OPCC File: 2018-14701



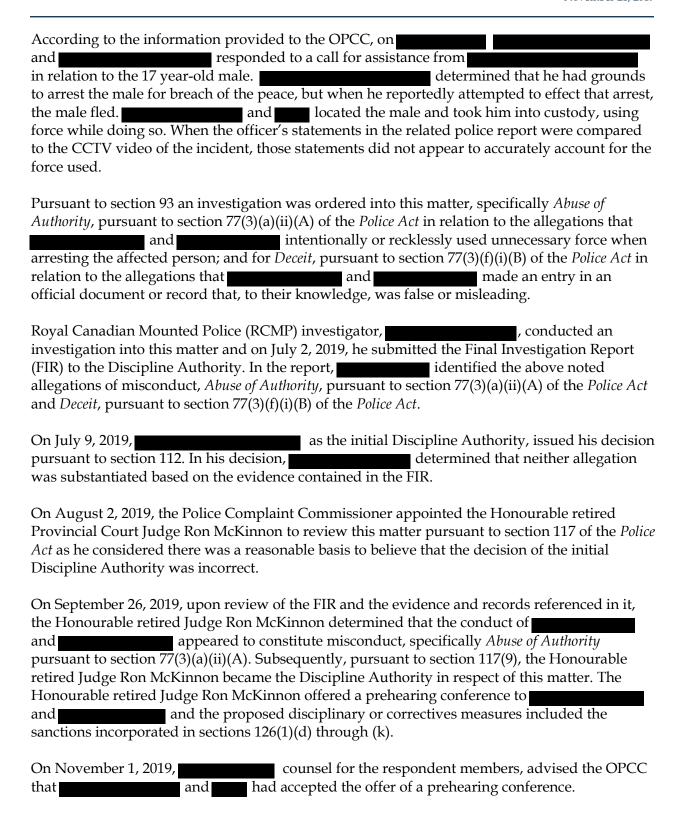
## CONCLUSION OF PROCEEDINGS

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

November 21, 2019 To: (Members) c/o South Coast British Columbia Transportation Authority Police Service Professional Standards Section And to: The Honourable Judge Ron McKinnon, (ret'd) (Discipline Authority) Retired Judge of the Supreme Court of British Columbia (Prehearing Conference Authority) And to: c/o Victoria Police Department Professional Standards Section And to: Deputy Commissioner Jennifer Strachan (External Investigative Agency) c/o Royal Canadian Mounted Police **Professional Standards Section** And to: c/o South Coast British Columbia Transportation Authority Police Service Professional Standards Section On May 1, 2018, the Office of the Police Complaint Commissioner (OPCC) received information from the South Coast British Columbia Transportation Authority Police Service (SCBCTAPS) pursuant to section 89 of the *Police Act* in relation to an incident which occurred on involving and , and a member of the public. SCBCTAPS Professional Standards Unit identified potential allegations of misconduct against after reviewing the video of the two and officers arresting a 17 year-old male who was suspected to be intoxicated at the SkyTrain Station. The incident had also been the subject of a Responsible Officer Review (ROR) in accordance with SCBCTAPS policy, but that review had not identified any concerns with the

conduct. Notably, the review did not appear to have involved a thorough examination of all the

available evidence, including the CCTV video.



Office of the Police Complaint Commissioner

A prehearing conference was held on November 18, 2019, before as the Prehearing Conference Authority. An agreement was reached with respect to the proposed discipline of:
1 - Abuse of Authority –  1) Verbal Reprimand, section 126(1)(j) of the Police Act; ( only); and,  2) Direction to undertake training, section 126(1)(f) of the Police Act - Specifically, the member is to undergo training with regard to the apprehension, handcuffing and escorting of uncooperative subjects. ( and  and  )
A report following the prehearing conference was received at our office on November 19, 2019. In reviewing the investigation conducted by and considering all the relevant factors in this case, the Prehearing Conference Authority has appropriately considered the aggravating and mitigating factors pursuant to section 126 and the disciplinary measures imposed at the prehearing conference were both correct and appropriate with respect to the circumstances.
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 <i>Police Act</i> , 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.
The OPCC recognizes the Responsible Officer Review program as a valuable mechanism to ensure accountability and to provide SCBCTAPS officers tactical feedback, or training, as necessary, following the use of particular levels of force. The effectiveness of the program is dependent upon the thoroughness of the review. The OPCC therefore suggests that any supervisor conducting an ROR includes all available evidence in their review; and confers with the SCBCTAPS Professional Standards Unit during their review.
Investigative Analyst
cc: , Royal Canadian Mounted Police

Office of the Police Complaint Commissioner