jurisdictions, even between politicians....

So it's nice to be in a room like this where everyone agrees: traffic enforcement saves lives and helps prevent human tragedies every day.

Traffic enforcement is true front line policing. Every day, you interact with people who may not be pleased that you've intervened for their safety and the safety of others – and they'll tell you so. We've all heard the excuses. But we also know the likely outcomes.

That's why no matter what the weather or circumstances, traffic officers are looking out for the lives of BC citizens – using all the tools in your power to reduce needless, preventable injuries and deaths on our roadways.

And after collisions, you are there again, conducting thorough investigations so police, analysts and researchers, justice system and insurance partners, and the public can know how, and why. And hopefully learn from those incidents.

This is a unique experience for me: to speak to a room full of law enforcement officers, public servants and road safety partners about their leadership and accomplishments in road safety, while sharing a few thoughts with my successor.

Having been both a front line officer and working within the Ministry of Public Safety for a number of years, has given me a few unique observations.

We are regularly challenged to develop one solution to fit everyone's needs. But as most of you in this room know – that's almost impossible. One single solution rarely works. Vancouver's problems may not be top priorities in Prince George or Penticton. And wildlife collisions are pretty much unheard of for thousands of Lower Mainland drivers.

So rather than a 'one size fits all approach', traffic enforcement in BC is both managed and targetted in several different ways to address our reality.

The days of driving around waiting or looking for something to happen are gone. Police managers and officers are using better quality enforcement data, research analysis, and tools to understand today's crash pictures and deploy resources more strategically.

We see the benefits and success of municipal departments, regional integrated units, and provincial enforcement teams working together to address situations and strengthen road safety throughout the province.

As police officers you attend the scene of devastating motor vehicle collisions far too frequently. You are the ones to tell families that their child or loved one isn't coming home.

So we're all especially motivated to make sure those tragic events are fewer and farther between.

Working together, we've established integrated teams in road safety enforcement, auto crime enforcement and collision reconstruction that are improving the way traffic enforcement and investigations are conducted in BC.

Together, we've put in place more appropriate policing and legislative tools. And some of the recent challenges we've addressed are already paying off.

Over the past few years, we've seen steady improvements in BC's most important traffic indicators: fewer serious injuries and fewer fatalities.

That's the result of the good work being done by everyone in this room and in communities around the province. Partners listening to the issues, stepping up to take on challenges, and being relentless in always improving the safety of the travelling public. You have helped turn tragic stories of loss, into ones of hope and positive action. The results of those efforts are making an immediate impact on BC road safety.

You asked for new legislative tools to ensure passenger safety: that every vehicle occupant should have a seatbelt and that children, our most precious cargo, are properly protected in infant carriers and booster seats.

And you asked for new, stronger sanctions to enable police officers to deal with excessive speeders, impaired and distracted drivers more effectively.

The introduction and expansion of Automated Licence Plate Recognition in BC is radically changing policing and ensuring that individuals who are prohibited from driving, or are wanted for criminal purposes, can no longer use our public roadways without fear of apprehension.

Our provincial red light camera is being upgraded and expanded to further reduce collisions at our most dangerous intersections.

In car video cameras are becoming standard features in traffic vehicles and can capture invaluable evidence at roadside to confirm your observations and secure more convictions.

You asked for more innovative ways to identify and apprehend car thieves and dangerous drivers. And we put Air One and Two in place.

BCs traffic safety helicopters are invaluable 'eyes in the sky', ensuring police can safely track extremely dangerous drivers and other criminals without putting the public or officers at risk. The enforcement and public awareness benefits of these resources have been invaluable. As police recently said, 'Despite the dangerous speeds the motorcycles reached, you can't outrun a helicopter... Police can safely track these drivers, without putting the public or our officers at any further risk.'

The introduction of new BaitCar live technology has helped ensure both officer safety and improved intelligence by providing dispatch and enforcement with real-time audio and video of what is going on side a BaitCar when it's been activated. Again, invaluable evidence for Court, officer training and public education purposes.

The value of traffic enforcement to other areas of policing is also significant. You are front line of criminal interdiction, identifying and removing major amounts of drugs, money and weapons from our roadways. This work is invaluable in major crime investigations.

You told us that vehicles should not be able to be used as dangerous weapons on the roads. Government responded by introducing civil forfeiture legislation to ensure that those who flagrantly flaunt our laws can have offence-related property – such as high end cars, motorcycles and other toys – forfeited. And put to further good use, I understand, by innovative projects like Abbotsford PDs anti-gang public education initiative.

Too many police officers and emergency workers were being put in harm's way while roadside by careless or deliberately aggressive drivers. We responded with Move over, Slow down legislation to improve officer and road safety.

You recommended to government that regulations be established to prohibit the illegitimate use of armoured vehicles. This Spring, new regulations put into effect the Armoured Vehicle and After Market

Compartment Control Act to ensure criminals couldn't create mobile safety zones while using our public roadways for criminal purposes.

These are just some of the things we've done together in the past few years to improve road safety and we know these tools are working.

BC is experiencing significant declines in serious injuries and traffic fatalities, as well as ongoing dramatic reductions in auto theft.

Together, these road safety improvements and your efforts have brought about significant benefits to police, our partners and the people of BC.

As you work together to form your strategic plans and BC's next road safety vision, remember that your efforts deliver a triple threat:

- **traffic enforcement reduces harm and saves lives;**
- **traffic enforcement saves money for government in other areas such as courts, health care and public services; and**
- **traffic enforcement generates money for further investment in public safety by your communities.**

Finally, I'd like to take this opportunity to convey my sincerest thanks to all the members of the BCACP Traffic Safety Committee: police agencies, front line police officers and road safety partners for their unwavering commitment to make BC's roads safer.

It has been my sincere pleasure to see the real progress made in improving road safety enforcement, partnerships and above all, reducing needless injuries and saving lives.

I wish all BC's road safety partners continued success.

Thank you for your dedication to traffic enforcement and road safety.

Ministry of Justice
Police Services Division
BCACP Update
February 2012

1. BC CID & CEW COURSE LAUNCH:

Police Services Division (PSD) is pleased to announce that the BC Crisis Intervention and De-escalation (CID) course and the BC Conducted Energy Weapon (CEW) Operator course were officially launched on January 30, 2012.

These courses were released in conjunction with the *BC Provincial Policing Standards*.

The BC CID course consists of about 4-5 hours of online learning and also includes a one-day face-to-face component. The CID course (both online and face-to-face) is mandatory training for all frontline officers and supervisors in BC.

The BC CEW course consists of about 3-4 hours of online learning and also includes a one-day face-to-face component. This course and its prerequisite (the BC CID course) are mandatory for certification of CEW Operators in BC.

These training development projects were a collaborative effort leveraging subject matter experts from a wide array of stakeholders. (Stakeholders include, but are not limited to, independent municipal police, RCMP, JIBC Police Academy and Pacific Regional Training Centre.)

PSD would like to thank all those who contributed to the development of these courses. It is important to note that by allowing access to experts and resources within your agency, you played an important role in making sure these projects are of high quality and relevant to all police in BC.

2. REFORM INITIATIVE AND NEW MINISTRY OF JUSTICE ANNOUNCED:

The Province has launched a reform initiative to address B.C.'s justice system and identify actions that government, the judiciary, the legal profession, police and others can take to give British Columbians more timely and effective justice services.

Ministry accountabilities are being adjusted to put full focus on the reform agenda. We now will now have a Ministry of Justice.

Geoffrey Cowper, QC, has been appointed as chair of this critical review. Cowper, one of Canada's most respected litigators and known for his work in many areas, including administrative and public law, is former chair of the Legal Services Society and former B.C. chair of the American College of Trial Lawyers.

Cowper will consult with the judiciary, Crown counsel, the legal profession, police and others to look at challenges set out in a new Green Paper which is available online at the government website, called Modernizing British Columbia's Justice System. He will identify the top issues that are affecting the public's access to timely justice and what can be done to ensure the efficiencies already underway have the desired impacts while respecting the independence of the judicial system.

The Green Paper is the foundation for a substantive debate in the coming months. Cowper will report to government as he develops recommendations around engagement of key institutions and stakeholders. Government will provide periodic updates in response to his recommendations and he will make his final report to government by July 2012.

3. SPECIAL PROVINCIAL CONSTABLE PROGRAM AND BLUE LIGHTS

I will be sending a letter out to you seeking volunteers to form a working group to work with my staff related to the Special Provincial Constable program. This working group will look at issues related to the SPC program, and will also review the use and authorization of blue lights in the province.

If you have any questions, please contact the program manager, Corinne Alexander 250-387-0099 corinne.alexander@gov.bc.ca

Congratulate

s.22

SPEAKING POINTS

ADM Pecknold

BCACP Meeting (Nov. 21/22)

- The Provincial Government remains focused on ensuring police services are delivered in an effective, appropriate and cost-efficient manner for British Columbians.
- We are all aware of the vital role technical communications systems assume in relation to these objectives, and also to our front-line officers engaged in day-to-day policing.
- The PRIME system – unique to BC – has served us well since it was implemented in 2003.
- PRIME provides real-time data to police agencies in a structured environment.
- It has improved data efficiency, data quality, and criminal analysis.
- However, to ensure BC is well-positioned to meet current and future demands on police information systems, it is essential that we continually re-evaluate our approach in this area.

- Consequently, in early 2012 PRIMECorp's Board hired a 3rd party consultant -- Gartner Inc – to review the PRIME system and provide direction on strategic planning, infrastructure, and ongoing sustainability.
- In July Gartner provided preliminary recommendations covering:
 - Governance
 - Business, Organizational and Strategic Planning
 - IT Management
 - Security & Privacy
 - Data Warehousing
 - Servers & Infrastructure Architecture
 - Disaster Planning

Today I can update you on our progress on this initiative.

- In September the PRIME Board approved all of Gartner's recommendations.
- On November 2nd the Board retained Gartner for a period of 18 weeks to assist with implementation.

- They will be holding Workshops that include key stakeholder participation and reflect themes of the recommendations.
- The Workshops will inform strategic Workplans that reflects inter-dependencies and required timelines.
- Together the Workplans will comprise a broad Action Plan that will be released in February 2013.
- These changes -- and those that are forthcoming -- amount to a pivotal transition for police information systems in BC.
- The report and recommendations will be released at the Board's direction.
- The fundamental decisions inherent to this initiative will lead PRIMECorp in a positive, future oriented direction.
- Ultimately, they will position PRIME to remain among global leaders in police information systems.
- Going forward, we respectfully ask that you support this initiative as its long-term success is very much dependent upon the backing of our police agencies.

BC Domestic Violence Course Two for Police and the accompanying PRIME template for DV Investigations:

- PSD is in the final stages of developing the second phase of an online domestic violence training program. The first course in this series, Evidence-based, Risk-focused Domestic Violence Investigations (DVI), was launched in late 2009. It covered evidence-based investigative practices and introduced a standardized job aid designed for assessing and documenting the risks identified in domestic violence (DV) investigations. The job aid is called the Summary of Domestic Violence Risk Factors (SDVRF). For the RCMP, a version of the same job aid is contained in the RCMP DV Investigation Guide.
- Over 8500 frontline police and supervisors across BC have taken DVI. Since its launch, the RCMP / E Division have taken steps to embed a version of the Summary of Domestic Violence Risk Factors in their operational policy. However, according to the CJB's Spousal Violence Resource Counsel Group there has not been consistent adoption and implementation of the SDVRF across all agencies in BC. In many cases, DV risks are not being

documented in a manner that ensures Crown gets all the information they require.

- To ensure the investigations and documentation of DV risks factors and safety planning occurs in a systematic manner across the province, we are creating a PRIME template for all DV investigations. This template is being created in consultation with experts from the Municipal Police, RCMP and Crown Counsel. It will serve as an investigative aid in every DV case and in cases where there are charges, it will form an integral part of the bail documentation. The template will be launched in 2013 in conjunction with this second online DV course called: Assessing Risk and Safety Planning in DV Investigations.
- This PRIME template has been designed to meet an identified need to standardize and streamline the communication of information on risk factors and safety planning, during the critical first stages of police intervention in a DV incident. Standardized implementation will improve how police report on domestic violence risks and safety planning.

Possible Question:

Q: The RCMP already has a very prescriptive DV investigative guide on PRIME. Will the RCMP have to complete the BC DV PRIME template in addition to what they already have in place?

A: As long as the RCMP template covers all the information on the BC DV template, they can continue to use their template.

Serious Workplace Injury and Death Investigations

- In 2004, amendments to the Criminal Code were introduced to modernize the law with respect to criminal liability of corporations.
- Senior officers within Corporations who undertake or have the authority to direct how work is done are under a legal duty to take reasonable steps towards protecting employees from bodily harm when engaged in that work. If senior officers do not carry out their duty according to their role in the company and act with a wanton and reckless disregard for the safety of employees and others, the corporation and officers may be guilty of criminal negligence.

- Within British Columbia, WorksafeBC, is mandated under the Workers Compensation Act to investigate workplace incidents resulting in fatalities or serious injury to workers.
- In 2006, WorksafeBC and the independent municipal police departments entered into a Memorandum of Understanding to ensure the investigation of any work related death or injury is conducted in a thorough, timely and effective manner.
- In the eight years since the amendments to the Criminal Code, over 7,000 workers have died across Canada. Of these deaths and countless other serious injuries, only a few cases have been investigated by police for possible criminal charges. In British Columbia, three death or serious injuries investigations have reached the courts.
- On August 30, 2012, the BC Federation of Labour met with the Minister of Justice to ask the province for the following:
 - Dedicate a Crown prosecutor to deal with workplace fatality and serious injury cases;

- Train police services on Section 217.1 of the *Criminal Code* (duty of persons directing work to prevent bodily harm); and
 - Mandatory police investigations of all workplace fatalities and serious injuries.
- At the October 2012, Federal, Provincial and Territorial Justice Ministers meeting, the issue of workplace serious injury and death was discussed. The Justice Ministers expressed their concerns with respect to the lack of prosecutions involving workplace fatalities and injuries. There was recognition that this is an important and complex issue which also involves Ministers responsible for workplace safety.
- On November 14, 2012, a meeting between the Minister of Justice, Police Services Branch, representatives of the policing community and BC Federation of Labour was held. Discussions centered on how both police and the Criminal Justice Branch can improve serious injury or death investigations. Suggestions raised during the meeting included an expansion of the current MOU or the province issuing a policy similar to the Violence Against Women in Relationship (VAWIR) policy.

- The outcome of the meeting was an agreement that a working group would be formed with representation from Police Services Branch, Criminal Justice Branch, the policing community, BC Federation of Labour and WorksafeBC.
- At this juncture, Police Services Branch is inviting participation by representatives of the BCACP.

Road Safety Unit BCACP Updates – November 2012

Approved Screening Devices

- The Breath Test Advisory Committee (BTAC) is a special-purpose police committee of subject matter experts, comprising RCMP and Laboratory representatives as well as independent police agencies, who have been addressing issues regarding the Approved Screening Devices (ASDs) since the issue was first raised by the Court a year ago in relation to Immediate Roadside Prohibitions.
- This police working group continues to monitor completion of calibration certificates, and is working towards the creation of a computer-generated document

that would both streamline and eliminate deficiencies inherent in paper-based forms.

**Crown Review of Bill C-2 (2008) Amendments to
Criminal Code re: impaired driving**

- PSD has been provided with advice from Criminal Justice Branch (CJB) regarding the recent St-Onge Lamoreux and Dineley decisions from the Supreme Court of Canada (SCC) to determine if any changes to police procedures will be required regarding alcohol impaired driving.
- The SCC found that two of the provisions included in the Bill C-2 amendments were unconstitutional and should be severed. These provisions required the accused to establish an 'evidence to the contrary' defence by providing evidence tending to show that:
 - 1) any malfunction or improper operation of the instrument resulted in the BAC reading of the accused exceeding the legal limit; and
 - 2) the accused's BAC would not in fact have exceeded the legal limit at the time of the offence.

According to BC Crown, the decision will have no impact on the Immediate Roadside Prohibition Program in BC.

Police Traffic Resources - Baseline Review

- Police Services Division is collaborating with police agencies throughout BC to collect historical information on police resourcing and finances.
- Completion of this review of baseline traffic resources is a requirement of the Enhanced Enforcement MOU with ICBC. Information on police resourcing of traffic enforcement for the calendar years 2006-2011 will be collected and analyzed.
- The online survey tool for collecting and collating this data went live on November 14th.
- A final report will be prepared before the end of fiscal year and shared with police.

Resources - Review Background:

- The information collected assists government, police and stakeholders in understanding the relationship between specialized deployments, such as traffic enforcement, and overall policing levels.
- The survey must be completed by December 14, 2012.

- Statistical information related to authorized and actual police strength and the associated financial costs of traffic unit(s) is requested for calendar years 2006-2011 (January-December).

Update on IMPACT Review

- Police Services Road Safety Unit, is currently working on a Review of the Province's Integrated Municipal Provincial Auto Crime Team (IMPACT), again a required element of the Enhanced Enforcement MOU with ICBC.
- The goals of the IMPACT Review are to:
 1. assess the role of IMPACT in the reduction of auto crime observed in B.C. since 2003, and
 2. assist IMPACT in the development of a new strategic plan that addresses the changing nature of auto crime.
- As part of the review, Police Services is conducting quantitative and qualitative analyses of:
- IMPACT's operational effectiveness, staffing and funding levels

- IMPACT's role as a covert auto crime enforcement team
- IMPACT's assistance to other property and auto crime units throughout the Lower Mainland District
- IMPACT's future role in auto crime enforcement
- The Bait Car Program's future role in auto crime enforcement

The IMPACT Review is scheduled for completion by April 1st, 2013.

ALPR Report from the Office of the Information and Privacy Commissioner

- B.C. Information and Privacy Commissioner Elizabeth Denham released a report examining the Victoria Police Department's use of automated licence plate recognition technology on Thursday November 15.

The Report contains four recommendations:

RECOMMENDATION 1 - that VICPD work with the RCMP to amend the composition of the 'other pointer vehicle' category to include only that information which is related to the purpose of ALPR.

RECOMMENDATION 2 - that the mandate of ALPR be more accurately described by VICPD and the Ministry of Justice to inform the public of the full scope of the ALPR program.

RECOMMENDATION 3 - that the ALPR system be configured to delete personal information associated with non-hits immediately after the system determines it does not match a licence plate number in the Alert Listing.

RECOMMENDATION 4 - that the ALPR system be configured to delete personal information associated with obsolete-hits immediately after the VICPD officer determines that no further investigation of the vehicle is warranted.

- We believe this report and recommendations will help facilitate a productive discussion about the use of this technology in investigations and enforcement.
- The interest of the Ministry of Justice is to ensure that technologies used by police, such as ALPR, benefit the public while make policing more effective, efficient and

safer while at the same time balancing privacy interests.

- Police Services Division will work closely with all police to review and respond to the Commissioner's recommendations. In the meantime, we expect all agencies deploying ALPR to adhere to approved procedures and policies presently in place.

BACKGROUND NOTE:2012 CounterAttack

- Winter CounterAttack will officially kick off at the end of the month with close to \$1 million in additional dedicated Winter CounterAttack overtime funding:

○ s.16, s.17

○

○

Municipal amounts are based on actual strength of each dept for 2010.

Winter allocations to Municipal Departments as follows:

Term: October 31, 2012 to January 7, 2013			
Abbotsford	\$ s.17, s.16	s.15, s.16	\$ s.16, s.17
Central Saanich	\$		\$
Delta	\$		\$
Nelson	\$		\$
New Westminster	\$		\$
Oak Bay	\$		\$
Port Moody	\$		\$
Saanich	\$		\$
Vancouver	\$		\$
Victoria	\$		\$
West Vancouver	\$		\$
	\$		\$

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.

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.

This recommendation was based on the fact that CPIC can be backlogged by several years in terms of entry of 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.

As part of the criminal record check process, could an option be included for a check of "charges and convictions" only?

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.16, s.17
 -
 - 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	s.15, s.16	s.16, s.17
Central Saanich		
Delta		
Nelson		
New Westminster		
Oak Bay		
Port Moody		
Saanich		
Vancouver		
Victoria		
West Vancouver		

BCACP – RIOT REVIEW UPDATE

Now I will turn to discussion of the sharing of police resources during events of regional significance:

Stemming from recommendations made in the independent review of the 2011 Stanley Cup riot, my staff and I have met with the Lower Mainland Chiefs along with Assistant Commissioner, Norm Lipinski, to draft an MOU Respecting Shared Resourcing for Regional Policing Events. The MOU has now been finalized.

The shared resourcing model has three levels of event-response, which include:

- **At the first level** – increased, coordinated local enforcement within your own jurisdictions;
- **Second** – regional deployment of officers to Gold Command in the jurisdiction of the regional policing event; and
- **Finally** – event-related investigative actions in circumstances where significant investigations arise after a regional policing event.

The MOU also details the process for applying for shared resources, the command structure, and the dispute resolution process; along with other common MOU items.

I want to note that the sharing of police resources has been happening effectively to date; this MOU serves to formalize the process and to address concerns raised by the riot review authors, LMD municipalities, and the public.

BCAMCP POLICE SERVICES UPDATE

April 13, 2010

1. BRAIDWOOD UPDATE

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

I'm going to give you a quick update on a couple of key activities around implementing the recommendations that have occurred since we last met as a group:

In late December or early January, you will have received a letter from the Solicitor General directing all police agencies in BC to immediately implement Braidwood's recommendation 15 – that is, to immediately withdraw and for testing any CEW that has been used in an incident involving serious injury or death.

In January, you will also have received a letter indicating that we have combined the former Braidwood advisory committees of BRIC and SABR into one committee, still named BRIC. Five representatives from the policing community have been selected to participate. The first meeting of the combined committee happens this afternoon.

In February, many of you received a request 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 my staff and will be discussed at this afternoon's BRIC meeting. The topics of these *Standards* are Threshold and Circumstances of Use; Medical Assistance; and Internal Controls and Monitoring. Other *Standards* will be developed as we move through this process.

- **Use of Force Data**

I'd like to take a few minutes to discuss Use of Force data. This is an important topic to PSD right now. It encompasses issues beyond the Braidwood recommendations.

First, a little background:

As you know, 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.

On August 12th of last year, a letter was sent to you requesting all completed use of force reports be forwarded to PSD from September 1st onward.

It is my understanding that most agencies are meeting this request and are sending reports in a timely and efficient manner. However, there are some of you that are experiencing difficulty and have either sent no reports at

all, minimal reports, or are several months behind in submitting reports.

s.16

A “happy coincidence” – if you could call it that – was that the Province was already involved in training and rolling out the SBOR Report form when Braidwood made his recommendation to create a form for data collection.

As you know, the SBOR Reporting template is a structured text page in the PRIME RMS. What you may not know, is that the SBOR text page cannot be mined for data at this time.

The SB-OR Reporting template itself was distributed to departmental PRIME coordinators on July 16, 2009.

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 SB-OR Report template by December 1, 2009, which is when data collection for the pilot also began.

As a result of all this activity:

PSD staff should be receiving a copy of all of your Use-Of-Force Reports that have occurred after September 1, 2009. This is an ongoing obligation on the part of the

departments and our office should receive this data monthly.

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. For some of you, SBOR use of force reporting was already in place as the standard. For others, this has been a more challenging task.

What that means is if you have been sending every use of force report to us since last September then you are in compliance with the requirements.

Even better, if your department has been sending us all of your use of force reports in the SBOR format from those trained to use this template (particularly since December 1st), then you are meeting both Directives from the Province concerning data collection. That is – (a) you are providing use of force data; and (b) you are using the SBOR Reporting template to do it.

It is very important that you all know that the 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.

Forwarding completed forms is not only your department's compliance to the Braidwood recommendation, but it is also your department's input into the final version of the SBOR Form itself, as we move through the pilot process.

Your departments will be consulted during the SBOR pilot evaluation; however, data from SBOR Reports are integral

to this process. 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 other words, if your department's SBOR Reports are not completed or not forwarded to my staff, it minimizes your ability to impact the overall SB-OR report template evaluation.

As mentioned earlier, Braidwood mandated that the Province create a province-wide electronic use of force database.

The Province had to develop a stand-alone, internal database to meet the Braidwood recommendation because - as I've noted - data cannot be mined from the SBOR form. The information that your departments have been sending to my 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 departments 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.

- **CEW Testing**

As you are aware, last year the Province sent all pre-2006 CEWs for testing of their electrical output. CEWs were sent to MPB Technologies, a company with considerable experience in aeronautical, military and compliance testing.

The remaining CEWs (post-2006) are currently in the process of being tested by MPB Technologies.

The first batch, containing 174 CEWs from various police agencies, was sent to the lab 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 to 7, 2010.

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

- **Domestic Violence Training Program**

You will recall that in December of 2009 PSD launched its online domestic violence program for all frontline police and supervisors in BC.

Course One - *Evidence-based, risk-focused domestic violence investigations*, emphasizes investigational practices that focus on identifying and documenting risk factors. It is available on line for your officers.

The second online course of the program entitled *Domestic Violence Investigations: An Introduction to Assessing and Risk and Safety Planning*, is in development and expected to be completed this fall. It will provide additional background on the importance of

understanding and assessing risk with an emphasis on safety planning.

Over 5000 police officers in BC should have taken these courses by November 2011.

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.

PSD is **not** leading the training development for the action plan – but we are monitoring the project to ensure that the advanced training arising from the action plan fits within the parameters of our provincial learning strategy for police. We also want to make ensure that it complements the work we have already done in the first two online courses.

I have been advised that the advanced training that will arise from the Action Plan will feature formal risk assessment training that will build on our online training. However the target audience for this third course will include police along with crown prosecutors, child protection, and victim service workers.

- **Police Act Amendments Regarding Recommendation 10:**

Regarding Braidwood Recommendation #10 in the Braidwood Report—the province is working in the spirit of this recommendation on proposing changes to the Police Act with regard to how we set standards.

2. ROAD SAFETY

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

I am pleased to advise you that 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.

All sites were selected based on a rigorous, evidence-based methodology developed by a team of road safety specialists, including the RCMP, Police Services Division, engineering and traffic safety practitioners.

Traffic volumes and crash data from over 1,400 intersections across the province were analyzed to identify highest risk locations.

Sites that have been selected for the new provincial program are those where an intersection safety camera will produce the greatest impact in reducing serious injury and fatal crashes.

ISC site selection representatives (Ken Davies and Ross Casey) have contacted police chiefs, as well as senior officers and traffic engineers who attended site selection meetings to advise them of the final sites selected in their

communities.

This week, a letter detailing the sites for each community was sent from me (Kevin Begg) 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.

We anticipate that ticketing under the new ISC program will begin in December 2010.

- **CounterAttack 2009/10 Results**

In 2009, Police Services was able to distribute 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, a 423% increase in the Impaired Driving charges, and 131% increase in the number of 24-Hour suspensions issued to drivers compared with 2007/08.

I believe the improved outcomes re: CounterAttack can be attributed to several factors: letting two rounds of contracts to effectively cover both summer and winter campaigns; letting contracts with sufficient lead time to allow for effective planning by departments; and leadership from the top to our traffic officers that impaired driving is a serious policing and public safety issue.

- **CounterAttack Hourly Rate Chargeback**

On the topic of CounterAttack, I understand there has been a request to increase the hourly charge back rate for Enhanced CounterAttack enforcement, as the current
s.17 no longer represents an hourly cost-recovery rate.

Funding for the Enhanced CounterAttack (summer and winter) enforcement comes from lapsed funding from the previous year.

The funding formula for determining individual department's allocation is based on the authorized strength of individual departments.

As you know, there are several budget pressures this current year and Police Services Division remain hopeful that we will be in a position to allocate funding consistent with the 2009/10 funding allocations for 2010/11 enforcement activities.

The BCAMCP could submit a proposal to Mark Tatchell outlining what you think would be an agreeable rate of reimbursement for independent police agencies working during enhanced enforcement campaigns.

3. 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. Three components of this plan are:

- Licensing regime for the sale and purchase of body armour;
- Outlawing armoured vehicles; and
- Mandatory gunshot and stab wound reporting.

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.

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.

Gunshot and Stab Wound Reporting

Another commitment in the Premier's 7 point plan to combat gang and gun violence is requiring all health facilities to report treatment of any patients with gunshot wounds. Based on the

commitment, consultation with key agencies in the health sector on mandatory gunshot wound reporting legislation was conducted during the fall of 2009. 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 possible implementation in BC. This work is also expected to be completed this Spring.

KEVIN BEGG SPEAKING NOTES
BCAMCP
January 2011

Intersection Safety Camera Sites

The first set of Intersection Safety Camera (ISC) sites are scheduled to go live next week. Further information in an email notice this week to applicable communities.

SBOR

Discussion on SBOR Use of Force reporting and the recent evaluation conducted by Police Services Division.

PSD implemented a standardized Use of Force report template called Subject Behaviour-Officer Response (SBOR) in PRIME at the beginning of 2010 for all independent municipal police departments. (The RCMP also implemented SBOR but in stand-alone software.)

An evaluation of SBOR reporting for municipal departments was conducted by PSD staff. The purpose and scope of the SBOR evaluation was to:

- examine the quality of reporting using the SBOR report form;
- review the threshold of reporting;
- identify issues that may have impacted the successful implementation of SBOR reporting; and
- identify potential amendments to the SBOR report form.

The evaluation consisted of:

- observation of SBOR training sessions;
- consultation/interview with all participating police agencies; and
- review of common errors in SBOR reporting.

The evaluation report outlines the findings resulting from the evaluation and makes recommendations regarding:

- threshold of reporting
- content of the SBOR report form;
- training for SBOR reporting;
- the reporting platform for SBOR.

Threshold

The threshold of reporting for SBOR was originally set at the level of physical control -soft and higher. This was based on the recommendation from the Provincial Use of Force Co-ordinator and was consistent with the exiting Provincial Standard (from the old Police Commission). This threshold provides for a comprehensive view of force options used by police, it gives police agencies the capacity to monitor use of force at all levels, and data from all levels of force can be used to inform training and policy.

The evaluation found that, although a majority of agencies supported the threshold of reporting to SBOR at the soft-physical-control level, some agencies, notably some larger agencies, did not. The fundamental reason was that it was considered much too resource intensive to require officers to report at the soft-physical control level. However, all agencies, even those that did not support the general threshold of soft physical control, were in agreement that an SBOR report should be completed if a soft physical control technique resulted in injury.

We accept that use-of-force reporting and data from the soft physical control level is useful, however this needs to be balanced against the resources required for this level of reporting. In consideration of this, there will be a change to the provincially-mandated SBOR reporting threshold. That is, the new threshold will be *hard* physical force and higher. Soft physical control will only need to be reported if an injury occurred to either the subject or the officer.

I want to emphasize, that this will be the minimum standard required by the Province. Any agency, if it chooses, can still set internal policy requiring officers to report Use Of Force at a lower, more inclusive threshold.

Reporting at different thresholds will NOT be a problem for provincial statistics as it is a very simple matter to separate out the reports of the lower threshold to ensure that the collection and summary of provincial statistics, or any basis of comparison, is the same. That is, that we are comparing apples to apples.

Dr. Gabi Hoffman

Dr. Hoffman spoke further on the results of the SBOR evaluation.

In a 4 month period PSD received 522 SBOR reports. 58% contained one or more reporting errors, sometimes only one SBOR report was filled out when two was required. A common error is not filling in the required fields.

It was suggested that there be follow up training; many or most felt it could be by e-mail. PSD will be considering what additional training may be required.

The SBOR form will be amended to incorporate some missing variables and the structure will be changed to navigate through the form.

It was recommended that SBOR reports include police service dogs where canine force displays/bites occurred. This is not to include all dog calls. E.g. if a dog is used just to search for someone this would not be reportable through SBOR."

ERT – same reporting threshold as all other officers (hard physical force and higher. Soft physical force if an injury occurred). Confidential operational information is not required.

Terms of reporting platform SBOR just posted as a text line on PRIME. No mandatory fields no drop down menus. Feedback received was that officers want the software improved. The information that is collected in SBOR is not easily retrieved for analysis. PSD is aware that this situation is not ideal and are looking at options for a solution.

The next steps will be finalizing the evaluation report which will be forwarded to the Chiefs setting out key findings, and future steps that will be taken.

A summary of 2010 CEW's will be the first report

**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 20th, where the Terms of Reference for the Working Group will be finalized.

4. RETENTION OF EVIDENCE

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:

- 1 rep from Courts;
- 1 from Crown;
- 2 from the RCMP;
- 2 from your agencies; and
- 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:

- s.16
-
-
-
-
-

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

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.

Not Responsive

6. FEDERAL FISHERIES OFFICERS

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

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.

Ministry of Public Safety and Solicitor General
Police Services Division
BCAMCP Update
September 2011

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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 20th, where the Terms of Reference for the Working Group will be finalized.



4. RETENTION OF EVIDENCE

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:

- 1 rep from Courts;
- 1 from Crown;
- 2 from the RCMP;
- 2 from your agencies; and
- 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:

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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

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 Crimestoppers 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.

6. FEDERAL FISHERIES OFFICERS

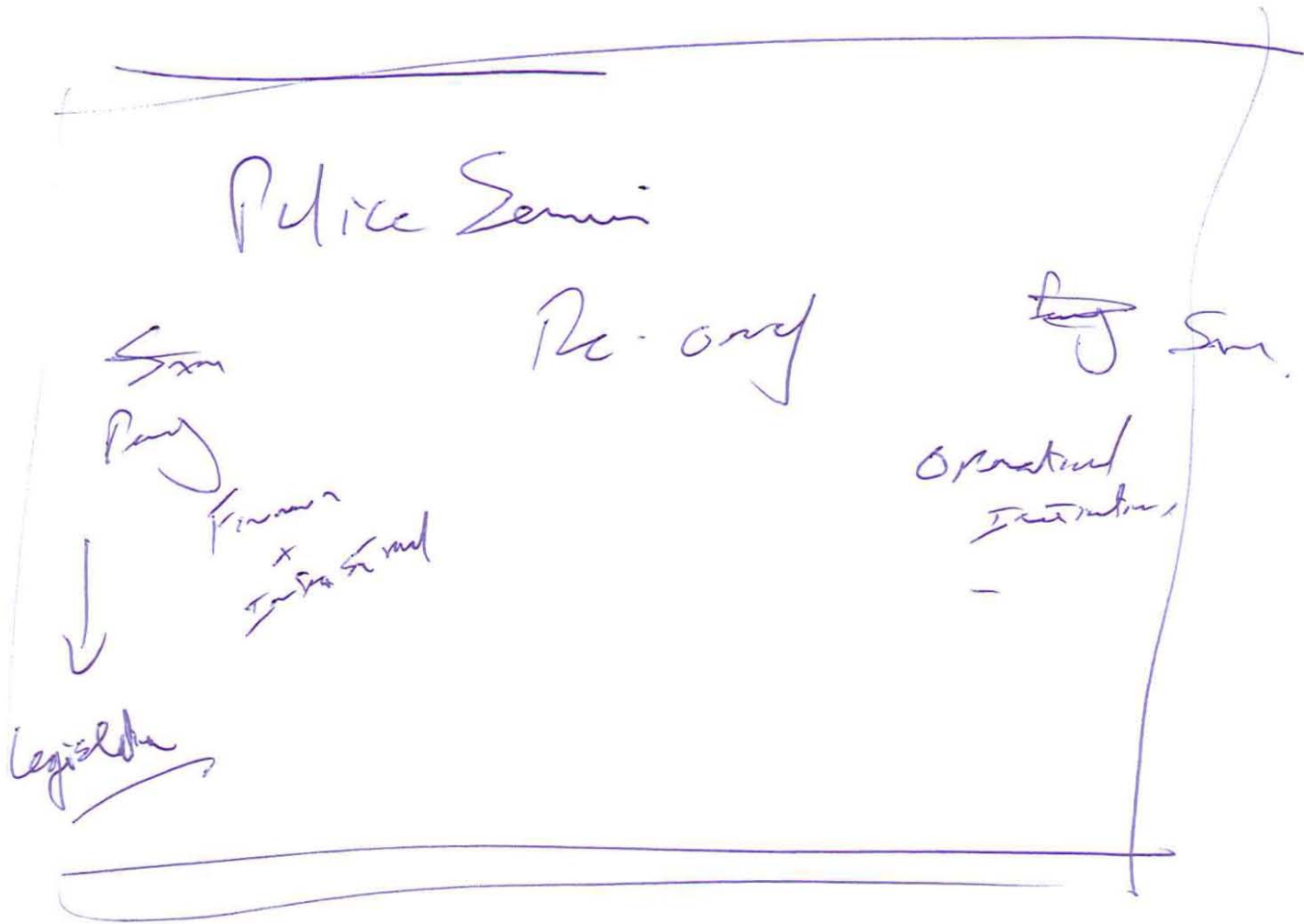
My final item for today is a quick status update from our Special Provincial Constable program.

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.



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