

Royal Canadian Mounted Police
Commissioner



Gendarmerie royale du Canada
Commissaire

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le professionnalisme, la compassion, le respect et la responsabilisation

DEC 04 2020

Ms. Micheline Lahaie
Chairperson
Civilian Review and Complaints Commission
for the RCMP
P.O. Box 1722, Station "B"
Ottawa, Ontario
K1POB3

Dear Ms. Lahaie:

I acknowledge receipt of the Commission's interim report regarding the Chairperson-initiated complaint and public interest investigation into the RCMP's investigation of the death of Mr. Colten Boushie and the events that followed, file number PC-2018-0505.

I have completed a review of this matter, including the findings and recommendations set out in the Commission's interim report.

I agree with Finding No. 1 that the RCMP members dispatched to the Stanley property, including Sergeant Colin Sawrenko, acted in accordance with the policy on first response investigations.

I agree with Finding No. 2 that the initial actions taken by the involved RCMP members in response to the complaint were reasonable.

I agree with Finding No. 3 that Sergeant Sawrenko acted reasonably in supervising the initial response to the scene.

I agree with Finding No. 4 that the RCMP members dispatched to the Stanley property responded in a timely fashion.

I agree with Finding No. 5 that it was reasonable to arrest E. M., B. J., and K. W. for the criminal offence of mischief without a warrant.

I agree with Finding No. 6 that E. M. was arrested in a manner consistent with paragraphs 10(a) and (b) of the *Charter*.

I agree with Finding No. 7 that B. J. and K. W. were arrested in a manner consistent with paragraphs 10(a) and (b) of the *Charter*.

I agree with Finding No. 8 that the manner in which Corporal Dallas Fee and Constable Cory Teniuk conducted the interviews of K. W., B. J., and E. M. was unreasonable in the circumstances.

I support Recommendation No. 1 that Corporal Fee and Constable Teniuk be provided with operational guidance with respect to RCMP policy regarding the interviewing of witnesses. I will direct that this be done.

I agree with Finding No. 9 that the manner in which Constable Teniuk conducted the interview of C. C. was reasonable in the circumstances.

I agree with Finding No. 10 that the continued detention in custody of E. M., B. J., and K. W. following the statements they provided to the RCMP on August 10, 2016, was unreasonable and not justified under subsection 497(1.1) of the *Criminal Code*.

I support Recommendation No. 2 that Sergeant Brent Olberg be directed to review the reasons for detention listed in subsection 497(1.1) of the *Criminal Code*. I will direct that this be done.

I support Recommendation No. 3 that the RCMP review its policy *Operational Manual* (OM) 24.1. "Interviews / Statements: Suspect / Accused / Witness" to address the treatment of in-custody witnesses interviewed in criminal investigations in which they are not suspects. I agree that the current policy does not provide sufficient guidance to members in that regard. I will direct that the OM 24.1. be amended to provide members with available options when obtaining a statement from a person, who is held in custody, and who is both a witness and an accused to offences having a temporal connection. Further guidance will direct members to consult with Crown counsel, where possible, prior to obtaining statements in the above circumstances and will address the need for members to ascertain the prisoner's state of mind and care received while in police custody.

I agree with Finding No. 11 that the decision to re-interview B. J. was reasonable under the circumstances.

I agree with Finding No. 12 that the manner in which Constable Ryan Boogaard conducted the re-interview of B. J. was reasonable in the circumstances.

I agree with Finding No. 13 that it was unreasonable for the members of the Command Triangle (Sergeant Olberg and Constables Boogaard and Lindsay Wudrick) to fail to consider providing direction that L. S. and S. S. not discuss the incident with each other prior to providing their witness statements to the police.

I agree with Finding No. 14 that it was unreasonable for Sergeant Sawrenko to fail to tell L. S. and S.S. not discuss the incident with each other prior to providing their witness statements.

I support Recommendation No. 4 that the RCMP provide guidance, mentoring, and/or training to the members of the Command Triangle (Sergeant Olberg and Constables Boogaard and Wudrick) and Sergeant Sawrenko with respect to witness handling. I will direct that this be done. Additionally, I wish to inform the Commission that the applicable policy, OM 24.1. "Interview / Statements: Suspect / Accused / Witness" will be amended to provide guidance with respect to advising witnesses not to discuss the incident with other witnesses and instructing members to escort the witnesses to the detachment for the taking of the statements separately, when possible.

I agree with Finding No. 15 that Corporal Jason Olney's actions in relation to A. D. were reasonable in the circumstances.

I agree with Finding No. 16 that Corporal Fee and Constables Mark Wright and Tenuk should have attempted to persuade M. F. and G. F. to be interviewed separately.

I support Recommendation No. 5 that Corporal Fee and Constables Wright and Tenuk be directed to review the RCMP's national policy OM 24.1. "Interviews / Statements: Suspect / Accused / Witness". I will direct that this be done.

I agree with Finding No. 17 that Sergeant Olberg had reasonable grounds to believe that Mr. Stanley had committed the offence of murder and that he could be arrested without a warrant pursuant to section 495 of the *Criminal Code*.

I agree with Finding No. 18 that Sergeant Olberg's direction to proceed with the arrest of Mr. Stanley for murder was reasonable.

I agree with Finding No. 19 that Mr. Stanley was arrested in a manner consistent with paragraphs 10(a) and (b) of the *Charter*.

I agree with Finding No. 20 that the manner in which Constable Aaron Gullacher conducted his interview of Mr. Stanley was reasonable in the circumstances.

I agree with Finding No. 21 that Sergeant Olberg failed to ensure that the Information to Obtain a Search Warrant was drafted in a timely manner.

I generally support Recommendation No. 6 that the RCMP provide Sergeant Olberg with guidance, mentoring, and/or training regarding the timely drafting of an Information to Obtain (ITO) a Search Warrant. I find it is clear from Sergeant (now Inspector) Olberg's Curriculum Vitae that he is a subject matter expert with respect to the preparation of judicial authorizations. Consequently, there is little use in providing mentoring and/or training to Inspector Olberg with respect to the need to ensure the timely drafting of an ITO. Furthermore, I find that the delay in drafting the ITO in this case was due to extenuating circumstances and not because of a deficiency in Inspector Olberg's training. Therefore, I will direct that Inspector Olberg be provided operational guidance in this regard.

I disagree with Finding No. 22 that in this case, insufficient RCMP members were available on a compensated on-call basis to respond in a timely manner to major crime investigations. I note that the Commission concludes that "[i]t is apparent based on the above-noted information that compensation was and still remains an issue that impacts off-duty members' responses and/or timeliness of responses when called out for assistance." This conclusion is apparently based on comments formulated by members during their interview with the Commission's investigators.

With respect to Corporal Douglas Nordick's comments that members are not compensated for being on call, I wish to inform the Commission that it is incorrect. RCMP members who are designated as being on call either for Immediate Operational Readiness or Operational Availability pursuant to OM Chapter 16.12. "Operational Response" are and were at the time of this incident, eligible for compensation in amounts set out in the *National Compensation Manual*, Chapter 2.7. "Extra Duty Pay". In Corporal Nordick's situation, the information in the file reveals that he was not designated by his superiors as being on-call on August 9, 2016. Essentially, he was on time off at the time and thus he was not eligible for the applicable compensation provided for being on call. However, had he agreed to return to duty at Sergeant Olberg's request (or direction) he would have been paid overtime as compensation in accordance with RCMP policy.

The relevant material indicates that Constable Wudrick was the on-call member for the Saskatoon Major Crime Unit (MCU) on the night of the incident. The purpose of having an on-call member is to ensure that someone is available to receive a call of a possible major crime. On receipt of the call from a detachment, the on-call member notifies his or her supervisor—in this case, Sergeant Olberg since Staff Sergeant Dale Rockel was on annual leave. Sergeant Olberg then contacted the other members of the Saskatoon MCU (who were on time off), until he had at least nine members to respond to the incident.

In the event that Sergeant Olberg could not find nine available MCU members, then, as Sergeant Olberg stated, he could have obtained more resources from General Investigation Section (GIS) units. I note that Sergeant Olberg specified that everyone he called answered the phone and agreed to return to duty. Notwithstanding that only one member was designated to be on call, all the members of the MCU team that were not on leave (as some were) responded to the call.

I note that at paragraph 207 of its report, the Commission quotes Sergeant Olberg as stating that his options for an affiant were limited so he decided to wait until the following morning when Corporal Nordick was available. However, in his statement to the Commission Sergeant Olberg stated that any of the MCU or GIS members that responded to this incident could have drafted the ITO. In addition, had Sergeant Olberg deemed it necessary, he had the option of recalling Corporal Nordick to duty notwithstanding his personal commitment. I note that Sergeant Olberg told the Commission investigators that Corporal Nordick had a "brief" personal commitment. It would appear that the decision to await Corporal Nordick's availability was a matter of preference, not one that was imposed by restrictions relating to compensated on-call policies.

As acknowledged by the Commission, I note that Corporal Fee and Constable Teniuk, both members of Saskatoon MCU, were released from duty the evening of August 9, 2016 until the next day, since there were no tasks for them to carry out. I am satisfied that this is a clear indication that there were sufficient resources on hand to deal with the workload. Furthermore, while Corporal Nordick is quoted by the Commission as stating that not being compensated for being on-call was a significant issue for him, he also states the following with respect to the adequacy of the resources available to respond to this incident (*sic* throughout):

In this instance, I truly believe that they had adequate resources to sufficiently investigate it at the time. Obviously, the role that I took with the affiant wasn't available that night and the decision was made for me to deal with it in the morning, to fulfil my role in the morning. But I truly believe we did have the resources. Everyone in our unit is fully trained, very well skilled at their job, great abilities.

To put a finer point on Corporal Nordick's statement, the information in the file reveals that members from North Battleford, Biggar and Unity Detachments, MCU members from Saskatoon and Forensic Identification Services (FIS) members from Saskatoon and Yorkton responded to this incident.

I also note, as the Commission did in its report, that Constable Wudrick, the File Coordinator, felt that the RCMP was adequately resourced for this investigation. When asked if, as the on-call person, he felt that he had the resources that were needed to carry out the investigation he states (*sic* throughout):

Yeah. I didn't think we were under-resourced in any way. I know from even when I first got to Major Crime whatever tool or resource you had as an option was a phone call away for asking or requesting it. And because this one was so dynamic I did know initially that the resources that you wanted were either on the way, but you knew what the difference is. A lot of times those resources would take several hours to get there.

And as far as people resources needed, I think that was well taken care of and the relationship with have with detachments, other general investigation sections, it was usually when we would ask for assistance it was always would be responded that people would help.

For the above reasons, I find that in this case, the RCMP had sufficient members available on a compensated on-call basis to respond in a timely manner to major crime investigations.

I nonetheless support Recommendation No. 7 that the RCMP ensure that adequate resources are available in a timely manner for the investigation of major crimes, as the RCMP seeks to achieve this standard as a matter of normal business practice.

As the Commission is aware, many considerations are taken into account when deciding resourcing levels for any detachment or unit in the RCMP. Factors such as workload, geography and availability of required expertise, to name only a few, will inform the required level of resourcing. While MCU managers are constantly assessing their needs and making them known to Divisional Staffing units, Senior Management continuously assess those needs to ensure an adequate level of resourcing.

I find that the MCUs in "F" Division were adequately staffed at the time of this incident. Additionally, as noted by Corporal Nordick and Sergeant Olberg, further improvements have been made to the resourcing of MCUs and other support units. Indeed, since 2016, "F" Division has increased the number of MCU and FIS members on-call during off duty hours and receiving operational availability compensation. Furthermore, the five provincial GIS, located in Yorkton, Regina, Saskatoon, North Battleford and Prince Albert, each have one on-call member during the week and two on weekends, who can supplement the MCU members if needed. With respect to FIS, there are now currently five FIS members on call during off duty hours: one FIS member on call in each of the five FIS service areas in Saskatchewan. These enhancements were not a result of this

incident specifically but rather a function of increased workload. Accordingly, given the measures that were in place at the time of this incident in "F" Division and the enhancements implemented since, I will not direct any further action on this recommendation.

I agree with Finding No. 23 that the Major Case Unit's decision to separate the involved persons in two RCMP detachments was reasonable given the inherent challenges of rural policing.

I partly agree with Finding No. 24. While I am satisfied that the use of a Mobile Command Centre could have proven to be useful in this case, I do not find that its presence could have potentially avoided some of the shortcomings and omissions that occurred. While some of the members indicated in their statements to the Commission that a Mobile Command Centre could be an asset, after reviewing the totality of the available information, I am unable to conclude that a Mobile Command Centre on scene would have been able to prevent the identified shortcomings. I believe that these omissions, such as the failure to cover the Ford Escape, could have been prevented without a Mobile Command Centre.

I support Recommendation No. 8 that RCMP senior management in "F" Division consider acquiring a Mobile Command Centre. I wish to inform the Commission that the present recommendation was submitted to "F" Division senior management for consideration and it was determined that, while the Division does not have a Mobile Command Centre specifically built for this type of incident, they do have access to other types of vehicle that could be used as a Mobile Command Centre when the circumstances warrant it. The Division finds it is more effective and efficient to use regular vehicles in most instances due to the nature of their operating environment. For example, a Mobile Command Centre would need to be driven to the site of the incident and many of the communities served by the MCU in the Division are either not reasonably accessible by road or, when the communities are accessible by road, those roads would not be navigable by a large command post-style vehicle, given their austere nature. Therefore, "F" Division senior management determined that acquiring a Mobile Command Centre is not a viable option for "F" Division.

I agree with Finding No. 25 that RCMP policies and procedures relating to the preservation and protection of evidence were not reasonably followed and a key piece of evidence, the Ford Escape, was left vulnerable to contamination.

I agree with Finding No. 26 that the RCMP's failure to protect the Ford Escape resulted in the alteration and loss of trace and bloodstain evidence.

I support Recommendation No. 9 that the involved members of the Major Crime Unit and Forensic Identification Services be directed to review the findings in this report with a senior member of the RCMP. I will direct that this be done.

I support Recommendation No. 10 that the involved members of the Major Crime Unit and Forensic Identification Services receive operational guidance with respect to RCMP policies and procedures related to the preservation and protection of evidence. I will direct that this be done.

I agree with Finding No. 27 that Sergeant Sawrenko's decision to allow L. S. and S. S. to remove a vehicle from the crime scene to travel to the RCMP Biggar Detachment was unreasonable.

I support recommendation No. 11 that a senior member of the RCMP provide operational guidance to Sergeant Sawrenko regarding the importance of protecting and preserving evidence at a crime scene. I will direct that this be done.

I agree with Finding No. 28 that given the significance of the Ford Escape as a key piece of evidence in the investigation, it would have been prudent to consult with Crown counsel prior to proceeding to its release.

I agree with Finding No. 29 that Constable Boogaard's decision to release the Ford Escape following the completion of the examination conducted by FIS fell within the reasonable range of options open to him and therefore constituted a reasonable exercise of his discretion.

I agree with Finding No. 30 that it was unreasonable for one or more members of the Major Crime Unit not to attend the crime scene in a more timely fashion.

I support Recommendation No. 12 that, in future cases, the Major Crime Unit Commander ensure that a member of the Unit attend the crime scene in a timely fashion. I consider that it goes without saying that, as a matter of standard practice, MCU personnel are expected to attend the crime scene in a timelier manner than what occurred in this case. I am satisfied that the creation of a Crime Scene Manager position within the MCU structure in "F" Division is a positive step forward in ensuring that MCU members attend a crime scene within a reasonable time. Consequently, I will not direct any further actions with respect to this recommendation.

I agree with Finding No. 31 that Constable Terrance Heroux and Corporal Ryttersgaard were adequately trained and qualified to perform the forensic identification tasks they were assigned in this case.

I agree with Finding No. 32 that the practice at the time of not having a designated on-call RCMP member in each Forensic Identification Services Unit was unreasonable.

I agree with Finding No. 33 that a local work-around practice of the on-call Forensic Identification Services member attempting to contact a Forensic

Identification Services member located in the area of the crime scene was unreasonable.

For the reasons to follow, I disagree with Finding No. 34 that it was unreasonable that only one Forensic Identification Services member, not qualified as a Forensic Identification Specialist, was present at the crime scene for nearly three hours to conduct the processing.

In support of its conclusion, the Commission cites section 5.1.2. of the *Integrated Forensic Identification Manual* (IFIM), Chapter 2.4 "Crime Scene Processing" (amended 2013-09-11), which requires that two FIS members process a major crime scene, one of whom must be a Forensic Identification (FI) Specialist. If a FI Specialist is not available to attend then the Division Manager is to be contacted. Section 5.1.2.1. of the IFIM 2.4. states that, in exigent circumstances, a Divisional Manager may approve a technician as leader of the investigation.

I am satisfied that the actions taken by Constable Heroux and Corporal Ryttersgaard were in substantial compliance with the provisions of the IFIM. Indeed, Corporal Ryttersgaard and Constable Heroux decided that Constable Heroux would begin to process the crime scene pursuant to the *Coroner's Act* and Corporal Ryttersgaard would deal with obtaining gun shot residue from Gerald Stanley. After processing Mr. Stanley, Corporal Ryttersgaard attended the crime scene to assist Constable Heroux. He assisted him for almost two hours before Mr. Boushie's body was removed and they exited the scene to await the preparation of a search warrant.

In his statement to the Commission's investigators, Constable Heroux indicated that he was in contact with Staff Sergeant Bart Morhart, the FIS Division Manager, while he was processing the scene. Additionally, Constable Heroux states that he updated Staff Sergeant Morhart prior to his arrival at the scene and again when leaving the scene. Furthermore, Corporal Ryttersgaard, in his statement to the Commission, confirms that Constable Heroux had "multiple" conversations with Staff Sergeant Morhart while he was at the crime scene. Constable Heroux states that he did not request advice or direction from Staff Sergeant Morhart, but simply updated him during the course of his processing of the crime scene pursuant to the *Coroner's Act*. Obviously, had Constable Heroux required advice, Staff Sergeant Morhart was available for that purpose. Therefore, I am satisfied that the relevant material is clear that Constable Heroux was in contact with the "F" Division FIS Division Manager as per policy requirements.

I also wish to inform the Commission that I consulted with the policy center responsible for the interpretation of the IFIM 2.4. and it indicated that sending Constable Heroux to process the scene on his own was within the policy, as FIS members would be expected to attend and immediately begin processing a crime scene while awaiting additional resources. This practice eliminates any

unnecessary delays in examining the scene, as well as identifying any perishable evidence that would need to be processed immediately. The fact that policy requires at least two FIS members to process crime scenes does not preclude the first member on scene from beginning the process while awaiting a second member.

I agree with this interpretation of the policy, as policy cannot address every contingency faced by RCMP members. The realities of policing, rural policing in particular, often require a flexible approach. In my view, actions taken to comport with the exigencies of the situation do not automatically render the action taken unreasonable.

I also note that the Commission states that “[t]here is no indication in the materials that Constable Heroux had any discussions with Corporal Ryttersgaard about the processing of the crime scene prior to his arrival at 3:45 AM.” However, my review of the relevant material reveals that at pages 30 and 36 of the transcript of Corporal Ryttersgaard’s statement to the Commission’s investigators he confirms that he spoke to Constable Heroux while Constable Heroux was at the scene. While the investigator did not inquire as to the nature of the conversation between Corporal Ryttersgaard and Constable Heroux, it is reasonable to assume they discussed how the processing of the scene was progressing. Presumably, if Corporal Ryttersgaard had any concerns with the information being imparted by Constable Heroux he would have made them known at the time.

The Commission also cites Constable Heroux’s statement to its investigators that in hindsight it would have been “ideal” to have two members at the scene. In my view, his comment is more consistent with the sentiment that more resources are always welcome rather than with a concession that being on his own for three hours in any way hindered his ability to carry out his duties in a thorough and professional manner. I find that the following excerpt from page 58 of the transcript of Constable Heroux’s statement amplifies his earlier comment and places it into the proper context (*sic* throughout):

Would it be nice to have three or four more Ident members? Would it be nice to have a tent where I could cover the whole yard? You know, there's lots of things—it would be nice to have a mobile command unit, you know, all those things would be great, but, you know, the reality of where we work in, and the remote areas that we deal with, it's—we do the best with the resources that we have.

I also note that at paragraph 295 of its report, the Commission states, “[a]lthough it was not the most complex crime scene, it did have several areas of importance that would have been better processed with a team of two members.” Unfortunately, the Commission does not support this conclusion with

reference to any concrete examples of areas of importance that would have necessitated the presence of two FIS members.

The Commission also seems to give minimal consideration to Constable Heroux's depth of experience. The Commission states that while Constable Heroux "had considerable training and exposure to FIS work [...] most of that experience was under the apprenticeship program and he had yet to complete more advanced Forensic Identification training courses". The information in the file reveals that Constable Heroux had been to approximately 15 homicides prior to the Boushie scene and that he was the lead in at least half of them. Constable Heroux also indicated during his interview with the Commission's investigators that he was confident in his ability to handle the scene on his own.

In my view, Constable Heroux was qualified to process the crime scene pursuant to the *Coroner's Act*. As noted by the Commission in its report, the scene was not a complex one. The fact that Constable Heroux was on the apprenticeship program when he was the lead member in processing numerous homicide scenes is of little consequence. During his apprenticeship program, Constable Heroux was responsible for the quality of his work to his superiors, file investigators and the courts. Further, it appears that Corporal Ryttersgaard, a FI Specialist and highly experienced in homicide scene processing himself, had no hesitation in allowing Constable Heroux to begin to process the crime scene on his own (although he did have assistance from Constable Park). I find that processing the crime scene in a thorough and professional manner without the presence of a FI Specialist was well within Constable Heroux's capabilities.

I agree with Finding No. 35 that Constables Chad Doucette and Andrew Park acted reasonably to collect and preserve evidence that was at risk of being lost.

I agree with Finding No. 36 that Constables Doucette and Park did not adequately document their handling and transfer of the evidence they collected.

I support Recommendation No. 13 that Constables Doucette and Park be directed to review the policy OM 25.2. "Investigator's notes". I will direct that this be done.

I agree with Finding No. 37 that Constable Heroux's decision to contact a bloodstain pattern analyst three days after the incident was unreasonable.

I support Recommendation No. 14 that Constable Heroux be directed to review this report with a senior Forensic Identification Services member and discuss the significance of the involvement of a bloodstain analyst at a blood-letting crime scene. I will direct that this be done.

I agree with Finding No. 38 that the Major Crime Unit team applied the Major Case Management methodology and its nine essential principles, in adherence to the RCMP's national policy OM 25.3. "Major Case Management".

I agree with Finding No. 39 that the investigative team was adequately staffed to conduct the investigation into the death of Mr. Boushie in spite of their stated large caseload and other duties.

I agree with Finding No. 40 that the Coordinated Investigative Team, including the Command Triangle, possessed the necessary training and experience to competently carry out the roles and responsibilities assigned to them in this investigation.

I agree with Finding No. 41 that it was unreasonable for Constables Boogaard and Teniuk to attend the wake to update the family on the progress of the criminal investigation.

I support Recommendation No. 15 that Constables Boogaard and Teniuk be directed to review Finding No. 41 with a senior member of the RCMP. I will direct that this be done.

I agree with Finding No. 42 that internal communications were inadequate in some instances in the investigation.

I agree with finding No. 43 that the lack of communication between the various RCMP units involved in the investigation of Mr. Boushie's death lead to some of the errors and inefficiencies.

I support Recommendation No. 16 that Corporal Olney as well as the members of the Command Triangle (Sergeant Olberg and Constables Boogaard and Wudrick) be directed to read this report with a senior member of the RCMP. I will direct that this be done.

I agree with Finding No. 44 that a *prima facie* case of discrimination is not established with respect to the police's tactical approach and search of the Baptiste family home.

I generally agree with Finding No. 45 that a *prima facie* case of discrimination is established concerning the police's conduct towards Ms. Baptiste with respect to her sobriety and her credibility. It is undisputed that the manner in which the next of kin notification was communicated to the family was insensitive and demonstrated poor judgement. I also acknowledge the existence of a link between the manner by which the service was provided in this case and the Indigenous historical context, as indicated by the Commission in its report. I am prepared to agree with the Commission's finding with respect to this specific allegation in this particular matter.

I agree with Finding No. 46 that there is no *prima facie* case of discrimination with respect to the treatment of E. M., B. J., K. W., and C. C. during their police interviews.

I agree with Finding No. 47 that there is no *prima facie* case of discrimination with respect to the gaps in the criminal investigation into Mr. Boushie's death, including issues relating to the securing of evidence.

I support Recommendation No. 17 that cultural awareness training be provided for all RCMP employees bearing in mind the factors identified in recent inquiries. I wish to advise the Commission that the RCMP has implemented a continuum of Indigenous Cultural Awareness learning opportunities for all categories of RCMP employees. In fact, the Cultural Awareness training is mandatory for all employees. Some of these learning opportunities were already implemented and its delivery in progress as a result of guidance provided by the Commission in previous matters such as, for example, in the interim report following investigation into a Chairperson Initiated Complaint and Public Interest Investigation into the RCMP's response to anti-shale gas protests in Kent County, New Brunswick, and other matters. Some of the recently added learning opportunities include:

- The Aboriginal and First Nations Awareness course provides information about the history, geography, and contemporary issues pertaining to Aboriginal lands, cultures, and communities. This online course defines the terms that are commonly used to refer to indigenous peoples in Canada as well as outlines the history, geography and demographic characteristics of Aboriginal people. The course describes how Aboriginal people perceive their relationships with the land, outlines the history of Aboriginal treaties and describes the culture and its influence on the Aboriginal way of life, communication, and points of view. The characteristics of the six indigenous cultural regions in Canada are presented, as well as a description of the differences between Aboriginal and traditional Western cultures.
- The Blanket Exercise is an interactive learning activity that was developed with Indigenous Elders, knowledge keepers, and educators. Participants stand on blankets that represent the land of Indigenous Peoples in Canada. As a facilitator guides participants through an eye-opening version of Canadian history, the blankets are folded and the blanketed area diminishes in size, representing the taking of the land. The exercise provides an appreciation of the resilience and resistance of Indigenous peoples through ongoing colonialism. Every cadet participates in the Blanket Exercise as part of the Cadet Training Program at Depot Division. It has been delivered in several other divisions, including "F" Division.

- Indigenous Perceptions/Awareness workshops delivered in the divisions are distinctions-based and mandatory for members policing Indigenous communities. These workshops provide employees with experiential teachings that are reflective of the history, culture and background of the local Indigenous people. The workshops are facilitated by local Elders and include teachings delivered by Elders and Indigenous community leaders.
- A Trauma-informed Approach is an online course aimed at assisting employees in recognizing the widespread impact of trauma; recognizing the signs and symptoms of trauma for people involved in the justice system; combining knowledge about trauma into policies, procedures, and practices; and understanding how to incorporate this knowledge and sensitivity into everyday functions to avoid causing more trauma to survivors.
- The Cultural Awareness and Humility course was developed to enhance awareness of self and others, ensuring an understanding of Canadian laws and RCMP policies and to recognize and apply a culturally informed approach. It is mandatory for all RCMP employees and it will be available to other law enforcement agencies via the Canadian Police Knowledge Network.

The RCMP is continuously improving and updating its learning opportunities, as appropriate, to ensure the most up to date information and best practices. For example, in 2019, the RCMP updated the Canadian Police College's Human Trafficking course to include Indigenous awareness and human trafficking prevention elements. The RCMP remains committed to continuous learning and improvement, particularly as it relates to inclusivity and cultural sensitivity with respect to the people they serve.

To increase RCMP referrals to Restorative Justice, the RCMP is collaborating with the Department of Justice's Indigenous Justice Programs on the creation of online training for RCMP employees. The training will encourage pre-charge police referrals to community-based Restorative Justice Programs, particularly those under the Indigenous Justice Programs. This training has been informed by interviews with RCMP regular members, supervisors, and community-based program representatives.

Furthermore, in 2019, "F" Division implemented a division-wide community familiarization program in each detachment. Through this program, each new member to a detachment is shown the local culture by a resident of the community they serve thus allowing members to become familiar with the people, customs, and structure of that community, whether it be an Indigenous community, a farming community, or any other community with specific characteristics.

Finally, in response to difficulties that presented itself in this matter with respect to communications with the victim's family, I wish to inform the Commission

that "F" Division has revised its MCU Business Rules to clarify the Team Commander's role and responsibility in ensuring that the death notification is properly resourced and completed and that all plans and all communication strategies and tasks are documented within the investigational decision logs, allowing for more transparency and accountability with respect to decisions taken within an investigative file. Furthermore, "F" Division has also developed the "Saskatchewan RCMP Family Guide", which is provided to families of homicide victims or to families of missing persons where foul play is suspected. This reference tool can be used by family members to gain a better understanding of the investigative process and assist in identifying resources available to them to obtain further support or information.

I look forward to receiving your final report on this matter.

Kindest regards,

Brenda Lucki
Commissioner