



## **PUBLIC**

To: South Coast British Columbia Transportation Authority Police Service Designated Policing Board (“Police Board”)

From: Chief Officer Suzanne Muir  
South Coast British Columbia Transportation Authority Police Service Designated Policing Unit (“Transit Police”)

Date: October 17, 2024

**Subject: 2024 Q1-Q3 Complaint Statistical Report [Report No. 2024-53]**

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Information Report

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## **PURPOSE**

To inform the Police Board of the 2024 Q1-Q3 *Police Act* complaint statistical update for the Transit Police’s Designated Policing Unit and Designated Law Enforcement Unit.

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## **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 January – September 2024 is provided as well as the five year trending comparison, capturing 2019 to 2023.

### **Public Trust Complaints**

Chart 1 outlines the total number of Public Trust complaint files under the *Police Act* that the Transit Police had in 2024 Q1-Q3, in comparison to the annual statistics for 2019 to 2023. The total is composed of “Admissible Complaints” and “Ordered Investigations”. Historically, we have grouped s. 89 investigations with s. 93 for the Police Board reports.

In 2024 Q1-Q3, there were two “Ordered Investigation” files and seven “Admissible Complaint” files, all of which remain active. For the comparative period in 2023 Q1-Q3, there were four Admissible Complaints and one Ordered Investigation.



With the operational deployment of our Community Safety Officers (“CSOs”) at the end of 2023, the Part 11 Complaint provisions of the *Police Act* now apply to those CSOs. Therefore, this report now captures Public Trust Complaints for Transit Police Officers and CSOs. The rate of complaints for each of the sworn member groups are shown in Charts 3 and 4.

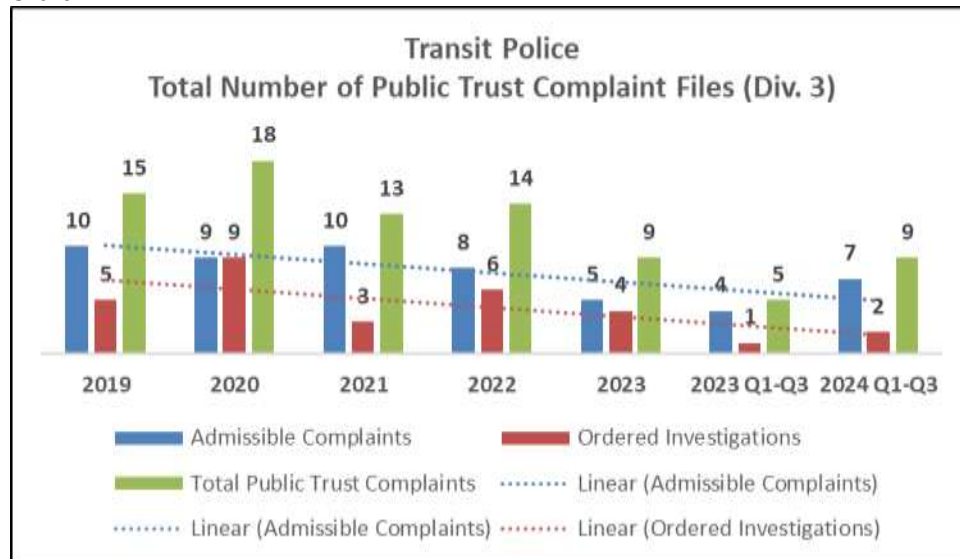
(Note: Where a Public Trust Complaint includes both a police officer and CSO, it will be accounted for in each of Charts 3 and 4.)

**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 and CSOs.

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



Substantiated Complaints

Chart 2 shows the number of substantiated Public Trust complaints following the file investigation and concluding review by the Office of the Police Complaint Commissioner (“OPCC”). As some of the 2023 Public Trust complaint files are still active and/or open before the OPCC, the substantiated file status may change on their conclusion.

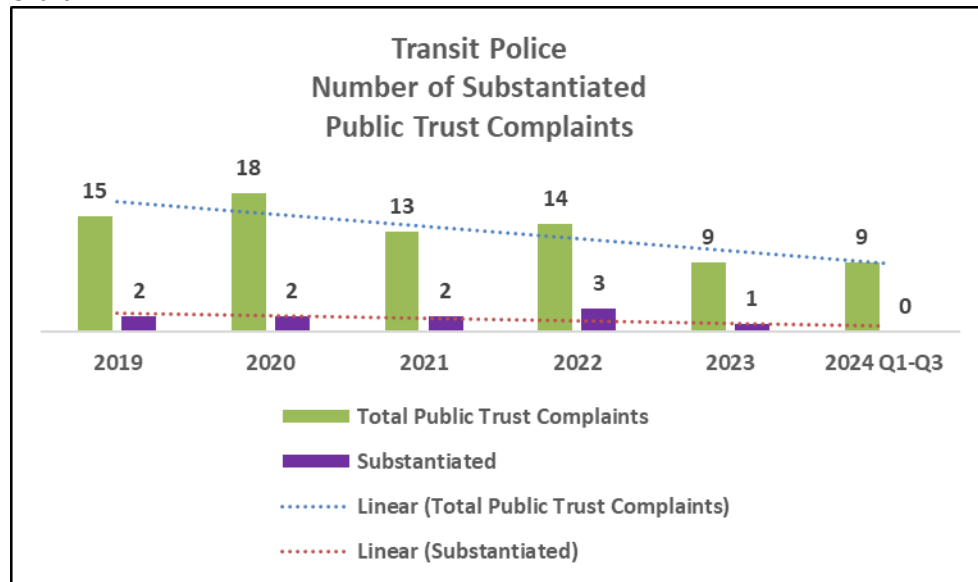


The Transit Police has recorded 10 substantiated Public Trust Complaints between 2019 and 2024 Q1-Q3. To date, there has been no substantiated Public Trust Complaint for 2024 Q1-Q3.

**Definition:**

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

Chart 2



Rate of Complaints

Chart 3 shows the annual rates of Public Trust complaint files per police officer and substantiated Public Trust complaints per police officer from 2019 to 2023 and 2023 Q1-Q3, in comparison to 2024 Q1-Q3. Please note that there may be further changes to the substantiated complaint rate as some 2023 files remain under investigation or are not yet concluded through the OPCC process.



Chart 3

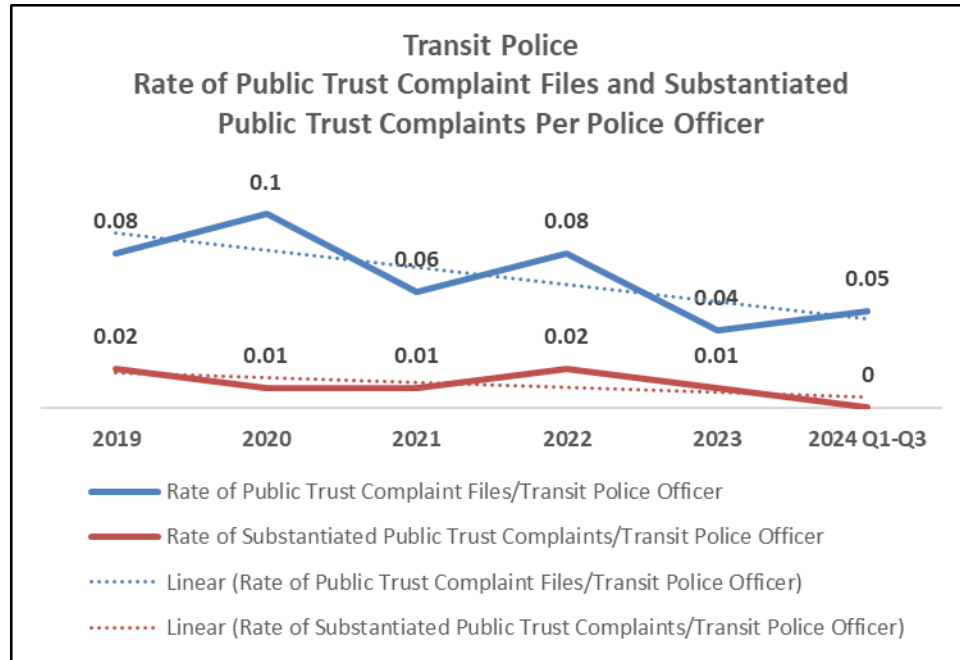
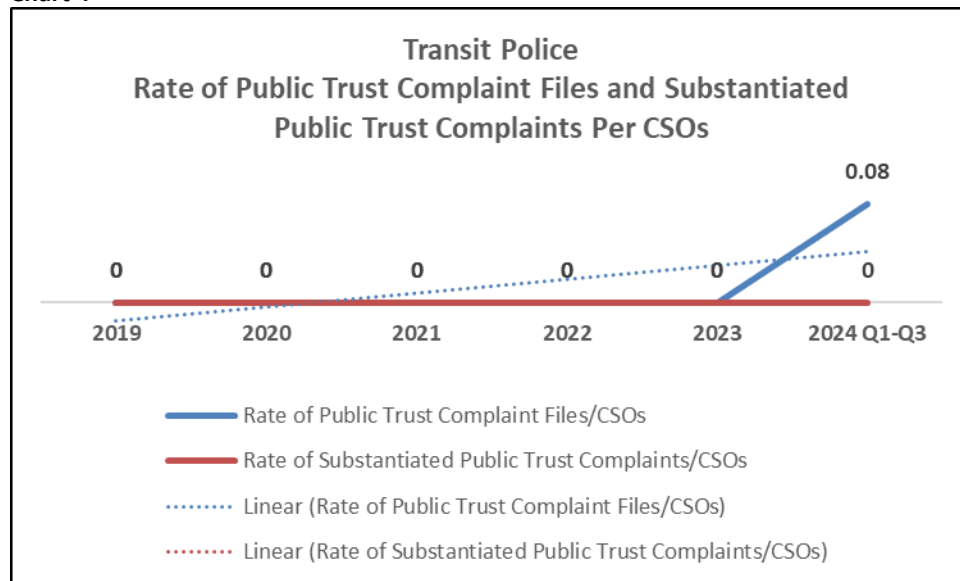


Chart 4 shows the rate of Public Trust complaint files per CSO in 2024 Q1-Q3 and will show the annual substantiated Public Trust complaints per CSO from 2024 onward. There were two Public Trust Complaints involving CSOs for the Q1 to Q3 period (no new ones in Q3 itself).

Chart 4





## Categories of Misconduct

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

<ul style="list-style-type: none"> <li>• Abuse of Authority</li> <li>• Accessory to Misconduct</li> <li>• Corrupt Practice</li> <li>• Discreditable Conduct</li> <li>• Improper Disclosure of Information</li> <li>• Improper Off Duty Conduct</li> <li>• Damage to Police Property</li> </ul>	<ul style="list-style-type: none"> <li>• Improper Use/Care of Firearms</li> <li>• Damage to Property of Others</li> <li>• Misuse of Intoxicants</li> <li>• Deceit</li> <li>• Neglect of Duty</li> <li>• Discourtesy</li> </ul>
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A complaint may involve one or more misconduct allegations and, for some files, more than one Member. Misconduct allegations may change throughout the course of an investigation or as the result of analysis by the OPCC, the discipline authority or the investigator. Chart 5 identifies the categories of misconduct that were found in the substantiated Public Trust complaints over the past five years.

**Chart 5**

Transit Police Misconduct Categories Involved with Substantiated Public Trust Complaints						
Misconduct Categories Involved with Substantiated Public Trust Complaints	2019	2020	2021	2022	2023	2024 Q1-Q3
Abuse of Authority	0	0	0	0	0	0
Discreditable Conduct	3	1	1	0	0	0
Accessory to Misconduct	0	0	0	0	0	0
Improper Disclosure of Information	1	0	0	0	0	0
Corrupt Practice	3	0	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	2	0	2	3	1	0
Discourtesy	0	1	0	0	0	0

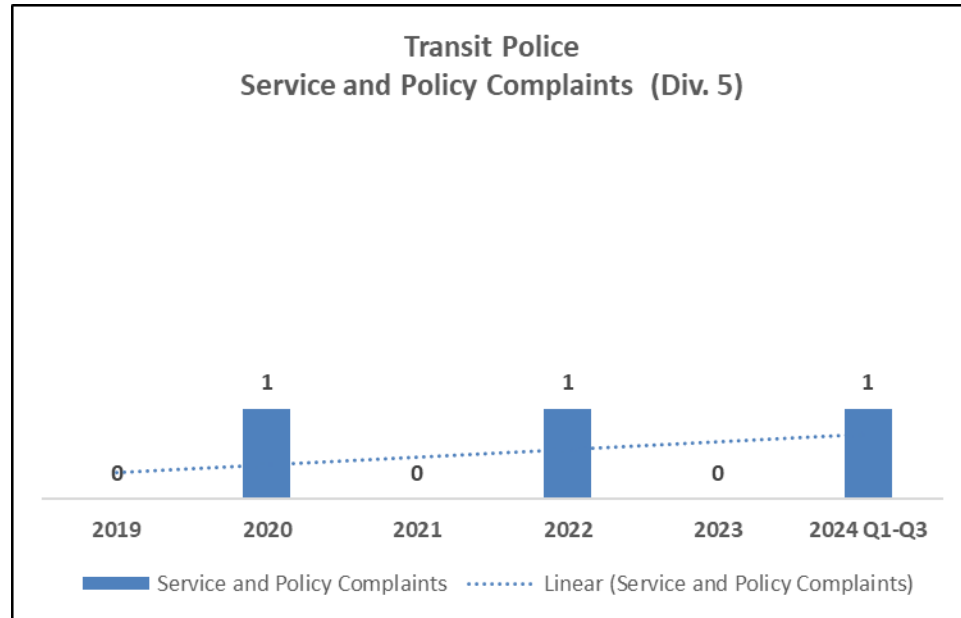
## Service and Policy Complaints

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 the police agency’s service to the community or regarding the police agency’s operating policies. Chart 6 shows the number of service and policy complaints received each year from 2019 to 2024. The Police Board received



one Service and Policy complaint in 2024 Q1-Q3, which is nearing conclusion following investigation.

Chart 6



### Reportable Injuries

The Transit Police Professional Standards Unit (“PSU”) is required to report all incidents where an individual in the care or custody of the police suffers a ‘reportable injury’ that requires medical treatment at a hospital. The OPCC opens a ‘monitor file’ until it is determined whether a *Police Act* investigation is warranted or not. Where a misconduct investigation is required, the incident is also included within the ‘Ordered Investigation’ statistics. The number of reportable injuries for 2019 to 2024 are shown in Chart 7. There were three reportable injuries in 2024 Q1-Q3 and no misconduct investigation arising. For comparison, 2023 Q1-Q3 saw nine Reportable Injuries, with no misconduct investigation arising.

Some injuries occur incidental to arrest (e.g., sore wrist or leg, or dislocated finger). A complete review of the increase in the number of reportable injuries was undertaken in 2019. At that time, no issues of concern were discovered related to the actions of our Members, nor has issue arisen since then in relation to s. 89 events.



Chart 7



### Professional Standards Unit

PSU is continues to operate well; however, with the addition of the CSOs there is some additional work resulting from complaints lodged against CSOs. Further, with Surrey Police Service becoming police of jurisdiction in November 2024, the PCC will be referring some complaint files against SPS members to Transit Police and other municipal police agencies to investigate. These changes as well as increases to Transit Police authorized strength for expansion planning has identified the need to increase the size of PSU in 2025 (add one Sergeant).

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