

Office of the Police Complaint Commissioner

British Columbia, Canada

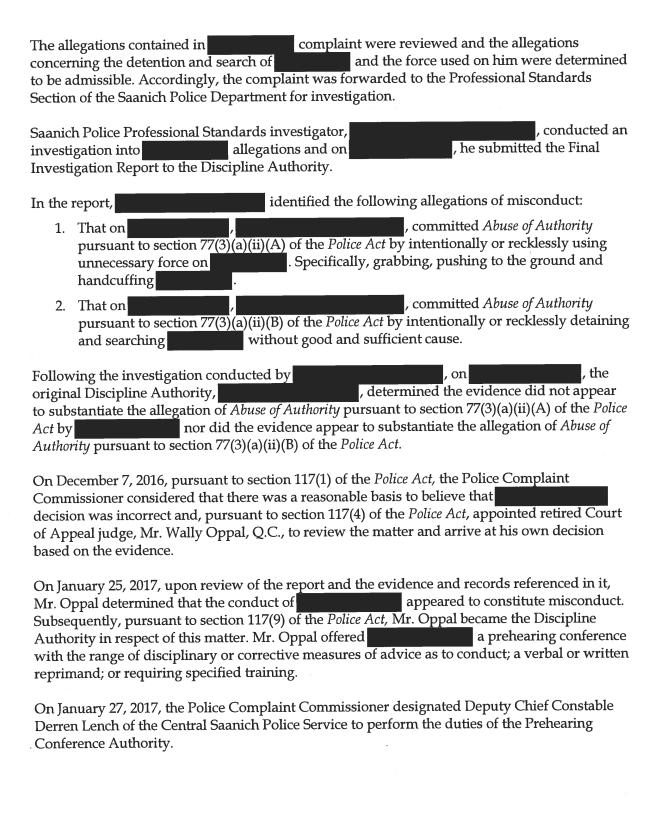
CONCLUSION OF PROCEEDINGS

Pursuant to s.120(16) of the Police Act, RSBC 1996, c.367

OPCC File: 2016-11505 March 9, 2017

То:		(Complainant)
And to:	c/o Saanich Police Department Professional Standards Section	(Member)
And to:	The Honourable Mr. Wally Oppal, Q.C. Retired Judge, BC Court of Appeal	(Discipline Authority)
And to:	Deputy Chief Constable Derren Lench c/o Central Saanich Police Service Professional Standards Section	(Prehearing Conference Authority)
And to:	Chief Constable Bob Downie c/o Saanich Police Department Professional Standards Section	
registered Saanich Poriding his I his identifi which the provide idecontinued officer state officer there	plice Department. Briefly, reported bicycle when he was pulled over by a police of	Ing his concerns with a member of the d that on the difference of the was a fficer. The officer immediately asked for a fire and that if the did not on. In the did not on. In the distriction of the request to advise that he did not on. In the distriction of the ground. The distriction of the ground of the distriction of the was a distriction of the was a distriction of the was a distriction of the was districted on the was a distriction of the was districted on t

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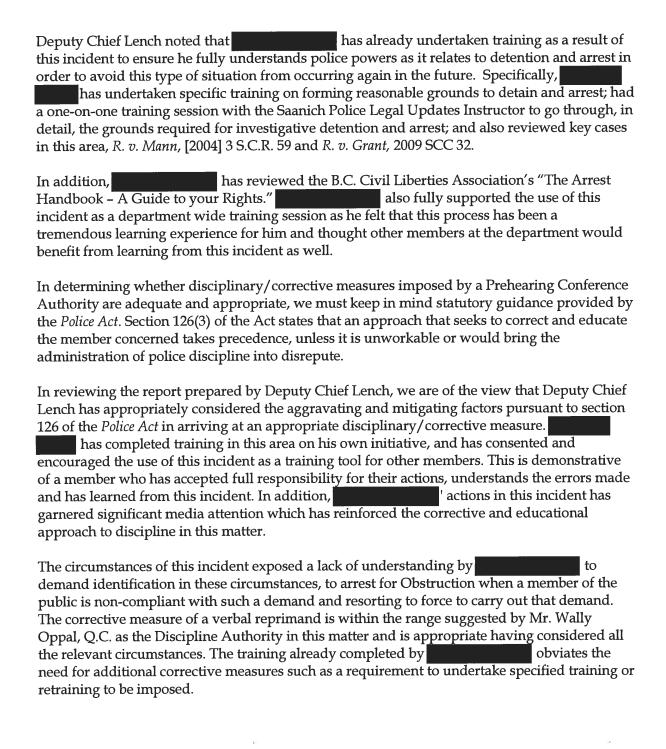
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A prehearing conference was held on February 15, 2017, before Deputy Chief Constable Lench as the Prehearing Conference Authority. An agreement was reached with respect to the proposed discipline of:

Allegation #1: Abuse of Authority pursuant to section 77(3)(a)(ii)(A) of the Police Act by intentionally or recklessly using unnecessary force on . Specifically, grabbing, pushing to the ground and handcuffing -Verbal Reprimand Allegation #2: Abuse of Authority pursuant to section 77(3)(a)(ii)(B) of the Police Act by intentionally or recklessly detaining and searching without good and sufficient cause. -Verbal Reprimand A report following the prehearing conference was received at our office on February 22, 2017. In the prehearing conference report, Deputy Chief Lench considered a number of aggravating and mitigating factors in arriving at a decision on appropriate disciplinary/corrective measures. Deputy Chief Lench determined the misconduct committed by to be serious. It was an aggravating factor that an officer with 10 years' experience would not have a full understanding of the law in relation to investigative detention. Deputy Chief Lench considered ' record of employment and service record of discipline. has received several commendations and letters of appreciation from citizens during his service including the Province of BC Award of Valour (2015), the Chief Constable's Certificate of Commendation (2015), the Division Commander's Certificate of Commendation (2014), and the Division Commander's Commendation (2008). Comments from performance reviews were very positive. In addition, record of discipline on his service record during his 10 years of service with the Saanich Police Department. Deputy Chief Lench believed that the likelihood of future misconduct by very low as it was clear to Deputy Chief Lench that | has taken this matter seriously, has accepted full responsibility for his actions, and has acknowledged the errors he made. Moving forward, ' service record of discipline will include a record of this incident which will have a negative impact should he be found to commit any further *Police* Act defaults.

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Therefore, the agreement reached at the prehearing conference is approved and the resolution is final and conclusive. Our file with respect to this matter will be concluded upon receipt of confirmation that in accordance with the *Police Act*, any disciplinary or corrective measure imposed in relation to, or agreed to by, a member or former member, has been completed, and that their service record of discipline has been updated.

Stan T. Lowe

Police Complaint Commissioner

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cc. , Saanich Police Department , Saanich Police Department

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