

Between January 1<sup>st</sup>, 2007 and December 31<sup>st</sup>, 2007, the OPCC concluded **989** allegations of police misconduct. The following provides a summary of the results ...

**Between January 1<sup>st</sup>, 2007 and December 31<sup>st</sup>, 2007,  
989 allegations of police misconduct were reviewed and concluded as follows:**

<i>Total # of Allegations Concluded</i>	<i>Withdrawn</i>	<i>Reviewed &amp; Closed</i>	<i>Informally Resolved</i>	<i>Mediated</i>	<i>Summarily Dismissed</i>	<i>Not Substantiated</i>	<i>Substantiated</i>
<b>989</b>	<b>167</b>	<b>54</b>	<b>35</b>	<b>1</b>	<b>167</b>	<b>477</b>	<b>88</b>

<b>Withdrawn</b>	<i>A Complainant may withdraw his/her complaint at any time in the process; however, the PCC may direct that the investigation continue if the allegations were of a serious nature</i>
<b>Reviewed &amp; Closed</b>	<i>Service and Policy complaints and files where there are no formal complaints lodged (eg, Monitor and Non-Lodged files). Upon receipt of the final response by the police board or department, the OPCC reviews and closes the file. The PCC may also order an investigation if the allegations were of a serious nature</i>
<b>Informally Resolved</b>	<i>A complaint may be informally resolved facilitated through the investigator. Both parties must sign a Consent Letter outlining the agreement and both parties have 10 days in which to change their mind.</i>
<b>Mediated</b>	<i>A complaint may be resolved through mediation, facilitated by a professional mediator. Both parties must sign a Consent Letter outlining the agreement and both parties have 10 days in which to change their mind.</i>
<b>Summarily Dismissed</b>	<i>Following a preliminary review, a complaint may be summarily dismissed if: there is no likelihood further investigation would produce evidence of a default; the incident occurred more than 12 months prior to filing the complaint; or the complaint is frivolous or vexatious.</i>
<b>Not Substantiated</b>	<i>Following an investigation that may take up to 6 months, the Discipline Authority determines there is no evidence to support the allegation of misconduct.</i>
<b>Substantiated</b>	<i>Following an investigation that may take up to 6 months, the Discipline Authority determines the allegation is supported by the evidence. The Discipline Authority must then decide on appropriate disciplinary and/or corrective measures to impose. The Discipline Authority may also determine that while the allegation is substantiated, that no disciplinary or corrective measures are required.</i>

The *BC Code of Professional Conduct Regulation* provides a guide for police officers to ensure they perform their duties in a manner that is fair, impartial and effective to the communities and citizens they serve. The *Code* also ensures that public confidence in police is maintained by holding police accountable to the public in a way that is fair to police officers and to members of the public.

The *Code of Professional Conduct Regulation* allows the Discipline Authority to impose one or more of the following corrective or disciplinary measures if an allegation of misconduct is proven:

- ☞ Verbal Reprimand
- ☞ Written Reprimand
- ☞ Direction to undertake professional counseling
- ☞ Direction to undertake special training or retraining
- ☞ Direction to work under close supervision
- ☞ Suspension without pay for up to 5 working days
- ☞ Transfer or re-assignment
- ☞ Reduction in rank
- ☞ Dismissal

**Between January 1<sup>st</sup>, 2007 and December 31<sup>st</sup>, 2007, 88 allegations were substantiated. The following is a summary of the allegation(s) and the measures imposed.**

**NOTE:** A complaint received from a citizen *may* contain many allegations and *may* involve more than one police officer. The following table provides a description of the allegation and the corrective and/or disciplinary default imposed by the Discipline Authority and does not reflect the number of respondent officers involved. Therefore there are only 52 summaries for the 88 substantiated allegations.

#	Substantiated Allegation	Corrective/Disciplinary Measures
1	The officer had disclosed confidential information to an individual suspected of criminal activity.	<ul style="list-style-type: none"> <li>☞ Reduction in Rank for a period of 1 year, to be reinstated at the discretion of the Chief Constable upon satisfactory completion of professional counseling;</li> <li>☞ Remedial Training as directed; and</li> <li>☞ Work under close supervision for such duration as determined by the Chief Constable</li> </ul> <p><i>(A Public Hearing was requested but prior to the commencement of the hearing the officer resigned)</i></p>
2	An officer left a prisoner unattended and the prisoner escaped custody	Written Reprimand
3	A number of substantiated improper off-duty conduct and neglect of duty allegations with respect to the officer's management of a human source	Proposed discipline – Dismissal  <i>(Officer resigned prior to the conclusion of the discipline proceedings)</i>
4	Officers inappropriately assisted the Complainant's roommate remove belongings from the residence, thereby breaching a "No Contact" order	<ul style="list-style-type: none"> <li>☞ Advice as to Future Conduct</li> <li>☞ Letter of apology</li> </ul>
5	While off-duty, the officer was stopped and issued a 24-hour driving prohibition. The officer showed his police identification.	Proposed discipline 2-Day Suspension Without Pay  <i>(The officer resigned prior to the conclusion of the proceedings)</i>
6	An officer failed to provide his police notes to investigators from another police agency and jeopardized the outcome of a serious criminal trial	Proposed discipline – 4-Day Suspension without pay  <i>(Officer resigned prior to the conclusion of the discipline proceedings)</i>
7	Unlawful detention	<ul style="list-style-type: none"> <li>☞ Verbal Reprimand</li> <li>☞ Additional Training re law on arrest &amp; detention</li> </ul> <p><i>(Training bulletin re law on arrest &amp; detention sent to all members of the department)</i></p>
8	The officer was found to have not cooperated to the full extent with Police Act investigators	Proposed measure – Managerial Advice  <i>(Officer retired prior to the conclusion of the discipline proceedings)</i>

#	Substantiated Allegation	Corrective/Disciplinary Measures
9	While off-duty, the officer was involved in single vehicle accident. The officer and his passenger left the scene on foot and later attended the RCMP detachment. The officer claimed he was the passenger, but his DNA was found on the driver's side air bag	Proposed discipline – Dismissal <i>(Officer resigned prior to the conclusion of the discipline proceedings)</i>
10	The officer was absent from work without permission	☞ Written Reprimand ☞ Reimburse the department for shifts unaccounted for
11	An officer kicked a prisoner in the lower leg while he was in his cell	Verbal Reprimand
12	Officers conducted an unlawful search of a residence	Remedial legal training on search & seizure <i>(Department wide training bulletin issued as well)</i>
13	An officer conducted unauthorized CPIC searches	Written Reprimand
14	Internal Discipline regarding an officer's poor performance as an officer	☞ 6-Day Suspension without pay ☞ Remedial training as directed
15	The officer wrote a highly critical, abusive and hostile letter to another police agency, representing himself as an officer without permission of the department	Verbal Reprimand
16	The officer posted several articles on the internet, identifying himself as an officer without permission of the organization. The articles contained criticism of various police agencies and/or specific officers.	Verbal Reprimand
17	The officer posted an article on the internet that contained information obtained through his duties as a police officer.	2-Day Suspension Without Pay
18	While attending to keep the peace, officers assisted without authority a party in an ongoing civil dispute	Verbal Reprimand
19	On officer used profanity ("asshole") while dealing with a party to a motor vehicle accident	No disciplinary or corrective measures warranted
20	While off-duty, the officer was involved in a verbal altercation and produced his police badge	No disciplinary or corrective measures warranted
21	While off-duty and highly intoxicated, the officer made inappropriate sexual advances towards the wives of two senior officers.	Managerial Advice <i>(The officer had voluntarily enrolled in an alcohol counseling program)</i>
22	An officer had been incorrect as to the grounds for requesting 3 individuals to leave an area.	Additional training regarding bylaw offences
23	Off-duty officer displayed demeaning behaviour towards a mall security guard and identified himself as a police officer	☞ Verbal Reprimand ☞ Letter of apology
24	The officer access another member's email without permission or authority	☞ Verbal Reprimand ☞ Direction to review departmental policies & regulations re Communications
25	Officers failed to properly process seized property which resulted in the loss of a cell phone	Verbal Reprimand
26	An officer conducted an unauthorized search of police databases on her boyfriend's ex-wife.	Verbal Reprimand
27	An officer conducted unauthorized searches on police databases of his ex-wife and her boyfriend (information not disclosed)	Verbal Reprimand

#	Substantiated Allegation	Corrective/Disciplinary Measures
28	Individual was subject to a full security search at the jail based on incorrect information	No disciplinary or corrective measures warranted
29	The officer pulled a suspect from his bicycle when he refused to stop	Verbal Reprimand
30	The officer unlawfully seized a complainant's property	Remedial training on powers of search & seizure
31	An off-duty officer, while intoxicated, was rude and abusive to a female staff member at a night club	No disciplinary or corrective measures warranted
32	Officer accidentally discharged his service firearm	<ul style="list-style-type: none"> <li>☞ Written Reprimand</li> <li>☞ Remedial training re safe handling of firearms</li> </ul>
33	2 on-duty officers and 3 off-duty officers set off fireworks that were earlier seized from members of the public	<ul style="list-style-type: none"> <li>☞ The on-duty senior officer received a 1-day Suspension Without Pay</li> <li>☞ The other on-duty officer received Managerial Advice regarding the proper handling of seized property</li> <li>☞ The off-duty officers received Written Reprimands</li> </ul>
34	Officers had conducted an unauthorized query of police databases.	No disciplinary or corrective measures warranted
35	While off-duty, an officer attended the police station and accessed another member's email relating to an ongoing police investigation in which the officer was a witness and accessing another witness's statement	Proposed discipline – 5 day suspension without pay <i>(Member resigned prior to conclusion of discipline proceedings)</i>
36	An officer made false or misleading statements to his supervisor in relation to his unauthorized accessing of police information	Proposed discipline – Reduction in Rank for a period of 1 year & Performance monitoring <i>(Member resigned prior to conclusion of discipline proceedings)</i>
37	For a purpose unrelated to the officer's duties as a peace officer, the officer accessed police information	Proposed discipline - Written Reprimand <i>(Member resigned prior to conclusion of discipline proceedings)</i>
38	An officer was careless when completing an Information to Obtain a search warrant, resulting in the warrant being quashed.	<ul style="list-style-type: none"> <li>☞ Managerial Direction</li> <li>☞ Additional training from supervisor</li> <li>☞ Amendments to department policy</li> </ul>
39	Internal Discipline file regarding an officer's poor file management and accurate record keeping	Verbal Reprimand
40	An officer accidentally discharged his service firearm	Advice as to future conduct from the Force Options Training Unit
41	An off-duty officer disclosed confidential police information to a family member.	Written Reprimand
42	During an altercation outside a night club, an officer unnecessarily took a male, who was under the control of two other officers, to the ground and punched the male in the head several times.	Managerial Direction from a recognized Use of Force instructor within the department regarding "empty hand impact techniques" and "distraction techniques" and their appropriate use
43	The officer had without authority written a letter using departmental letterhead on behalf of his sister who was involved in a landlord/tenant dispute.	<ul style="list-style-type: none"> <li>☞ Written Reprimand</li> <li>☞ Direction to review relevant departmental policies</li> <li>☞ Letter of apology</li> </ul>
44	Interference in an ongoing investigation (conflict of interest)	<ul style="list-style-type: none"> <li>☞ Written Reprimand</li> <li>☞ Advice as to Future Conduct</li> </ul>
45	An officer unlawfully seized the complainant's driver's license	No disciplinary or corrective measures warranted

#	Substantiated Allegation	Corrective/Disciplinary Measures
46	An officer exceeding his lawful authority by conducting a vehicle search during a traffic stop	<ul style="list-style-type: none"> <li>☞ Verbal Reprimand</li> <li>☞ Advice from supervisor re powers of search &amp; seizure</li> </ul>
47	While off-duty, an officer threatened his ex-wife (Criminally charged – resulted in the officer entering into a s.810 Peace Bond)	<ul style="list-style-type: none"> <li>☞ Voluntarily entered into counseling program devised by the department's Human Resource section</li> <li>☞ Reassigned to an administrative position</li> </ul>
48	The officer, while off-duty, was stopped by RCMP for impaired driving and identified himself as a police officer in expectation of preferential treatment	<ul style="list-style-type: none"> <li>☞ Written Reprimand</li> <li>☞ Letter of Apology</li> </ul>
49	An officer was involved in an unauthorized off-duty arrangement to do overnight security of a construction site. The officer wore his uniform, was armed with his service firearm, had his PSD with him, and used a marked police vehicle during his employment.	Written Reprimand
50	While off-duty, an officer was involved in a minor motor vehicle accident and was issued a 24 hour roadside suspension.	<p>Proposed discipline - No discipline or corrective measures warranted</p> <p><i>(Respondent had voluntarily entered into substance abuse counseling and resigned from the department prior to the conclusion of the process)</i></p>
51	An officer failed to attend court	Advice as to future conduct
52	An officer was responsible for the distribution in his neighbourhood of a internal police bulleting regarding a released sex offender	<ul style="list-style-type: none"> <li>☞ 1-Day Suspension Without Pay</li> <li>☞ Additional Training re FOI regulations</li> </ul>