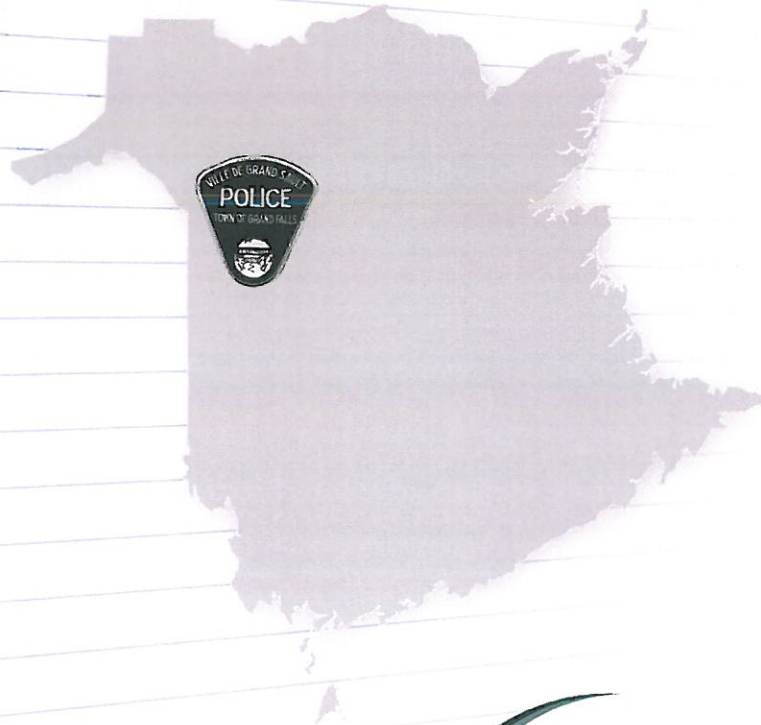




Quality Assurance Review Report - 2016

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Grand Falls Police Force

Overview

Grand Falls Police Force (GFPPF) is one of nine municipal/regional police forces in the province of New Brunswick. The GFPPF employs seventeen full-time police officers, including the new management team of Chief Suzanne Themens and Deputy Chief Luc Martin, both of whom were appointed in January 2017. Complementing the full-time officers are two part-time police officers and two support staff. Dispatch services are provided by the Edmundston Police Force (EPF). Presently, the GFPPF have zero vacancies however they do have five members on long term sick leave and one member on a maternity leave which provides a significant challenge for such a small police force. GFPPF has six members who have less than one year of service. Aside from the management team, the police officers perform primary response functions in both official languages. GFPPF is working toward developing a general investigation section to handle some of their more complex files.

The Policing Standards and Contract Management (PSCM) Branch of the Department of Justice and Public Safety (JPS) expects to see a lot of growth and development from GFPPF in the coming months. The PSCM Quality Assurance (QA) review team has been working with Chief Themens and Deputy Chief Martin over the last number of months to complete the GFPPF 2015 action plan and the PSCM review team is pleased to report that the 2015 action plan is now complete.

Pursuant to paragraph 1.1(2)(c) of the New Brunswick *Police Act*, the Minister of the Department of Justice and Public Safety (JPS) may establish a system of inspection and review of police forces. The *Policing Standards – New Brunswick* are issued as ministerial directives pursuant to subsection 1.1(3) of the *Police Act*. The Standards set out the police force Quality Assurance (QA) program in ORG 5 with the current QA Program in place since 2013.

While the QA program follows a cyclical process, it is flexible enough to respond to any newly identified risk activities facing municipal police forces. The program examines facts and realities facing modern day law enforcement agencies to identify gaps as well as best practices.

Objective

The purpose of the QA review is to assess the adequacy and effectiveness of the policing services provided by the police force by examining areas of common risk to police agencies on behalf of the Minister.

The report is intended to summarize the data collected from the police force, analyze the

findings, identify gaps and good practices, and present recommendations that would improve police performance.

Scope

The QA Program operates on an annual cycle, beginning in the fall when the provincial priorities are given to the chiefs of police by the PSCM review team. The 2016 provincial priorities were:

- Operational records (general occurrence management);
- Traffic (road) safety; and
- Memorandums of understanding / agreements

The chiefs of police, in collaboration with the PSCM review team conducted a fall risking exercise that examines the provincial priorities as well as establishing force specific risks requiring review. The police force risking template was completed during this exercise well in advance of the December 31st, 2016 deadline for submission.

For 2016, GFPP identified the following risk activities as areas for self-review:

- Operational records (general occurrence management);
- Traffic (road) safety; and
- Memorandums of understanding / agreements
- Intimate partner violence (IPV)
- Exhibits

In January, police forces are expected to begin their reviews using select review guides created by the PSCM review team and any other examination deemed appropriate. All documentation was to be submitted to the PSCM review team by the end of February. A change of the GFPP's management team occurred and a new chief and deputy chief were appointed in January 2017. In addition to the 2016 review, the new management team was also attending to the 2015 QA action plan that was outstanding at the time of their appointment. GFPP was not able to submit any of the relevant documentation and therefore did not meet the assigned diary dates.

Further, in February 2017, the New Brunswick Association of Chiefs of Police (NBACP) and JPS added sexual crime investigations as an additional risk activity for every New Brunswick police force. The scope of the review was to examine occurrences of sexual crimes reported to police from 2010 to 2014 with a focus on all occurrences with a file disposition of unfounded and a sampling of all remaining occurrences.

In the spring, the PSCM review team conducted an internal risking exercise to determine whether any police force would undergo an on-site visit and when factored with other variables GFPP was identified for on-site follow up by the PSCM review team that was conducted from May 7-10, 2017.

Responding to calls for assistance of individuals experiencing a mental health crisis is a responsibility police forces have under the *Mental Health Act*. This area was identified during the fall risking exercise by one police force that created the review guide and matrix to accompany their review. Based on the results gathered by the reviewing police force, the PSCM review team determined it should be evaluated by all police forces. All police forces who received an on-site visit had this review completed by the PSCM review team. Those police forces who did not receive an on-site visit completed this examination in-house with results being submitted to the PSCM review team. Overall municipal police force provincial results will be shared with the NBACP.

GFPP's participation in the QA program has experienced challenges in the preceding years resulting in the PSCM review team's effort to address gaps impacting the overall performance of the police force. With a new management team in place and to ensure the QA program continued to improve the PSCM review team lead the examination of risk activities identified by GFPP during the fall risking exercise. The following areas of risk were reviewed from May 7-10, 2017:

- Operational records (general occurrence management);
- Traffic (road) safety;
- Memorandums of understanding / agreements;
- Intimate partner violence (IPV);
- Exhibits;
- Quality of investigation and supervision;
- *Mental Health Act* calls; and
- Sexual crimes investigations.

GFPP participated in a debriefing session. This report documents observations and recommendations by the PSCM review team.

Tracking of Recommendations

The focus of any review is to ensure the management of selected risk activities is in compliance with the *Policing Standards – New Brunswick*, the Municipal/Regional Police Forces Operational and Administrative Manuals (Operational Manual and Administrative Manual, respectively) and legal requirements. An action plan will be developed for each recommendation and monitored by the PSCM review team until completion.

A snapshot of the reviewed activities is summarized in this report (see table 2) and includes a rating based on the following scale (table 1):

TABLE 1

Rating	Description
Needs Improvement (NI)	Practices and controls are not adequate to ensure the objectives are achieved effectively in this activity.
Meets Expectations (ME)	The activity's management meets current provincial policing requirements. Any issues/opportunities for improvement noted are not major in that they do not affect the ability to achieve its objectives.
Good Practice (GP)	Practices within the activity reviewed are noteworthy and should be recommended for implementation in other police agencies.

Summary of findings of the on-site review

TABLE 2

NI	ME	GP	Comments
			NI - Needs Improvement ME - Meets Expectation GP - Good Practice
Operational records (general occurrence) management			
			Training in Versadex and UCR scoring is required. Chief Themens and D/Chief Martin have made important strides in improving GPPF's overall operational records management and improvement is recognized by PSCM review team. <i>See recommendation #1</i> <i>See observation #1, 2, 3 and 4</i>
Traffic (road) safety			
			Chief needs to strategically identify the capacity of its members and determine GPPF traffic priorities while ensuring they are meeting the <i>Policing Standards</i> OPS 9. <i>See recommendation #2</i> <i>See observation #5</i>
Memorandums of understanding / agreements			
			Expired agreements need to be updated and all agreements forwarded to JPS as per the <i>Policing Standards</i> RR 5. <i>See recommendation #3</i>
Intimate partner violence (IPV)			
			IPV investigations continue to be an area of risk for GPPF despite 4 years of review; however GPPF has recently identified an IPV Coordinator. GPPF will conduct quarterly reviews of their IPV files starting January 1, 2018. <i>See recommendation #4</i> <i>See observations #6 and 7</i>
Exhibits			
			New bond room custodian who did a complete review of current exhibits, the bond room and examination of current GPPF exhibit handling practices. <i>See observation #8</i>
Quality of investigation and supervision			
			Steps need to be taken to ensure due diligence has been applied in completing a thorough investigation. Positive strides made in communication, accountability and morale. <i>See recommendation #5</i> <i>See observation #9</i>
Mental health assistance			
			Compassionate service delivery; articulation can be improved. <i>See observation #10</i>
Sexual crimes investigations			
			All police forces conducted a review of sexual crimes resulting in provincial recommendations that all police forces will comply with. No additional recommendations. GPPF officers need to do a better job of articulating their investigatory steps. <i>See observation #11</i>

Findings of the on-site review

Operational records (general occurrence) management

Objective:

To ensure that systems are in place to properly record, classify, retain, store and dispose all occurrences according to policy, legislation and policing standards.

Findings:

Chief Themens completed this review using the accompanying PSCM review guide.

In 2016, GPPF saw a total of 2953 calls for service with 1375 (or 46.6%) general occurrences (GO) written as a result of the dispatch (CAD) calls.

A delinquent report is one way of identifying overdue diary dates and capturing those CAD calls where an officer has indicated that they will create a GO but then do not. The running of this report is new to the current management team; however they have adopted the report as a method of managing operational files.

Chief Themens review of the delinquent report indicated that there were:

- 183 total delinquent (CADs not created + overdue GO diary dates);
- 158 CADs where the GO has not yet been created;
- 158 CADs that were overdue by more than 14 days;
- 130 CADs that were overdue by more than 180 days, which can be issue with respect to statute of limitations;
- 27 overdue GO diary dates;
- 10 diary dates that were overdue by more than 14 days; and
- 0 diary dates that were overdue by more than 180 days.

GPPF maintains a records management policy and members are governed by the directive manual. Lise-Hélène Carpenter, administrative assistant, is responsible for ensuring the accuracy of the data collected and the Uniform Crime Reporting (UCR) Survey submission. The shift supervisor, who is usually a sergeant, is responsible for assigning and managing diary dates of their platoon. GPPF maintains some hardcopy files and those are kept for six years and then destroyed; however the electronic files are not destroyed. ViCLAS files are maintained for 70 years. GPPF was provided a copy of the retention and disposition schedule as set out in the operational manual, 5.1 – Records Management, that identifies when files are allowed to be destroyed.

GPPF's findings and recommendations with respect to this risk activity are as follows:

1. A physical file is to be created when CAD and RMS are open;
2. GPPF needs to identify a chief reader;
3. GPPF requires training on UCR scoring;
4. GPPF needs further training on the basics of RMS; and
5. GPPF would like to review existing RMS templates to determine which ones are

current and identify templates that should be created.

Recommendation #1:

The Chief of police or designate shall ensure that the management of operational files, which includes any outstanding CADs and GO diary dates on the delinquent report are addressed in a regular and consistent manner as per the *Policing Standards* OPS 3.2 and the operational manual 5.1.

Observation #1:

An overdue delinquent report is not new to GPPF and was a recommendation in the 2015 QA report when the quality of investigation and supervision was reviewed by the PSCM review team. There was an expectation that the then-chief institute the steps to be taken to establish accountability and responsibilities of sergeants in operational file management. Chief Themens has revised all job descriptions with the purpose of clarifying roles and responsibilities and these will be reviewed with the sergeants. D/Chief Martin has regular meetings with the sergeants and this is an important step in establishing accountability of the sergeants within the force.

Observation #2:

Chief Themens and D/Chief Martin undertook a revision of the delinquent report and as indicated in this review, the GOs have been reduced to a manageable amount. At the time of the review, the number of CADs requiring that a GO be created was still high and this carries risk for the police force in those instances where any of the CADs might be subject to a statute of limitation. GPPF has worked with EPF dispatch center to ensure that the creation of a GO from CAD is done in the same manner, and on a go forward basis, this should reduce the number of CADs that have not had a GO generated.

Observation #3:

Chief Themens is currently working with the Fredericton Police Force in order to maximize the function and capability of the GPPF RMS and to identify training needs of the GPPF staff.

Observation #4:

Chief Themens recognizes that operational records management is an area that GPPF needs to strengthen and has been working diligently to bring GPPF to where they need to be and has made a number of important steps to this end.

Traffic (road safety)**Objective:**

To determine if: a strategy and / or a plan is in place to reduce traffic collision deaths and injuries; annual analysis is conducted to review education, enforcement and collaboration efforts; complex collision investigation is conducted by trained accident investigators / specialists; enforcement activities are designed to address high risk drivers; education activities are designed to raise awareness and increase voluntary compliance; coordinators have been appointed for breath analysis instruments and approved screening devices; and participation in Canada Road Safety Week and Operation Impact occurs.

Findings:

The PSCM road safety review guide was completed by Sgt. Bernard Albert. Sgt. Albert was not able to locate any GPPF force-specific policy that identified the responsibility for a traffic safety and enforcement function. GPPF information for the reporting period includes the following:

- 15 Approved Screening Device (ASD) tests administered
- 9 Approved Breath Analysis Instruments (BAI) tests administered
- 113.33 was the average Blood Alcohol Content (BAC) for BAI tests
- 14 impaired driving related charges under the *Criminal Code*
- 240 *POPA* tickets issued under the *Motor Vehicle Act*
- 5 *POPA* tickets issued for seatbelt violations
- 4 *POPA* tickets issued for use of hand held operation electronic devices
- 133 written warnings issued related to driving

Sgt. Albert indicates that considering the size of the police force, they are too small for a dedicated traffic section. All officers are expected to enforce traffic laws as time permits. GPPF engages in routine roadblocks, and often times, these are with other agencies such as the RCMP, the EPF, and Commercial Vehicle Enforcement. GPPF's working relationship with the media allows them to promote traffic and road safety awareness when necessary.

In terms of the investigation of serious and complex motor vehicle collisions, Sgt. Albert indicates that more officers could be trained in this regard. GPPF will use forensic identification services and an accident Reconstructionist from another police agency where required. GPPF force policy requires updating in this area. GPPF has an identified BAI and ASD Coordinator and qualified technicians. Sgt. Albert suggests that more qualified technicians could be trained.

There is no mechanism in place in GPPF to identify and address high risk repeat traffic offenders.

According to provincial *POPA* ticket stats to the end of November 2016 and projected to December 2016, GPPF shows 13% increase from 2015 in the number of *POPAs* issued; however GPPF *POPAs* were higher in 2014 than in 2016. Additionally, when compared to other agencies their size, issuance of *POPA* tickets by GPPF are the lowest in the province.

GPPF's findings and recommendations with respect to this risk activity and are as follows:

1. Officers need to use the proper UCR code to identify relevant files when completing a review such as this;
2. There needs to be an improvement in the logging of ASD use; and
3. GPPF requires more trained breath technicians.

Recommendation # 2:

The chief of police or designate shall establish road safety priorities that meets the needs of the civic authority, the citizens of Grand Falls and complies with existing legislation, impending legislation, *Policing Standards* OPS 9, and relevant operational manual policies.

Observation # 5:

On May 31, 2017, the GPF held a joint *Motor Vehicle Act* operation with EPF and Commercial Vehicle Enforcement, resulting in the issuance of 69 *POPA* tickets. This targeted event resulted in positive media coverage and raised public awareness.

Memorandums of understanding (MOU) / agreements**Objective:**

To ensure that: written agreements clearly establish the roles and responsibilities of the respective parties, enhance communication, and remain viable regardless of changes in personnel that could impact arrangements; formal agreements between police services provide effective options for addressing specific organizational needs such as training or providing specialized expertise; and the required resources are available to meet a particular standard by providing the service directly or entering into a mutual aid or shared service agreement with another police service.

Findings:

This review was completed by Chief Themens using the PSCM review guide. The *Policing Standards* chapter RR 5 titled "Shared services / liaison with other agencies" sets out the requirements of all police agencies in New Brunswick to either provide certain services directly or enter into a mutual aid or shared service agreement with another police agency.

Of those services required in *Policing Standards* RR 5.2, GPF, other than hostage negotiation, obtains these services from another agency and any existing MOUs are currently expired.

All agreements are stored in one central location at GPF. They have 17 agreements, most of which are being revised and awaiting final draft. There is no current process in place that ensures the agreements are reviewed and updated when necessary. Agreements are to be forwarded to JPS (PSCM).

Recommendation # 3:

The Chief of police or designate shall ensure that all agreements entered into with another police force or the RCMP are current and viable and are forwarded to JPS (PSCM) as per the *Policing Standards* RR 5.

Intimate partner violence**Objective:**

To ensure that appropriate investigative procedures and established protocols are followed, documented and that where appropriate, charges laid in cases surrounding intimate partner violence (IPV).

Findings:

This review was conducted by the PSCM review team using the PSCM review guide and matrix. For the year 2016, GFPP ran a report of all files that had been assigned an intimate partner violence study code (D1-D5) resulting in a total of 46 IPV files for the year 2016. From the 46 files, the PSCM review team examined a random sample of 18 files. Of those 18 files, 14 were correctly coded as IPV and 4 were not. It should be noted that GFPP began actively flagging IPV files in 2016 and so there is a question as to whether there were more than 46 IPV files in 2016.

Chief Themens advised that Sgt. Albert had recently been identified as the GFPP IPV Coordinator. This is important for GFPP as their previous coordinator had been off work for over two years. It was noted that several files met the criteria for completion of ODARA, however they were not done. GFPP has failed to submit statistics on IPV to JPS and the assigned Coordinator will ensure this is done.

This is the fourth year that IPV has been reviewed at GFPP and still deficiencies remain prevalent in the delivery of service to victims and in the quality of IPV investigations. Officers continue to put the onus on victims with respect to laying charges. GFPP is reminded that the responsibility of the police is to investigate the allegation and make recommendations for charges where evidence exists to support a charge. It is not the responsibility of the victim to lay charges in court and officers are not to ask a victim whether they want to pursue charges. Officers must make every effort to obtain a statement from the victim at the earliest opportunity. In the absence of a statement, which is only one factor in an investigation, GFPP needs to ensure that all avenues of investigation have been exhausted.

Opinion and bias was evident in several files, typically in those files where officers had previously attended for IPV incidents or if there was indication of addiction or mental health issues. Officers are reminded to report the facts and not allow personal biases to influence the scope of their investigation.

History of past incidents of violence is an important factor of any investigation and can point to increased risk to victims and to officers attending a scene. GFPP officers are not articulating whether or not they checked the RMS system for previous incidents of violence involving the parties.

Victim service referrals have been a recommendation every year in the GFPP QA reports; officers are either not doing it or are not documenting it. GFPP is reminded of the critical role the provincial victim services program coordinators play in IPV, not only with respect to court and counseling and some financial matters but because they are trained to do safety planning and the Danger assessment, which assesses lethality, something the police-based risk assessment tool (ODARA) does not.

In cases where children witness or reside in a home experiencing IPV, officers have an obligation to refer the matter to Social Development. In more than one incident, this did not occur. GFPP is reminded that there is no officer discretion when it comes to referring an incident to Social Development and the Child Abuse and Neglect Protocols are clear. If the situation meets the criteria set out in Protocols, then a referral must be made. In addition

officers are not determining or not documenting whether or not children reside in the home, unless the child was directly involved in the incident. Officers should be documenting if children reside in the home where an IPV incident took place, regardless of whether the child was home at the time of the incident.

Articulation is an issue in GPPF files. Either important investigatory steps are not being taken or they are not being documented. For example, it was unclear in a number of files what attempts were made to obtain complainant, victim, witness and suspect statements or what reasons were given if they would not cooperate or could not be located.

Of the 14 IPV files reviewed:

- 5 incidents where more than one officer responded;
- 1 incident where the suspect was arrested;
- 0 incidents where a suspect statement was taken or attempted to be taken;
- 2 incidents where a victim KGB statement was taken or attempted to be taken;
- 0 incidents where a witness statement was taken or attempted to be taken;
- 9 incidents where an ODARA should have been completed but was not;
- 0 victim service referrals were made or documented;
- 5 incidents where the complainant/victim was kept updated;
- 2 incidents of documented previous violence
- 0 charges recommended

The above-noted results highlight an area of continued high risk for the GPPF. Improvement in the handling of IPV incidents are necessary.

Recommendation #4:

IPV investigations continue to be a significant issue at GPPF with respect to: victim service referrals, file articulation, taking of appropriate statements, proper flagging, correct ODARA usage, trained investigators and supervisory oversight. The Chief or designate shall conduct quarterly IPV reviews using the PSCM review guide and matrix and submit review documentation to the PSCM review team. This quarterly review will commence January 1, 2018 and be comprised of all IPV files from the previous three months. The quarterly reviews will continue until the PSCM review team deems an adequate level of IPV investigations being conducted at GPPF.

Observation #6:

During the on-site visit, Chief Themens, Deputy Chief Martin and Sgt. Albert participated in an IPV workshop put on by the PSCM review team. Emphasis was placed on the new IPV standard (*Policing Standards* OPS 8) and the draft IPV policy (operational manual 2.1 - which included but was not limited to the role of the IPV Coordinator). Therefore the PSCM review team expects to see a significant improvement in the investigation of IPV, as well as in the service delivery to victims in their 2017 files. IPV should remain a risk activity for GPPF to ensure sufficient progress has been made.

Observation #7:

The review of operational files, regardless of type, supports the observation made above for members to receive more thorough training in the RMS and UCR scoring as well as

ensuring that supervisors are aware of their responsibilities. PSCM supports GFPP's ongoing efforts in this regard.

Exhibits

Objective:

To ensure articles seized or otherwise coming into police custody are properly reported, securely stored, and properly disposed of.

Findings:

Deputy Chief Martin completed the review of this activity using the PSCM review guide. While there is an accompanying matrix as well as several supplementary check-sheets for high risk exhibits, such as firearms, alcohol, drugs, biological and currency, D/Chief Martin recently assumed the role of bond room custodian when the former Chief retired at the end of December 2016. At that time, D/Chief Martin did a thorough review of the bond room, the exhibits that were in the bond room at the time, as well as the exhibit handling practices at GFPP. Because of the all the work completed at the front end, it was agreed that D/Chief Martin would complete only the review guide.

D/Chief Martin found that generally speaking, that GFPP exhibit practices are well done, with room improvement. There are six new officers with less than one year experience that require regular supervision.

GFPP's findings and recommendations with respect to this risk activity are as follows:

1. Once members have been fully trained on Versadex, that GFPP implements the electronic property subsystem of the RMS;
2. Members need to identify the time an item was seized on the exhibit tag/sheet;
3. Add a particular when an exhibit has been destroyed/returned; and
4. Implement a system to identify when exhibits can be destroyed/returned.

Observation #8:

The PSCM review team discussed this review at length with D/Chief Martin and had the opportunity to examine the changes made to the bond room. The review team is satisfied that GFPP's exhibit handling practices meet expectations and agree with the recommendations GFPP made during their review. There are no additional recommendations at this time.

Quality of investigation & supervision

Objective:

To ensure that: operational files are properly investigated and adequately supervised; all occurrences are properly recorded and handled in a timely manner; and complainants and/or victims of crime are kept up to date with investigation outcomes.

Findings:

This risk activity was examined during the 2015 QA review with a resulting recommendation that it be re-examined by the PSCM review team in conjunction with the GPF 2016 QA review.

For the year 2016, GPF wrote 1376 GOs and so a total random sample of 30 GOs was examined by the PSCM review team using the PSCM review guide and matrix for the quality of investigation and supervision. Any files reviewed in the IPV, mental health assistance or sexual crimes risk activities were removed from the sample of files reviewed for this risk activity. The breakdown of files reviewed is indicated in table 3:

	Driving offences	Crimes against persons	Property crimes	Assistance files
# of GOs	36	100	223	160
# of random files reviewed	3	7	10	10

Of the 30 files reviewed:

- 25 incidents there was an adequate summary contained in the RMS;
- 8 incidents where the classification of persons was incorrect;
- 18 incidents where the persons were not queried on CPIC or RMS or it was not documented;
- 15 incidents where the investigators notes were not on file;
- 9 incidents where a victim service referral should have been made, but was not;
- 16 incidents where the initial supervisory review was documented;
- 5 incidents where a suspect was arrested;
- 19 incidents where a suspect statement should have been taken or attempted to have been taken but was not;
- 19 incidents where a victim/witness statement should have been taken or attempted to have been taken but was not;
- 17 incidents where the complainant/ victim was kept updated; and
- 5 incidents where pre-charge screening was documented.

As previously stated, this review again confirmed the need for additional Versadex and UCR Survey training for GPF members (for example: classification of persons, scoring, and clearance of files).

There continues to be a lack of articulation in the GPF files in the documentation of actions taken or attempted in an investigation, for example, victim service referrals and statements taken (or attempted). As a file reader, it could be assumed that the action, in fact, was not taken and therefore questioning the thoroughness of the investigation. It is the supervisor’s responsibility to ensure that all necessary investigatory steps have been taken prior to case conclusion.

In one case, the crown refused to approve charges as the statute of limitations had expired; however in this file, the date the incident occurred and was reported were the same date

and therefore an effective diary date system and supervisor oversight should have prevented the statute from expiring before a recommendation was made to the Crown.

There were a number of files reviewed where GFPP could have used the forensic identification services of another police agency to assist with the identification and collection of forensic evidence, however the specialized resources were not used.

Recommendation #5:

The Chief or designate shall ensure that GFPP has established the appropriate steps to be followed in conducting preliminary and follow-up investigations and shall provide checklists to aid in the investigation of criminal cases when required, as per *Policing Standards* OPS 3.7.

Observation #9:

Chief Themens has updated the roles and responsibilities within the job descriptions at GFPP, with a focus on the supervisor's function. This was to be reviewed and acknowledged in writing by GFPP supervisors. Deputy Chief Martin has regular meetings with his supervisors to discuss any issues, identify gaps, recognize good work and ensure accountability.

Mental health assistance calls

Objective:

To ensure that Appropriate policies, protocols, standards and legislation are followed and documented on the handling of persons requiring care or treatment at a medical facility.

Findings:

The examination of mental health assistance calls was completed by the PSCM review team using the PSCM review guide and matrix. GFPP identified 34 GOs for the year 2016; the PSCM review team decided to review all 34 GOs. One GO was scored incorrectly and so the statistics reflect a review of the remaining 33 GOs.

Of the 33 files reviewed:

- 25 of the subjects were between the ages of 19-50, with 20 being male and 5 being female;
- Overall, 23 subjects were male and 10 were female;
- There were no trends identified with respect to time of year of occurrence;
- 3 subjects were held in detention;
- 9 subjects were not detained in accordance with the *Mental Health Act*;
- 10 subjects were not given their right to counsel;
- 8 calls originated from the hospital;
- 6 subjects were under the influence of alcohol or drugs; in 10 cases it was not articulated;
- GFPP does not have access to a mobile crisis unit;
- There were no use of force incidents;
- 2 subjects were refused medical examination at the hospital due to their state of

- impairment by alcohol and/or drugs;
- 1.8 police officers per call, on average, is what it takes for GPPF members to respond to a mental health assistance call;
- 94.3 minutes is the average amount of time a GPPF officer spends at the hospital in response to a mental health assistance call;
- 1 subject was not seen by a physician or psychiatrist within 3 hours; in 6 cases it was not articulated;
- 24 subjects were admitted to a medical facility; and
- 4 occurrences were identified as needing improvement.

Observation #10:

Officers need to ensure that when detaining someone under the *Mental Health Act* that they are compliant with the legislation and that it is well articulated in the GO. Members could improve on the articulation of time spent with the subject, in transport and at hospital. Overall the GPPF members provide a solid service to their citizens in crisis and exhibit professionalism and compassion.

Sexual crimes investigations

To ensure that appropriate investigative procedures and established protocols are followed, documented and that where appropriate, charges laid in cases surrounding sexual crime incidents.

Findings:

The review of this activity was completed by the PSCM review team using the PSCM review guide and matrix. Prior to beginning the review the operational files were gathered and presented to the PSCM review team along with the notes of Sgt. Bernie Albert who had been directed by Chief Themens to read each file and be available to the reviewers if necessary. The notes of Sgt. Albert were helpful and provided some insight to investigative procedures of GPPF. The scope of the provincial review included a five year period from 2010-2014; however the GPPF review was inclusive of 2010-2017.

Nine unfounded sexual crime files for the years 2010 to 2017 were identified and subjected to a complete review and judged against the standard definition from the Canadian Centre for Justice Statistics (CCJS) for classification of “unfounded”:

“An incident is “unfounded” if it is determined through police investigation that the offence reported did not occur, nor was it attempted and therefore no violations of the Criminal Code or other Federal statute took place at that time or location”.

After reviewing the nine files it was determined that only three fit the definition of unfounded which translates into an unfounded rate of 6.4%. Put another way, it is highly unusual that a reported case of sexual assault would be classified as unfounded by the GPPF. The review team did come to the conclusion that in some cases classified as “inactive”, a more robust investigational effort could likely have resulted in an outcome of “unfounded”.

A final total of 45 files coded in the 1300 series were reviewed. Of the 45 files reviewed:

- 29 incidents involved a victim under the age of 18;
- 5 incidents where the victims required medical attention;
- 26 incidents where the lead investigator had specialized sexual assault training and/or training in complex cases; while there is no established specialized investigative unit, GFPP does have investigators trained to investigate complex files;
- 26 incidents where the police attempted to obtain additional witness statements;
- 16 incidents where a VICLAS book should have been submitted but was not or was not articulated in the file;
- 31 incidents where a suspect statement was either obtained or attempted. This fact is of some concern to the reviewers since it is a natural avenue of investigation to attempt to interview the accused; and
- 21 incidents classified as “inactive”; it is important to note that this does not point to a problem of investigators not being able to solve reported sexual crimes but rather signals the challenges facing police in gathering evidence on this type of crime. Some of the adult victims had known mental disabilities which made them especially vulnerable to sexual crimes while at the same time made gathering detailed victim statements difficult.

There is clearly a gap in the knowledge and application of UCR scoring of operational files as per the guidelines and rules from the CCJS. Sgt. Albert confirmed this in his review of the files and Chief Themens is aware that in general crime statistics for GFPP must be viewed with some degree of apprehension. All police forces have some percentage of errors but the PSCM review team feels strongly that the likely error rate for GFPP is above average.

An example of UCR errors found is that several victims of sexual crimes reported the same incident in different years and in more than one case a new file would be generated. This has the effect of generating an artificially greater sexual crime rate. There were also cases where GFPP investigators assisted other agencies and yet UCR scoring shows the incident as if it happened in GFPP jurisdiction.

This review, in conjunction with the review of other operational files mentioned in this report, is further evidence that GFPP investigators fail to consistently document every investigational step taken from the date the file is opened to the date it is concluded. The platoon Sergeant is expected to insist on solid file articulation and to provide direction when and where necessary before a file is closed. Sergeants must hold investigators accountable and when this is not done on a consistent basis the quality and supervision of files suffers.

It was not unusual to read in a GFPP operational file that the file was forwarded to the Crown for an opinion on whether there was sufficient evidence to swear an *Information*. While there is pre-charge screening in New Brunswick, the reviewers felt that investigators were consulting Crown either too early or unnecessarily. If the GFPP Chief Reader requires a legal opinion on a point of law, that is one thing, but a senior police officer with over two decades of experience is in the best position to evaluate a case on its merits. It should only be a rare case that the Crown does not approve a charge after an investigation that is approved by both the platoon Sergeant and the Chief Reader who is also the Deputy Chief.

In reviewing all files it is not clear if investigators are conducting CPIC checks or RMS checks against individuals mentioned in the narrative. It is the absence of articulation that is problematic and this issue has been cited in past QA reviews of GFPP.

Observation #11:

All municipal police forces participated in the review of this risk activity that has resulted in a sexual crimes review 2010-2014 report. The report contains recommendations that will impact all New Brunswick municipal police forces and as such, no additional recommendations will be made in this report relating to this risk activity. In the interim, GFPP officers need to do a better job of articulating every action they take in their investigations.

Concluding summary

This is the first QA review that Chief Themens and Deputy Chief Martin have been involved with as management of GFPP and the PSCM review team has been well received. GFPP management and staff worked diligently to ensure that all action items from the 2015 action plan were met, and they were successful in this regard. The PSCM review team and GFPP worked collaboratively to complete the 2016 QA review in a timely fashion. It is critical that all GFPP employees contribute to the evolution of their police force and in particular, that supervisors understand the vital role they play in ensuring investigations are objective, thorough and well-articulated.

Recent and progressive strides have been made by GFPP and this is having a positive effect on GFPP morale, accountability and communication and this was evident to the PSCM review team. The PSCM review teams looks forward to the continued partnership with GFPP.

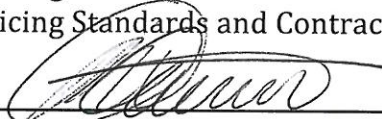
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