

PUBLIC

To: South Coast British Columbia Transportation Authority Police Board
(Police Board)

From: Chief Officer Dave Jones
South Coast British Columbia Transportation Authority Police Service
(Transit Police)

Date: May 7, 2019

Subject: 2019 Q1 Complaint Statistical Report [Report No. 2019-14]

Information Report

PURPOSE

To inform the Police Board of the 2019 first quarter *Police Act* complaint update for the Transit Police.

BACKGROUND/DISCUSSION

This report provides a Transit Police statistical update of “Public Trust” complaints (Division 3) and “Service and Policy” complaints (Division 5) under the *Police Act*. Information for the January – March (“Q1”) 2019 period is provided as well as trending comparison for the years 2014 to 2018 (annual statistics).

Public Trust Complaints

Chart 1 outlines the total number of Public Trust complaint files under the *Police Act* that the Transit Police had for the specified periods. The total is composed of “Admissible Complaints” and “Ordered Investigations”.

Definitions:

Admissible Complaints – Admissible (registered) complaints are formal complaints under the Police Act that are made by members of the public concerning the conduct of police officers.

Ordered Investigation – Public Trust investigations that are ordered by the Police Complaint Commissioner (“PCC”), whether it is upon the request of a police service or as a result of information received directly by the PCC from any source that raises concerns about police officer misconduct. The legislation also requires the PCC to order a mandatory external investigation into serious harm or death incidents, pursuant to s. 89 of the Police Act.

Chart 1

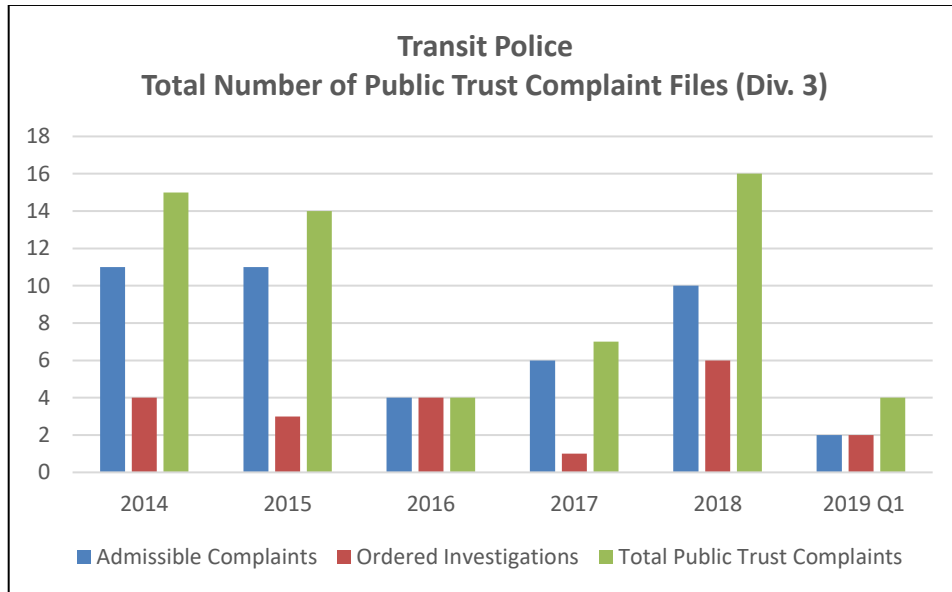


Chart 2 shows the number of substantiated Public Trust complaints following the file investigation and concluding review by the OPCC. As the 2019 Q1 Public Trust complaint files are still active and/or open before the OPCC, the substantiated file status may change by year-end.

Definition:

Substantiated – The allegation(s) is proven and the matter proceeds to a discipline process.

Chart 2

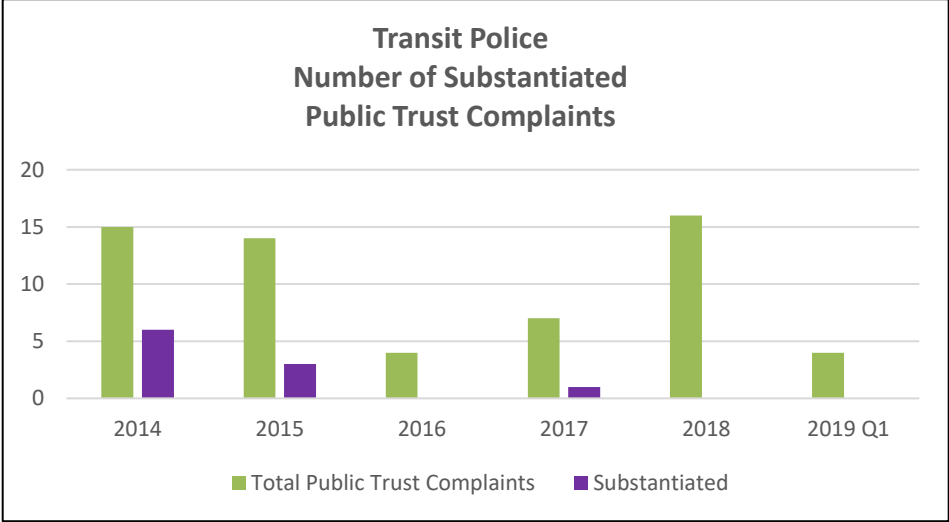
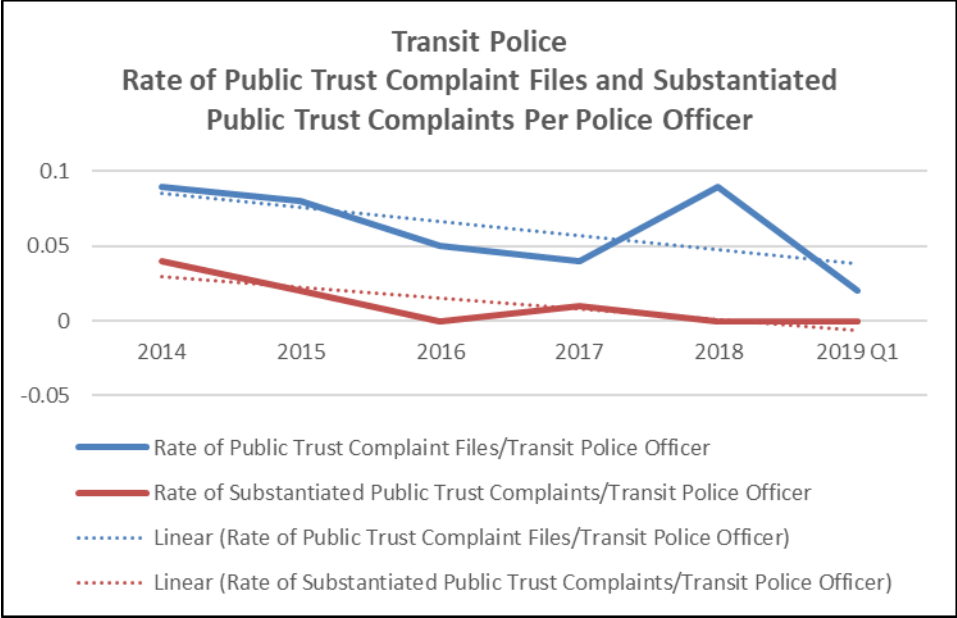


Chart 3 is the rate of Public Trust complaint files received per Transit Police Officer. (Note: Rates change once the OPCC has concluded files from prior years.)

Chart 3



Categories of Misconduct

There are 13 different categories of misconduct set out in s. 77 of the *Police Act*:

- Abuse of Authority
- Discreditable Conduct
- Accessory to Misconduct
- Improper Disclosure of Information
- Corrupt Practice
- Improper Off-Duty Conduct
- Damage to Police Property
- Improper Use/Care of Firearms
- Damage to Property of Others
- Misuse of Intoxicants
- Deceit
- Neglect of Duty
- Discourtesy

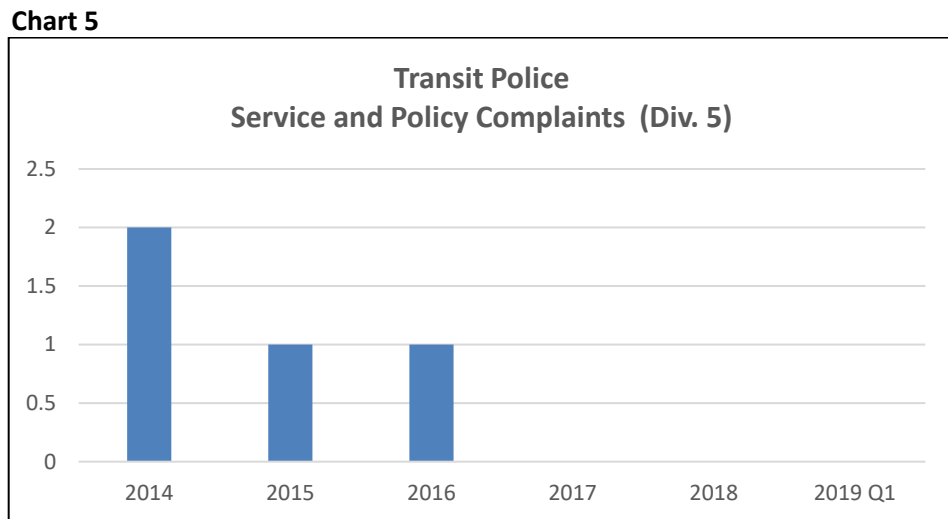
A complaint may involve one or more misconduct allegations. Misconduct allegations may change throughout the course of an investigation or as a result of analysis by the OPCC, the discipline authority or the investigator. Chart 4 below identifies the categories of misconduct that were found in the substantiated Public Trust complaints for each year.

Chart 4

Transit Police Misconduct Categories Involved with Substantiated Public Trust Complaints						
	2014	2015	2016	2017	2018	2019 Q1
Abuse of Authority	1	0	0	0	0	0
Discreditable Conduct	2	1	0	0	0	0
Accessory to Misconduct	0	0	0	0	0	0
Improper Disclosure of Information	1	0	0	0	0	0
Corrupt Practice	0	1	0	0	0	0
Improper Off-Duty Conduct	0	0	0	0	0	0
Damage to Police Property	0	0	0	0	0	0
Improper Use/Care of Firearms	1	0	0	0	0	0
Damage to Property of Others	0	0	0	0	0	0
Misuse of Intoxicants	0	0	0	0	0	0
Deceit	1	0	0	0	0	0
Neglect of Duty	3	1	0	1	0	0
Discourtesy	1	0	0	0	0	0

Service and Policy Complaints

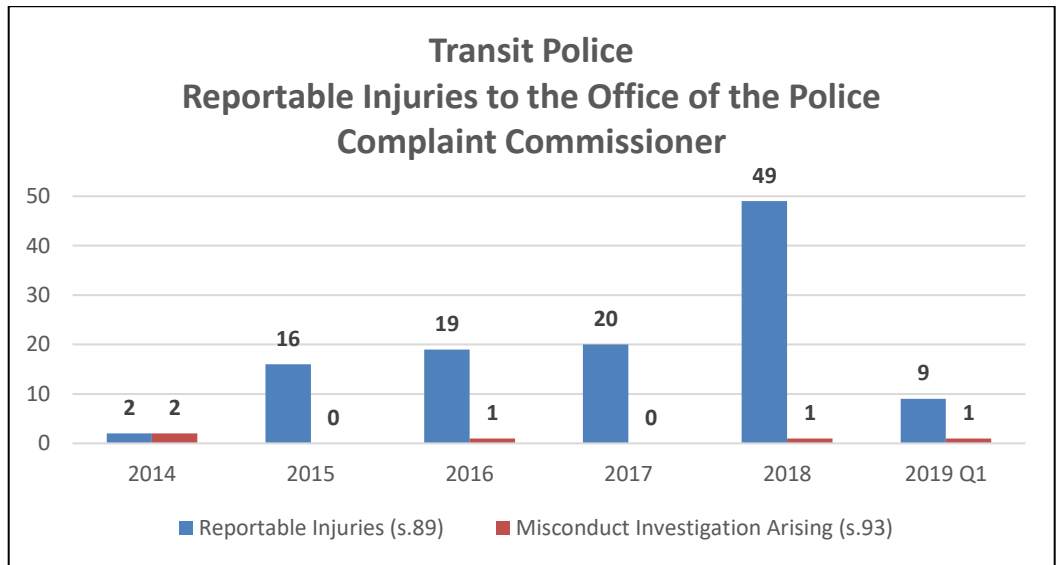
Under s. 168 of the *Police Act*, a person may make a “Service” or “Policy” complaint. Such a complaint may arise within a Public Trust complaint or be an independent complaint. A service or policy complaint are those regarding the quality of a police agency’s service to the community or regarding the police agency’s operating policies. Chart 5 shows the number of service and policy complaints received each year.



Reportable Injuries or Deaths

The Transit Police Professional Standards Section is required to report all incidents where an individual in the care or custody of the police suffers a serious injury, or death, or an injury sustained as a result of police conduct. The OPCC opens a ‘monitor file’ until it is determined whether a *Police Act* investigation is warranted. Where an investigation is required, the incident is included within the ‘Ordered Investigation’ statistics. The number of reports made to the OPCC under s. 89 of the *Police Act* is shown in **Chart 6** (on next page), as well as the number of any s. 93 investigations arising.

Chart 6



In 2018, Transit Police adopted an approach to err on the side of caution with respect to the threshold used for reportable injuries, particularly where a person had taken drugs, or drugs are found on the person and they are subsequently taken to the hospital. The increase in reportable injuries in 2018 is attributed to this approach. Some injuries occur incidental to arrest (e.g., sore wrist or leg, or dislocated finger). As a result of subsequent consultation with the OPCC, the threshold of reporting has been adjusted by the Transit Police to be consistent with the practices of other jurisdictional police.

CONCLUSION

The Transit Police expects professional conduct by its Members. The police service continues to be proactive and implement measures to develop our Members and enhance their ability to meet the expectations of the police service and the public. The Transit Police’s “Rapid Response Strategy” to queries/concerns and complaints, thorough investigation of complaints, and diligence of Members all contribute to the Transit Police building and maintaining of public confidence.

Chief Officer Dave Jones

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