



Guided by Integrity, Honesty, Professionalism, Compassion, Respect and Accountability

Les valeurs de la GRC reposent sur l'intégrité, l'honnêteté,
le professionnalisme, la compassion, le respect et la responsabilisation

Protected "A"

JUN 11 2012

Mr. Ian McPhail, Q.C.
Interim Chair
Commission for Public Complaints
Against the RCMP
P.O. Box 1722, Station "B"
Ottawa, Ontario
K1P 0B3

Dear Mr. McPhail:

I acknowledge receipt of the Commission's Final Report dated March 22, 2012, on the public interest investigation into an incident occurring in the cells in Kamloops, British Columbia, file number PC-2010-3263.

I agree with the finding that it was unreasonable for Corporal Richard Brown and Constables Evan Elgee, Stephen Zaharia and Bryce Fiegehen to have permitted the physical contact between Ms. X and Ms. Y to continue.

I agree with the finding that the members' conduct in this instance was unreasonable in that it demonstrated a lack of professionalism and respect.

I agree with the finding that Inspector Yves Lacasse and RCMP "E" Division management responded in a timely and appropriate manner to the allegations.

I agree with the finding that Chief Superintendent Craig Callens' interpretation that the Kamloops cell block incident did not meet the threshold of "serious or sensitive" was reasonable in the circumstances.

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With respect to the finding that the relationship between Sergeant Royce Roenspies and Corporal Brown raised a perception of bias, I find that it created the potential for a perception of bias.

With respect to the finding that Inspector Lacasse had sufficient information to identify the perception of bias but failed to do so, I agree that he had sufficient information to identify the potential for a bias to be perceived and that he failed to do so.

I agree with the finding that the RCMP's investigation of the incident was reasonable and that all appropriate investigative steps appear to have been taken.

I agree with the finding that the RCMP's investigation of the incident occurred in a timely manner.

I support the recommendation that Corporal Brown receive operational guidance concerning the importance of appropriate leadership and supervision. I am deeply disappointed in Corporal Brown's failure to demonstrate leadership and I will direct that operational guidance be provided to him.

I do not support the recommendation that the RCMP consider amending the *External Investigation or Review Policy* to provide additional guidance on how to determine when circumstances are "serious or sensitive." The purpose of the broad wording of the policy is to provide the necessary flexibility to decision-makers in exercising their discretion in different circumstances. Their discretion must be exercised within the context of the policy as a whole, taking into consideration public interest, public confidence in the police generally and public confidence in the oversight and review of police conduct specifically. Having said this, I note that ongoing review is an essential element for the RCMP's policy development.

I support the recommendation that the RCMP amend its *External Investigation or Review Policy* to reflect a requirement to require consistent documentation of decisions pursuant to that policy. The requirement to consistently document decisions pursuant to the policy will ensure that decision-makers exercise their discretion in the appropriate context as described above without removing the necessary flexibility. Although Chief Superintendent Callens' documentation of his decision-making was weak, his rationale was appropriate and considered a broad array of relevant factors.

I acknowledge, as you have, that Chief Superintendent Callens made positive changes in "E" Division at the time by implementing an initiative for the proper documentation of recommendations made to apply the *External Investigation or Review Policy*.

I support the recommendation that Inspector Lacasse receive operational guidance regarding the proper identification of issues involving the impartiality of RCMP member-involved investigations.

Thank you very much for undertaking this public interest investigation into this incident in the cells in Kamloops, British Columbia. The RCMP continues to strive to be an open and adaptive police force in which Canadians can have confidence.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Bob Paulson', with a large, stylized loop at the end.

Bob Paulson
Commissioner