



TRANSIT POLICE

SUDDEN DEATH

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Revised Date: Interim Amendments: March 31, 2008, January 30, 2012, October 31, 2014. July 20, 2018

Reviewed Date:

Review Frequency: 2 Years

Office of Primary Responsibility: Inspector Operations

POLICY

Police, the Independent Investigations Office (“IIO”) and the BC Coroners Service have independent parallel investigation powers that frequently overlap in the investigations of sudden deaths. A memorandum of understanding exists between the parties on respective roles and responsibilities. The Transit Police must follow inter-agency protocols with respect to: notification of the Coroner, Jurisdictional Police Department (“JPD”) and IIO; protecting the scene of death and body; seizing and controlling of exhibits; assisting the Coroner and JPD as requested; and investigating the incident when taking conduct as the responsible police agency. Transit Police officers will coordinate with the impacted transit companies regarding securing the scene and application to system resiliency; this includes prior discussion with the Coroner. Where sudden deaths are suspicious, the Transit Police will transfer conduct of the file to the JPD.

Definitions

Coroners Act – British Columbia *Coroners Act*, SBC 2007, c.15.

Critical Incident – Pursuant to the *Police Act* and the Memorandum of Understanding respecting IIO Investigations, whenever on-duty officers attend:

- (a) any incident where there is a reasonable belief that the presence, action, or decision of an on-duty officer
 - i. may have been a contributing factor in the death of any person, including all in-custody deaths;
 - ii. may have been a contributing factor in a life-threatening injury to any person;
 - iii. may cause disfigurement (permanent change in appearance), if there were no medical intervention;
 - iv. may cause permanent loss or impairment of any function or mobility of the body, if there were no medical intervention;
- (b) any discharge of a firearm by an on-duty officer where there is a reasonable belief that any person (including a police officer) may have been injured;
- (c) any incident where there is a reasonable belief that the action of an off-duty officer
 - i. may have been a contributing factor in the death of any person;
 - ii. may have been a contributing factor in a life-threatening injury to any person;
 - iii. may cause disfigurement (permanent change in appearance), if there were no medical intervention;

- iv. May cause permanent loss or impairment of any function or mobility of the body, if there were no medical intervention.

NOTE: The IIO has asked that police agencies do not notify the IIO of on-duty incidents that concern pre-existing mental or physical illnesses or injuries that are not reasonably believed to have “resulted from the presence, action or decision of an on-duty officer.”

Criminal Code – *Criminal Code of Canada* [RSC 1985, c. C-46]

Designated Constables – The Transit Police police officers appointed by the Police Board.

IIO – Independent Investigations Office of British Columbia established pursuant to s. 38.02 of the *Police Act*.

JPD – Jurisdictional Police Department.

Member – A Designated Constable (all ranks), the Chief Officer or a Deputy Chief Officer of the Transit Police.

OCC – Operations Communication Center of the Transit Police.

OPCC – Office of the Police Complaint Commissioner of British Columbia established under Part 9 of the *Police Act*.

Police Act – The *BC Police Act*, RSBC 1996, c. 367, and the regulations thereto, including the *Transit Police Complaints and Operations Regulation*.

Police Board – The South Coast British Columbia Transportation Authority Police Board.

Reportable Death – Pursuant to s. 3 of the *Coroners Act*, when a police officer receives a report of death under s. 2 of the *Coroners Act* (as referenced below), the police officer must immediately report to the coroner the facts and circumstances related to the death. In addition the police officer must report to the coroner the death of a person who dies while detained by or in the custody, or in a custodial facility, of a peace officer; or as a result, directly or indirectly, of an act by a peace officer performed in the course of his or her duty. Under s. 2 of the *Coroners Act*, deaths include:

- 2 (1) *The death or an adult or child who the person has reason to believe has died*
 - (a) *as a result of violence, accident, negligence, misconduct or malpractice,*
 - (b) *as a result of self-inflicted illness or injury,*
 - (c) *sudden and unexpectedly, when the person was apparently in good health and not under the care of a medical practitioner,*
 - (d) *from disease, sickness or unknown cause, for which the person was not treated by a medical practitioner,*
 - (e) *during pregnancy, or following pregnancy in the circumstances that might reasonably be attributable to pregnancy,*

- (f) *if the chief coroner reasonably believes it is in the public interest that a class of deaths be reported and issues a notice in accordance with the regulations, in the circumstances set out in the notice, or*
- (g) *in any prescribed circumstances.*
- 2 (2) *If a child died in circumstances other than those described in subsection (1), a person who, by regulation, must report child deaths, must immediately report to the chief coroner, in the form required by the chief coroner,*
- (a) *the facts and circumstances relating to the child's death, and*
- (b) *any other information required by the chief coroner.*

Reportable Injury – As defined in the *Police Act*, any of the following: an injury caused by discharge of a firearm; an injury requiring emergency care by a medical practitioner or nurse practitioner and transfer to a hospital; or an injury described by regulation under s. 184(2)(c) of the *Police Act*.

Transit Police – The South Coast British Columbia Transportation Authority Police Service.

Authority

1. Police conduct investigations pursuant to various statutes; including the *Criminal Code*. The Coroner conducts investigations pursuant to the *Coroners Act*. The police, IIO and Coroner have independent parallel investigative powers that frequently overlap in the investigation of deaths. The *Criminal Code* and *Coroners Act* co-exist and allow for cooperation and the exchange of records and personal information between the police, IIO and Coroner for their respective investigative mandates. Police do not exercise powers under the *Coroners Act* unless requested and authorized by the Coroner and, conversely, the Coroner is not the agent of the police for criminal investigations. The police, IIO and Coroner consult with each other about specific investigations; and generally about the disclosure of information, including personal information as defined by the *Freedom of Information and Protection of Privacy Act* ("FOIPPA"), and the delivery of operational assistance between the agencies.
2. With homicide or suspicious death circumstances in British Columbia, the police will take control of the scene where human remains have been found. The Coroner coordinates and directs the post mortem examination of the body.

General

[Refer also to: [SOP01 – Sudden Death](#)]

3. s.69(2)(a)(d) Police Act, s.15(1)

- (1) s.69(2)(a)(d) Police Act [Redacted]
 - 4. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]
 - 5. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]
 - 6. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]
 - 7. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]
 - 8. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]
- [Redacted]

PROCEDURES

Duties of the Operations Communication Center (OCC)

- 9. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

(7) s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

[Redacted]

Duties of Members First on Scene

10. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

11. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

12. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

13. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

Interviewing Witnesses

17. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

18. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

19. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

20. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

Family/Witness Assistance

21. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

22. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

23. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

24. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

[Redacted]

Medication and/or Drugs

25. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

26. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

27. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

[Redacted]

Duties of Patrol Supervisor

28. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

[Redacted]

29. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

30. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

31. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

32. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

33. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

[Redacted]

34. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

35. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

Coroner

36. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

[Redacted]

37. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

38. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

39. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

40. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

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- 41. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

- 42. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

Transportation of Deceased

- 43. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

- 44. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

[Redacted]

[Redacted]

Valuables

45. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

[Redacted]

46. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

[Redacted]

47. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

48. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

Criminal Record Check

49. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

50. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

51. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

52. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

Identification of the Deceased

53. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

54. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

55. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

56. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

57. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

Notification Next-of-Kin

58. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

59. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

60. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

[Redacted]

61. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

62. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

63. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

64. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

[Redacted]

[Redacted]

65. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

66. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

No Next-of-Kin

67. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

68. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

[Redacted]

Disclosure of Information and Press Releases

69. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

70. s.69(2)(a)(d) Police Act, s.15(1)
[Redacted]

[Redacted]

71. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

[Redacted]

Documentation

72. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

73. s.69(2)(a)(d) Police Act, s.15(1) [Redacted]

Key References

British Columbia *Police Act* [RSBC 1996, c. 367]

British Columbia *Coroners Act* [SBC 2007, c.15]

Criminal Code of Canada [RSC 1985, c. C-46]

Memorandum of Understanding between the British Columbia Coroners Service, Royal Canadian Mounted Police, Municipal Police Departments, Designated Policing Units and Independent Investigations Office of British Columbia [2017]

Memorandum of Understanding between the Transit Police and Jurisdictional Police [2016]

Correspondence from Chief Coroner to police agencies regarding “Coroners Taking Possession of Deceased Persons” [May 21 and June 12, 2014]