



**Commission for Public  
Complaints Against the Royal  
Canadian Mounted Police**

**Commission des plaintes du  
public contre la Gendarmerie  
royale du Canada**

## **Review of the RCMP's Public Complaint Records - 2007 Including Recommendations for Implementation**

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**Special Report**

Strategic Policy and Research Division

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## Introduction

The Commission for Public Complaints Against the RCMP (“the Commission”) performs a vital role in Canadian society in that it provides civilian oversight of the conduct of RCMP members in carrying out their policing duties thereby holding the RCMP accountable to the public. This public accountability is not only essential in helping ensure that police officers exercise their authority legally and appropriately, but is also a key element in the checks and balances required to tackle crime in Canada.

The Review of the Record is a unique project undertaken by the Commission to examine all complaint dispositions stemming from public complaints against the RCMP. The Commission’s examination of the disposition of complaints analyzes trends in the types of allegations made by the public against the RCMP, how the complaint was disposed of by the RCMP and if the disposition was in keeping with RCMP policy, and provides the Commission and the RCMP with an empirical foundation to assess how effectively the overall public complaint system for the RCMP is functioning. Such empirical analyses will assist Commission and RCMP decision-makers in understanding the extent and nature of complaints against the RCMP in their respective jurisdictions and will provide a national versus regional versus divisional perspective on RCMP performance and service to Canadians through the public complaint system.<sup>1</sup>

A member of the public can make a complaint about the RCMP directly to the RCMP, the Commission or a provincial policing authority. When the Commission receives such a complaint, it may attempt to settle the matter informally by facilitating a discussion between the complainant and a representative from the RCMP. When informal resolution fails or is inappropriate (e.g. because of the nature of the allegation), a Complaint Analyst helps the complainant formalize his or her complaint and in most instances forwards it to the RCMP for investigation<sup>2</sup>. The RCMP then reports the findings of its investigation to the complainant, the RCMP member(s) involved and the Commission.

If the complainant is not satisfied with the RCMP’s handling of the matter, he or she may request that the Commission review the complaint. In its review, the Commission analyzes all materials relating to the complaint, including the RCMP operational file, the RCMP public complaint investigation, relevant law and policy, and all material provided by the complainant. If the Chair is satisfied with the RCMP’s handling of the complaint, he sends a Final Report<sup>3</sup> to all parties involved, including the RCMP Commissioner and the Minister of Public Safety. If the Chair is not satisfied with the RCMP’s handling of the complaint, he sends an Interim Report to the RCMP Commissioner and to the Minister of Public Safety setting out his findings and recommendations. The RCMP Commissioner reviews the Chair’s findings and recommendations and sends a written notice to the Chair and the Minister of Public Safety outlining any further action that has been or will be taken with respect to the complaint.

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<sup>1</sup> Please see **Appendix D** for an overview of the RCMP public complaint process.

<sup>2</sup> There are provisions in the *RCMP Act* for the Commission to conduct an investigation if it is in the public interest to do so.

<sup>3</sup> Please see **Appendix A** for terminology commonly utilized in the RCMP public complaint process.

The Review of the Record Project's main goal is to identify areas where opportunities exist to effect change and strengthen police accountability. The project consists of two major components: the Review of the Record and the Outstanding Disposition List, which tracks all open Commission-lodged complaint files. These projects serve to enhance civilian oversight of the RCMP through quantitative and qualitative analyses, thereby strengthening the entire public complaint system.

The Review of the Record Project is designed to:

- confirm that the RCMP's statutory mandate and responsibilities related to public complaints provided for in Part VII of the *RCMP Act* are being met;
- analyze complaints for the purpose of trend analysis;
- identify complaint issues that might form the subject of further examination or action;
- identify systemic issues within the complaint process and within the wider context of Canadian law enforcement; and
- work collaboratively with the RCMP to identify opportunities for change.

To initiate the project, the Commission formally requested that the RCMP, pursuant to paragraph 45.47(b) of the *RCMP Act*, provide a copy of all completed public complaint records. A completed public complaint record was defined as the record of all complaints received by the RCMP under Part VII of the *RCMP Act* and included RCMP Form 4110 capturing informal resolutions and withdrawals, Form 4110 and a Notice of Direction as defined by subsection 45.36(6) of the Act, and Form 4110 and the Final Report as defined by section 45.4 of the Act.

This report is divided into two parts: Part One presents the findings related to the analysis of the Review of the Record database and Part Two presents the findings and trends related to the analysis of the findings and recommendations made in the Commission's Interim Reports.

The data collected for this report is for the calendar year 2007 and is based on all completed complaint records received by the Commission before July 1, 2008, with a complaint date between January 1, 2007<sup>4</sup> and December 31, 2007.<sup>5</sup> The Commission received 1,440 completed complaint dispositions relating to complaints lodged within the 2007 timeframe. It is estimated, however, that there is close to 2,500 complaints in total that were lodged against the RCMP in 2007.

For administrative purposes the RCMP is divided into four regions, which are then divided into divisions and further divided into detachments.<sup>6</sup> The Review of the Record Project captures and tracks data Force-wide, regionally, divisionally, and at the detachment level.

Based on the complaint dispositions received, the Pacific Region had the most complaints (642) representing 45% of the total, while the Atlantic Region had 236 (16%), the Central Region had 53 (4%) and the Northwest Region had 509 (35%).

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<sup>4</sup> This project does not include complaint dispositions that were provided to the Commission before January 1, 2007.

<sup>5</sup> As of September 16, 2008, the Commission had received 2,086 completed complaint dispositions.

<sup>6</sup> A list of the Regions and their associated Divisions can be found in **Appendix C**.

A total of 3,104 allegations were made against the RCMP and its members. The most common complaint allegations as identified by the RCMP were “Neglect of Duty” (29%), “Improper Attitude” (20%) and “Improper Use of Force” (13%).

In disposing of a complaint the RCMP issued a Final Report (RCMP) in 46% of the cases, issued a Notice of Direction 11% of the time, entered into an informal resolution in 30% of all cases and accepted a complaint withdrawal in 13% of the cases.

During the analysis, the Commission noticed that 8% of the total informal resolutions dealt with allegations of improper use of force and that 14% of all use of force allegations resulted in an informal resolution. Of those dispositions, 48% were deemed by the Commission to be an inappropriate disposition of a public complaint.

In 2007 the RCMP took, on average, 114 days to issue a disposition once a complaint was lodged (range: 0 to 447 days) and an additional 86 days for the Commission to receive a copy of the disposition<sup>7</sup> (range: 0 to 496 days). It took, on average, 229 days for a complainant to lodge a complaint (range: 0 to 11,927<sup>8</sup> days) after the incident of concern.

Interestingly, there was a significant gap in the average number of days it took a complainant to initially lodge a complaint with the Commission or the RCMP. On average, complainants waited 271 days after the incident took place before lodging a complaint directly with the Commission (range: 0 to 5,326 days), while complaints lodged with the RCMP averaged only 165 days after the incident (range: 0 to 1,927 days).

It is important to note that the Review of the Record analysis identified a number of possible reasons why complainants allowed so many days to elapse before lodging their complaint:

- 1) the types of allegations that are lodged with the Commission tend to be more serious in nature than those lodged with the RCMP;
- 2) the complainant may not have immediate access to the public complaint system;
- 3) the complaint may be historical in that an incident occurred many years (in some cases decades) before a formal complaint is lodged; and
- 4) alternate ways of resolving the complaint may have been attempted before a formal complaint was lodged.

Further, analyses as to why complainants wait an extended period of time before lodging a complaint will be conducted in future reports. The Commission has already introduced outreach initiatives in an effort to address some of the reasons individuals may wait before lodging a complaint. To that end, the Commission has been actively working to expand awareness to a more diversified set of the Canadian population, which in turn may help complainants come

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<sup>7</sup> These averages do not mean that it took the RCMP a particular amount of time to provide the complainant with the disposition; the timelines are specific to the RCMP providing the Commission with a copy of the dispositions.

<sup>8</sup> The public complaint that took 11,927 days to be lodged had an initial incident start date of January 1975 and made allegations against the conduct of RCMP members that spanned many years. The complaint was lodged in August 2007. The Commission is only empowered by statute to look at complaints lodged after 1988; however, some complainants have incident data that span from before this timeframe to well after 1988.

forward with their concerns at an earlier occasion. In addition to producing information and complaint documents in 12 different languages, during 2007–2008 the Commission also established a pilot project with the National Association of Friendship Centres. The pilot project was designed to enhance knowledge of and improve access to the public complaint process by members of the aboriginal community who may encounter obstacles in accessing the public complaint process. Two other areas that will be important to the outreach work of the Commission in the coming year are new Canadians and those suffering from mental health issues.

The second component of the Review of the Record Project, the Outstanding Disposition List Project, is designed to act as an accounting mechanism for all Commission-lodged complaints that are currently being investigated by the RCMP. Information gathered through the Outstanding Disposition List allows the Commission to track how quickly the RCMP is responding to complaints and to identify whether complaints are taking too long to be investigated.

Interestingly, the RCMP reduced the number of pre-2007 outstanding complaints by 69%. The Commission continues to receive complaint dispositions for pre- and post-2007 complaints and many of the divisions have taken to providing the Commission with a written status report of the complaints that are identified on the list. This has proven to be incredibly helpful in tracking and accounting for Commission-lodged complaints. Further, complaints that may have fallen through the “cracks” of the system have been identified and investigations have been ordered. Service to Canadians is improving.

The biggest limitation for the Review of the Record Project has been gathering the completed complaint dispositions. While compliance with the Commission’s requests has been good, the Commission is aware that divisions and detachments are not always submitting all of the necessary documents; this has impacted the Commission’s ability to provide a complete analysis.

With respect to the second part of the Review of the Record report, the objective of the Findings and Recommendations Trends Analysis was to determine existing trends in the findings and recommendations submitted to the RCMP Commissioner and to establish if there were any discernable trends in the Commissioner’s response to the Interim Reports. For the 2007 calendar year, the Commission issued 24 Interim Reports, but only received 15 Commissioner’s responses. A preliminary analysis of the 2007 Interim Reports identified several trends in the Commission’s findings and recommendations, three of which are most significant.

The most common complaint for which a review was requested was a perceived neglect of duty; complainants articulated that an RCMP member failed to fully carry out his/her duties. The next most common complaint related to improper use of force, specifically excessive force, which often flowed from arrests. The third most common complaint related to allegations that RCMP members displayed an improper attitude in their interactions with the public.

The Commission has found that these projects have exceptional value in that they have increased cooperation between the Commission and the RCMP; have assisted in reducing the large number of outstanding complaint dispositions; and through quantitative and qualitative analyses have

identified trends that can be utilized to improve the quality of the overall public complaint system and enhance service to the public.

In the future, the Commission will post, on its website, the results of the Quality Assessment of Dispositions Project, which will include an analysis of the complaint dispositions included in the Review of the Record database, Force-wide and by Division.

Future Review of the Record reports will address complaint trends over time and chronic complainants, further examine regional and divisional differences, and provide an update on the report from the previous year.

## Recommendations

Recognizing the importance of Force-wide consistency and based on the findings of the analyses within the Review of the Record Project, the Commission recommends the following:

1. That the Professional Standards and External Review Directorate at RCMP Headquarters organize a Force-wide meeting of divisional Professional Standards Units and the Commission in order to discuss best practices and ways of improving efficiency and effectiveness in the public complaint process.
2. That the Professional Standards and External Review Directorate at RCMP Headquarters send out a directive clearly articulating:
  - a. when it is appropriate to informally resolve improper use of force complaints and when it is not;
  - b. how public complaints defined under Part VII of the *RCMP Act* are to be processed when the complainant raises statutory offence allegations; and
  - c. when it is appropriate to terminate a public complaint under the *RCMP Act* and what information must be included in a Notice of Direction.
3. That the RCMP implement a more efficient means of tracking public complaints and that divisions and detachments provide the Commission with a copy of all of the outstanding complaint dispositions.
4. That the RCMP ensure that those tasked with capturing public complaints and writing complaint dispositions be appropriately trained and that manuals related to the public complaint process be immediately updated to ensure a standardized national approach.
5. That the RCMP commit to improving its service standards by implementing ways to reduce wait times and increase processing times for complaint dispositions.
6. That the RCMP ensure that all of the complaint dispositions be provided to the Commission concurrent to being provided to the member and the complainant.

## **Next Steps**

Building on the findings of the first Review of the Record Project Report, the Commission plans on embarking on:

- Collaborating with the RCMP in communicating best practices with respect to the proper use of the termination provisions;
- Collaborating with the RCMP in implementing a standardized approach to the RCMP public complaint process to ensure Force-wide consistency and enhance service to the public;
- Further analyses of the concerns raised in this report, specifically into chronic complainants, statistical anomalies and improper informal resolutions and terminations of public complaints;
- A quality assessment of all RCMP public complaint dispositions; and
- Annual reporting on the findings of the Review of the Record Project.

## **The Public Complaint Process**

The Commission's powers, as established in 1988, have led to a federal oversight model that is primarily complaints driven. The Commission derives its authority from Parts VI and VII of the *RCMP Act*. Its jurisdiction to receive and review complaints includes the conduct of an RCMP member while performing a policing duty or function, as well as the off-duty conduct of an RCMP member when it is determined that the alleged conduct is likely to adversely affect the member's performance as an RCMP member and/or the RCMP's reputation. The Commission does not have authority to review matters falling within the administration of the affairs of the RCMP, including managerial or administrative concerns.

### **Intake of Complaints**

When the Commission receives a complaint, a Complaint Analyst at the Surrey, BC office first determines if the Commission has jurisdiction then assists the complainant to formalize their complaint, which is then forwarded to the RCMP for investigation. The RCMP then reports the findings of its investigation to the complainant, the RCMP member(s) involved and the Commission. This is a statutory obligation.

Not all members of the public want to lodge a complaint formally though. In some cases, when a member of the public is not requesting a response from the RCMP, but wants a supervising officer to be aware of their concern(s), the Complaint Analyst may file a report directly with the RCMP.

### **Informal Resolution**

The Commission's Complaint Analysts are afforded the opportunity, on a daily basis, to assist with conflict resolution by creating a positive climate for communications between the public and the RCMP and/or to quickly obtain information from the RCMP for the complainant.

The Commission frequently encounters complaints that are appropriately informally resolved by enabling a would-be complainant to air their grievances and exchange information with the appropriate RCMP official. Once the Commission understands the nature of the complainant's concern(s), the Complaint Analyst explains the options available. In appropriate cases, the Complaint Analyst invites the complainant and the RCMP to work together informally to resolve the issue. The complainant always retains the right to file a formal complaint. Where the complainant elects to resolve the concern by way of informal dispute resolution, the Complaint Analyst serves as a facilitator, helping the complainant obtain accurate and complete information by enlisting the aid of the senior RCMP officer in the jurisdiction where the problem arose.

### **Request for Review**

If the complainant is not satisfied with the RCMP's handling of their complaint, he/she may request that the Commission review the complaint. In its review, the Commission's Reviewer Analyst evaluates all materials relating to the complaint, including the RCMP operational file, the RCMP public complaint investigation, relevant law and policy, and all relevant material provided

by the complainant. It is a traditional model wherein two competing parties place their respective versions of an event before an independent arbitrator who conducts an inquiry and makes factual findings based upon the available evidence and the credibility of the parties.

Further, the Commission can conduct its own independent investigation and the Chair also has the authority to hold a public interest hearing to inquire into a complaint.

If the Commission is satisfied with the RCMP's handling of the complaint, it sends a Final Report to all parties involved, including the RCMP Commissioner and the Minister of Public Safety. If on the other hand the Commission is not satisfied with the RCMP's handling of the complaint, it sends an Interim Report to the RCMP Commissioner and to the Minister of Public Safety setting out the Commission's findings and recommendations. The RCMP Commissioner reviews the Commission's findings and recommendations, and then sends a written notice to the Commission and the Minister of Public Safety outlining any further action that has been or will be taken with respect to the complaint.

In cases where an Interim Report has been written and the RCMP Commissioner has responded with a Commissioner's Notice, the Commission then responds to the RCMP in a report called Final Report After Commissioner's Notice, which reasserts the Commission's position and details any concerns the Commission has with the Commissioner's response to the Interim Report. A copy of the Final Report After Commissioner's Notice, along with the Interim Report, is then sent to the various parties, as defined by the *RCMP Act*.

Currently, there is no requirement for the RCMP to confirm to the Commission that further action on recommendations has indeed been carried out.



**PART ONE:**  
**ANALYSIS OF THE REVIEW OF THE RECORD**

## Post-Audit Review

The Commission has implemented a review of the public complaint record in the past, known as a Post-Audit Review. The Post-Audit Review conducted in the 1990s primarily focused on identifying complaints that required further action by the Commission based on two criteria:

- 1) complaints that were not referred to the Commission but should have been; and
- 2) complaints disposed of by the RCMP but that the Commission felt, based on public interest, required further action.

The Post-Audit Review was also utilized to inform the Chair of the Commission at that time of any negative trends evident in the complaint process such as the improper application of the *RCMP Act*.

The results of the Review were expressed in a monthly report provided to the Chair and reflected the following information:

- Number of records reviewed during the reporting period;
- The number of complaints that were dealt with in a manner that did meet the requirements of the *RCMP Act*;
- Examples of complaints that warrant further action on the part of the RCMP or requests for the RCMP to do corrective action;
- Examples of complaints that warrant further action by the Commission/public interest cases, recommendations outlining further action to be taken; and
- Noteworthy trends both positive and negative.

While the Post-Audit Review did provide some information on the state of the public complaint system, there were limitations with the project:

- The Commission only reviewed the complaint documents that related to complaints lodged with the Commission;
- There was no system-wide appreciation of the entire public complaint process; and
- There was no way to determine issues that were unique to the divisions or issues that were systemic in nature.

One of the major differences between the Post-Audit Review and the present Review of the Record Project is that in the first instance findings centered on the disposition of complaints rather than quantitative and qualitative analysis of the nature of the complaint system overall. Similar types of findings that were reported in the previous Post-Audit Review will be reported on in the Commission's Quality Assessment of Complaint Dispositions Project.

The benefit of the Commission's current approach in studying the entire complaint system is to establish a factual basis for improving the overall public complaint process. This system-wide approach not only allows the Commission to understand the entire complaint system, but also to better appreciate issues that may be unique to divisions or detachments across Canada.

## Quantitative Analysis of Complaint Dispositions

### Methodology

The data collected for 2007 is based on all completed complaint records received before July 1, 2008,<sup>9</sup> with a complaint date between January 1, 2007<sup>10</sup> and December 31, 2007.<sup>11</sup> The Commission received 1,440 completed complaint dispositions relating to complaints lodged within that timeframe. Upon intake each complaint was assessed for completeness. Commission staff analyzed the disposition document and identified issues raised in the complaint. In addition, specific information was collected for inclusion in the database, which could provide a basis for both quantitative and qualitative analysis.

The type of disposition was captured based on the four ways the RCMP is able to resolve a complaint:

- the complainant can agree to an informal resolution;
- the complainant can withdraw the complaint;
- the complaint can be formally investigated and a Final Report issued; or
- the complaint can be terminated and a Notice of Direction issued.

The Review of the Record Project systematically captures several dates<sup>12</sup> related to complaint dispositions in order to calculate the elapsed time from the incident date<sup>13</sup> to the complaint date,<sup>14</sup> from the complaint date to the disposition date,<sup>15</sup> and from the disposition date to the date<sup>16</sup> the disposition was provided to the Commission.

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<sup>9</sup> It was decided to give the RCMP six (6) additional months to provide the Commission with the complaint disposition for complaints lodged in 2007.

<sup>10</sup> This project does not include complaint dispositions that were provided to the Commission before January 1, 2007.

<sup>11</sup> As of September 16, 2008, the Commission had received 2,086 completed complaint dispositions.

<sup>12</sup> In a few cases, dates usually captured were not available. The fields related to these dates were then left blank and were not used for the complaint timeline analysis. Twelve cases were omitted because of a missing incident date and 4 cases were omitted because of a missing disposition date.

<sup>13</sup> This field captures the date when the incident occurred. However, some complainants have difficulty remembering the specific incident date but recall the incident happening within a certain week or month. Others report that the incident occurred over a range of dates. In these cases, the incident date is captured as the earliest date within the range reported.

<sup>14</sup> The complaint date is based on the date the complainant lodged his or her complaint with the Commission, the RCMP or the Federation of Saskatchewan Indian Nations (FSIN).

<sup>15</sup> The disposition date captures the date found on the Final Report or the Notice of Direction for formally investigated complaints and terminated complaints, respectively. When a complaint is informally resolved or withdrawn, the disposition date is reported as the date captured on Form 4110.

<sup>16</sup> When the Commission receives a complaint disposition, the current date is stamped onto the disposition documents. This is the date used to populate the Date Disposition Received field.

For administrative purposes the RCMP is divided into four regions, which are then divided into divisions and further divided into detachments.<sup>17</sup> The Review of the Record Project captures and tracks data Force-wide, regionally, divisionally, and at the detachment level.

## Allegations

While documenting a public complaint, the RCMP categorizes each of the complainants' concerns by assigning them to a specific allegation category. There are 16 such complaint categories:

- A. **Improper Attitude:** The complaint category includes behaviour that could be seen as abusive, rude, discourteous, disrespectful, aggressive, intimidating, etc. The behaviour could also be seen to be unfair or lacking empathy.
- B. **Improper Use of Force:** The category includes allegations of inappropriate or excessive force. Improper use of force may be considered inconsistent with circumstances applied to frequently or harshly.
- C. **Improper Use of Firearms:** This category involves the use, display or discharge of a firearm.
- D. **Irregularity in Procedure:** This complaint category involves some aspect of the Privacy or Access issues, allegations that members improperly obtained information from a police data bank, and other alleged violations of an “administratively enforced” statute.
- E. **Driving Irregularity:** This complaint category includes allegations of improper or unsafe police transport, pursuits or operation of emergency vehicles.
- F. **Neglect of Duty:** This is a broad category that encompasses alleged behaviour that a member failed to or refused to perform a duty or provide an expected service. Such allegations could include failure to identify oneself, mismanagement of public complaints, inadequate investigations, improper care of prisoners, failure to release detained persons into a safe environment, and failure to provide appropriate medical care. This category could also include allegations of deficient reporting related to note books, investigations, occurrence reports.
- G. **Statutory Offence:** This complaint category is reserved for allegations that members violated sections of the *Criminal Code of Canada*, federal, provincial or municipal statutes.
- H. **Mishandling of Property:** This complaint category includes allegations about the loss of property, damage to property and the unreasonable detention of property.
- I. **Irregularity-Evidence:** These allegations would include concerns around members testifying in judicial proceedings, failure or refusal to report the facts of a public complaint, and failure or refusal to testify to correct or true facts.
- J. **Oppressive Conduct:** The complaint category would include these allegations that would surpass what would be considered improper attitude, irregular procedure and neglect of duty.
- K. **Improper Arrest:** This category involves allegations of failing to inform an individual for the reason for their arrest, right to counsel or failing to provide an opportunity to exercise these rights.

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<sup>17</sup> A list of the Regions and their associated divisions can be found in **Appendix C**.

- L. **Improper Persons/Vehicles Search:** These allegations would include complaints of personal and vehicle searches as well as potential violations of section 8 of the *Charter of Rights and Freedoms*.
- M. **Improper Search of Premises:** The complaint category includes allegations concerning members who have entered or remain unlawfully in a premise.
- N. **Policy:** These allegations are specifically about RCMP policy and their application.
- O. **Equipment:** This category applies to allegations of improper use of RCMP equipment.
- P. **Service:** This complaint category includes allegations that members did not respond or failed to provide timely service.

While these allegations are typically utilized by the RCMP to capture and categorize the complaint allegations, the Commission has noticed that some allegations are incorrectly categorized. This incorrect categorization most often occurs for “Improper Use of Force” allegations that are categorized as “Neglect of Duty”. This categorization issue will be further examined during the Quality Assessment of Dispositions project; unfortunately, for the purposes of this Review of the Record Report it is impossible to determine how detrimental this misclassification of allegations has impacted the statistics relating to this aspect of the project or even if this is a widespread problem. This issue will be addressed in future reports and with the RCMP directly.

## Issues

For every complaint disposition received, the Commission analyzed the reason the complaint was lodged and the incident details in order to identify issues related to the nature of the complaint. In order to ensure consistency and accuracy, 46 issue categories were created.<sup>18</sup>

## Limitations

Given the nature of the public complaint system, the Commission will likely continue to receive complaint dispositions for complaints lodged in 2007 well into 2008, and will probably receive some in 2009 as well. There are several reasons for this lag time. Some complaints will naturally take a longer time to process and to issue a disposition because they are quite complex in nature. Also, there currently exists a time lag between the date the disposition is completed and the date the disposition is provided to the Commission, either due to the RCMP not providing the disposition or not completing the disposition in a timely manner.

Since the Commission does not know with certainty how many complaint dispositions the RCMP has issued at any given moment, or how many complaints have been lodged in total, the Commission has to rely on the RCMP to provide the complaint dispositions in a timely fashion in order for the database to be as complete as possible. This has been the biggest limitation to completing the Review of the Record Project and divisions have been repeatedly reminded to provide the Commission with complaint dispositions as soon as possible. However, it must be noted that as the project progresses it appears that the RCMP has improved the time it takes to

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<sup>18</sup> A description of the Commission-identified issues can be found in **Appendix B** of this report.

provide the Commission with a complaint disposition; this will be empirically captured in the 2008 Review of the Record Report.

Further, some of the sample sizes are very small due to the limited number of complaint dispositions submitted by some divisions. Due to this small sample size, the ability of the Commission to draw conclusions or provide more fulsome analyses is limited. However, as more information becomes available and as the Review of the Record databases grow, the limitations caused by the sample size will dissipate.

The Commission is aware that some of the divisions have completed complaint dispositions they have yet to provide the Commission related to complaints lodged after January 1, 2007. However, it is impossible to determine the scope of the problem, as not even RCMP Headquarters may know how many complaints have been lodged or completed nationally. The Commission attempted on several occasions to reconcile its list of completed complaint dispositions with the RCMP's list to determine if the RCMP had dispositions that had not yet been provided to the Commission and vice versa.<sup>19</sup> Attempts are currently being made by RCMP Headquarters to provide the Commission with a copy of the complaint dispositions they have in their possession and that the Commission does not, so that the dispositions may be entered into the database. Unfortunately, this exercise was not completed before the writing of this report, despite those documents being identified in May 2008.

Because of these above-mentioned factors, the data included in this report cannot reflect all complaints lodged in 2007. However, by creating these specific parameters for data inclusion and recognizing the limitations, the statistics provided can be as accurate as possible and an update will be provided in future Review of the Record reports.

The Review of the Record Project has proved an invaluable tool in highlighting anomalies and causes of concern in the RCMP public complaint system nationally, regionally, divisionally and at the detachment level. Such anomalies and causes of concern will be the subject of further analyses as more information becomes available spanning a greater period of time.

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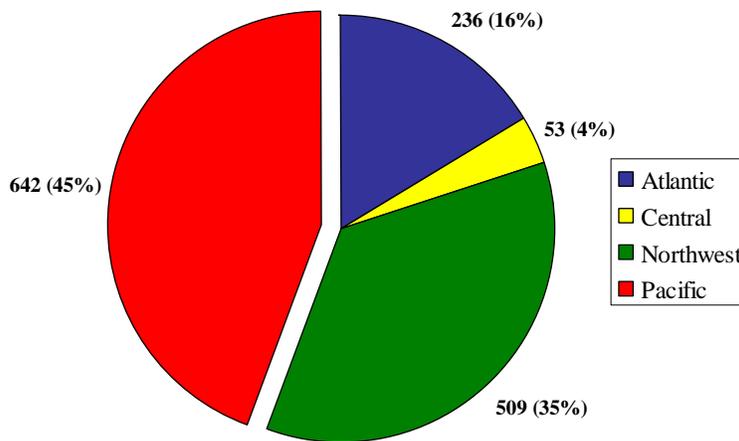
<sup>19</sup> During this process it was determined that some divisions and detachments were providing the Commission with complaint dispositions and not providing a copy to Headquarters, or were providing Headquarters with a copy of a complaint disposition expecting those documents to be forwarded to the Commission.

## RCMP Force-Wide and Regional Analysis

### Received Complaints

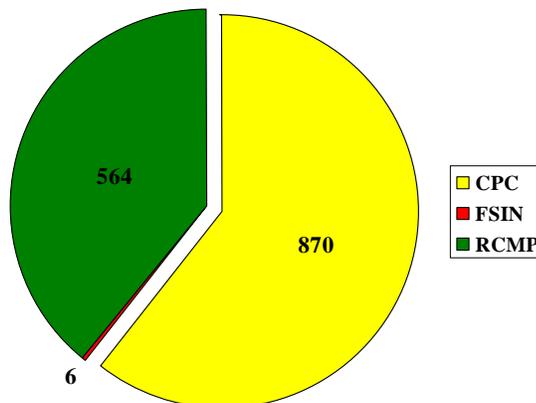
The Commission received 1,440 completed complaint dispositions from the RCMP relating to complaints lodged in 2007. The Pacific Region had the most complaints (642) representing 45% of the total, while the Atlantic Region had 236 (16%); the Central Region had 53 (4%); and the Northwest Region had 509 (35%).

**Figure 1: Number of Complaints by Region**



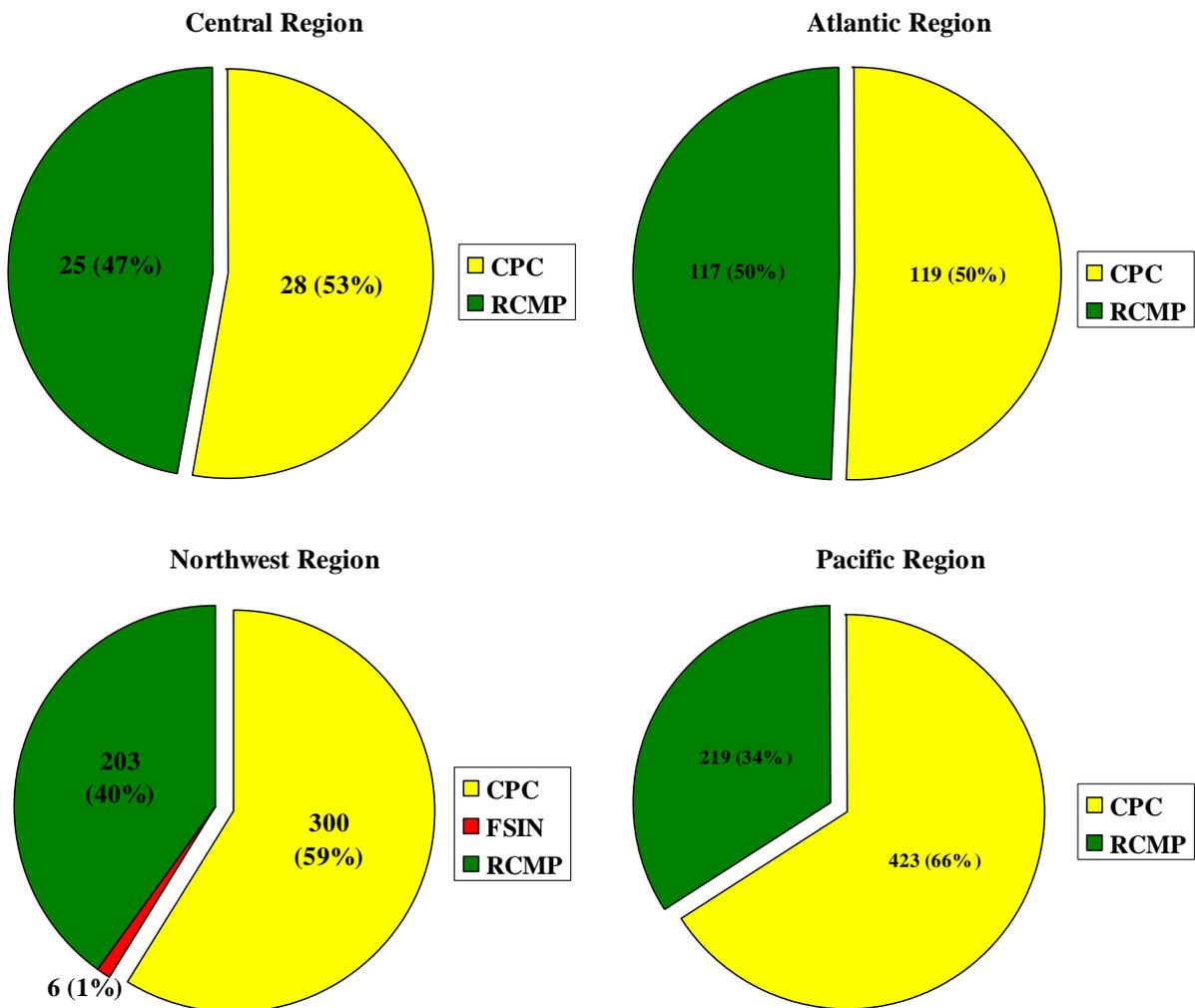
Of those complaints, 870 were lodged with the Commission (60.4%) while 564 were lodged with the RCMP (39.2%) and complaints lodged initially with the FSIN accounted for .4%.

**Figure 2: Number of Complaints Based on the Organizations it Was Lodged With**



From a regional perspective, complainants in the Pacific Region appeared to favour lodging complaints with the Commission (66% with the Commission and 34% with the RCMP). This could be attributed to the increased presence of the Commission in this region, as the national complaint intake office is located in Surrey, BC. Complaints originating from the Atlantic and Central Regions were split relatively evenly between those lodged with the Commission and the RCMP. In total, 59% of the complaints lodged in the Northwest Region were lodged with the Commission, compared to 40% with the RCMP and 1% with the FSIN.<sup>20</sup>

**Figure 3: Regional Breakdown – Number of Complaints Based on the Organization it Was Lodged With**



Occasionally, the Commission received a complaint against a whole detachment. In 2007, the Commission received 87 of these complaints; the region most likely to have complaints against a

<sup>20</sup> Statistics related to complaints lodged with the FSIN were included, where relevant, in this report because their presence in Saskatchewan has a statistical impact on the RCMP public complaint process and overall police oversight. While these complaints may have been lodged with the FSIN in the first instance, which is outside the normal process of lodging a complaint against the RCMP, the complaint would have been processed in the same manner that all other public complaints are processed: the RCMP would investigate and dispose of the complaint.

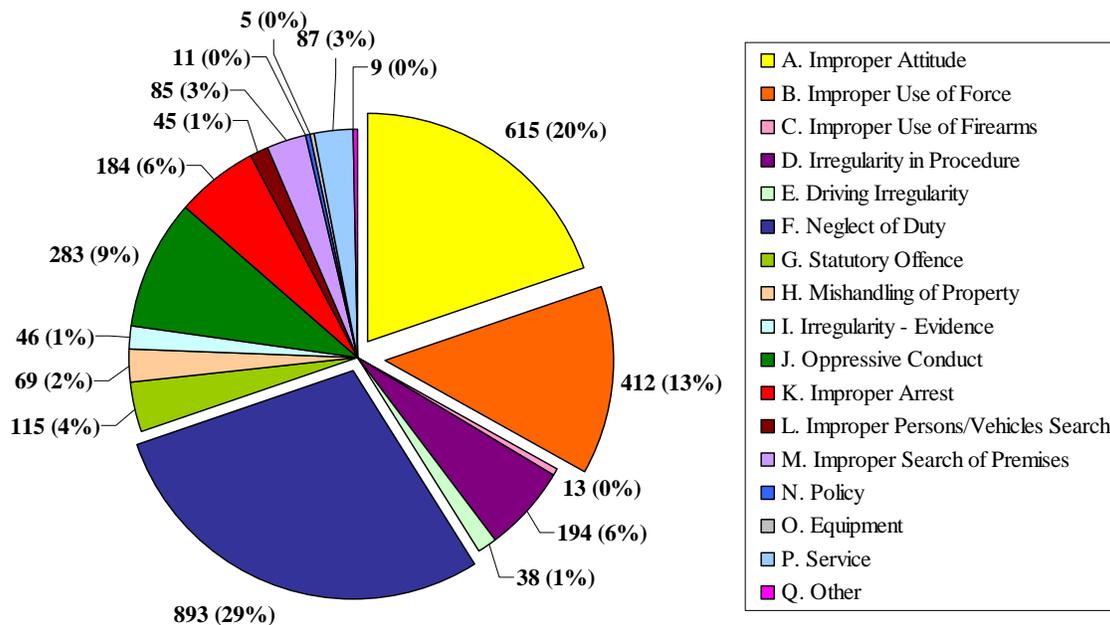
whole detachment was the Atlantic Region, which represented 9% of their total complaints. A further 7 separate complaints were against the RCMP in general, 3 of which originated from “A” Division.

The average number of members named in a complaint was 1.5. Given that most front-line policing within the RCMP is done by constables and corporals, it is not surprising that constables were represented in 70% of the total complaints. The rank of corporal was represented in 14% of the public complaints and sergeants were represented in 5% of the complaints.

## Allegations

A total of 3,104 allegations were made against the RCMP and its members, which averaged approximately 2.2 allegations per complaint. The most common complaint allegations as identified by the RCMP were “Neglect of Duty” (29%), “Improper Attitude” (20%) and “Improper Use of Force” (13%).

**Figure 4: Allegations Breakdown Force-Wide**



In the Atlantic Region the three most common allegations were “Neglect of Duty” (30%), “Improper Attitude” (19%), and “Improper Use of Force” and “Oppressive Conduct” at 11% each.

In the Central Region the most common allegations were “Improper Attitude” at 29%, “Neglect of Duty” at 27% and “Oppressive Conduct” at 16%.

In the Northwest Region, the three most common complaint allegations were “Neglect of Duty” (29%), “Improper Attitude” (17%) and “Improper Use of Force” (14%).

The three most common complaint allegations identified by the RCMP in the Pacific Region were “Neglect of Duty” (28%), “Improper Attitude” (22%) and “Improper Use of Force” (14%).

**Table 1: Allegations Breakdown by Region**

	Atlantic		Central		Northwest		Pacific		Total	
	n	%	n	%	n	%	n	%	n	%
A. Improper Attitude	95	19%	23	29%	190	17%	307	22%	<b>615</b>	<b>20%</b>
B. Improper Use of Force	56	11%	1	1%	156	14%	199	14%	<b>412</b>	<b>13%</b>
C. Improper Use of Firearms	5	1%	0	0%	4	0%	4	0%	<b>13</b>	<b>0%</b>
D. Irregularity in Procedure	34	7%	10	13%	66	6%	84	6%	<b>194</b>	<b>6%</b>
E. Driving Irregularity	6	1%	1	1%	12	1%	19	1%	<b>38</b>	<b>1%</b>
F. Neglect of Duty	156	30%	21	27%	315	29%	401	28%	<b>893</b>	<b>29%</b>
G. Statutory Offence	12	2%	0	0%	84	8%	19	1%	<b>115</b>	<b>4%</b>
H. Mishandling of Property	14	3%	3	4%	18	2%	34	2%	<b>69</b>	<b>2%</b>
I. Irregularity – Evidence	10	2%	2	3%	25	2%	9	1%	<b>46</b>	<b>1%</b>
J. Oppressive Conduct	56	11%	13	16%	76	7%	138	10%	<b>283</b>	<b>9%</b>
K. Improper Arrest	23	4%	0	0%	53	5%	108	8%	<b>184</b>	<b>6%</b>
L. Improper Persons/Vehicles Search	12	2%	0	0%	17	2%	16	1%	<b>45</b>	<b>1%</b>
M. Improper Search of Premises	9	2%	0	0%	37	3%	39	3%	<b>85</b>	<b>3%</b>
N. Policy	0	0%	0	0%	6	1%	5	0%	<b>11</b>	<b>0%</b>
O. Equipment	0	0%	1	1%	2	0%	2	0%	<b>5</b>	<b>0%</b>
P. Service	24	5%	3	4%	24	2%	36	3%	<b>87</b>	<b>3%</b>
Q. Other	1	0%	1	1%	6	1%	1	0%	<b>9</b>	<b>0%</b>
<b>Total</b>	<b>513</b>		<b>79</b>		<b>1,091</b>		<b>1,421</b>		<b>3,104</b>	

The categorization of allegations can further be broken down into those complaints lodged with the Commission and those lodged with the RCMP. The allegations lodged with the Commission represent 63.9% of total allegations, those lodged with the RCMP represent 35.6%, and those lodged with the FSIN represent 0.5%.

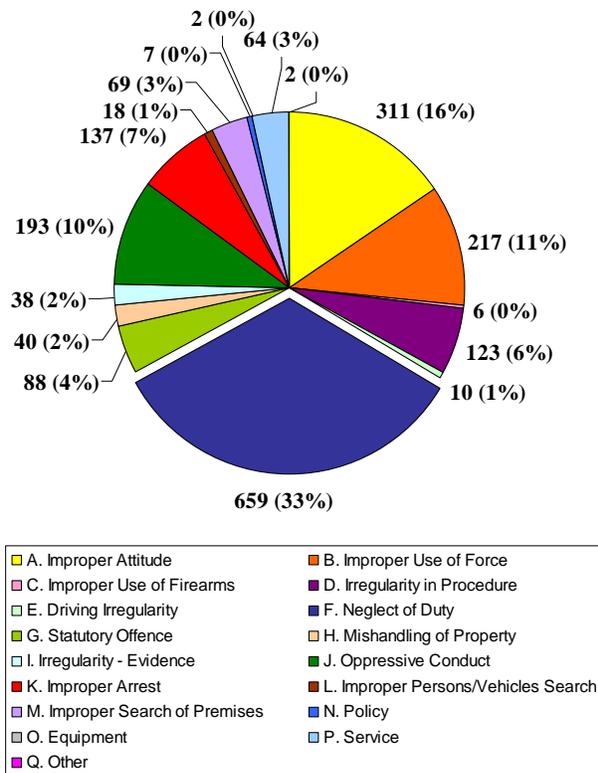
**Table 2: Allegations Breakdown by Where Complaints Were Lodged**

Allegations	CPC		RCMP		FSIN		Total
	n	%	n	%	n	%	n
A. Improper Attitude	311	50.6%	303	49.3%	1	0.2%	<b>615</b>
B. Improper Use of Force	217	52.7%	186	45.1%	9	2.2%	<b>412</b>
C. Improper Use of Firearms	6	46.2%	7	53.8%	0	0.0%	<b>13</b>
D. Irregularity in Procedure	123	63.4%	71	36.6%	0	0.0%	<b>194</b>
E. Driving Irregularity	10	26.3%	28	73.7%	0	0.0%	<b>38</b>
F. Neglect of Duty	659	73.8%	234	26.2%	0	0.0%	<b>893</b>
G. Statutory Offence	88	76.5%	27	23.5%	0	0.0%	<b>115</b>
H. Mishandling of Property	40	58.0%	29	42.0%	0	0.0%	<b>69</b>
I. Irregularity – Evidence	38	82.6%	7	15.2%	1	2.2%	<b>46</b>
J. Oppressive Conduct	193	68.2%	88	31.1%	2	0.7%	<b>283</b>
K. Improper Arrest	137	74.5%	47	25.5%	0	0.0%	<b>184</b>
L. Improper Persons/Vehicles Search	18	40.0%	26	57.8%	1	2.2%	<b>45</b>
M. Improper Search of Premises	69	81.2%	16	18.8%	0	0.0%	<b>85</b>
N. Policy	7	63.6%	4	36.4%	0	0.0%	<b>11</b>
O. Equipment	2	40.0%	3	60.0%	0	0.0%	<b>5</b>
P. Service	64	73.6%	23	26.4%	0	0.0%	<b>87</b>
Q. Other	2	22.2%	7	77.8%	0	0.0%	<b>9</b>
<b>Total</b>	<b>1,984</b>		<b>1,106</b>		<b>14</b>		<b>3,104</b>
<b>Percentage of Total</b>	<b>63.9%</b>		<b>35.6%</b>		<b>0.5%</b>		

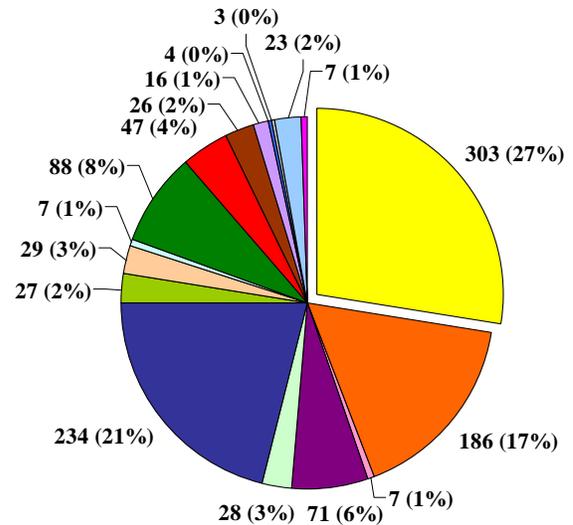
Complaints involving allegations of “Irregularity – Evidence” (83%), “Improper Search of Premises (81%) and “Statutory Offence” (77%) were most likely to be lodged with the Commission. Conversely, complaints involving allegations of “Driving Irregularity” (74%), “Equipment” (60%) and “Improper Persons/Vehicles Search” (58%) were most likely to be lodged with the RCMP.

Typically, complaint allegations such as “Improper Attitude” and “Improper Use of Force” were evenly split between the Commission and the RCMP. Interestingly, 2% of the “Improper Use of Force” allegations were lodged with the FSIN for complaints lodged against members in Saskatchewan.

**Figure 5: Allegations Breakdown for CPC-Lodged Complaints**



**Figure 6: Allegations Breakdown for RCMP-lodged Complaints**



For every complaint disposition received, the Commission analyzed the reason and incident details in order to identify issues related to the nature of the complaint. By cross-referencing these issues with the RCMP allegations, the Commission was able to identify key issues that come up for each allegation. The most common issues that were raised in the complaints were “Attitude” (16.56%), “Criminal Investigation Quality” (10.77%), issues with “Arrest” (9.65%), and “Vehicular Incidents” (7.16%).

## Chronic and Multiple Complainants

The public complaint process is utilized by a variety of individuals who have issues with the conduct of an RCMP member. Generally, one complaint relating to one incident is filed; however, some situations may necessitate the filing of two or more complaints, especially those spanning two divisions or detachments. These types of complainants are viewed as multiple complainants.

Apart from the above-mentioned multiple complainants, there are a small percentage of complainants who are chronic in nature and file multiple complaints, spanning many years, and involving many different members and detachments. While their concerns should always be addressed, chronic complainants can put a strain on the resources of the RCMP public complaint process. For complaints lodged in 2007, the Commission found that of the 1,347 identified complainants, 84 or 6% could be considered multiple complainants. Whether these multiple complainants are also chronic complainants will be the subject of future reports as more information spanning a number of years becomes available. Additional analyses will be performed in the future to better understand chronic complainants and to identify more effective ways of addressing their concerns.

**Table 3: Repeat Complainants<sup>21</sup>**

Region	Number of Complaints per Complainant					Total
	2	3	4	5	6+	
<b>Atlantic</b>	17	2	1	1	0	<b>21</b>
<b>Central</b>	3	0	0	0	0	<b>3</b>
<b>Northwest</b>	14	2	0	0	1	<b>17</b>
<b>Pacific</b>	36	3	3	0	1	<b>43</b>
<b>Total</b>	<b>70</b>	<b>7</b>	<b>4</b>	<b>1</b>	<b>2</b>	<b>84</b>

Multiple complaints against members for the 2007 calendar year were also tracked through the Review of the Record Project, although at a very basic level. It is conceivable that a member could legitimately generate multiple public complaints depending on the nature of the interaction with the public and if they are posted to a small detachment. It is equally conceivable that a member could be generating multiple public complaints due to aggressive or inappropriate on-duty behaviour. The context of the public complaint would best determine which of the two scenarios presented above was most accurate.

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<sup>21</sup> Total Complainants, n = 1,347

**Table 4: Repeat Members<sup>22</sup>**

Region	Number of Complaints per Member					Total
	2	3	4	5	6+	
<b>Atlantic</b>	42	5	1	1	0	<b>49</b>
<b>Central</b>	0	0	0	0	0	<b>0</b>
<b>Northwest</b>	57	9	2	3	5	<b>76</b>
<b>Pacific</b>	101	17	4	2	0	<b>124</b>
<b>Total</b>	<b>200</b>	<b>31</b>	<b>7</b>	<b>6</b>	<b>5</b>	<b>249</b>

The Commission is aware that some chronic complainants have lodged in excess of 40 separate complaints against some members, which would skew the numbers for that particular region and for that specific member. Such was the case with the Northwest Region where it has been identified that there were 5 members who had 6 or more complaints against them; however, this was the result of one complainant who represented 36% of all complaints in that particular division for the 2007 calendar year.

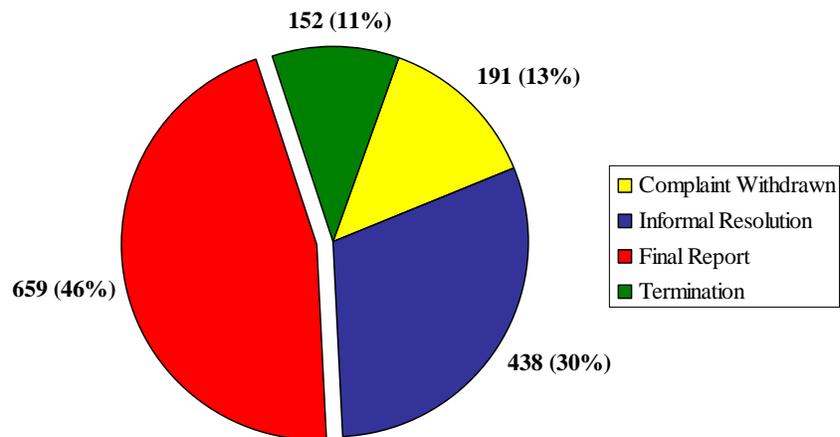
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<sup>22</sup> Total Members, n= 1,613

## Disposition of Complaints<sup>23</sup>

Once the RCMP has received a complaint, there are various ways that they can attempt to resolve the concerns raised. A complaint can be investigated and a Final Report issued, the complainant can agree to an informal resolution, the complainant can withdraw the complaint with a valid and documented reason, or the complaint can be terminated under limited provisions identified in the *RCMP Act*.

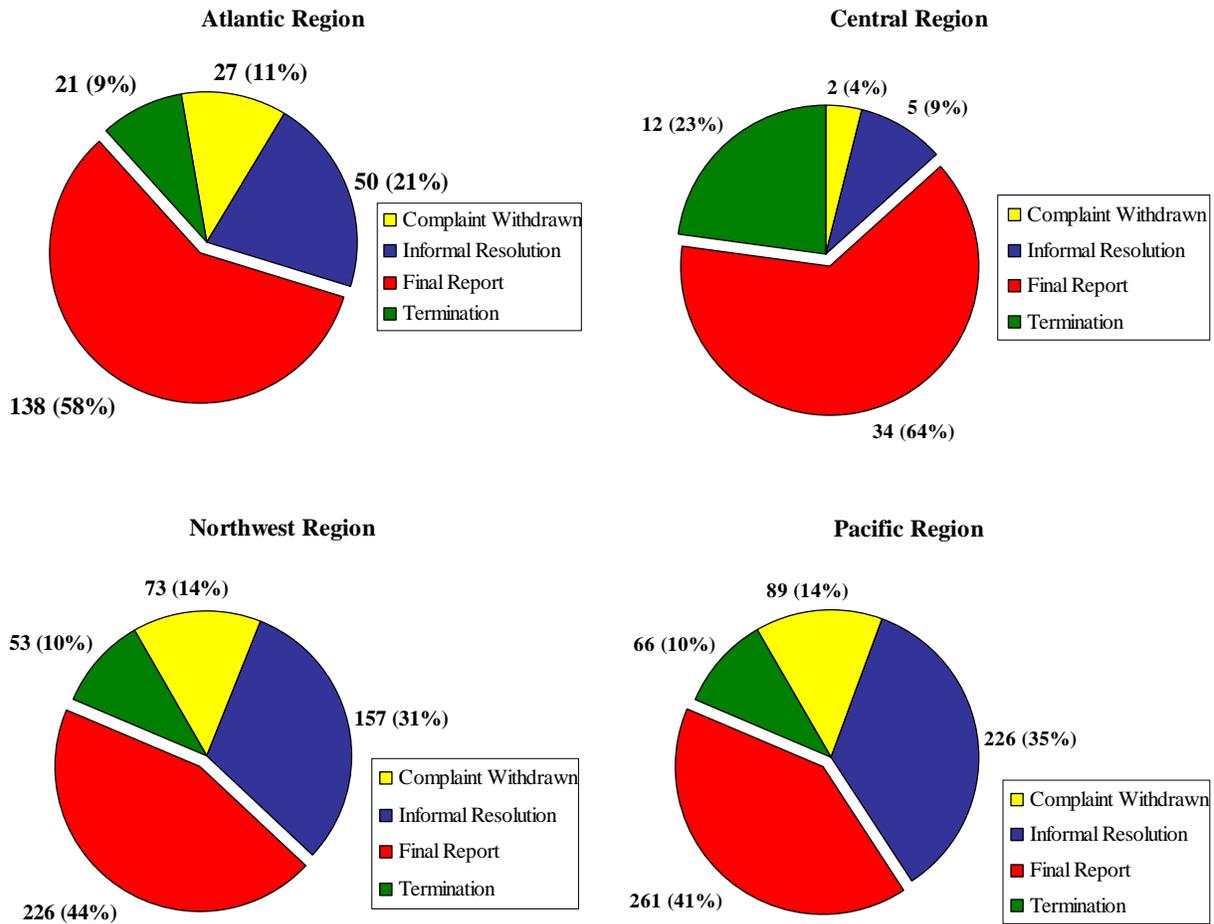
**Figure 7: Number of Complaints by Disposition Type: Force-Wide**



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<sup>23</sup> The Commission is currently embarking on a quality assessment of all public complaint dispositions received through the Review of the Record. While the entire analysis has not yet been completed, preliminary analysis indicates the quality of complaint dispositions varies greatly from one division or detachment to another.

**Figure 8: Regional Breakdown – Number of Complaints by Disposition Type**



### Investigation and Final Report

Of the complaint dispositions the Commission received, 659 were formally investigated and a Final Report<sup>24</sup> was issued, representing 46% of the total dispositions. These reports made determinations on 1,727 allegations, with allegations of “Improper Use of Firearms”, “Irregularity – Evidence”, “Oppressive Conduct”, “Improper Use of Force” and “Improper Persons/Vehicles Search” most likely to be disposed of in this manner.

However, when looking at the allegations that were investigated across the country, only 10% were found supported by the RCMP. For the allegation categories that were most often disposed of through a Final Report by the RCMP, the RCMP did not support the allegation between 82%

<sup>24</sup> These types of reports are referred to as “Final Reports” and in this instance only refer to the RCMP’s disposition of the complaint after a public complaint investigation is concluded. The Commission also issues Final Reports after a review has been conducted into an RCMP public complaint disposition that was appealed.

and 100% of the time.<sup>25</sup> It is of note that among the allegations that are most likely to be unsupported by the RCMP were “Improper Use of Force” and “Statutory Offence”.

From a regional perspective, the Central Region issued a Final Report in 64% of the cases, well above the Force-wide average. These Final Reports made determinations on 57 allegations. The allegations most likely to be disposed of through a Final Report were “Neglect of Duty” and “Improper Attitude.” However, in comparing the allegations that were supported and unsupported, none of the allegations were supported.

The Atlantic Region issued a Final Report in 58% of the cases, which dealt with 339 allegations. The allegations most likely to be disposed of through a Final Report were “Neglect of Duty” and “Improper Attitude”. However, when looking at the allegations that were supported and unsupported, it was found that only 12% of the total 322 allegations were supported.

The Northwest Region issued a Final Report in 44% of the cases, which addressed 621 allegations. The allegations most likely to be disposed of through a Final Report were “Neglect of Duty” and “Improper Use of Force.” However, when looking at the allegations that were supported and unsupported, it was found that only 11% of the total 598 allegations were supported.

The Pacific Region issued a Final Report in 41% of the cases. These Final Reports made determinations on 710 allegations. The allegations most likely to be disposed of in this manner were “Neglect of Duty” and “Improper Use of Force”. However, when looking at the allegations that were supported and unsupported, it was discovered that only 9% of the total 700 allegations were supported.

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<sup>25</sup> It should be noted that the total number of allegations identified as being dealt with and the total number of allegations where a determination of supported or unsupported was made in a Final Report may differ as there are occasions when the RCMP has been unable to make a determination due to lack of evidence or the allegation was not separately addressed.

**Table 5: Allegations Breakdown for Final Reports**

	Atlantic		Central		Northwest		Pacific		Total	
	n	%	n	%	n	%	n	%	n	%
A. Improper Attitude	56	17%	17	30%	77	12%	117	16%	<b>267</b>	<b>15%</b>
B. Improper Use of Force	40	12%	1	2%	117	19%	119	17%	<b>277</b>	<b>16%</b>
C. Improper Use of Firearms	4	1%	0	0%	3	0%	4	1%	<b>11</b>	<b>1%</b>
D. Irregularity in Procedure	19	6%	7	12%	35	6%	52	7%	<b>113</b>	<b>7%</b>
E. Driving Irregularity	2	1%	0	0%	6	1%	12	2%	<b>20</b>	<b>1%</b>
F. Neglect of Duty	103	30%	19	33%	169	27%	186	26%	<b>477</b>	<b>28%</b>
G. Statutory Offence	7	2%	0	0%	32	5%	8	1%	<b>47</b>	<b>3%</b>
H. Mishandling of Property	5	1%	3	5%	13	2%	18	3%	<b>39</b>	<b>2%</b>
I. Irregularity – Evidence	8	2%	2	4%	23	4%	5	1%	<b>38</b>	<b>2%</b>
J. Oppressive Conduct	49	14%	4	7%	53	9%	92	13%	<b>198</b>	<b>11%</b>
K. Improper Arrest	22	6%	0	0%	37	6%	50	7%	<b>109</b>	<b>6%</b>
L. Improper Persons/Vehicles Search	3	1%	0	0%	15	2%	12	2%	<b>30</b>	<b>2%</b>
M. Improper Search of Premises	3	1%	0	0%	24	4%	22	3%	<b>49</b>	<b>3%</b>
N. Policy	0	0%	0	0%	5	1%	2	0%	<b>7</b>	<b>0%</b>
O. Equipment	0	0%	1	2%	0	0%	2	0%	<b>3</b>	<b>0%</b>
P. Service	17	5%	3	5%	8	1%	9	1%	<b>37</b>	<b>2%</b>
Q. Other	1	0%	0	0%	4	1%	0	0%	<b>5</b>	<b>0%</b>
<b>Total</b>	<b>339</b>	<b>100%</b>	<b>57</b>	<b>100%</b>	<b>621</b>	<b>100%</b>	<b>710</b>	<b>100%</b>	<b>1,727</b>	<b>100%</b>

**Table 6: Supported or Unsupported Allegations**

Allegation	Supported		Unsupported		Total
	n	%	n	%	n
A. Improper Attitude	36	14.0%	222	86.0%	<b>258</b>
B. Improper Use of Force	10	3.7%	263	96.3%	<b>273</b>
C. Improper Use of Firearms	2	18.2%	9	81.8%	<b>11</b>
D. Irregularity in Procedure	13	12.0%	95	88.0%	<b>108</b>
E. Driving Irregularity	1	5.3%	18	94.7%	<b>19</b>
F. Neglect of Duty	65	14.1%	396	85.9%	<b>461</b>
G. Statutory Offence	1	2.1%	46	97.9%	<b>47</b>
H. Mishandling of Property	5	12.5%	35	87.5%	<b>40</b>
I. Irregularity – Evidence	0	0.0%	37	100.0%	<b>37</b>
J. Oppressive Conduct	12	6.4%	176	93.6%	<b>188</b>
K. Improper Arrest	9	8.7%	94	91.3%	<b>103</b>
L. Improper Persons/Vehicles Search	4	13.3%	26	86.7%	<b>30</b>
M. Improper Search of Premises	5	10.4%	43	89.6%	<b>48</b>
N. Policy	0	0.0%	7	100.0%	<b>7</b>
O. Equipment	0	0.0%	3	100.0%	<b>3</b>
P. Service	7	17.9%	32	82.1%	<b>39</b>
Q. Other	0	0.0%	5	100.0%	<b>5</b>
<b>Total</b>	<b>170</b>		<b>1,507</b>		<b>1,677</b>

## Informal Resolutions

Pursuant to section 45.36 of the *RCMP Act*, a public complaint against the RCMP can be disposed of informally when the consent of both parties involved is obtained. Informal resolutions are documented on Form 4110 and the RCMP must “ensure that Section 8 contains sufficient information that outlines what action was taken in response to the complaint, exactly what the parties agreed to and that it is **signed by both parties** (emphasis added).”

The Commission is concerned that the RCMP has informally resolve serious allegations typically involving use of force allegations and that until the Review of the Record Project, these dispositions would not have been reviewed by the Commission. This severely undermines the public complaint process and limits the effectiveness of police oversight.

Based on a preliminary analysis of the informal resolutions that have been provided by the RCMP through the Review of the Record, there is varying degrees of completeness of Form 4110s. Further, there is, arguably, little compliance with the intent of informal resolution to the extent that it is often difficult to determine how a resolution was achieved and if both parties have agreed.

In many cases it was impossible to determine if the member who was the subject of the complaint was aware of either the complaint or the disposition. In some cases Form 4110 only indicated that operational guidance was provided to the member(s) involved. There is no indication if this meant that the RCMP found fault with the member(s)’ behaviour, if the complainant was being placated or if proper informal resolution protocols were adhered to. Regardless, there was insufficient information when this happened to determine if the disposition and action taken was appropriate. Further analyses of informal resolutions will be conducted in the Quality Assessment Project, which will assess all complaint dispositions and ascertain if they adhere to RCMP public complaint policy.

Informal resolutions accounted for the second most common way to dispose of a complaint with 438 dispositions representing 30% of the 1,440 dispositions examined.<sup>26</sup> In 2007, informal resolutions disposed of 693 allegations. Allegations relating to “Improper Attitude”, “Driving Irregularity”, “Equipment” and “Service” were most likely to be informally resolved. It is of note that “Improper Use of Force” allegations accounted for 8% of these resolutions, which will be discussed in greater detail later in this report.

From a regional perspective the Pacific Region resolved 35% of their public complaints in this manner, which dealt with 377 allegations in total. Allegations most likely to result in an informal resolution were “Improper Attitude” and “Neglect of Duty”.

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<sup>26</sup> The percentages relating to informal resolutions and withdrawal of complaints can be deceiving. After reviewing the complete complaint records that have been provided to the Commission, the RCMP occasionally categorizes a withdrawal as an informal resolution and vice versa. Therefore, it is difficult to determine exactly how many informal resolutions and withdrawals the RCMP completes each year, as there is often a misclassification.

The Northwest Region informally resolved 31% of their public complaints, which dealt with 244 allegations in total. Allegations most likely to be resolved were “Improper Attitude” and “Neglect of Duty”.

The Atlantic Region informally resolved 21% of their public complaints in this manner, which dealt with 68 allegations in total. Allegations most likely to be resolved informally were “Improper Attitude” and “Neglect of Duty”.

The Central Region informally resolved only 9% of their public complaints, well below the Force-wide average or the averages of other regions. Only 4 total allegations were disposed of in this manner. The allegations that were informally resolved for this region were 3 allegations of “Improper Attitude” and 1 allegation of “Driving Irregularity”.

**Table 7: Allegations Breakdown for Informal Resolutions**

	Atlantic		Central		Northwest		Pacific		Total	
	n	%	n	%	n	%	n	%	n	%
A. Improper Attitude	27	40%	3	75%	81	33%	131	35%	<b>242</b>	<b>35%</b>
B. Improper Use of Force	2	3%	0	0%	13	5%	43	11%	<b>58</b>	<b>8%</b>
C. Improper Use of Firearms	0	0%	0	0%	0	0%	0	0%	<b>0</b>	<b>0%</b>
D. Irregularity in Procedure	4	6%	0	0%	20	8%	11	3%	<b>35</b>	<b>5%</b>
E. Driving Irregularity	4	6%	1	25%	5	2%	7	2%	<b>17</b>	<b>2%</b>
F. Neglect of Duty	18	26%	0	0%	84	34%	114	30%	<b>216</b>	<b>31%</b>
G. Statutory Offence	1	1%	0	0%	1	0%	0	0%	<b>2</b>	<b>0%</b>
H. Mishandling of Property	2	3%	0	0%	2	1%	4	1%	<b>8</b>	<b>1%</b>
I. Irregularity – Evidence	0	0%	0	0%	0	0%	0	0%	<b>0</b>	<b>0%</b>
J. Oppressive Conduct	4	6%	0	0%	11	5%	23	6%	<b>38</b>	<b>5%</b>
K. Improper Arrest	1	1%	0	0%	8	3%	20	5%	<b>29</b>	<b>4%</b>
L. Improper Persons/Vehicles Search	2	3%	0	0%	2	1%	3	1%	<b>7</b>	<b>1%</b>
M. Improper Search of Premises	0	0%	0	0%	4	2%	4	1%	<b>8</b>	<b>1%</b>
N. Policy	0	0%	0	0%	1	0%	0	0%	<b>1</b>	<b>0%</b>
O. Equipment	0	0%	0	0%	2	1%	0	0%	<b>2</b>	<b>0%</b>
P. Service	3	4%	0	0%	8	3%	16	4%	<b>27</b>	<b>4%</b>
Q. Other	0	0%	0	0%	2	1%	1	0%	<b>3</b>	<b>0%</b>
<b>Total</b>	<b>68</b>	<b>100%</b>	<b>4</b>	<b>100%</b>	<b>244</b>	<b>100%</b>	<b>377</b>	<b>100%</b>	<b>693</b>	<b>100%</b>

## Withdrawals

According to RCMP policy, the withdrawal of a complaint is to be captured on Form 4110 and the reason for the withdrawal is to be clearly documented in Section 8. Further, according to RCMP policy, a complainant who believes that the RCMP is corrupt or that nothing good will come of the complaint is not considered to be a valid reason to withdraw a complaint. Further, RCMP policy and guidelines state that there must be “unequivocal evidence of the complainant’s wish to withdraw [...]”<sup>27</sup>

<sup>27</sup> RCMP, *Quality Assurance Review Guide: Public Complaints*, p. 14.

A preliminary examination of these types of dispositions points to a lack of properly conducted withdrawals. The Commission is concerned that some complaint withdrawals are not valid or are in fact informal resolutions, improperly identified as complaint withdrawals.

Force-wide, complainants withdrew their public complaints in 13% of the cases, which represented 395 allegations. Allegations that were mostly likely to be withdrawn were “Mishandling of Property”, “Policy” and “Improper Search of Premises”.

From a regional perspective, the Pacific Region disposed of 14% of their total public complaints in this manner, which addressed 209 total allegations. Allegations most likely to be withdrawn were “Neglect of Duty” and “Improper Attitude”.

The Northwest Region disposed of 14% of their total public complaints in this manner, which addressed 111 total allegations. Allegations most likely to be withdrawn were “Neglect of Duty” and “Improper Attitude”.

The Atlantic Region disposed of 11% of their total public complaints in this manner, which addressed 73 total allegations. Allegations most likely to be withdrawn were “Neglect of Duty” and “Improper Use of Force”.

The Central Region disposed of only 4% of their total public complaints in this manner, which addressed 2 total allegations. The allegations that were withdrawn were 1 allegation of “Irregularity in Procedure” and 1 allegation of “Neglect of Duty”.

**Table 8: Allegation Breakdown for Withdrawn Complaints**

	Atlantic		Central		Northwest		Pacific		Total	
	n	%	n	%	n	%	n	%	n	%
A. Improper Attitude	10	14%	0	0%	26	23%	41	20%	<b>77</b>	<b>19%</b>
B. Improper Use of Force	12	16%	0	0%	16	14%	31	15%	<b>59</b>	<b>15%</b>
C. Improper Use of Firearms	1	1%	0	0%	1	1%	0	0%	<b>2</b>	<b>1%</b>
D. Irregularity in Procedure	10	14%	1	50%	7	6%	6	3%	<b>24</b>	<b>6%</b>
E. Driving Irregularity	0	0%	0	0%	1	1%	0	0%	<b>1</b>	<b>0%</b>
F. Neglect of Duty	21	29%	1	50%	41	37%	58	28%	<b>121</b>	<b>31%</b>
G. Statutory Offence	2	3%	0	0%	3	3%	6	3%	<b>11</b>	<b>3%</b>
H. Mishandling of Property	7	10%	0	0%	2	2%	9	4%	<b>18</b>	<b>5%</b>
I. Irregularity – Evidence	0	0%	0	0%	0	0%	1	0%	<b>1</b>	<b>0%</b>
J. Oppressive Conduct	1	1%	0	0%	6	5%	11	5%	<b>18</b>	<b>5%</b>
K. Improper Arrest	0	0%	0	0%	2	2%	27	13%	<b>29</b>	<b>7%</b>
L. Improper Persons/Vehicles Search	7	10%	0	0%	0	0%	1	0%	<b>8</b>	<b>2%</b>
M. Improper Search of Premises	0	0%	0	0%	4	4%	13	6%	<b>17</b>	<b>4%</b>
N. Policy	0	0%	0	0%	0	0%	3	1%	<b>3</b>	<b>1%</b>
O. Equipment	0	0%	0	0%	0	0%	0	0%	<b>0</b>	<b>0%</b>
P. Service	2	3%	0	0%	2	2%	2	1%	<b>6</b>	<b>2%</b>
Q. Other	0	0%	0	0%	0	0%	0	0%	<b>0</b>	<b>0%</b>
<b>Total</b>	<b>73</b>	<b>100%</b>	<b>2</b>	<b>100%</b>	<b>111</b>	<b>100%</b>	<b>209</b>	<b>100%</b>	<b>395</b>	<b>100%</b>

## Terminations (Notice of Direction)

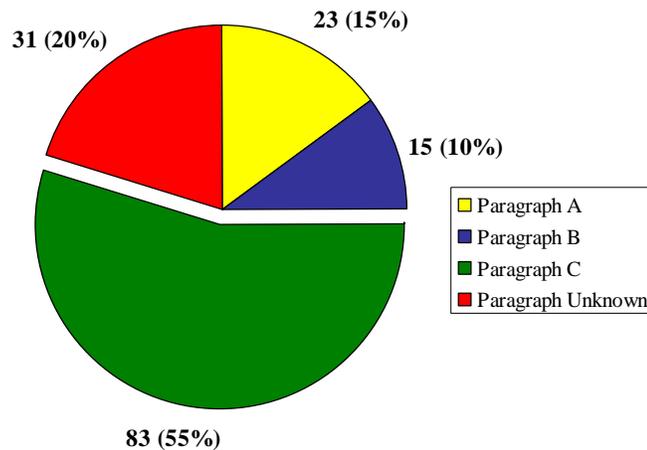
A Notice of Direction is issued when the RCMP decides not to investigate a complaint or that the investigation into a complaint should be terminated. The RCMP may decide to terminate a complaint under three strict grounds provided for in paragraphs (a), (b) and (c) of subsection 45.36(5) of the *RCMP Act*. These paragraphs are:

- (a) the complaint is one that could more appropriately be dealt with, initially or completely, according to a procedure provided under any other Act of Parliament;
- (b) the complaint is trivial, frivolous, vexatious or made in bad faith; and
- (c) having regard to all the circumstances, investigation or further investigation is not necessary or reasonably practicable.

Preliminary reviews of the Notice of Direction received through the Review of the Record Project indicate that the grounds for termination are not always applied in accordance with the Act and policy and in many cases a complainant would not fully understand why the termination paragraphs have been invoked.

In 2007, 11% of all public complaints, representing 289 allegations, were terminated by the RCMP; the most common grounds for termination were paragraph (c), further investigation not necessary or reasonably practicable. The allegations that were most likely terminated were “Statutory Offence”, “Service” and “Irregularity – Evidence”.

**Figure 9: Number of Terminated Complaints by Grounds Identified in subsection 45.36(5) of the *RCMP Act***



From a regional perspective, the Central Region disposed of 23% of their total public complaints through terminations, which addressed 16 allegations. This is far above the Force-wide average. Allegations most likely to be the subject of a termination paragraph were “Oppressive Conduct” and “Improper Attitude”. Most often, the grounds for termination were not provided.

The Pacific Region disposed of 10% of their total public complaints through terminations, which addressed 118 total allegations. Allegations most likely to be the subject of a termination

paragraph were “Neglect of Duty” and “Improper Attitude”. The grounds for termination most likely to be identified in the Pacific Region was paragraph (c).

The Northwest Region disposed of 10% of their total public complaints through terminations, which addressed 115 allegations. Allegations most likely to be the subject of a termination paragraph were “Statutory Offence” and “Neglect of Duty”. The grounds for termination most likely to be invoked in the Northwest Region was paragraph (c).

The Atlantic Region disposed of 9% of their total public complaints through terminations, which addressed 33 total allegations. Allegations most likely to be the subject of a termination paragraph were “Neglect of Duty” and “Improper Search of Premises”. Most often, the grounds for termination were not identified.

**Table 9: Allegations Breakdown for Terminated Complaints**

	Atlantic		Central		Northwest		Pacific		Total	
	n	%	n	%	n	%	n	%	n	%
A. Improper Attitude	2	6%	3	19%	6	5%	18	15%	<b>29</b>	<b>10%</b>
B. Improper Use of Force	2	6%	0	0%	10	9%	6	5%	<b>18</b>	<b>6%</b>
C. Improper Use of Firearms	0	0%	0	0%	0	0%	0	0%	<b>0</b>	<b>0%</b>
D. Irregularity in Procedure	1	3%	2	13%	4	3%	15	13%	<b>22</b>	<b>8%</b>
E. Driving Irregularity	0	0%	0	0%	0	0%	0	0%	<b>0</b>	<b>0%</b>
F. Neglect of Duty	14	42%	1	6%	21	18%	36	31%	<b>72</b>	<b>26%</b>
G. Statutory Offence	2	6%	0	0%	48	42%	5	4%	<b>55</b>	<b>20%</b>
H. Mishandling of Property	0	0%	0	0%	1	1%	3	3%	<b>4</b>	<b>1%</b>
I. Irregularity – Evidence	2	6%	0	0%	2	2%	3	3%	<b>7</b>	<b>2%</b>
J. Oppressive Conduct	2	6%	9	56%	6	5%	12	10%	<b>29</b>	<b>10%</b>
K. Improper Arrest	0	0%	0	0%	6	5%	11	9%	<b>17</b>	<b>6%</b>
L. Improper Persons/Vehicles Search	0	0%	0	0%	0	0%	0	0%	<b>0</b>	<b>0%</b>
M. Improper Search of Premises	6	18%	0	0%	5	4%	0	0%	<b>11</b>	<b>4%</b>
N. Policy	0	0%	0	0%	0	0%	0	0%	<b>0</b>	<b>0%</b>
O. Equipment	0	0%	0	0%	0	0%	0	0%	<b>0</b>	<b>0%</b>
P. Service	2	6%	0	0%	6	5%	9	8%	<b>17</b>	<b>6%</b>
Q. Other	0	0%	1	6%	0	0%	0	0%	<b>1</b>	<b>0%</b>
<b>Total</b>	<b>33</b>	<b>100%</b>	<b>16</b>	<b>100%</b>	<b>115</b>	<b>100%</b>	<b>118</b>	<b>100%</b>	<b>282</b>	<b>100%</b>

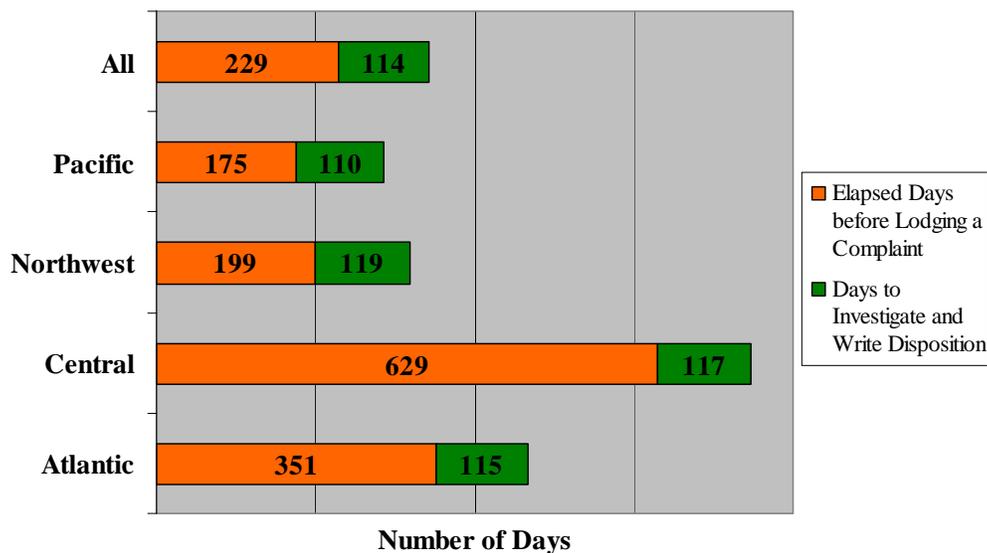
## Service Standards: Processing Time

The Commission recently implemented performance-based service standards for each step of the complaint and review processes that are under its control. These improvements have enhanced the ability of complainants, RCMP members and Canadians to hold the Commission and the RCMP accountable for a timely response to public complaints. However, a large portion of the public complaint process is under the control of the RCMP, and it is hoped that Force-wide service standards will soon be introduced to further enhance public accountability.

By identifying the complaint date and comparing it to the disposition date, the Commission was able to determine how many days it took the RCMP to issue a disposition for each complaint. Similarly, by comparing the complaint date to the date the incident occurred, a timeline can be established to determine how many days elapsed before a complainant lodged a public complaint against the RCMP.

In 2007 the RCMP took, on average, 114 days to issue a disposition once a complaint was lodged (range: 0 to 447 days). Interestingly, on average, 229 days elapsed before a complainant lodged a complaint (range: 0 to 11,927<sup>28</sup> days) after the incident of concern.

**Figure 10: Complaint Timeline By Region**



<sup>28</sup> The public complaint that took 11,927 days to be lodged had an initial incident start date of January 1975 and made allegations against the conduct of RCMP members that spanned many years. The complaint was lodged in August 2007. The Commission is only empowered by statute to look at complaints lodged after 1988; however, some complainants have incident data that span from before this timeframe to well after 1988.

The average number of days that elapsed before a complainant in the Atlantic Region lodged the original complaint was 348 days (range: 0 to 1,927 days). Once received the divisions within this region took, on average, 115 days to complete a disposition (range: 0 to 401 days).

In the Central Region, on average, 635 days elapsed before a complainant lodged the original complaint (range: 0 to 4,264 days). It is suspected that the lengthy amount of time to lodge a complaint may be linked to complainants whose issue(s) with RCMP conduct may span years or may be linked to some historical event. Once the complaint was received it took, on average, 103 days for divisions within this region to complete a disposition (range: 1 to 369 days).

The average number of days that elapsed before a complainant in the Northwest Region lodged the original complaint was 193 (range: 0 to 4,702 days). Once the complaint was received, the divisions within this region took, on average, 120 days to complete a disposition (range: 0 to 405 days).

In the Pacific Region, on average, 172 days elapsed before a complainant lodged the original complaint (range: 0 to 5,326 days). Once the complaint was received, it took, on average, 109 days for the divisions within this region to complete a disposition (range: 0 to 447 days).

After looking at these timelines in general, the Commission attempted to determine if there was a difference with respect to these averages between Commission-lodged complaints and RCMP-lodged complaints. As represented by the orange bar in Figure 13, there can be a considerable amount of time that elapses between the incident date and the date the complainant lodges the original complaint. On average, complainants waited 271 days after the incident took place before lodging the original complaint directly with the Commission (range: 0 to 5,326 days), while complaints lodged with the RCMP averaged only 165 days after the incident (range: 0 to 1,927 days).

While the reasons for this will be further examined in future reports, some preliminary analysis of the data suggests that complainants wait to lodge complaints because:

- 1) the types of allegations that are lodged with the Commission tend to be more serious in nature than those lodged with the RCMP;
- 2) the complainant may not have immediate access to the public complaint system;
- 3) the complaint may be historical in that an incident occurred many years (in some cases decades) before a formal complaint is lodged; and
- 4) alternate ways of resolving the complaint may have been attempted before a formal complaint was lodged.

Independent of the public complaint processing timelines, the Review of the Record Project required the RCMP to provide the Commission copies of all dispositions for its analyses. To that end, the average number of days<sup>29</sup> for the Commission to receive the complaint disposition from:

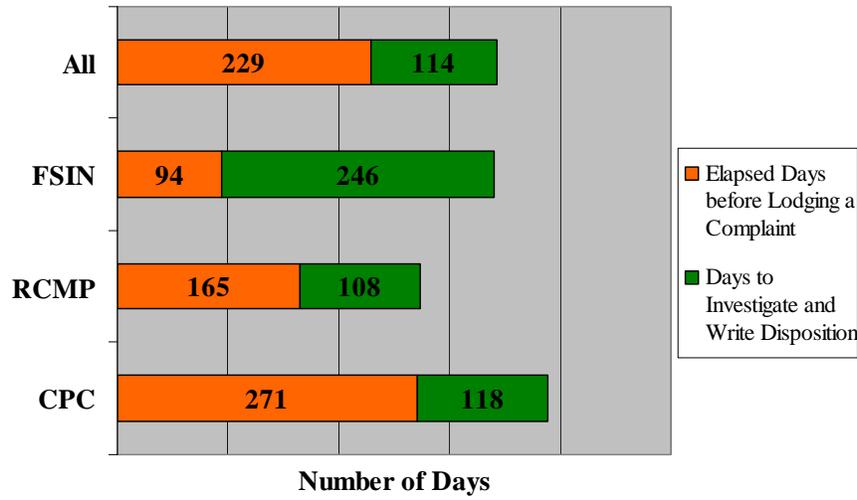
- the Atlantic Region, 66 days for Commission-lodged complaints (range: 0 to 270 days) as opposed to 53 days for RCMP-lodged complaints (range: 5 to 249 days);

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<sup>29</sup> These averages do not necessarily mean that it took the RCMP a particular amount of time to provide the complainant with the disposition; the timelines are specific to the RCMP providing the Commission with a copy of the dispositions.

- the Central Region, 66 days for Commission-lodged complaints (range: 8 to 250 days) as opposed to 67 days for RCMP-lodged complaints (range: 2 to 250 days);
- the Northwest Region, 110 days for Commission-lodged complaints (range: 11 to 365 days) as opposed to 87 days for RCMP-lodged complaints (range: 3 to 349 days); and
- the Pacific Region, 95 days for Commission-lodged complaints (range: 0 to 496 days) as opposed to, 69 days for RCMP-lodged complaints (range: 2 to 287 days).

**Figure 11: Complaint Timeline – Comparison Based on Where the Complaint Was Lodged**



The average number of days to issue a disposition was 118 for Commission-lodged complaints (range: 0 to 447 days) as opposed to 108 days for RCMP-lodged complaints (range: 0 to 401 days).

Independent of the public complaint processing timelines, the Review of the Record Project required the RCMP to provide the Commission copies of all dispositions for its analyses. To that end, the average number of days<sup>30</sup> for the Commission to receive the complaint disposition from the RCMP as a whole was 95 days for Commission-lodged complaints (range: 0 to 496 days) as opposed to the 72 days it took for RCMP-lodged complaints (range: 2 to 349 days).

### Outstanding Disposition List

The Outstanding Disposition of Complaints List is designed to act as an accounting mechanism for all Commission-lodged complaints that are currently being investigated by the RCMP. Information gathered through the Outstanding Disposition List allows the Commission to track how quickly the RCMP is responding to complaints, identify if complaints are taking too long to be investigated, and ultimately hold the RCMP accountable to the public.

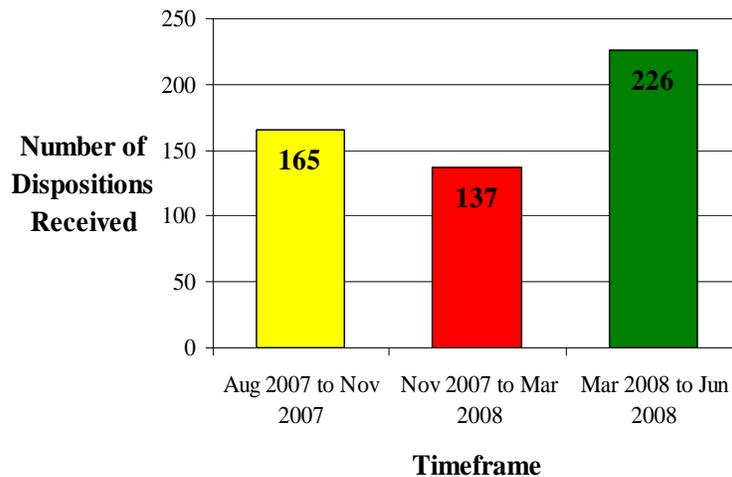
<sup>30</sup> These averages do not necessarily mean that it took the RCMP a particular amount of time to provide the complainant with the disposition; the timelines are specific to the RCMP providing the Commission with a copy of the dispositions.

The Commission has observed that, despite a statutory obligation to do so, there has been sporadic compliance with the RCMP providing its dispositions to the Commission for those Commission-lodged complaints. In response to this, a list of outstanding complaints was provided to the RCMP on a regular basis throughout the year. The list is being submitted to the RCMP every three months and identifies complaints that have been outstanding for 180 days or more. Deletions and additions are made to the list as complaint dispositions are received and new complaints are lodged.

The RCMP, in recent months, has made strides to provide the Commission with the dispositions in a timelier manner and to endeavour to eliminate the nearly 498 outstanding complaints that were lodged prior to 2007. Through this enhanced accounting mechanism the RCMP has also identified complaints, some of which may be a year or more old, that had not been processed, but for which investigations have been ordered.

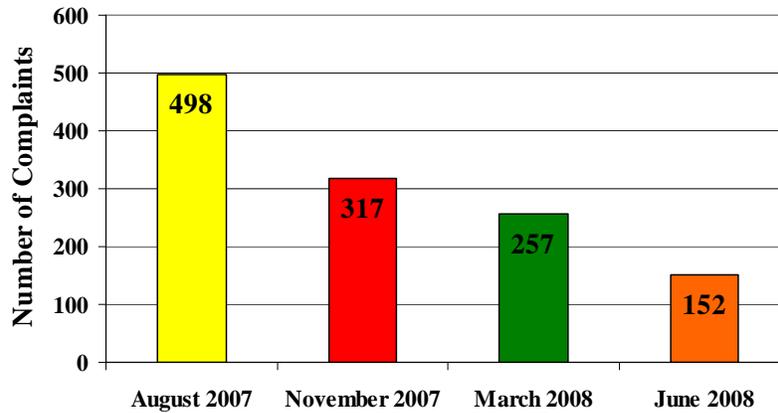
The first reconfigured list was sent to the RCMP in August 2007. Within three months of the list being sent, 165 complaint dispositions were provided to the Commission. In November 2007, a second list was sent. By March 2008, the Commission received 137 complaint dispositions from files appearing on the second list. Finally, in March 2008, a third list was sent resulting in 226 dispositions being sent to the Commission by June 2008.

**Figure 12: Number of Complaint Dispositions Received by the Commission**



Additionally, the RCMP has reduced the number of pre-2007 outstanding complaints by 69%. When the list was sent out in August 2007, 498 complaints dated from before 2007. By June 2008, however, only 152 pre-2007 complaints remained on the list.

**Figure 13: Number of Pre-2007 Outstanding Complaints**



Overall, this aspect of the Review of the Record Project has been incredibly valuable to both the Commission and the RCMP in that it has:

- identified service gaps in the entire public complaint process as well as gaps at the divisional level;
- strengthened RCMP accountability;
- identified complaints that may have fallen through the “cracks” so that they can be investigated;
- encouraged the RCMP to account for all public complaints lodged with the Commission; and
- improved the interaction and cooperation between the RCMP and the Commission.

Divisions have been very involved in providing feedback to the Commission and in maintaining the integrity of the Outstanding Disposition List.

## **Administrative Issues**

Historically, the RCMP has been required by statute to provide the Commission with a copy of all the complaint dispositions related to Commission-lodged complaints so that it could close the file and enter the information into the database. However, with the introduction of the Review of the Record Project the RCMP is now required to provide the Commission with all public complaint dispositions.

### **Incomplete Complaint Records**

Occasionally, the Commission received complaint dispositions that were incomplete in that documents were missing or identifying information related to members or complainants was not provided. Of these complaints, the Commission received 200 incomplete records, representing 14% of the total dispositions received for complaints lodged in 2007.

Regionally, 20% of complaint records from the Northwest Region were incomplete, 19% from the Atlantic Region, 13% from the Central Region and 7% from the Pacific Region.

### **Incorrect Commission Reference**

When issuing a Final Report or Notice of Direction, the RCMP is required by statute to inform the complainants of their right to request a review of their Final Report or their Notice of Direction. In this reference to the Commission, the RCMP must include the correct mailing address for complainants to send their request for review. The Commission has received dispositions that have an incorrect reference or that do not include this reference at all. In 2007, the Commission received 40 such dispositions: 22 from the Pacific Region, 14 from the Northwest Region, 3 from the Central Region and 1 from the Atlantic Region.

While this may seem an innocuous oversight, the effect that an incorrect reference to the Commission can have on the RCMP public complaint system is not. Without a proper address, and absent the knowledge that the complainant has a right to appeal the RCMP disposition of their complaint, the role of the Commission is undermined and the complainant is not fully apprised of their rights under the *RCMP Act*, which in turn denies them full access to the RCMP public complaint process.

## **Informal Resolution of Improper Use of Force Complaints<sup>31</sup>**

In accordance with RCMP policy *AM XII.2- Public Complaints*, a public complaint cannot be disposed of informally if:

1. a complaint alleges serious misconduct; or
2. a situation involves a subject member being arrested or a warrant to arrest being issued.

The term “serious misconduct” is not defined by the RCMP and does not match any of their 16 complaint allegation categories listed on Form 4110. This rather ambiguous and subjective term can lead to confusion and can result in public complaint allegations being miscategorized and inappropriately disposed of. This is especially true of “Improper Use of Force” allegations.

The Commission maintains that improper use of force allegations should, typically, not be informally resolved and that a formal complaint investigation should be initiated. Unfortunately, the Commission saw a number of improper use of force allegations that should have been classified as serious misconduct that were subsequently resolved informally.

During the analysis of the documents related to the Review of the Record, the Commission noticed that 8% of the total informal resolutions dealt with allegations of improper use of force and that 14% of all use of force allegations resulted in an informal resolution. Further broken down, just under half of all allegations (48%) of improper use of force complaints that were informally resolved were disposed of in a manner that the Commission deemed inappropriate. Improper resolutions for use of force allegations occurred most often in “G” and “V” Divisions.

While there may be cause to informally resolve less serious allegations of improper use of force allegations, such as a member putting handcuffs on too tight or a person being arrested, in general, the very nature of this type of allegation is not conducive to this type of resolution, as it undermines police oversight by eliminating any outside agency review. Some of the informal resolutions for improper use of force have allegedly involved the deployed or threatened deployment of a conducted energy weapon and the use of pepper spray. Clearly, in these cases the Commission does not believe that these allegations should be informally resolved because they involve weapons or intermediate devices.

Further, even when the force resulted in an identified injury that required medical attention, the Commission still saw allegations of improper use of force informally resolved. The Commission’s concern is that these types of informal resolution undermine accountability and that it is only privy to this information due to the Review of the Record Project.

When the Commission received information that an improper use of force allegation had been informally resolved, the Commission either requested further information to determine the seriousness of the allegation or noted that given the information on Form 4110 an informal

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<sup>31</sup> A more fulsome quality assessment report of all the dispositions will be released by the Commission in the near future.

resolution was not the most appropriate disposition of the public complaint. The RCMP's response to this has been generally good; however, there has been reluctance at times to send a complaint record back to the divisions for further information or investigation and to obtain information as to how the RCMP is going to act on the Commission's requests.

In one case there was no information related to the complaint other than the identification of the complaint allegation categories and the statement that there had been an "informal resolution". No other details were provided for on Form 4110. The Commission went back to the RCMP noting its concern and requested further information in order to determine if in fact the disposition of the complaint was appropriate. The RCMP responded with, "Although the details on the 4110 are brief, they are sufficient and self-explanatory" and the Commission's request for further information was not actioned.<sup>32</sup>

In another case, two separate "Improper Use of Force" complaints involving the same member within a short period of time were informally resolved. The Commission questioned the validity of these informal resolutions and expressed its concern about a member having two such complaints within such a short period of time involving very similar circumstances. No response from the RCMP was forthcoming, even after repeated follow-ups. However, while there was no initial feedback from the RCMP with respect to these two complaints, the Commission has since learned that a District Advisory NCO went to the detachment to address both complaints and although the matter was improperly disposed of by way of an informal resolution, it was correctly investigated by the RCMP.

Conversely, other times the Commission questioned an informal resolution the RCMP Headquarters agreed that it should not have been disposed of in such a manner and requested that the appropriate division conduct a proper investigation. In one such case a complaint was re-investigated and the Final Report (RCMP) noted: "[...] the Commission for Public Complaints Against the RCMP advised that they would not accept the informal resolution and requested that your allegations be fully investigated."

In a similar case an informal resolution was sent back to the RCMP; it was determined at the divisional level that "[t]his matter was not investigated properly; it is an incomplete/inadequate investigation." The file was reopened and a further investigation was initiated.

One division even went so far as to conduct an internal audit of the informal resolutions for improper use of force complaints to determine if indeed they adhere to RCMP policy. The results of this review are still pending.

The foregoing shows the value of civilian review of the entire public complaint system and how integrity and trust in such a system by members of the public can be enhanced through independent vigilance.

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<sup>32</sup> Pursuant to the *RCMP Act* the Commission Chair can initiate a complaint in situations deemed appropriate. While an option in this case, the Commission chose to continue working with the RCMP on this issue informally.

**PART TWO:**  
**TREND ANALYSIS: FINDINGS AND RECOMMENDATIONS IN**  
**THE COMMISSION'S INTERIM REPORTS**

## **Trend Analysis of Interim Report Findings and Recommendations**

The first part of this report focused on the “front end” of the complaint system, specifically the intake and investigation of public complaints. This section of the report focuses on the “back end” of the public complaint system, when a complainant is dissatisfied with the RCMP disposition of their complaint and requests a review by the Commission. If the Commission, after reviewing the file, decides that the disposition of the complaint by the RCMP and/or the conduct of the RCMP member(s) were inappropriate, an adverse finding will be made and an Interim Report will be issued.

The objective of this analysis was to determine existing trends in the findings and recommendations made by the Commission submitted to the RCMP Commissioner and to establish if there were any discernable trends in the Commissioner’s response to the Interim Reports. For the 2007 calendar year, the Commission issued 215 reports in response to complainants’ requests for review. Of these, 191 (89%) were satisfied reports and 24 (11%) were interim reports (where adverse findings were made). A preliminary analysis of the Interim Reports identified several trends in the Commission’s findings and recommendations.

### **Allegations**

Three main trends in public complaints were observed in the 2007 Interim Reports. The most common complaint was a perceived neglect of duty; complainants articulated that an RCMP member failed to fully carry out his/her duties. The next most common complaint related to improper use of force, specifically excessive force, which often flowed from arrests. The third most common complaint related to allegations that RCMP members displayed an improper attitude in their interactions with the public.

### **Methodology**

Data for the trend analysis were extracted from the Interim Reports for the 2007 calendar year that were signed by the Chair or the Vice-Chair.

#### *Allegations*

The allegations addressed by the RCMP were categorized according to their current classification of complaints system.<sup>33</sup> These classifications, for the purposes of this report, are mutually exclusive, meaning that each allegation could be placed in only one category.

#### *Commission’s Findings and Recommendations*

In response to the allegations, the Commission makes “supported” or “adverse” findings in the Interim Reports. For the purpose of the trend analysis, supported findings can be understood as

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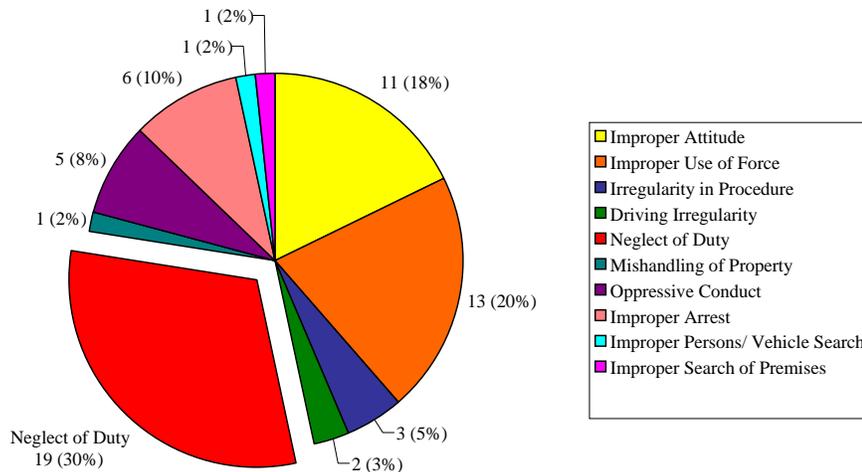
<sup>33</sup> See **Appendix A** for a complete list and description of these categories.

those where the Commission found that the conduct of the subject member(s)<sup>34</sup> was proper in that it met RCMP professional standards and/or was consistent with RCMP policy/operational guidelines. Adverse findings, on the other hand, includes those where the Commission found that the conduct of the subject member(s) was improper in that it did not meet RCMP professional standards, and/or was in conflict with RCMP policy/operational guidelines. In instances where the Commission disagreed with the member’s conduct, but agreed with the RCMP’s disposition of the complaint, the finding was coded as “adverse”.

### Classification of Complaints

In the 24 Interim Reports, 62 allegations were made against members of the RCMP. In total, 10 (63%) out of the 16 complaint classifications were represented in the allegations, suggesting that complainants identified a wide range of what they perceived was improper conduct by the RCMP. “Neglect of Duty” was the most common classification, accounting for 30% of the allegations. The next most common classification was “Improper Use of Force” (20%), followed by “Improper Attitude” (18%), “Improper Arrest” (10%), “Oppressive Conduct” (8%), “Irregularity in Procedure” (5%), “Driving Irregularity” (3%), “Mishandling of Property” (2%), “Improper Persons/Vehicles Search” (2%) and “Improper Search of Premises” (2%).

**Figure 14: Classification of Complaints in Interim Reports for 2007**

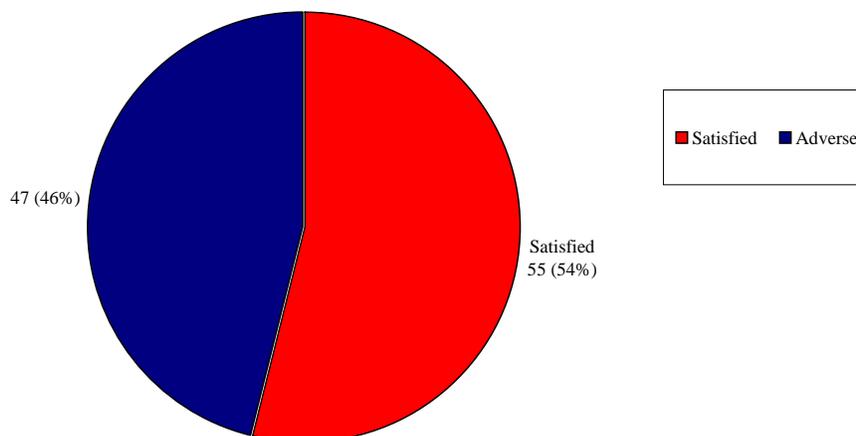


<sup>34</sup> Subject member refers to the RCMP member (RCMP Commissioner, Commissioned Officers; Non-Commissioned Officers; Special Designations, including Special Constables and Civilian Members) who is the focus of the public complaint.

## Findings and Recommendations

The Commission made 102 findings in response to the 62 allegations.<sup>35</sup> Of these findings, 55 (54%) were satisfied (the Commission agreed with the RCMP's disposition of the allegation); and 47 (46%) were adverse (the Commission disagreed with the RCMP's disposition of the allegation).

**Figure 15: Outcome of the Commission's Findings for 2007 Interim Reports**



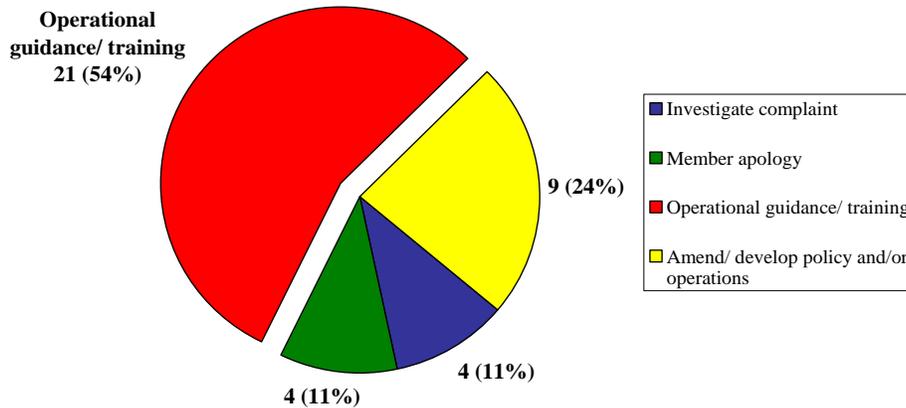
In total, 40 recommendations were made to the RCMP Commissioner based on the Commission's adverse findings, which could be broken into four themes:

- (1) Operational guidance/training (54%);
- (2) Amendment/development of policy and/or operations (24%);
- (3) Investigation of the complaint by the RCMP (in cases where the Commission found that the termination of the investigation was improper) (11%); and
- (4) Member apology (11%).

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<sup>35</sup> The number of findings exceeds the number of allegations because in some instances, the Commission made more than one finding in response to one allegation.

**Figure 16: Breakdown of Commission's Recommendations**



## **Neglect of Duty**

The largest proportion of allegations related to neglect of duty, a broad category encompassing claims that members failed to perform a service or duty or performed a duty in a manner that was contrary to RCMP standards. In general, the allegations pertained to inadequate investigations, improper care and handling of prisoners, failure to provide medical care, and deficient reporting.

In one case, the complainant alleged that members neglected their duty while transporting prisoners, one of them being the complainant's grandson. The complainant noted that the prisoners were left in the transport van for a lengthy period of time while the RCMP waited for the tow truck to arrive. When the tow truck arrived, her grandson and the other prisoners were left in the van when it was being towed out of the ditch. On the issue of whether the members neglected their duty by leaving the prisoners in the van while waiting for the tow truck to arrive, the Commission found that the members did not neglect their duty and that it was acceptable to leave them in the van given the inclement weather conditions. However, the Commission made an adverse finding with respect to leaving the passengers in the van while it was being towed, stating that it could have resulted in serious injury to the passengers. The Commission recommended that the members receive operational guidance on what to do when they are transporting prisoners and the vehicle is involved in an accident.

In another case, the complainant alleged that a member prepared a violation ticket that had errors with respect to ownership and licence plate. The Commission ruled adversely in this case, finding that the ticket contained the named errors, and recommended that the member's supervisor take the appropriate corrective action, if it had not already been taken, and ensure that

the subject member was aware of the importance of properly recording facts related to an alleged infraction.

An example of an allegation of neglect of duty in which the Commission supported the RCMP's findings in the first instance dealt with the issue of whether the subject members provided appropriate care to the complainant while in custody. The complainant alleged that he was left to stand outside in the cold without adequate clothing while members searched his vehicle. The members claimed that the complainant was permitted to wait inside the police vehicle during the search. The Commission found that the evidence of the members was more consistent than that of the complainant, and therefore, found that the RCMP members did not neglect their duty and had provided appropriate care to the complainant while in custody.

**The Commission made more findings that were in support of the members' conduct (65%) rather than not (35%) in cases of alleged neglect of duty.**

### **Improper Use of Force**

The second largest proportion of allegations related to improper use of force, specifically excessive force. In these cases, the use of excessive force during arrests was a common theme. Excessive force was alleged in instances where members deployed a conducted energy weapon (CEW), and used empty hand (hard) techniques such as punches and restraint methods, including the carotid control technique.

In one case, the complainant alleged that the member used excessive force while restraining him at the hospital. The Commission made an adverse finding on this issue, stating that the use of the carotid control was excessive and contrary to RCMP operational policy. RCMP policy on the carotid control technique limits its use to situations where a person's life is threatened. The Commission found no evidence that the actions of the complainant constituted a threat to anyone's life; therefore, the technique should not have been used and amounted to excessive force under the circumstances.

In another case, the complainant alleged that a member improperly used a CEW on him inside the detachment cell area. The Commission made an adverse finding, explaining that the deployment of the CEW was excessive by virtue of the unlawful arrest. However, the Commission was not prepared to make an adverse finding in relation to the force used on the complainant, who was described by members as combative and uncontrollable. The Commission recommended that the member be provided with operational guidance surrounding the RCMP's policy on the deployment of CEWs in the context of the Incident Management/Intervention Model (IM/IM).

In a third case, also involving a CEW, the complainant alleged that the members used excessive force during his arrest by deploying the CEW three times and kicking him. The Commission made two separate findings, one being supported and the other being adverse. The rationale for the supported finding was that the initial deployment of the CEW was reasonable and consistent with RCMP policy. However, it was considered excessive to continue to deploy the CEW and kick the complainant because following the first CEW deployment, the complainant was neither resistant nor combative, and no longer posed a great physical threat.

**For Improper Use of Force allegations, the Commission was more likely to make adverse findings (67%) than supported (33%). The Commission made supported findings when the force used by members was reasonable in the circumstances and consistent with RCMP policy. Adverse findings, on other hand, were observed in cases where the Commission found the force to be excessive, unreasonable, inconsistent with RCMP policy, or improper by virtue of an improper arrest.**

## **Improper Attitude**

There were several allegations pertaining to improper attitude. According to the RCMP's current classification of complaints, improper attitude may be characterized by rude, vulgar, sarcastic, or ridiculing behaviour. Allegations of this type may also make reference to a member's lack of discretion, impartiality, empathy, or concern for someone's welfare. The common theme of this type of allegation was rude and disrespectful comments.

For example, in one case, the complainant alleged that the member commented that the complainant must be a person from the northern part of New Brunswick. Overall, many of these allegations reflected a perceived lack of police professionalism.

**Allegations relating to improper attitude had a tendency to be subjective in nature or not well supported and as such, in the vast majority of cases (78%), the Commission found that there was insufficient evidence to maintain the allegations. The Commission made only two adverse findings (22%) when there was sufficient evidence that the members were disrespectful and acted unprofessionally.**

## **Improper Arrest**

In five reports, complainants made allegations of improper arrest. Typically, these arrests occurred in private dwellings or immediately following incidents where members making the arrest operated on the assumption of reasonable and probable grounds.

This highlights, to some degree, a lack of knowledge of the legal requirements for arrests. In these instances, the Commission recommended that the member offer an apology to the complainant and/or that the member receive operational guidance with respect to the legal requirements of an arrest, specifically, the requirements for arrests without warrants, the requirement of reasonable and probable grounds, and the necessity for obtaining a *Feeney* warrant<sup>36</sup> when an arrest takes place inside a dwelling-house.

Alternatively, in cases where the Commission made findings in support of the member's actions, it was determined that the arrest was appropriate in the circumstances because there were reasonable and probable grounds to make the arrest.

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<sup>36</sup> A *Feeney* warrant, as described in section 529 of the *Criminal Code of Canada*, is a warrant to enter a private dwelling-house (or other place) to arrest someone; it is required in the absence of exigent circumstances (section 529.3) (i.e. hot pursuit).

**The Commission made more adverse (63%) than supported (37%) findings regarding the legality of the arrest. Three common themes were identified in the Commission's rationale for the adverse findings of unlawful arrest:**

- 1) the members did not have reasonable and probable grounds to make the arrest;**
- 2) the members did not have *Feeney* warrants for arrests on private property; and**
- 3) the arrest flowed from an unreasonable search and seizure.**

Complaints alleging improper arrest and issues with obtaining a *Feeney* warrant have been a reoccurring issue observed by the Commission.

### **Oppressive Conduct**

Allegations of oppressive conduct were observed in five reports. Oppressive conduct included harassment via persistent phone calls and looking into a complainant's window, unreasonable exercise of police discretion in recommending charges, initiating a fight, and unreasonable detainment overnight in the cell block.

In the case where the Commission found that the member acted oppressively in charging the complainant with ten offences under the *Motor Vehicle Act*, the Commission recommended that a senior member provide the subject member with operational guidance regarding the use of police discretion. In the other instance where the Commission decided that the member demonstrated oppressive conduct in holding the complainant overnight in custody, no recommendations were offered to address and/or prevent this behaviour in the future.

**Half of the Commission's findings specific to oppressive conduct allegations were adverse, while the other half supported the member's conduct.**

### **Irregularity in Procedure**

Complainants made three allegations of irregularity in procedure in two separate reports. These included a member improperly contacting the complainant's lawyer and informing the lawyer that he should speak to the complainant about his anger, and that the RCMP improperly denied a mother access to RCMP files regarding her daughter. In both reports, the Commission made findings in support of the member's conduct, concluding that it was appropriate for the member to contact the complainant's counsel in the circumstances, and that the complainant was rightfully denied access pursuant to the *Access to Information and Privacy Acts* and she was appropriately referred to submit a request for these documents.

### **Driving Irregularity**

Two allegations in two separate reports were made regarding driving irregularity. In one case, the complainant alleged that the member was driving in a dangerous manner prior to and when stopping the complainant and, in another case, that the member operated a transport van carrying prisoners at a dangerous speed (given the road conditions), which culminated in a single-vehicle accident.

The Commission made three findings regarding these allegations, with two being adverse (67%) and one being supported (33%). The rationale for the adverse findings was that the speed at which the van was travelling was too fast for the weather conditions and unnecessarily placed the passengers and other drivers at risk. The Commission also noted that the vehicle should not have been driven after the accident. Several recommendations were made, including operational guidance on transporting prisoners and what to do when the vehicle is involved in an accident, development of a policy manual to address ground transportation of prisoners, thorough investigations of accidents involving RCMP vehicles, and that vehicles meet safety standards and are equipped for various weather conditions. In the case where the Commission supported the member's conduct, the evidence was insufficient to conclude that the member was driving in a dangerous matter.

### **Mishandling of Property**

Mishandling of property was one of the least frequent types of allegations, occurring only once in the Interim Reports. The complainant alleged that the members seized his vehicle without cause following a traffic stop. During this traffic stop, the drug detection dog indicated a presence of narcotics in the vehicle. Following the vehicle search no narcotics were found, but members discovered \$80,000 in cash. The members then arrested the complainant and seized his car as evidence of proceeds of crime and to conduct further searches in a safe and controlled environment.

The Commission made an adverse finding regarding this allegation, concluding that the seizure of the complainant's vehicle was unreasonable and improper in the circumstances. The rationale for the Commission's finding was based on the notion that the search and arrest of the complainant was warrantless. The Commission further stated that the requirements that apply to searches apply equally to seizures. The Commission's recommendation was that the members review the legal requirements for searches and seizures, specifically the requirement of reasonable and probable grounds.

### **Improper Persons/Vehicles Search**

In only one case, an allegation of an improper persons/vehicles search was observed. In the aforementioned case, the complainant also alleged that members improperly searched his vehicle; however, this allegation was not separately addressed in the Interim Report.

### **Improper Search of Premises**

This type of allegation was observed only once, where the complainant alleged improper search of premises when the member unlawfully entered his dwelling to arrest him for an outstanding warrant. The Commission made an adverse finding in this case, stating that the member did not have the proper authorization to enter the complainant's house. As reflected in the Commission's recommendations, this case points to the importance of educating members on the authority of different types of warrants, and specifically, the limited use of *Feeney* warrants, which authorize police to enter a private dwelling to make an arrest.

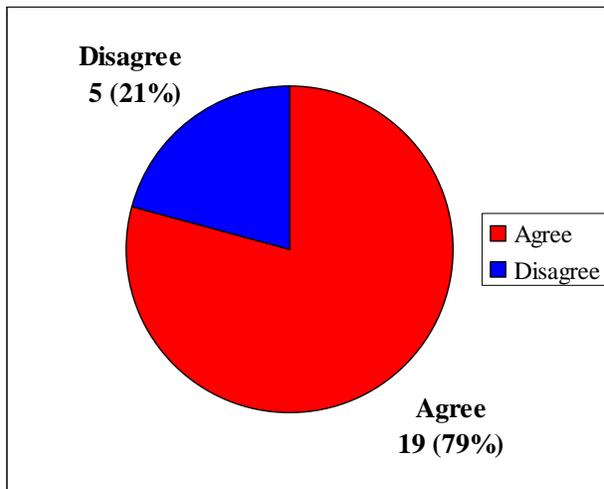
## Commissioner's Notices

The Commission has received 15 (63%) Commissioner's Notices in relation to the 24 Interim Reports signed in 2007. It must be noted that the Commission is concerned, and has expressed such concern repeatedly, that there is a delay in the RCMP issuing Commissioner's Notices for Interim Reports.

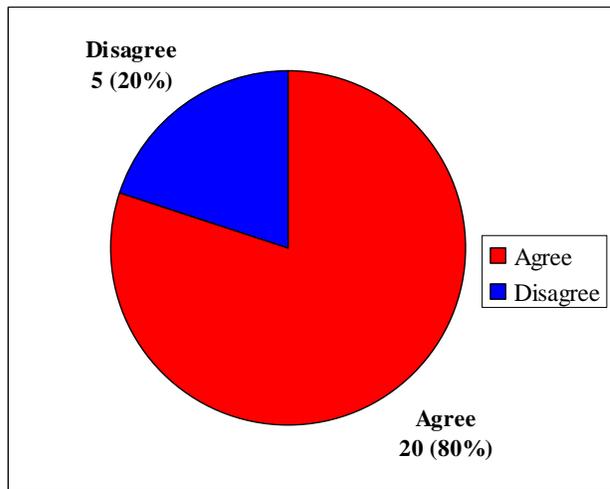
Given that the Commission is not in receipt of all the Notices, it is not possible to provide a comprehensive analysis for this time period. In the 15 Commissioner's Notices, 24 adverse findings and 25 recommendations of the Interim Reports were addressed.

Of the 24 adverse findings, the RCMP Commissioner agreed with 19 (79%) of them and disagreed with 5 (21%). Of the 25 recommendations, the Commissioner agreed with 20 (80%) and disagreed with 5 (20%). However, with 37% of the Interim Reports outstanding it is plausible that these figures will change significantly as more Commissioners' Notices are provided to the Commission.

**Figure 17: Commissioner's Response to the Adverse Findings in the Commission's Interim Reports**



**Figure 18: Commissioner's Response to the Recommendations in the Commission's Interim Reports**



Some of the issues raised in the Interim Reports that the Commissioner disagreed with included: the interpretation of the exception clause in section 497 (Release from custody by peace officer) of the *Criminal Code of Canada*, RCMP vehicle safety, the attendance of accident investigators in inclement weather, and the protocol for dealing with prisoners when an RCMP transport vehicle is involved in a collision.

## **Next Steps**

Building on the findings of the first Review of the Record Project Report, the Commission plans on embarking on:

- Collaborating with the RCMP in communicating best practices with respect to the proper use of the termination provisions;
- Collaborating with the RCMP in implementing a standardized approach to the RCMP public complaint process to ensure Force-wide consistency and enhance service to the public;
- Further analyses of the concerns raised in this report, specifically into chronic complainants, statistical anomalies and improper informal resolutions and terminations of public complaints;
- A quality assessment of all RCMP public complaint dispositions; and
- Annual reports on the findings of the Review of the Record Project.

## Recommendations

Recognizing the importance of Force-wide consistency and based on the findings of the analyses within the Review of the Record Project, the Commission recommends the following:

1. That the Professional Standards and External Review Directorate at RCMP Headquarters organize a Force-wide meeting of divisional Professional Standards Units and the Commission in order to discuss best practices and ways of improving efficiency and effectiveness in the public complaint process.
2. That the Professional Standards and External Review Directorate at RCMP Headquarters send out a directive clearly articulating:
  - a. when it is appropriate to informally resolve improper use of force complaints and when it is not;
  - b. how public complaints defined under Part VII of the *RCMP Act* are to be processed when the complainant raises statutory offence allegations; and
  - c. when it is appropriate to terminate a public complaint under the *RCMP Act* and what information must be included in a Notice of Direction.
3. That the RCMP implement a more efficient means of tracking public complaints and that Divisions and detachments provide the Commission with a copy of all of the outstanding complaint dispositions.
4. That the RCMP ensure that those tasked with capturing public complaints and writing complaint dispositions be appropriately trained and that manuals related to the public complaint process be immediately updated to ensure a standardized national approach.
5. That the RCMP commit to improving its service standards by implementing ways to reduce wait times and increase processing times for complaint dispositions.
6. That the RCMP ensure that all of the complaint dispositions be provided to the Commission concurrent to being provided to the member and the complainant.

## **Appendices**

## Appendix A: Common Terminology

Adverse Finding	A finding typically found in an Interim Report, which states that the subject member(s)' conduct was improper in that it did not meet RCMP professional standards and/or was in conflict with RCMP policy.
Allegation	Assertion of misconduct in the performance of any duty or function, by a member of the public, against any member or person employed or appointed under the <i>RCMP Act</i> .
Commission's Issues List	Consists of 46 categories, which describe the nature of the public complaint. The process of assigning issues raised in complaints is completed when the Commission receives completed complaint records through the Review of the Record Project.
Commissioner's Notice	A letter issued by the RCMP Commissioner that acknowledges receipt of the Commission's Interim Report, and includes a response to the Chair or the Vice-Chair's findings and recommendations made in that report.
Complaint Disposition	RCMP-initiated settlement of a public complaint against a member
Completed Complaint Record	All RCMP paperwork relating to a public complaint and a disposition of a complaint, if necessary.
Final Report	A report that is issued by the Commission, and signed by either the Chair or the Vice-Chair, when the Commission is satisfied with the disposition of the complaint by the RCMP and can find no fault with the action of the member(s).
Final Report (RCMP)	One of the four types of complaint dispositions issued by the RCMP to the complainant(s) provided for under subsection 45.36(5) of the <i>RCMP Act</i> stating the RCMP's findings relating to its investigation into the public complaint.
Final Report After Commissioner's Notice	Written report that is issued by the Chair or the Vice-Chair in response to a Commissioner's Notice reasserting the Commission's position and detailing any concerns the Commission has with the RCMP Commissioner's response to the Interim Report.
Findings and Recommendations	Statement of conclusions made in reaction to the Commission's review of the public complaint disposition, and recommended courses of action by the RCMP. Satisfied findings can be found in both Final and Interim Reports.
Interim Report	A report that is issued by the Commission, and signed by either the Chair or the Vice-Chair, when the Commission is not satisfied with the disposition of the complaint by the RCMP and/or finds fault with the action of the member(s). Typically, recommendations are made in Interim Reports in conjunction with the adverse findings.
Notice of Direction	One of four types of complaint dispositions issued by the RCMP, under subsection 45.36(5) of the <i>RCMP Act</i> , to the

	complainant(s) stating the RCMP's decision not to investigate the complaint or to terminate the investigation into the complaint.
Outstanding Disposition List	Accounting mechanism for all Commission-lodged public complaints currently under investigation by the RCMP. It allows the Commission to track how quickly the RCMP is responding to complaints, and in particular, identify complaints that are taking too long to investigate.
Public Complaint Process	Series of procedures undertaken by the RCMP and the Commission to address a public complaint against a member of the RCMP. This can include, but is not limited to, complaint intake, investigation by the RCMP, issuing of complaint dispositions and complaint reviews.
RCMP Allegations Category	Part of the RCMP classification system of complaints found on Form 4110, where each allegation made by a member of the public is assigned a specific mutually exclusive classification reflecting the nature of the allegation.
RCMP Region	A geographical term describing an area of provinces or territories where RCMP has jurisdiction or is present. Regions are subdivided into divisions.
Satisfied Finding	A finding typically found in a Final Report, stating that the Commission is satisfied with the conduct of the RCMP member(s).
Statutory Mandate	Legal authority provided for by legislation.
Statutory Requirement	Legal obligation as provided for by legislation.

## Appendix B: List of Issues<sup>37</sup>

Issues	Examples of Use
Aboriginal Community	Complaints stemming from an incident on a reserve; complaints lodged through one of the Friendship Centres and the FSIN; complaints about discrimination against aboriginal individuals.
Abusive Language	Offensive language; profanity; swearing; racist, sexist or other oppressive language.
Alcohol/Drugs (not intoxication)	Used when the complaint is related to alcohol or drugs but the individual is not intoxicated, e.g. a drug bust, open liquor in vehicle and possession of drugs.
Arrest	Complainant was arrested during the incident; usually corresponds to improper arrest allegations; complainant is unhappy about the way they were arrested.
Attitude	Other than abusive language; disrespect; harassment; intimidation; police attitudes; rudeness.
Care in Custody	Improper care while in police custody, e.g. dirty cells, no mattress, cold cells and ignoring requests for food or shower.
Chemical Irritants	Pepper Spray; OC Spray; Capsicum spray; Tear gas; Mace; Oleoresin Capsicum Spray.
Child Abuse Response	Includes both physical and sexual abuse against children.
Child Custody	Child access disputes; custody of children.
Civil Disputes/No child	Includes property disputes.
Conflict of Interest	Investigating member related to the witness and or complainant; members using their authority as police officers for non-police purposes, etc.
Criminal Investigation Quality	Complainant is not happy with the way a criminal investigation was conducted; this includes all aspects of investigations such as interviewing witnesses and examining and handling evidence, concealment, evidence, investigation, witnesses and misleading reports.
Crowd Control	Demonstrations; riots.
Custody Deaths	Death of an arrestee after being taken into custody; cell deaths; police-involved shootings; Taser deaths; drug overdose.
Detention	Involves suspect being held in cells; drunk tank.
Entry of Premises	Member enters premises without owner's permission.
Intoxication	Use of alcohol or drugs; drunkenness; impaired driving; use of breathalyser.
Informants/Sources	Complaint about member's use of informants or sources.
Lethal Weapons	Used when the complaint is about the member's use or threatened use of a lethal weapon; firearms; guns; revolvers; side arms.
Lying under Oath	Perjury; member lying in court.
Medical Care	Access to medications; providing proper medical attention.

<sup>37</sup> The list of issues incorporates words or phrases most commonly used by complainants and the RCMP to describe the situation and context of the complaints.

Mental Illness	Member involvement with individuals suffering from mental illness.
National Security	Includes terrorism.
Non-Custody Deaths	Includes criminal investigations into non-custody deaths.
Non-lethal Weapons/No chem.	Tasers; stun guns; water hoses; rubber bullets; baton.
Non-pursuit Police Driving	Includes members parking improperly; driving irregularities while transporting suspects.
Non-spousal, Non-child Assault Response	Member response to assault; does not include child or spousal abuse. Bar fights; violent civil disputes, etc.
Non-spousal, Non-child Sexual Assault Response	Member response to sexual assault; does not include child or spousal abuse. Rape victims.
Note-taking Quality	Quality of member's notes on incident forms; allegations of lying on police reports.
Use of Police Dogs	Dog bites; dog searches.
Police Physical Abuse no Restraints	Usually corresponds with excessive use of force allegations. Police brutality; police beatings; punching; kicking; throwing; slamming into wall.
Police Pursuit Driving	Car chase; high-speed pursuits.
Policy	Complaint about specific RCMP policies.
Property mishandling	Lost, stolen, or damaged property due to member involvement; withholding property from complainant; releasing property to someone other than the owner of the property.
Public Complaint Investigation Quality	Complaints about the way a public complaint was handled; complaints about dispositions; complaint processing.
Release/Disclosure of Info.	Information dissemination; release of police involvement to someone other than the suspect.
Restraints	Choke holds; handcuffs (too tight); hog tie; neck holds. Sometimes corresponds to use of force allegations.
Right to Counsel	Suspect was not allowed to contact a lawyer or was not told of their right to contact a lawyer.
Search	Complaint about a search; search of premises, person, vehicle, etc.
Seizure	Complaint about the seizure of personal property; includes weapons, drugs, etc.
Service	Improper service by members; refusal to respond to complaints; not arranging for appropriate child care while taking a parent into custody; used when the service failure cannot be categorized by another issue.
Spousal Abuse Response	Domestic violence; includes physical and sexual abuse;
Vehicular Incidents	Driving-related complaints; crash site response; driving tickets; includes cars, ATVs, motorcycles, etc.
Witness Protection Program	Complaint involving an individual in the witness protection program.
Youth Interaction	Complaint involving members' interaction with youth under the age of 18.

## Appendix C: Map of RCMP Divisions



The regions and their associated divisions are as follows:

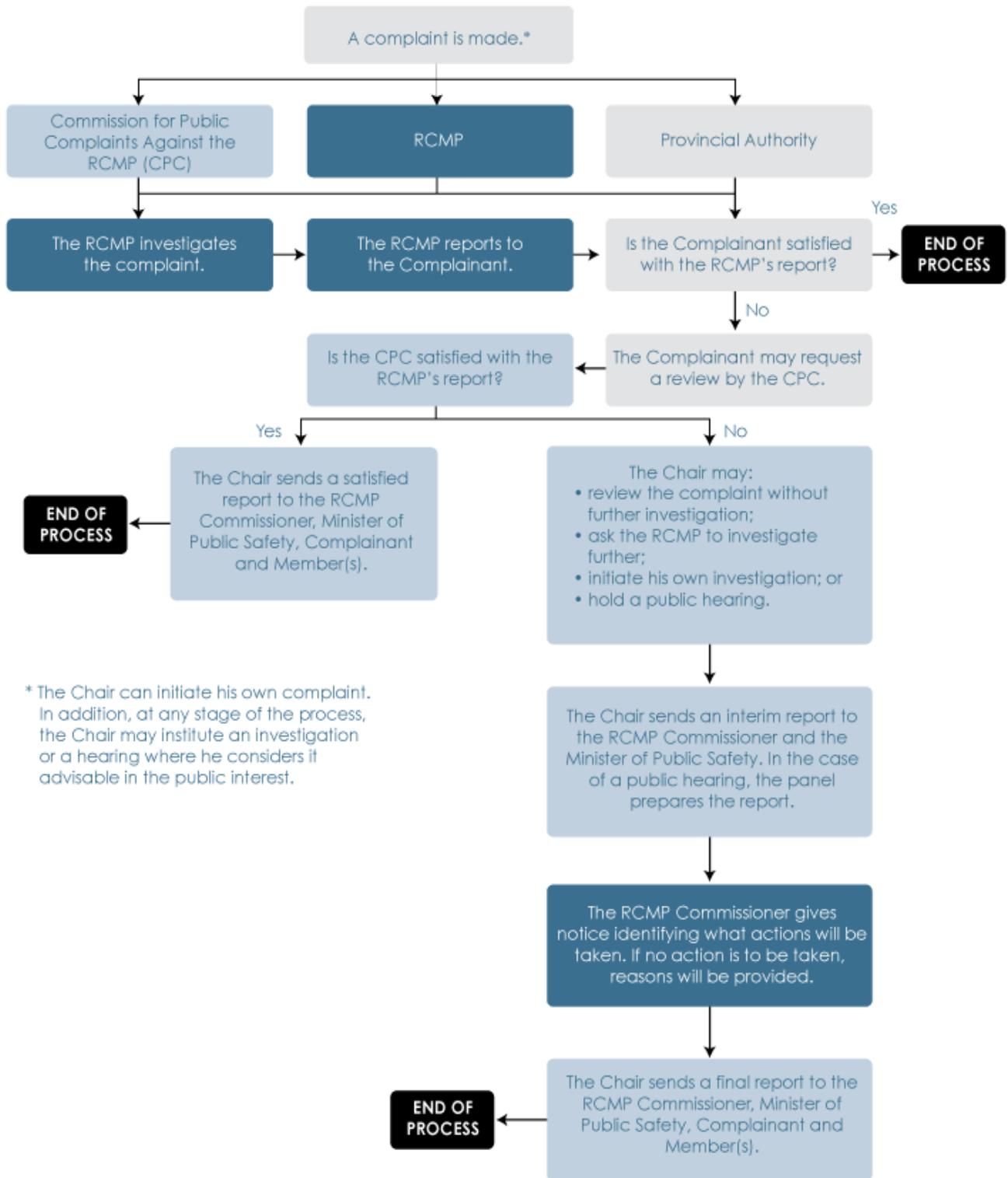
**Atlantic Region:** “B” Division: Newfoundland and Labrador  
“H” Division: Nova Scotia  
“J” Division: New Brunswick  
“L” Division: Prince Edward Island

**Central Region:** “C” Division: Quebec  
“O” Division: Ontario  
“A” Division: National Capital Region

**Northwest Region:** “V” Division: Nunavut  
“D” Division: Manitoba  
“F” Division: Saskatchewan  
“K” Division: Alberta  
“G” Division: Northwest Territories

**Pacific Region:** “E” Division: British Columbia  
“M” Division: Yukon

## Appendix D: Complaint Process





## **DIVISION REPORTS**



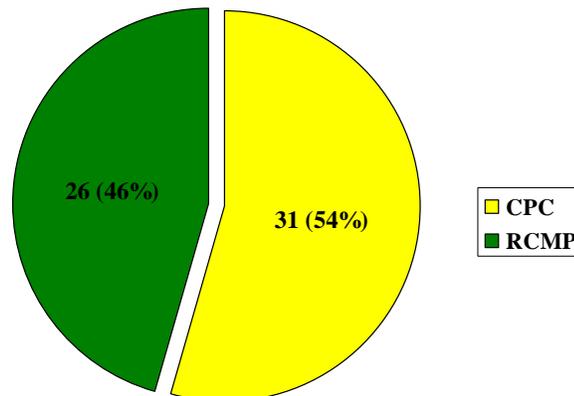
## **The Territories: Yukon, Northwest Territories and Nunavut**

## Complaints Received

For the purposes of the Review of the Record Project the Commission isolated Nunavut, the Yukon and the Northwest Territories, collectively known as “the Territories”, as there, historically, has been little information about the public complaint process flowing from this vast area. Further, the Commission believes that there has been an under-representation of actual public complaint numbers and an over-reliance on informal resolutions to dispose of complaints in this region. The Commission will continue to separately track public complaints coming from the Territories in order to obtain further information about the RCMP public complaint process in that area.

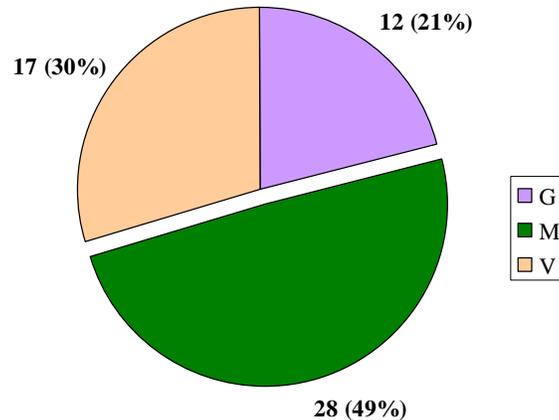
The Commission has received 57 complaint dispositions from Nunavut, the Yukon and the Northwest Territories combined related to complaints lodged in 2007. Of the 57 complaints received from the Territories, 31 were lodged with the Commission and 26 were lodged with the RCMP.

### The Territories: Number of Complaints Based on the Organization it Was Lodged With



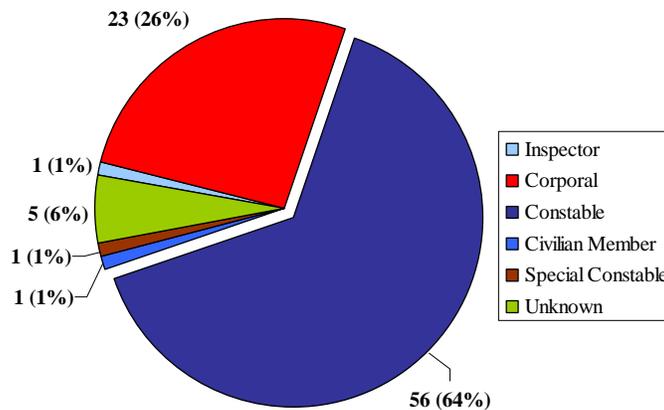
The number of complaint dispositions was further examined at the divisional level. The division mentioned most often in the complaint dispositions was “M” Division (49%), followed by “V” Division (30%) and “G” Division (21%). Of the 28 complaints received from “M” Division, 18 were lodged with the RCMP, while 10 were lodged with the Commission; of the 17 complaints received from “V” Division, 11 were lodged with the Commission and 6 were lodged with the RCMP; and of the 12 complaints received from “G” Division, 10 were lodged with the Commission and 2 were lodged with the RCMP.

### The Territories: Number of Complaints by Division



The average number of members named in the complaints for the Territories was 1.5, with the rank of constable (65%) and corporal (26%) represented most often in the complaints.

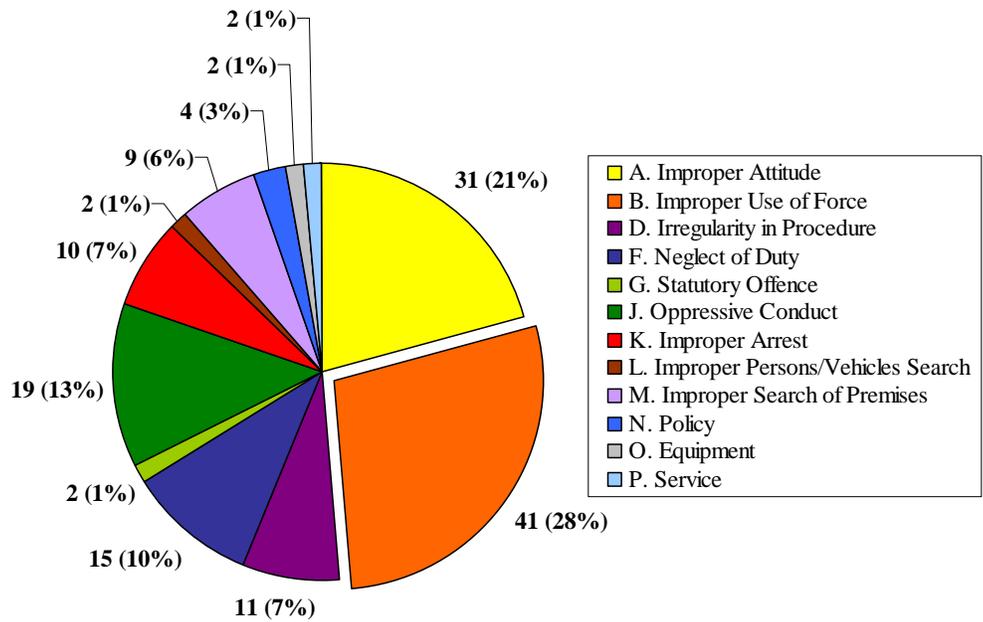
### The Territories: Number of Complaints by Member Rank



### Allegations

A total of 148 allegations were made against members in the Territories, which averaged about 2.6 allegations per complaint. The most common allegation was “Improper Use of Force”, followed by “Improper Attitude” and “Oppressive Conduct”.

### The Territories: Allegations Breakdown



Allegations were further analyzed by member rank. For the Territories, constables were typically subjected to allegations of “Improper Use of Force” (26%) and “Improper Attitude” (23%), and corporals were most often subjected to allegations of “Improper Use of Force” (36%) and “Improper Attitude” (21%).

For every complaint disposition received, the Commission analyzed the reason and incident details in order to identify issues related to the nature of the complaint. By cross-referencing these issues with the RCMP allegations, the Commission was able to identify key issues that come up for each allegation. The two most common issues that were raised in the complaints for the Territories were “Attitude” (17%), “Arrest” (12%) and “Police Physical Abuse” (11%).

## The Territories: Commission-Identified Issues

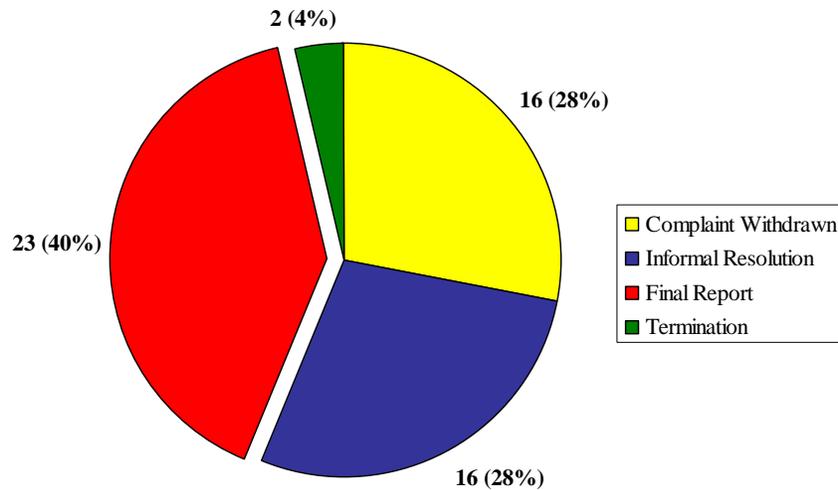
Commission-Identified Issue	Division			Total	%
	G	M	V		
Aboriginal community	1	1	0	2	1.3%
Abusive Language	0	2	0	2	1.3%
Alcohol or Drugs (not impairment)	1	0	0	1	0.7%
Arrest	6	8	4	18	<b>11.9%</b>
Attitude	5	17	4	26	<b>17.2%</b>
Care in Custody	1	2	1	4	2.6%
Chemical Irritant	1	1	1	3	2.0%
Child Custody	0	1	0	1	0.7%
Civil Disputes/No Child	1	0	0	1	0.7%
Criminal Investigation Quality (RCMP)	3	3	1	7	<b>4.6%</b>
Detention	1	5	1	7	<b>4.6%</b>
Entry of Premises	3	3	3	9	<b>6.0%</b>
Impairment	2	3	3	8	<b>5.3%</b>
Lethal Weapons	0	1	0	1	0.7%
Lying under Oath	0	1	0	1	0.7%
Medical Care	1	1	1	3	2.0%
Mental Illness	2	1	0	3	2.0%
Non-lethal weapons other than chemical irritants	3	1	0	4	2.6%
Non-spousal, Non-child Assault Response	2	1	1	4	2.6%
Non-spousal, Non-child Sexual Assault Response	1	0	0	1	0.7%
Other (if necessary)	0	1	0	1	0.7%
Police Physical Abuse	5	6	5	16	<b>10.6%</b>
Policy	1	0	0	1	0.7%
Property Mishandling	0	2	0	2	1.3%
Public Complaint Process Quality (RCMP)	1	0	0	1	0.7%
Release/Disclosure of Information	0	0	1	1	0.7%
Restraints	1	0	1	2	1.3%
Right to Counsel	1	2	0	3	2.0%
Search	0	1	2	3	2.0%
Seizure	0	1	0	1	0.7%
Service	1	1	3	5	<b>3.3%</b>
Spousal Abuse Response	1	0	0	1	0.7%
Vehicular Incidents	1	4	2	7	<b>4.6%</b>
Youth Interaction	1	0	0	1	0.7%
<b>Total</b>	<b>47</b>	<b>70</b>	<b>34</b>	<b>151</b>	

Further, the results revealed trends in the issues for each allegation. For the purpose of this analysis, the common issues will be reported for the three most frequently occurring allegations: “Improper Use of Force”, “Improper Attitude” and “Oppressive Conduct”.

- The main issues that arose for “Improper Use of Force” were “Police Physical Abuse” (21%) and “Arrest” (20%).
- For allegations of “Improper Attitude” the key issues were “Attitude” (33%) and “Police Physical Abuse” (13%).
- The main issues identified in complaints dealing with allegations of “Oppressive Conduct” included “Arrest” (14%) and “Attitude” (13%).

## Disposition of Complaints

### The Territories: Number of Complaints by Disposition Type



#### *Investigation and Final Report*

Of the complaint dispositions the Commission received from the Territories, 23 (40%) were formally investigated and a Final Report disposition was issued in the first instance by the RCMP. These reports made determinations on 69 allegations. The most common of these allegations were “Improper Use of Force” (33%), “Improper Attitude” (17%) and “Oppressive Conduct” (14%). Most of the RCMP’s findings did not support the complainant’s allegations (98%).

#### *Informal Resolutions*

Informal resolutions occurred in 28% of the cases, which dealt with 25 allegations. Allegations that were commonly subject to an informal resolution were “Improper Attitude”, “Improper Use of Force” and “Irregularity in Procedure”.

#### *Withdrawals*

In 28% of the dispositions received from the Territories, the complainant withdrew the complaint. A total of 46 allegations were disposed of in this manner. Allegations of “Improper Use of Force” and “Improper Attitude” commonly resulted in a withdrawal.

In all of the divisions in the Territories the percentage of dispositions that resulted in withdrawals was significantly higher than the Force-wide percentage; between 12-20 percentage points. This is a concern for the Commission, as there is evidence to suggest that public complaints are being improperly withdrawn and that informal resolutions are being erroneously captured as withdrawals on Form 4110s.

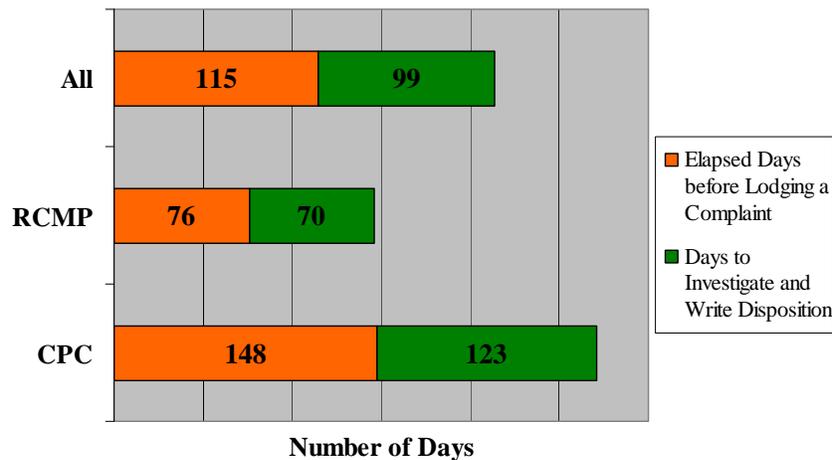
### Terminations (Notice of Direction)<sup>38</sup>

In 2007, in 4% of the dispositions received from the Territories, a Notice of Direction was issued accounting for 8 allegations. Allegations that were subject to termination paragraphs included “Improper Attitude”, “Improper Use of Force”, “Statutory Offence” and “Improper Search of Premises”. The grounds for termination most often invoked were paragraphs (b) and (c).

### Service Standards: Complaint Processing Time

On average, it took 99 days to issue a disposition once the complaint was lodged (range: 1 to 333 days). This is in comparison to the RCMP national average of 114 days to issue a disposition once a complaint was lodged (range: 0 to 447 days). It typically took complainants in this division 115 days to lodge a complaint following the incident date (range: 0 to 2,166 days).

### The Territories: Complaint Timeline Based on the Organization the Complaint Was Lodged With



The average number of days to issue a complaint disposition was 123 for Commission-lodged complaints (range: 6 to 333 days) as opposed to 70 days for RCMP-lodged complaints (range: 1 to 241 days).

On average, complainants waited 148 days after the incident took place before lodging a complaint with the Commission (range: 0 to 2,166 days), while complaints lodged with the RCMP averaged only 76 days after the incident (range: 0 to 644 days).<sup>39</sup>

<sup>38</sup> The RCMP may decide to terminate a complaint under three strict grounds provided for in paragraphs (a), (b) and (c) of subsection 45.36(5) of the *RCMP Act*. These paragraphs are:

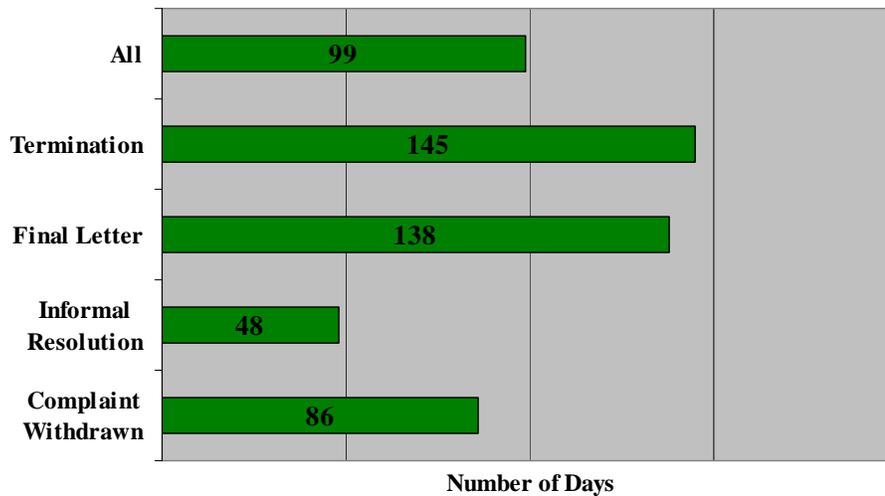
- (a) the complaint is one that could more appropriately be dealt with, initially or completely, according to a procedure provided under any other Act of Parliament;
- (b) the complaint is trivial, frivolous, vexatious or made in bad faith; and
- (c) having regard to all the circumstances, investigation or further investigation is not necessary or reasonably practicable.

Independent of the public complaint processing timelines, the Review of the Record Project required the RCMP to provide the Commission copies of all dispositions for its analyses. To that end, the average number of days for the Commission to receive the complaint disposition from this division was 113 for Commission-lodged complaints (range: 7 to 365 days) as opposed to the 70 days for RCMP-lodged complaints (range: 6 to 224 days).

Complaint timelines were also determined by disposition type:

- It took 138 days to issue a Final Report by the RCMP (range: 43 to 333 days). For these cases, 200 days, on average, elapsed before a complainant lodged the original complaint (range: 1 to 2,166 days).
- It took 145 days to issue a Notice of Direction (range: 117 to 172 days). On average, 349 days elapsed before a complainant lodged the complaint in these cases (range: 53 to 644 days).
- On average, it took 86 days to complete a withdrawal (range: 1 to 304 days). On average, 37 days elapsed before a complainant lodged a complaint that was disposed of in this manner (range: 0 to 199 days).
- On average it took 48 days to enter into an informal resolution (range: 1 to 138 days). It took 43 days, on average, before a complainant lodged a complaint that was disposed of in this manner (range: 0 to 175 days).

**The Territories: Number of Days to Issue the Disposition by Disposition Type**



<sup>39</sup> While the reasons for this delay is not yet fully understood, some preliminary analysis of the data suggests that complainants wait extended periods of time to lodge complaints with the Commission because: 1) the types of allegations that are lodged with the Commission tend to be more serious in nature than those lodged with the RCMP; 2) the complainant may not have immediate access to the public complaint system; 3) the complaint may be historical in that an incident occurred many years (in some cases decades) before a formal complaint is lodged; and 4) alternate ways of resolving the complaint may have been attempted before a formal complaint was lodged.

Complaint timelines were also determined by allegation type for the three most common allegations.

- For allegations of “Improper Use of Force”, it took, on average, 138 days (range: 28 to 333 days) for the RCMP to issue a disposition. Typically, it took a complainant 177 days (range: 0 to 2,166 days) after the incident date to file a complaint for this type of allegation.
- For allegations of “Improper Attitude”, it took, on average, 69 days (range: 1 to 197 days) for the RCMP to issue a disposition. Typically, it took a complainant 37 days (range: 0 to 175 days) following the incident date to lodge a complaint for this type of allegation.
- For allegations of “Oppressive Conduct”, it took, on average, 132 days (range: 21 to 304 days) for the RCMP to issue a disposition. Typically, it took a complainant 349 days (range: 0 to 2,166 days) after the incident date to lodge a complaint for this type of allegation.

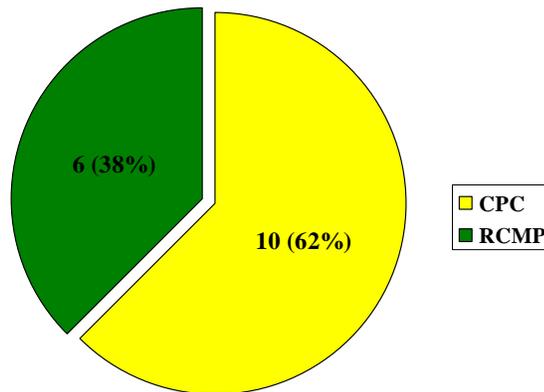


**A-NATIONAL CAPITAL REGION**  
**DIVISIONAL REPORT**

## Complaints Received

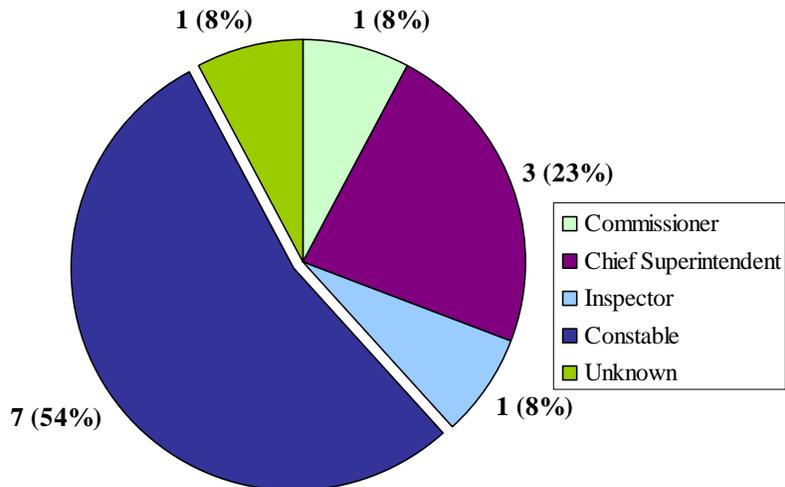
The Commission received 16 complaint dispositions from “A” Division, of which 10 (62.5%) were lodged with the Commission, while 6 (37.5%) were lodged with the RCMP. The vast majority of complaints (69%) identified Headquarters-Ottawa as the incident detachment.

### “A” Division: Number of Complaints



The average number of members named in the complaint for “A” Division was 1; with constables (53%) being the rank most represented in the complaints. The rank of chief superintendent was represented in 20% of the complaints, while the RCMP Commissioner was the subject of 2 complaints.

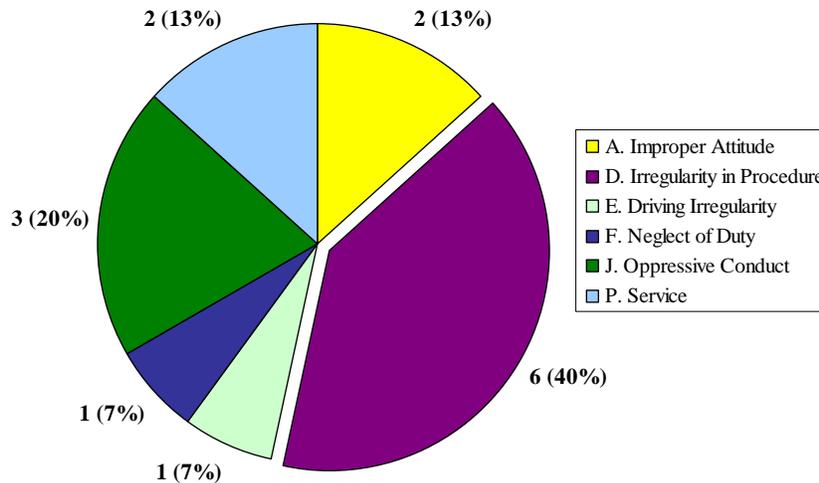
### “A” Division: Ranks Represented in Complaints



## Allegations

A total of 15 allegations were made against members in “A” Division, which averaged about 0.9<sup>40</sup> allegations per complaint. The two most common allegations were “Irregularity in Procedure” (40%) and “Oppressive Conduct” (20%).

### “A” Division: Allegations Breakdown



Allegations of “Improper Attitude” (33%) and “Irregularity in Procedure” (33%) were most commonly directed towards constables. Likewise, the most common (and only) allegation against inspectors was “Irregularity in Procedure” (100%). Of the 3 allegations made against the chief superintendent, 2 (67%) were related to “Oppressive Conduct”.

For every complaint disposition received, the Commission analyzed the reason and incident details in order to identify issues related to the nature of the complaint. By cross-referencing these issues with the RCMP allegations, the Commission was able to identify key issues that come up for each allegation. The two most common issues that were raised in the complaints were “Criminal Investigation Quality” (26%) and “Attitude” (17%).

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<sup>40</sup> There is less than 1 allegation per complaint, as many complaints against the RCMP as a whole are lodged with “A” Division.

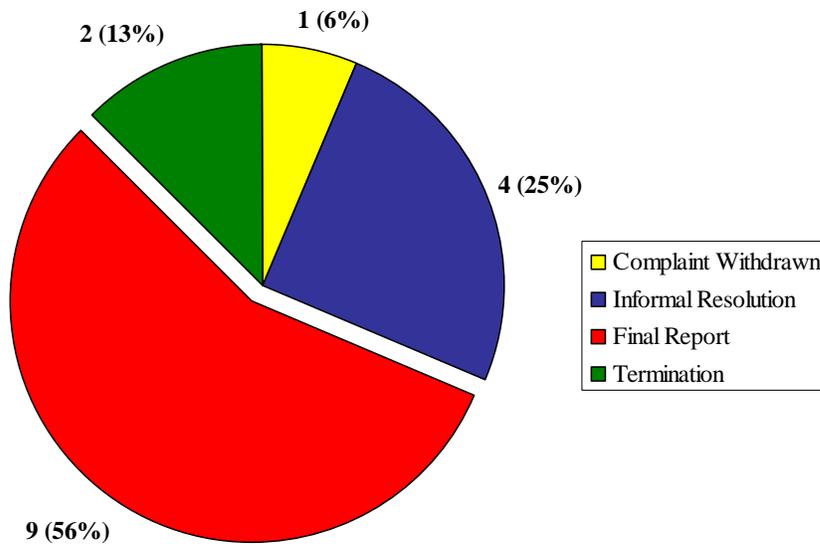
**“A” Division: Commission-Identified Issues**

Issue	Number of Complaints	%
Abusive Language	2	8.7%
Attitude	4	17.4%
Conflict of Interest	2	8.7%
Criminal Investigation Quality (RCMP)	6	26.1%
Entry of Premises	1	4.3%
Non-pursuit Police Driving	1	4.3%
Policy	2	8.7%
Public Complaint Process Quality (RCMP)	1	4.3%
Release/Disclosure of Information	2	8.7%
Service	2	8.7%
<b>Total</b>	<b>23</b>	

Further, the results revealed trends in the issues for each allegation. For the purpose of this analysis, the common issues will be reported for the two most frequently occurring allegations: “Irregularity in Procedure” and “Oppressive Conduct”. For complaints alleging “Irregularity in Procedure” the key issue was “Criminal Investigation Quality (RCMP)” (30%). The only issue raised for “Oppressive Conduct” was also “Criminal Investigation Quality (RCMP)” (100%).

**Disposition of Complaints**

**“A” Division: Number of Complaints by Disposition Type**



*Investigation and Final Report*

Of the complaint dispositions the Commission received, 56% were formally investigated and a Final Report by the RCMP was issued. These reports made determinations on 9 allegations. The allegation for which a Final Report by the RCMP was most commonly issued was “Irregularity in

Procedure”. Interestingly, the RCMP’s findings did not support any of the complainant’s allegation(s).

### *Informal Resolutions*

Accounting for the second most common way to dispose of a complaint, informal resolutions occurred in 25% of the cases, which represented 3 allegations. The allegation that was most likely to result in an informal resolution was “Improper Attitude”.

### *Withdrawals*

In one case (6%) the complainant withdrew the complaint, which related to an allegation of “Irregularity in Procedure”.

### *Terminations (Notice of Direction)*<sup>41</sup>

On average, 13% of the complaint dispositions were disposed of through a Notice of Direction, which represented 2 allegations. Those allegations were “Irregularity in Procedure” and “Oppressive Conduct”. In one case the termination paragraph was not specified and in another the investigation was terminated under paragraph (a).

## **Service Standards: Complaint Processing Time**

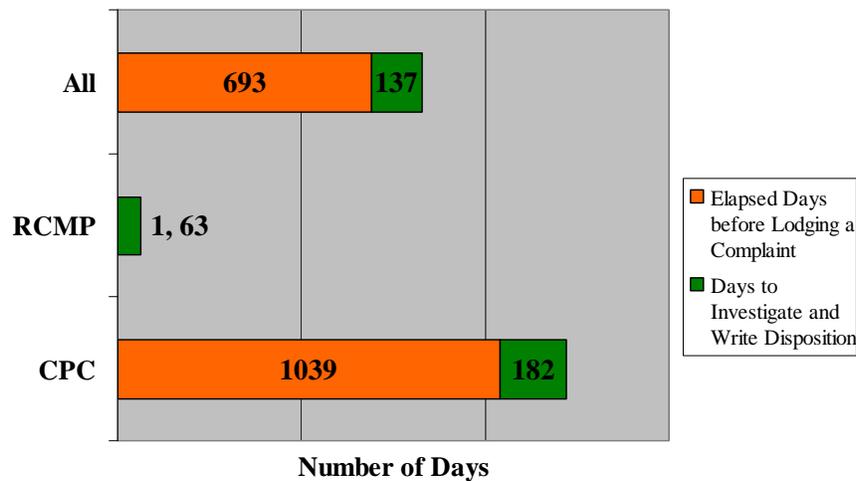
On average, this division took 137 days to issue any type of disposition once a complaint was lodged (range: 14 to 369 days). This is in comparison to the RCMP national average of 114 days to issue a disposition once a complaint was lodged (range: 0 to 447 days). It typically took almost two years (693 days) for a complainant to lodge a complaint (range: 0 to 4,264 days).

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<sup>41</sup> The RCMP may decide to terminate a complaint under three strict grounds provided for in paragraphs (a), (b) and (c) of subsection 45.36(5) of the *RCMP Act*. These paragraphs are:

- (a) the complaint is one that could more appropriately be dealt with, initially or completely, according to a procedure provided under any other Act of Parliament;
- (b) the complaint is trivial, frivolous, vexatious or made in bad faith; and
- (c) having regard to all the circumstances, investigation or further investigation is not necessary or reasonably practicable.

**“A” Division: Complaint Timeline Based on the Organization the Complaint Was Lodged With**



The average number of days to issue a disposition was 182 days for Commission-lodged complaints (range: 41 to 369 days) as opposed to 63 days for RCMP-lodged complaints (range: 14 to 253 days). On average, complainants waited 1,039 days after the incident took place before lodging a complaint with the Commission (range: 1 to 4,264 days), while complaints lodged with the RCMP averaged only 1 day after the incident (range from 0 to 5 days).<sup>42</sup>

Independent of the public complaint processing timelines, the Review of the Record Project required the RCMP to provide the Commission copies of all dispositions for its analyses. To that end, the average number of days for the Commission to receive the complaint disposition from this division was 85 for Commission-lodged complaints (range: 10 to 164 days) as opposed to the 65 days it took for RCMP-lodged complaints (range: 3 to 104 days).

The Ottawa-Headquarters Detachment took 127 days to issue a disposition once a complaint was lodged (range: 20 to 369 days). Typically, complainants waited 515 days after the incident date to lodge a complaint against members in this detachment (range: 0 to 4,264 days).

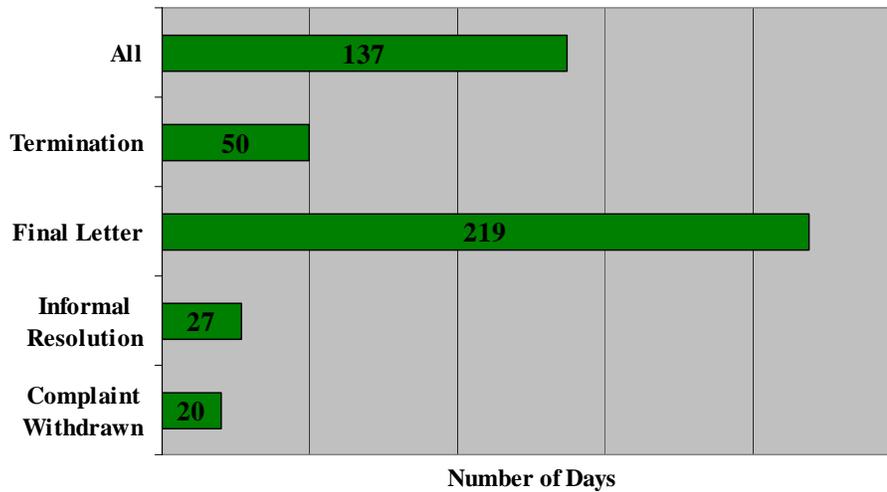
Complaint timelines were also determined by disposition type:

- It took 219 days to issue a Final Report by the RCMP (range: 85 to 369 days). For these cases, on average, 1,051 days elapsed before a complainant lodged the original complaint (range: 0 to 4,264 days).
- It took 50 days to issue a Notice of Direction (range: 41 to 59 days). On average, it took 463 days to elapse before a complainant lodged the original complaint (range: 1 to 925 days).

<sup>42</sup> While the reasons for this delay is not yet fully understood, some preliminary analysis of the data suggests that complainants wait extended periods of time to lodge complaints with the Commission because: 1) the types of allegations that are lodged with the Commission tend to be more serious in nature than those lodged with the RCMP; 2) the complainant may not have immediate access to the public complaint system; 3) the complaint may be historical in that an incident occurred many years (in some cases decades) before a formal complaint is lodged; and 4) alternate ways of resolving the complaint may have been attempted before a formal complaint was lodged. Specific to this number, one complainant waited over 4,200 days to lodge a formal complaint with the Commission.

- On average, it took 20 days to complete a withdrawal. For these cases, it took 5 days to elapse before a complainant lodged the original complaint that was subsequently disposed of in this manner.
- On average it took 27 days to enter into an informal resolution (range: 14 to 38 days). For these cases, it took 1 day to elapse before a complainant lodged the original complaint that was disposed of in this manner (range: 0 to 2 days).

**“A” Division: Number of Days to Issue the Disposition by Disposition Type**



Complaint timelines were also determined for the two most common allegation types.

- Allegations of “Irregularity in Procedure”, on average, took 134 days for a disposition to be issued (range: 20 to 369 days). Typically, complainants waited 81 days after the incident date to lodge a complaint (range: 1 to 403 days) for this type of allegation.
- Allegations of “Oppressive Conduct” took, on average, 175 days for a disposition to be issued (range: 41 to 262 days) for this type of allegation. Complainants lodged a complaint, on average, 3,151 days after the incident date (range: 925 to 4,264 days).

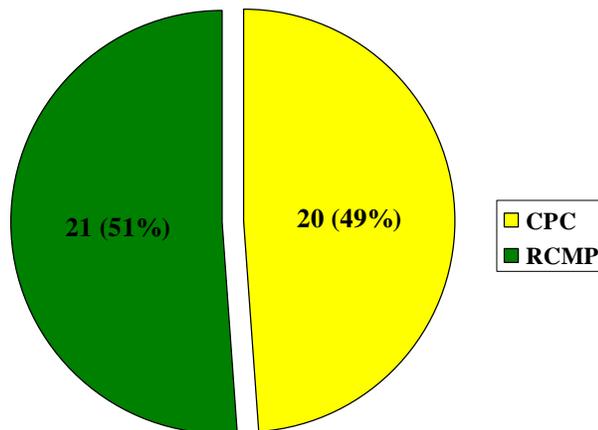


**B-NEWFOUNDLAND AND LABRADOR**  
**DIVISIONAL REPORT**

## Complaints Received

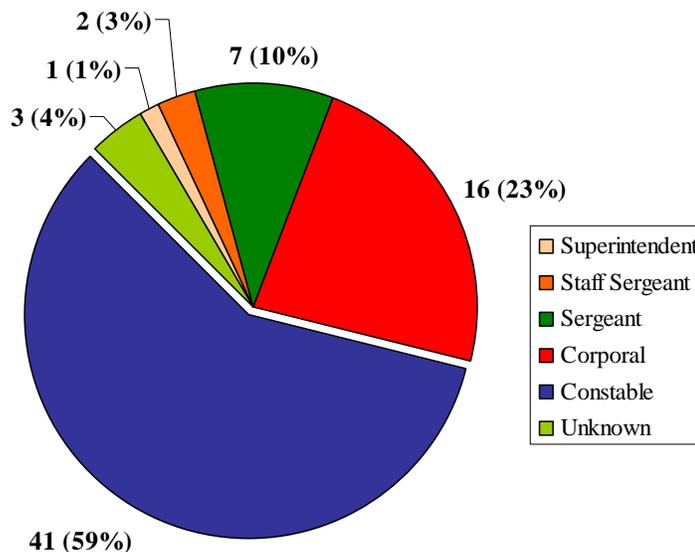
The Commission received 41 complaint dispositions related to complaints lodged in 2007. The complaint dispositions were further examined at the detachment level. The detachments identified most often in the complaint dispositions included the Happy Valley-Goose Bay Detachment (20%), followed by the Lewisporte Detachment (12%), the Trinity-Conception Detachment (12%) and the Corner Brook S/Div. Headquarters (12%). Of the 41 complaints received from “B” Division, 21 (51%) were lodged with the RCMP, while 20 (49%) were lodged with the Commission.

### “B” Division: Number of Complaints Based on the Organization it Was Lodged With



The average number of members named in the complaint for “B” Division was 2.3 with constables (56%) being the rank most represented in the complaints followed by corporals (23%). Sergeants were represented in 10% of the complaints.

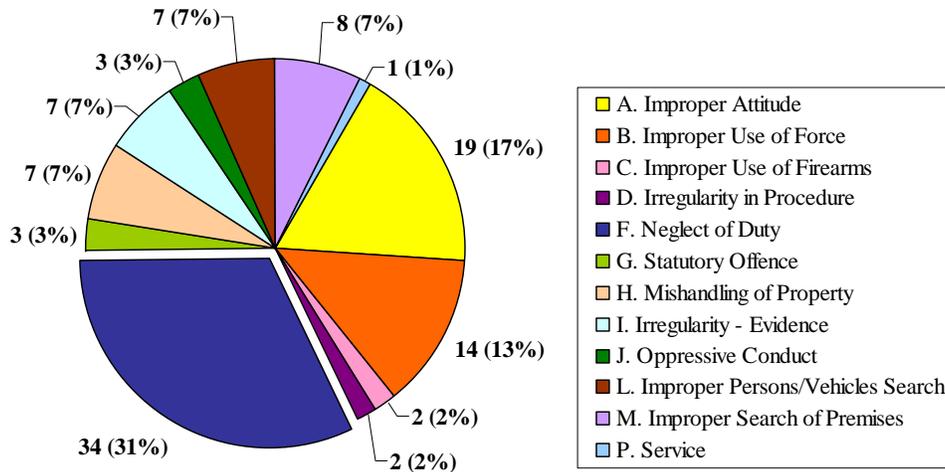
### “B” Division: Number of Complaints by Member Rank



## Allegations

A total of 107 allegations were made, which averaged about 2.6 allegations per complaint. The three most common allegations were “Neglect of Duty” (32%), “Improper Attitude” (18%) and “Improper Use of Force” (13%). Allegations were also examined at the detachment level.

### “B” Division: Allegations Breakdown



For the Trinity-Conception Detachment, the results indicate that the most common allegations pertained to “Improper Use of Force” (25%), “Mishandling of Property” (25%) and “Improper Persons/Vehicles Search” (25%). The most common types of allegations for the Corner Brook S/Div. Headquarters Detachment were “Neglect of Duty” (33%) and “Improper Search of Premises” (33%). For the Happy Valley-Goose Bay Detachment the most frequent allegation was “Neglect of Duty” (62%). Finally, the most common type of allegation for the Lewisporte Detachment was “Improper Attitude” (39%).

Allegations were further analyzed by member rank. Allegations of “Neglect of Duty” were the most common allegation directed towards sergeants (67%), corporals (24%) and constable (28%). Gender differences were also observed by allegation type.

Allegations were also analyzed by disposition type. For complaints involving allegations of “Neglect of Duty”, it was common for the RCMP to issue a Final Report (59%), while for “Improper Attitude” the most common disposition was an informal resolution (42%). Allegations of “Improper Use of Force” were either issued a Final Report (50%) or the complaint was withdrawn by the complainant (50%).

For every complaint disposition received, the Commission analyzed the reason and incident details in order to identify issues related to the nature of the complaint. By cross-referencing these issues with the RCMP allegations, the Commission was able to identify key issues that come up for each allegation. The most common issues that were raised in the complaints for this division were “Criminal Investigation Quality (RCMP)” (19%), “Attitude” (17%), “Arrest” (7%),

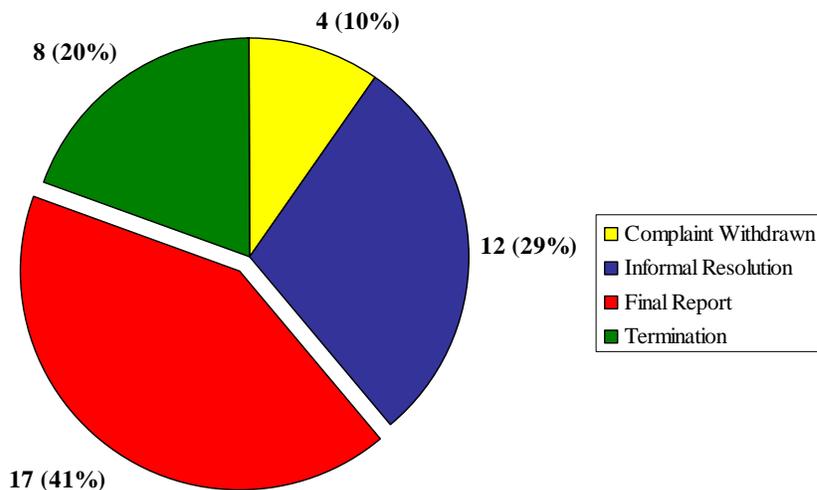
and “Public Complaint Process Quality (RCMP)” (6%). In comparing the issues raised for the three most frequent allegations, it appears that there is a common perceived lack of police professionalism as well as complainant dissatisfaction with the way criminal investigations were handled by the RCMP, as these were prominent issues identified in most of the allegations mentioned above.

**“B” Division: Commission-Identified Issues**

<b>Issue</b>	<b>Number of Complaints</b>	<b>%</b>
Abusive Language	4	<b>3.9%</b>
Alcohol or Drugs (not impairment)	4	<b>3.9%</b>
Arrest	7	<b>6.8%</b>
Attitude	17	<b>16.5%</b>
Care in Custody	1	1.0%
Child Abuse Response	1	1.0%
Civil Disputes/No Child	0	0.0%
Criminal Investigation Quality (RCMP)	20	<b>19.4%</b>
Crowd Control	0	0.0%
Detention	3	2.9%
Entry of Premises	2	1.9%
Lying under Oath	3	2.9%
Lethal Weapons	0	0.0%
Medical Care	1	1.0%
Mental Illness	1	1.0%
Non-lethal weapons other than chemical irritants	1	1.0%
Non-pursuit Police Driving	0	0.0%
Non-spousal, Non-child Assault Response	2	1.9%
Non-spousal, Non-child Sexual Assault Response	1	1.0%
Other (if necessary)	2	1.9%
Police Dogs	0	0.0%
Police Physical Abuse	3	2.9%
Police Pursuit Driving	0	0.0%
Policy	2	1.9%
Property Mishandling	0	0.0%
Public Complaint Process Quality (RCMP)	6	<b>5.8%</b>
Release/Disclosure of Information	1	1.0%
Restraints	0	0.0%
Right to Counsel	2	1.9%
Search	5	<b>4.9%</b>
Seizure	3	2.9%
Service	3	2.9%
Vehicular Incidents	4	<b>3.9%</b>
Youth Interaction	4	<b>3.9%</b>
<b>Total</b>	<b>103</b>	

## Disposition of Complaints

### “B” Division: Number of Complaints by Disposition Type



#### *Investigation and Final Report*

Of the complaint dispositions the Commission received, 42% were formally investigated and a Final Report by the RCMP issued. These reports made determinations on 50 allegations, the most common allegation being “Neglect of Duty”.

For almost every type of allegation, with the exception of “Improper Attitude”, none of the complainant’s allegations were supported. For allegations of “Improper Attitude”, 57% of the RCMP’s findings supported the allegation(s) while 43% of the findings did not support the complainant’s allegation(s).

#### *Informal Resolutions*

Accounting for the second most common way to dispose of a complaint, informal resolutions occurred in 29% of the cases; addressing 16 allegations. Allegations most likely to end in an informal resolution were “Improper Attitude” and “Neglect of Duty”.

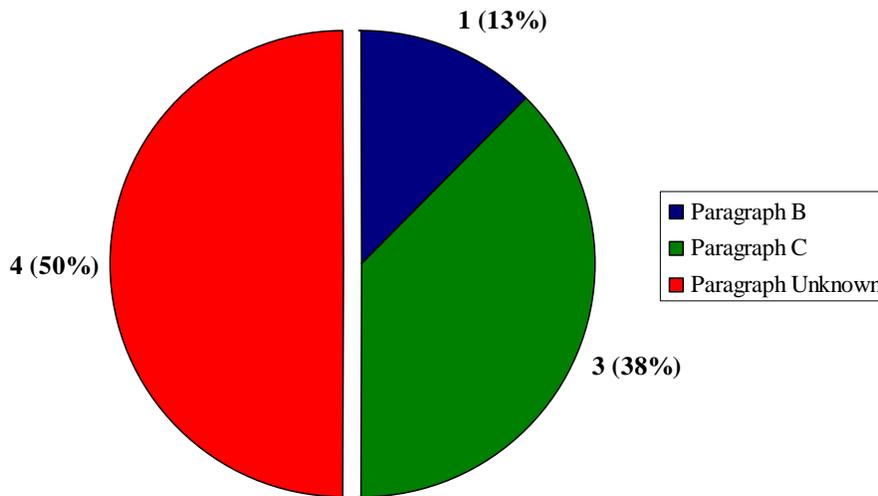
#### *Withdrawals*

In 10% of the cases, the complainant withdrew the complaint. Withdrawals disposed of 25 allegations, the most common of which were “Improper Use of Force”, “Mishandling of Property” and “Improper Persons/Vehicles Search”.

### *Terminations (Notice of Direction)*<sup>43</sup>

In 2007, in 20% of all the dispositions received from “B” Division, a Notice of Direction was issued, accounting for 15 allegations. In 50% of the 8 complaint dispositions, the termination paragraph was not specified in the Notice of Direction. Allegations of “Neglect of Duty” and “Improper Search of Premises” were most often terminated. Further, in most cases, the specific legislative grounds for termination were not specified.

#### **“B” Division: Number of Terminated Complaints by Grounds Identified in subsection 45.36(5) of the RCMP Act**



### **Service Standards: Complaint Processing Time**

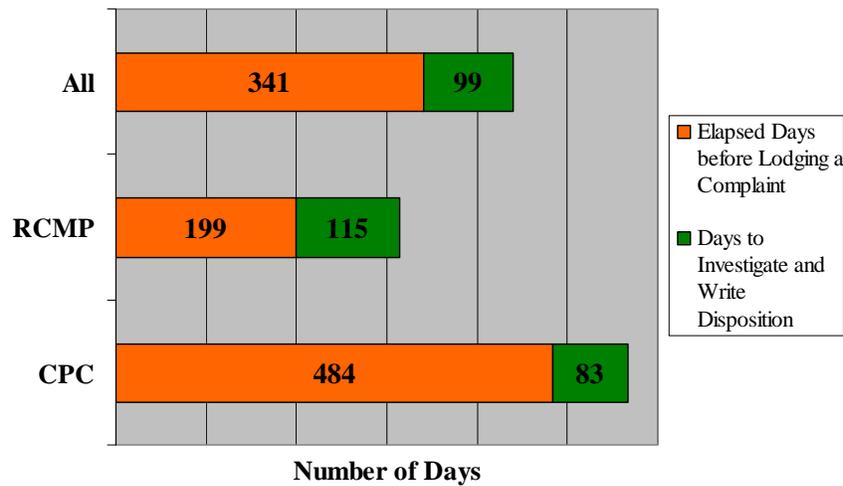
On average, it took 99 days to issue a disposition once a complaint was lodged (range: 0 to 318 days). This is in comparison to the RCMP national average of 114 days to issue a disposition once a complaint was lodged (range: 0 to 447 days). It typically took close to one year (341 days) to elapse before a complainant lodged the original complaint (range: 0 to 3,706 days).

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<sup>43</sup> The RCMP may decide to terminate a complaint under three strict grounds provided for in paragraphs (a), (b) and (c) of subsection 45.36(5) of the *RCMP Act*. These paragraphs are:

- (a) the complaint is one that could more appropriately be dealt with, initially or completely, according to a procedure provided under any other Act of Parliament;
- (b) the complaint is trivial, frivolous, vexatious or made in bad faith; and
- (c) having regard to all the circumstances, investigation or further investigation is not necessary or reasonably practicable.

**“B” Division: Complaint Timeline Based on the Organization the Complaint Was Lodged With**



The average number of days to issue a disposition was 83 for Commission-lodged complaints (range: 13 to 276 days) as opposed to 115 days for RCMP-lodged complaints (range: 0 to 318 days).

On average, complainants waited 484 days after the incident took place before lodging a complaint with the Commission (range: 0 to 3,706 days), while complaints lodged with the RCMP averaged 199 days after the incident (range: 1 to 1,942 days).<sup>44</sup>

Independent of the public complaint processing timelines, the Review of the Record Project required the RCMP to provide the Commission copies of all dispositions for its analyses. To that end, the average number of days for the Commission to receive the complaint disposition from this division was 42 for Commission-lodged complaints (range: 7 to 180 days) as opposed to the 93 days it took for RCMP-lodged complaints (range: 11 to 249 days).

Complaint processing times were analyzed for each of the four detachments in “B” Division with the most complaint dispositions:

- The Trinity-Conception Detachment took 123 days to issue a disposition once a complaint was lodged (range: 31 to 318 days). On average, complainants waited 793 days after the incident took place before lodging a complaint (range: 2 to 1,660 days).
- The Corner Brook S/Division Headquarters Detachment took an average of 88 days to issue a disposition once a complaint was lodged (range: 0 to 184 days). On average, complainants waited 990 days after the incident took place before lodging a complaint (range: 7 to 3,706 days).

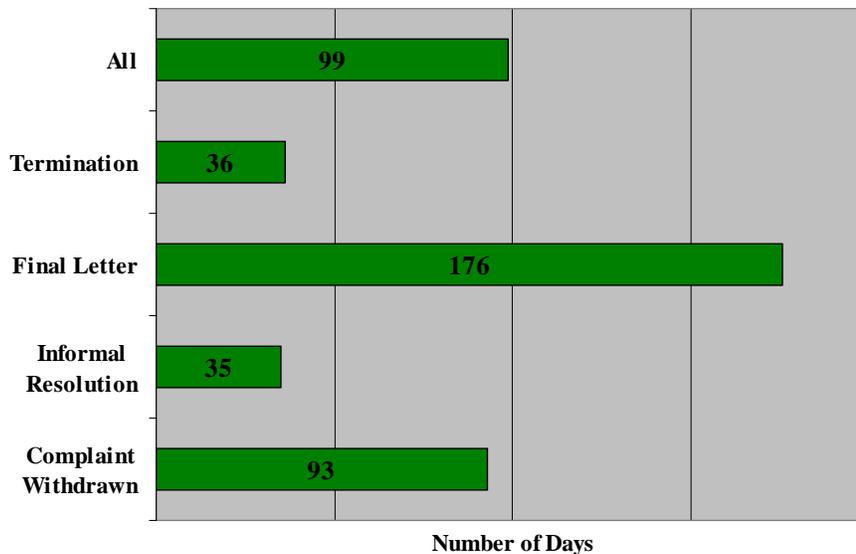
<sup>44</sup> While the reasons for this delay is not yet fully understood, some preliminary analysis of the data suggests that complainants wait extended periods of time to lodge complaints with the Commission because: 1) the types of allegations that are lodged with the Commission tend to be more serious in nature than those lodged with the RCMP; 2) the complainant may not have immediate access to the public complaint system; 3) the complaint may be historical in that an incident occurred many years (in some cases decades) before a formal complaint is lodged; and 4) alternate ways of resolving the complaint may have been attempted before a formal complaint was lodged. In this case, a complainant waited over 3,700 days before lodging a formal complaint with the Commission.

- The Happy Valley-Goose Bay Detachment took an average of 73 days to issue a disposition (range: 19 to 169 days). On average, complainants waited 165 days after the incident took place before lodging a complaint (range: 0 to 1,249 days).
- The Lewisporte Detachment took on average 91 days to issue a disposition for a public complaint (range: 14 to 143 days) On average, complainants waited 48 days after the incident took place before lodging a complaint (range: 1 to 183 days).

Complaint timelines were also determined by disposition type:

- To issue a Final Report it took “B” Division on average 176 days (range: 66 to 318 days). For these cases, it generally took 339 days for a complainant to lodge the original complaint that resulted in this type of disposition (range: 5 to 1,942 days).
- To issue an informal resolution it took an average of 35 days to issue a disposition (range: 0 to 101 days). For these cases, 57 days, on average, elapsed before a complainant lodged the original complaint that resulted in this type of disposition (range: 1 to 461 days).
- To issue a Notice of Direction, invoking any provision, it took 36 days (range: 19 to 50 days). For these cases, it generally took 860 days for a complainant to lodge the original complaint that resulted in this type of disposition (range: 0 to 3,706 days).
- For withdrawals it took on average 93 days to complete this type of disposition (range: 73 to 115 days). For these cases, it generally took 114 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 2 to 246 days).

**“B” Division: Number of Days to Issue the Disposition by Disposition Type**



Complaint timelines could be determined by allegation type. For the three most common types of allegations, i.e. “Neglect of Duty” (32%), “Improper Attitude” (18%) and “Improper Use of Force” (13%) timelines are reported.

- Allegations of “Neglect of Duty”, on average, took 120 days for a disposition to be issued (range from 13 to 318 days). Typically, complainants waited 483 days after the incident date to lodge a complaint (range from 0 to 3,706 days) for this type of allegation.

- Allegations of “Improper Attitude”, on average, took 96 days for a disposition to be issued (range from 0 to 276 days). Complainants, on average, lodged a complaint 38 days after the incident date (range from 0 to 246 days) for this type of allegation.
- Allegations of “Improper Use of Force” took 158 days for a disposition to be issued once a complaint was lodged (range from 115 to 184 days). On average, complainants waited 79 days to lodge a complaint (range from 6 to 252 days) for this type of allegation.

It is interesting to note that within “B” Division complaints involving “Improper Use of Firearms” allegations, on average, took the longest time (180 days) to issue dispositions suggesting that these types of concerns might require more detailed and lengthy investigations. This interpretation may be supported by the finding that complaints involving this type of allegation were issued a Final Report in all cases.

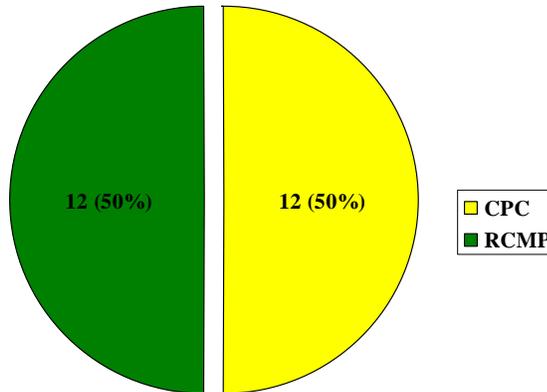


**C-QUEBEC**  
**DIVISIONAL REPORT**

## Complaints Received

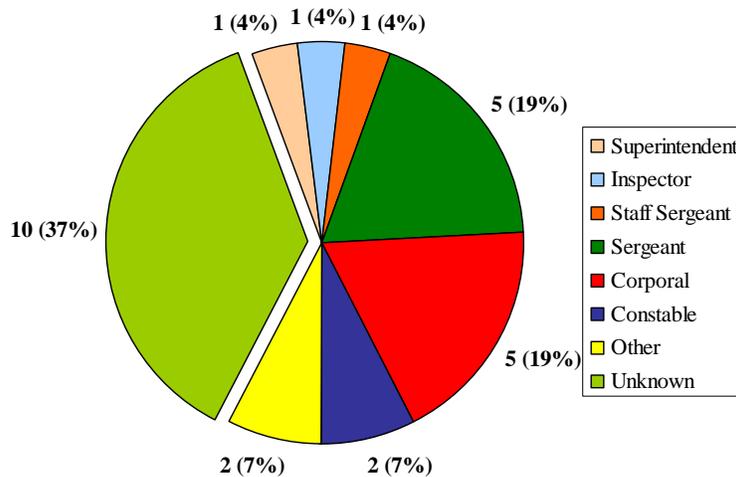
The Commission received 24 complaint dispositions of which half (50%) were lodged with the Commission and the other half (50%) were lodged with the RCMP. The number of complaint dispositions was further examined at the detachment level. “C” Division Headquarters had more complaints lodged with the Commission (83%) than the RCMP (17%), while the Montreal Sub Division Detachments had more complaints lodged with the RCMP (60%) than the Commission (40%).

### “C” Division: Number of Complaints Based on the Organization it Was Lodged With



The average number of members named in the complaints was 1.3. Most of the members (37%) identified in the complaints were not categorized by rank. Interestingly, the second most frequently occurring ranks of the subject members were corporals (19%) and sergeants (19%). Given that most front-line policing within the RCMP is done by constables and corporals, it is surprising that as many sergeants as corporals were represented in the complaint dispositions from “C” Division. However, it is possible that more constables and corporals are represented in the “Unknown” member rank category.

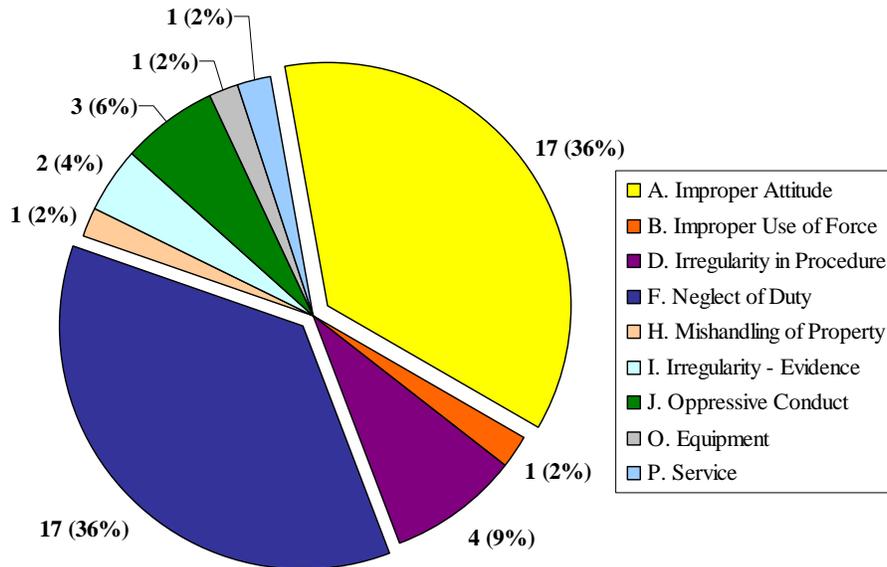
### “C” Division: Number of Complaints by Member Rank



## Allegations

A total of 47 allegations were made, which averaged about 2 allegations per complaint. The 2 most common allegations were “Improper Attitude” (36%) and “Neglect of Duty” (36%).

### “C” Division: Allegations Breakdown



In “C” Division, “Neglect of Duty” was a common allegation across most of the member ranks represented in the complaints. “Improper Attitude” (50%) was the most common allegations for constables, while complainants were most likely to make allegations of “Neglect of Duty” (80%) against corporals.

For every complaint disposition received, the Commission analyzed the reason and incident details in order to identify issues related to the nature of the complaint. By cross-referencing these issues with the RCMP allegations, the Commission was able to identify key issues that come up for each allegation. The four most common issues that were raised in the complaints for “C” Division were “Attitude” (25%), “Criminal Investigation Quality” (10%), “Crowd Control” (10%) and “Service” (10%).

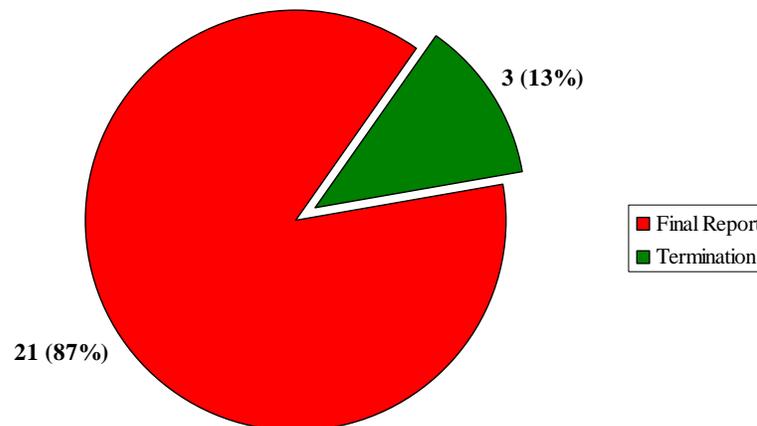
**“C” Division: Commission-Identified Issues**

<b>Issue</b>	<b>Number of Complaints</b>	<b>%</b>
Alcohol or Drugs (not impairment)	1	2.0%
Arrest	3	<b>6.1%</b>
Attitude	12	<b>24.5%</b>
Chemical Irritant	1	2.0%
Criminal Investigation Quality (RCMP)	5	<b>10.2%</b>
Crowd Control	5	<b>10.2%</b>
Entry of Premises	1	2.0%
Impairment	1	2.0%
Informants/Sources	2	<b>4.1%</b>
Lying under Oath	1	2.0%
Mental Illness	3	<b>6.1%</b>
Police Physical Abuse	3	<b>6.1%</b>
Policy	1	2.0%
Public Complaint Process Quality (RCMP)	1	2.0%
Release/Disclosure of Information	1	2.0%
Search	1	2.0%
Seizure	1	2.0%
Service	5	<b>10.2%</b>
Vehicular Incidents	1	2.0%
<b>Total</b>	<b>49</b>	

Further, the results revealed trends in the issues for each allegation. For the purpose of this analysis, the common issues will be reported for the two most frequently occurring allegations: “Improper Attitude” and “Neglect of Duty”. For complaints alleging “Improper Attitude” the key issues were “Attitude” (37%), “Crowd Control” (12%) and “Police Physical Abuse” (12%). The main issues for “Neglect of Duty” included “Service” (27%), “Criminal Investigation Quality” (23%) and “Alcohol or Drugs (not impairment)” (14%).

## Disposition of Complaints

### “C” Division: Number of Complaints by Disposition Type



#### *Investigation and Final Report*

Of the complaint dispositions the Commission received, 88% were formally investigated and a Final Report by the RCMP issued. These reports made determinations on 42 allegations, of which none were supported by the RCMP. The Force-wide percentage of dispositions that resulted in a Final Report by the RCMP was 46%; Final Reports in “C” Division accounted for 88% of complaint dispositions, which was significantly higher than the Force-wide average.

Allegations most likely to result in a Final Report were “Improper Attitude” and “Neglect of Duty”.

#### *Informal Resolutions*

None of the complaint dispositions received by the Commission for this Division documented an informal resolution.

#### *Withdrawals*

None of the complaint dispositions received by the Commission contained a complaint withdrawal.

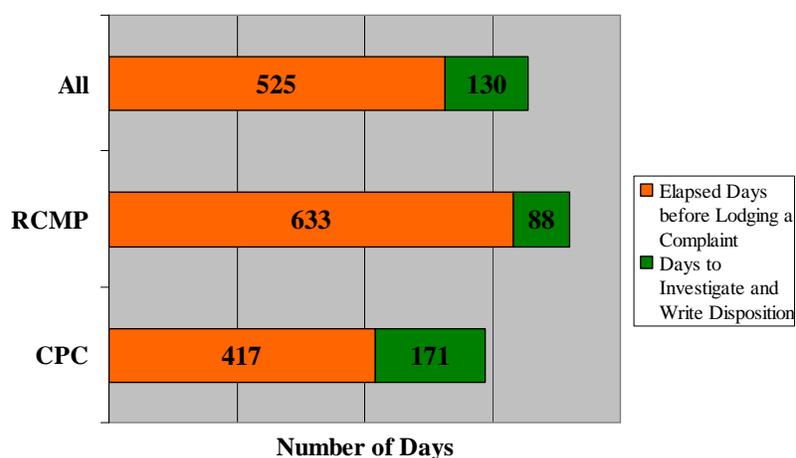
## Terminations (Notice of Direction)<sup>45</sup>

In 2007, on average, in 13% of the dispositions received, a Notice of Direction was issued. Interestingly, in all three cases, termination paragraph (c) was cited in the Notice of Direction. The allegation most likely to be subjected to a termination paragraph was “Oppressive Conduct”.

## Service Standards: Complaint Processing Time

On average, it took 130 days for the division to issue a disposition once a complaint was lodged (range: 1 to 360 days). This is in comparison to the RCMP national average of 114 days to issue a disposition once a complaint was lodged (range: 0 to 447 days). It typically took 525 days for a complainant to lodge a complaint (range: 1 to 2,695 days).

### “C” Division: Complaint Timeline Based on the Organization the Complaint Was Lodged With



The average number of days to issue a disposition was 171 for Commission-lodged complaints (range: 82 to 360 days) as opposed to 88 days for RCMP-lodged complaints (range: 1 to 273 days). On average, complainants waited 417 days after the incident took place before lodging a complaint with the Commission (range: 2 to 2,619 days), while complaints lodged with the RCMP averaged 633 days after the incident (range: 1 to 2,695 days).<sup>46</sup>

<sup>45</sup> The RCMP may decide to terminate a complaint under three strict grounds provided for in paragraphs (a), (b) and (c) of subsection 45.36(5) of the *RCMP Act*. These paragraphs are:

- (a) the complaint is one that could more appropriately be dealt with, initially or completely, according to a procedure provided under any other Act of Parliament;
- (b) the complaint is trivial, frivolous, vexatious or made in bad faith; and
- (c) having regard to all the circumstances, investigation or further investigation is not necessary or reasonably practicable.

<sup>46</sup> While the reasons for this delay is not yet fully understood, some preliminary analysis of the data suggests that complainants wait extended periods of time to lodge complaints with the Commission because: 1) the types of allegations that are lodged with the Commission tend to be more serious in nature than those lodged with the RCMP; 2) the complainant may not have immediate access to the public complaint system; 3) the complaint may be historical in that an incident occurred many years (in some cases decades) before a formal complaint is lodged; and 4) alternate ways of resolving the complaint may have been attempted before a formal complaint was lodged.

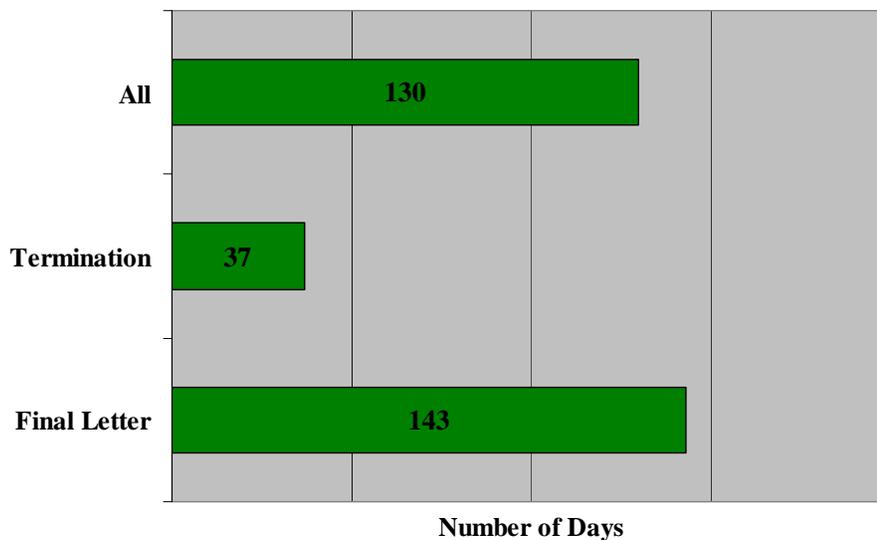
Independent of the public complaint processing timelines, the Review of the Record Project required the RCMP to provide the Commission copies of all dispositions for its analyses. To that end, the average number of days for the Commission to receive the complaint disposition from this Division was 31 for Commission-lodged complaints (range: 8 to 147 days) as opposed to the 50 days it took for RCMP-lodged complaints (range: 3 to 174 days).

“C” Division Headquarters took, on average, 130 days to issue a disposition (range: 1 to 167 days). In general, complainants waited 347 days after the incident date to lodge a complaint (range: 2 to 1,528 days).

Complaint timelines were also determined by disposition type:

- It took, on average, 143 days to issue a Final Report (range: 13 to 360 days). For these cases it generally took 399 days to elapse before a complainant lodged a complaint that resulted in this type of disposition (range: 1 to 2,619 days).
- It took 37 days for a Notice of Direction to be issued (range: 1 to 94 days). It generally took 1,410 days to elapse before a complainant lodged a complaint that resulted in this type of disposition (range: 6 to 2,695 days).

**“C” Division: Number of Days to Issue the Disposition by Disposition Type**



Complaint timelines were also determined by allegation type. Timelines are reported for the 2 most common types of allegations: “Improper Attitude” and “Neglect of Duty”.

- Allegations of “Improper Attitude”, on average, took 122 days for a disposition to be issued (range: 16 to 273 days). Typically, complainants waited 400 days after the incident date to lodge a complaint (range: 1 to 2695 days) with this type of allegation.
- Allegations of “Neglect of Duty”, on average, took 159 days for a disposition to be issued (range: 16 to 360 days). Complainants lodged a complaint, on average, 795 days after the incident date for this type of allegation (range: 3 to 2,695 days) with this type of allegation.

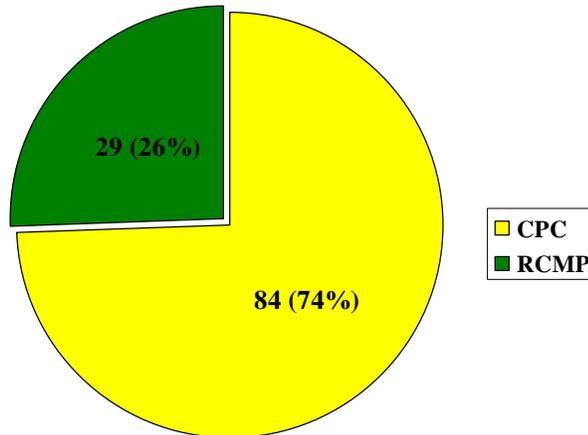
It is interesting to note that within “C” Division complaints involving “Irregularity in Evidence” allegations, on average, took the longest time (180 days) to issue dispositions.

**D-MANITOBA**  
**DIVISIONAL REPORT**

## Complaints Received

The Commission received 113 complaint dispositions of which 74% were lodged with the Commission, while 26% were lodged with the RCMP.

### “D” Division: Number of Complaints Based on the Organization it Was Lodged With



The complaint dispositions were further examined at the detachment level. The detachments<sup>47</sup> identified most often in the complaint dispositions included Selkirk (10%), Steinbach (8%) and Thompson (7%). In comparing the three detachments, it was found that:

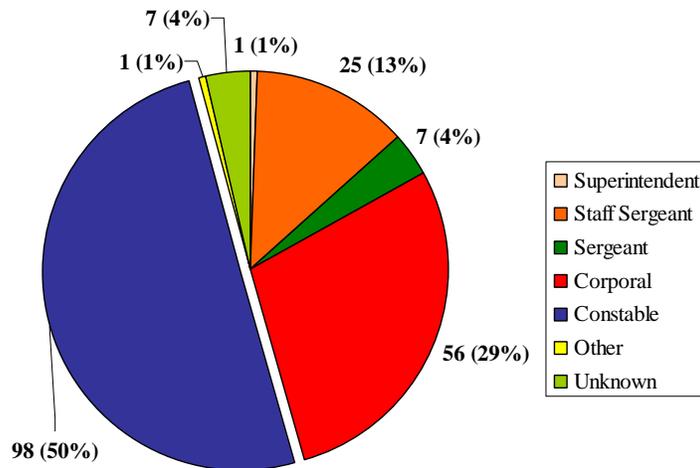
- For the Selkirk Detachment, 5 (71%) of the complaints were lodged with the Commission, while 2 (29%) were lodged with the RCMP.
- For the Steinbach Detachment, 4 (67%) of the complaints were lodged with the Commission and 2 (33%) were lodged with the RCMP.
- For the Thompson Detachment, 3 (60%) of the complaints were lodged with the Commission, while 2 (40%) were lodged with the RCMP.

The average number of members named in the complaints for “D” Division was 1.8 with the rank of constable (51%) being the most frequently represented rank in the complaints, followed by the ranks of corporal (28%) and sergeant (5%).

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<sup>47</sup> Some of the complaints lodged against these detachments are the result of one complainant who accounts for 36% of all public complaints in that division.

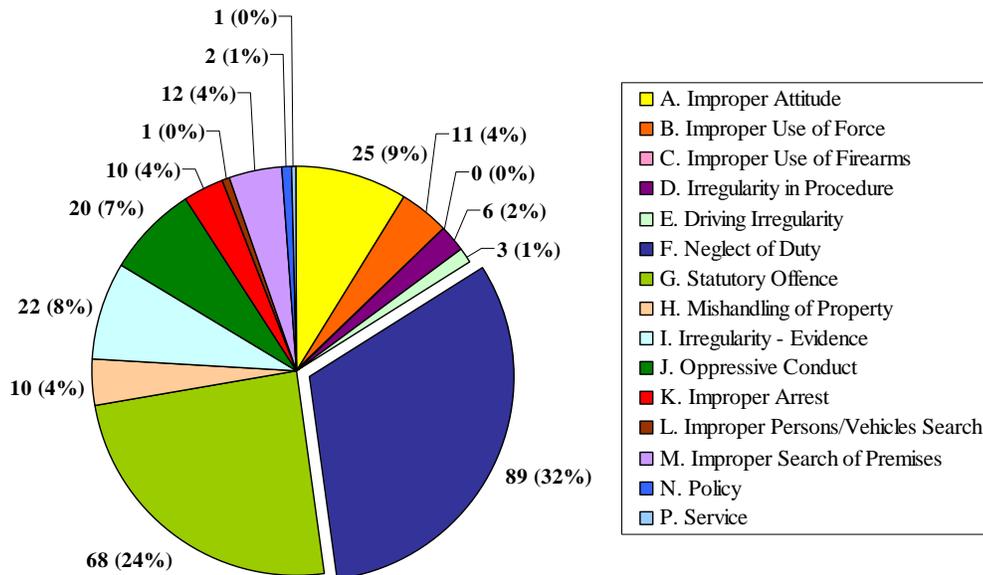
**“D” Division: Number of Complaints by Member Rank**



**Allegations**

A total of 280 allegations were made against members in “D” Division, which averaged about 2.5 allegations per complaint. The two most common allegations were “Neglect of Duty” (32%) and “Statutory Offence” (24%).

**“D” Division: Allegations Breakdown**



Allegations were also examined at the detachment level. “Neglect of Duty” was the most common of the allegations cited in the complaint dispositions received from all of the detachments: Selkirk Detachment (82%), Steinbach Detachment (60%) and Thompson Detachment (42%).

Allegations were further analyzed by member rank. In “D” Division, “Neglect of Duty” was the most common allegation against constables (39%), while corporals (34%) and staff sergeants (44%) were typically the subject of allegations of “Statutory Offence”.

For every complaint disposition received, the Commission analyzed the reason and incident details in order to identify issues related to the nature of the complaint. By cross-referencing these issues with the RCMP allegations, the Commission was able to identify key issues that come up for each allegation. The most common issues raised in the complaints for “D” Division were “Criminal Investigation Quality (RCMP)” (18%), “Attitude” (8%), “Arrest” (8%), “Lying Under Oath” (7%), “Seizure” (6%) and “Service” (6%).

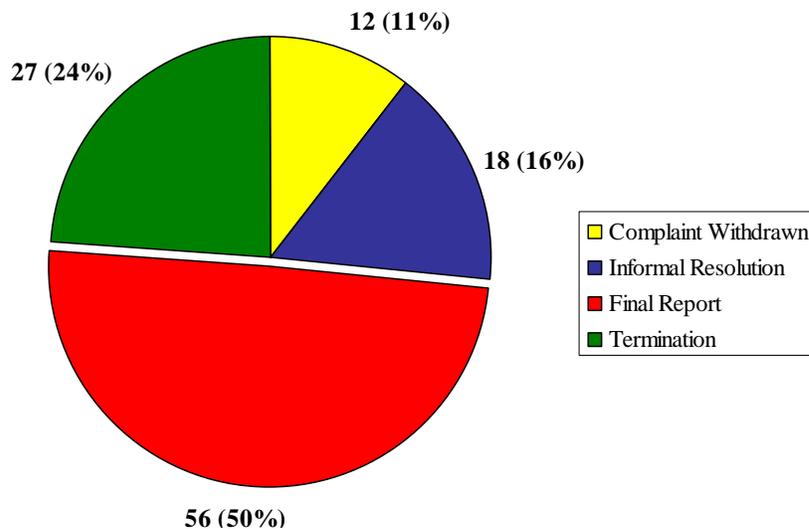
**“D” Division: Commission-Identified Issues**

<b>Issue</b>	<b>Number of Complaints</b>	<b>%</b>
Aboriginal community	5	1.8%
Abusive Language	2	0.7%
Alcohol or Drugs (not impairment)	4	1.5%
Arrest	21	<b>7.7%</b>
Attitude	23	<b>8.4%</b>
Care in Custody	6	2.2%
Child Abuse Response	1	0.4%
Child Custody	3	1.1%
Civil Disputes/No Child	1	0.4%
Conflict of Interest	1	0.4%
Criminal Investigation Quality (RCMP)	50	<b>18.2%</b>
Detention	12	<b>4.4%</b>
Entry of Premises	2	0.7%
Impairment	5	1.8%
Informants/Sources	1	0.4%
Lethal Weapons	3	1.1%
Lying under Oath	18	<b>6.6%</b>
Medical Care	4	1.5%
Mental Illness	6	2.2%
Non-lethal weapons other than chemical irritants	3	1.1%
Non-pursuit Police Driving	2	0.7%
Non-spousal, Non-child Assault Response	6	2.2%
Non-spousal, Non-child Sexual Assault Response	5	1.8%
Note-taking Quality	1	0.4%
Police Physical Abuse	6	2.2%
Policy	2	0.7%
Property Mishandling	11	<b>4.0%</b>
Public Complaint Process Quality (RCMP)	6	2.2%
Release/Disclosure of Information	2	0.7%
Restraints	1	0.4%
Right to Counsel	6	2.2%
Search	9	<b>3.3%</b>
Seizure	17	<b>6.2%</b>
Service	15	<b>5.5%</b>
Spousal Abuse Response	6	2.2%
Vehicular Incidents	7	2.6%
Youth Interaction	1	0.4%
<b>Total</b>	<b>274</b>	

Further, the results revealed trends in the issues for each allegation. For the purpose of this analysis, the common issues will be reported for the two most frequently occurring allegations: “Neglect of Duty” and “Statutory Offence”. For complaints involving allegations of “Neglect of Duty” the key issues were “Criminal Investigation Quality (RCMP)” (24%), “Service” (8%), “Arrest” (7%) and “Attitude” (65%). For allegations of “Statutory Offence” the prominent issues that were identified included “Criminal Investigation Quality” (26%), “Lying Under Oath” (19%), “Seizure” (10%), “Arrest” (8%) and “Detention” (6%). In comparing the issues raised for the most common allegations, it appears that there is a common perceived dissatisfaction with the way the RCMP members conduct criminal investigations as well as the way members conduct themselves during arrests, as these were prominent issue identified in all three allegations.

## Disposition of Complaints

### “D” Division: Number of Complaints by Disposition Type



### *Investigation and Final Report*

Of the complaint dispositions the Commission received, 56 (50%) were formally investigated and a Final Report by the RCMP issued. These reports made determinations on 164 allegations. For almost every type of allegation, with the exception of “Driving Irregularity”, the overwhelming majority (78-100%) of the RCMP’s findings did not support the complainant’s allegation(s).

Allegations most likely to be subject to a Final Report were “Neglect of Duty”, “Statutory Offence” and “Irregularity – Evidence.”

### *Informal Resolutions*

Informal resolutions occurred in 16% of the complaint dispositions received, which dealt with 28 allegations. The allegation most likely to be informally resolved was “Neglect of Duty”.

## Withdrawals

In 11% of the cases, the complainant withdrew the complaint, which disposed of 19 allegations. The allegation most likely to be withdrawn was “Neglect of Duty”.

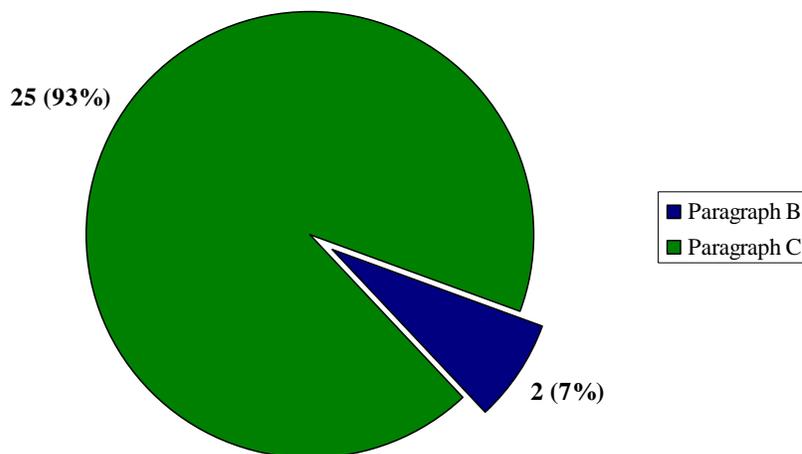
## Terminations (Notice of Direction)<sup>48</sup>

In 24% of all public complaints received, a Notice of Direction was issued, which dealt with 69 allegations. In 93% of the 27 cases, termination paragraph (c) was cited in the Notice of Direction. In the remaining 2 cases (7%), termination paragraph (b) was provided as rationale for the termination in the Notice of Direction.

The Force-wide percentage of dispositions that were Notice of Directions was 11%. Notice of Directions accounted for 24% of “D” Division dispositions, which is significantly higher than the Force-wide percentage. However, this discrepancy could be explained by the multiple complaints lodged by one complainant, which have been repeatedly terminated by the RCMP.

The allegation most likely to be subject to a Notice of Direction in this division was “Statutory Offence”.

## “D” Division: Number of Terminated Complaints by Grounds Identified in subsection 45.36(5) of the RCMP Act



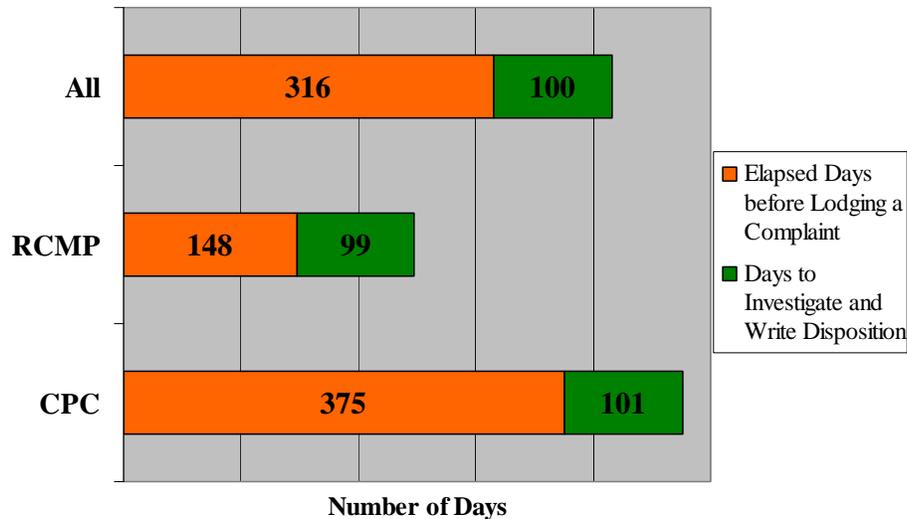
<sup>48</sup> The RCMP may decide to terminate a complaint under three strict grounds provided for in paragraphs (a), (b) and (c) of subsection 45.36(5) of the *RCMP Act*. These paragraphs are:

- (a) the complaint is one that could more appropriately be dealt with, initially or completely, according to a procedure provided under any other Act of Parliament;
- (b) the complaint is trivial, frivolous, vexatious or made in bad faith; and
- (c) having regard to all the circumstances, investigation or further investigation is not necessary or reasonably practicable.

## Service Standards: Complaint Processing Time

“D” Division, on average, took 100 days to issue a disposition once a complaint was lodged (range: 0 to 323 days). This is in comparison to the RCMP national average of 114 days to issue a disposition once a complaint was lodged (range: 0 to 447 days). It typically took close to one year (316 days) for a complainant to lodge a complaint (range: 0 to 1,518 days).

### “D” Division: Complaint Timeline by Organization it Was Lodged With



The average number of days to issue a disposition was 101 for Commission-lodged complaints (range: 18 to 323 days) as opposed to 99 days for RCMP-lodged complaints (range: 0 to 278 days). On average, complainants waited 375 days after the incident took place before lodging a complaint with the Commission (range: 0 to 1,518 days), while complaints lodged with the RCMP averaged 148 days after the incident (range: 0 to 917 days).<sup>49</sup>

Independent of the public complaint processing timelines, the Review of the Record Project required the RCMP to provide the Commission copies of all dispositions for its analyses. To that end, the average number of days for the Commission to receive the complaint disposition from this division was 130 for Commission-lodged complaints (range: 24 to 290 days) and 130 days for RCMP-lodged complaints (range: 18 to 249 days).

Complaint timelines were also determined by disposition type.

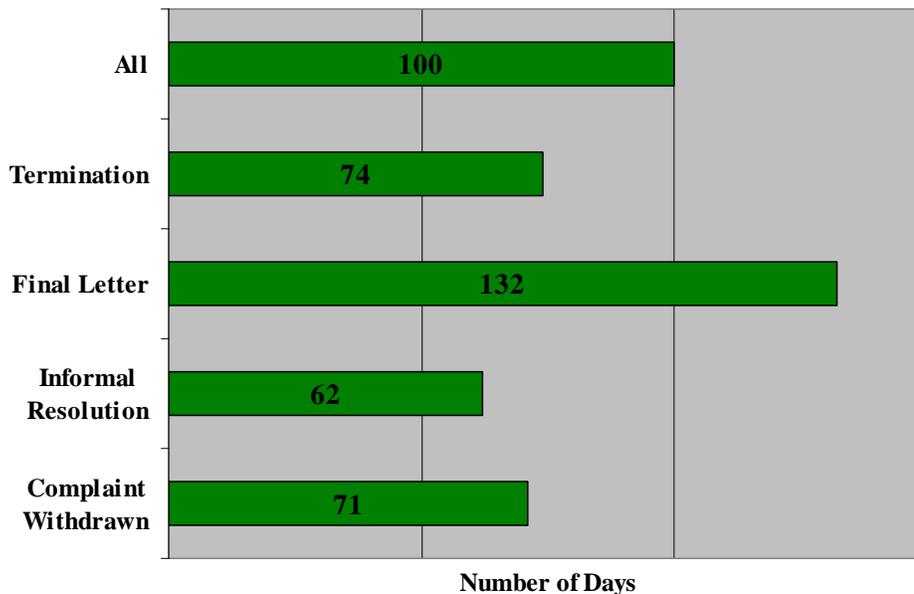
- To issue a Final Report by the RCMP it took an average of 132 days to issue a disposition (range: 27 to 278 days). For these cases it generally took 253 days to elapse before a

<sup>49</sup> While the reasons for this delay is not yet fully understood, some preliminary analysis of the data suggests that complainants wait extended periods of time to lodge complaints with the Commission because: 1) the types of allegations that are lodged with the Commission tend to be more serious in nature than those lodged with the RCMP; 2) the complainant may not have immediate access to the public complaint system; 3) the complaint may be historical in that an incident occurred many years (in some cases decades) before a formal complaint is lodged; and 4) alternate ways of resolving the complaint may have been attempted before a formal complaint was lodged.

complainant lodged a complaint that resulted in this type of disposition (range: 0 to 962 days).

- To issue a Notice of Direction, invoking any termination provisions, it took 74 days (range: 19 to 228 days). It generally took 711 days to elapse before a complainant lodged a complaint that resulted in this type of disposition (range: 0 to 1,518 days).
- To enter into an informal resolution it took 62 days (range: 0 to 272 days). It generally took 105 days to elapse before a complainant lodged a complaint that resulted in this type of disposition (range: 0 to 1,069 days).
- To withdraw a complaint it took 71 days to complete (range: 7 to 323 days). It generally took 26 days to elapse before a complainant lodged a complaint that resulted in this type of disposition (range: 0 to 111 days).

**“D” Division: Number of Days to Issue the Disposition by Disposition Type**



Complaint timelines were also determined by allegation type. For the two most common types of allegations, i.e. “Neglect of Duty” and “Statutory Offence”, timelines are reported.

- Allegations of “Neglect of Duty”, on average, took 104 days for a disposition to be issued (range: 7 to 323 days). Typically, complainants waited close to a year (301 days) after the incident date to lodge a complaint (range: 0 to 1,518 days) for this type of allegation.
- Allegations of “Statutory Offence” on average took 113 days for a disposition to be issued (range: 27 to 278 days). Complainants, on average, lodged a complaint 546 days after the incident date (range: 0 to 1,053 days) for this type of allegation.

It is interesting to note that within “D” Division complaints involving “Improper Persons/Vehicles Search” allegations, on average, took the longest time (159 days) to issue dispositions.

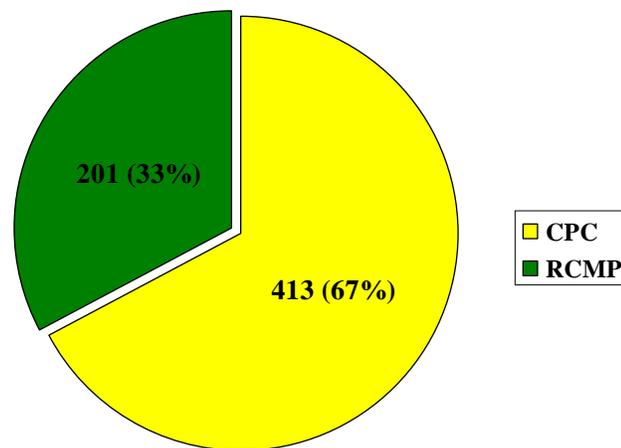
**E-BRITISH COLUMBIA**  
**DIVISIONAL REPORT**

## Complaints Received

The Commission received 614 complaint dispositions from “E” Division related to complaints lodged in 2007. The complaint dispositions were further examined at the detachment level and although the number of dispositions were relatively evenly distributed, 8 detachments stood out. The detachments identified most often in the complaint dispositions were the Surrey Detachment (7%), followed by the Kelowna Detachment (6%), the Kamloops Detachment (5%), the Prince George Detachment (5%), the Coquitlam Detachment (4%), the North Vancouver Detachment (4%), the Richmond Detachment (4%) and the Langley Detachment (4%).

Of the 614 complaint dispositions received from “E” Division, 413 (67%) of the complaints were lodged with the Commission, while 201 (33%) were lodged with the RCMP.

### “E” Division: Number of Complaints Based on the Organization it Was Lodged With

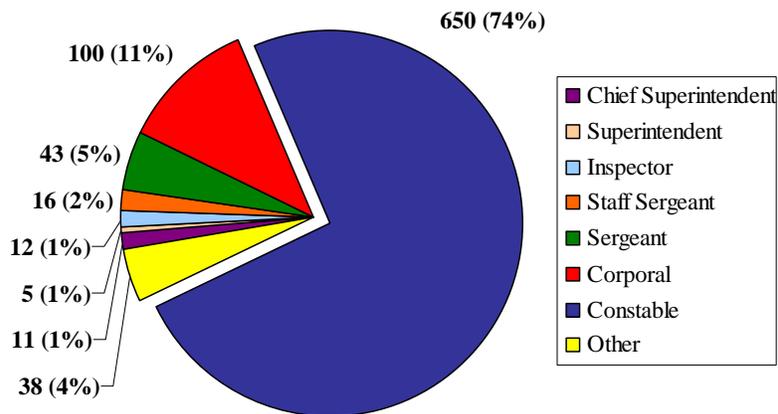


In comparing the eight detachments, it was found that:

- For the Surrey Detachment, 39 (93%) of the complaints were lodged with the Commission, while 3 (7%) of them were lodged with the RCMP.
- For the Kelowna Detachment, 22 (60%) of the complaints were lodged with the RCMP and 15 (41%) complaints were lodged with the Commission.
- For the Kamloops Detachment, 15 (52%) were lodged with the Commission and 14 (48%) were lodged with the RCMP.
- For the Prince George Detachment 17 (61%) of the complaints were lodged with the Commission and 11 (39%) were lodged with the RCMP.
- For the Coquitlam Detachment, 15 (60%) of the complaints were lodged with the Commission, while 10 (40%) of the complaints were lodged with the RCMP.
- For the North Vancouver Detachment, 15 (60%) of the complaints were lodged with the Commission and 10 (40%) were lodged with the RCMP.
- For the Richmond Detachment, 15 (60%) of the complaints were lodged with the Commission, while 10 (40%) were lodged with the RCMP.
- For the Langley Detachment, just as many complaints were lodged with the Commission (50%) as they were with the RCMP (50%).

The average number of members named in the complaint for “E” Division was 1.5, with constables (74%) most frequently being represented in the complaints, followed by corporals (12%).

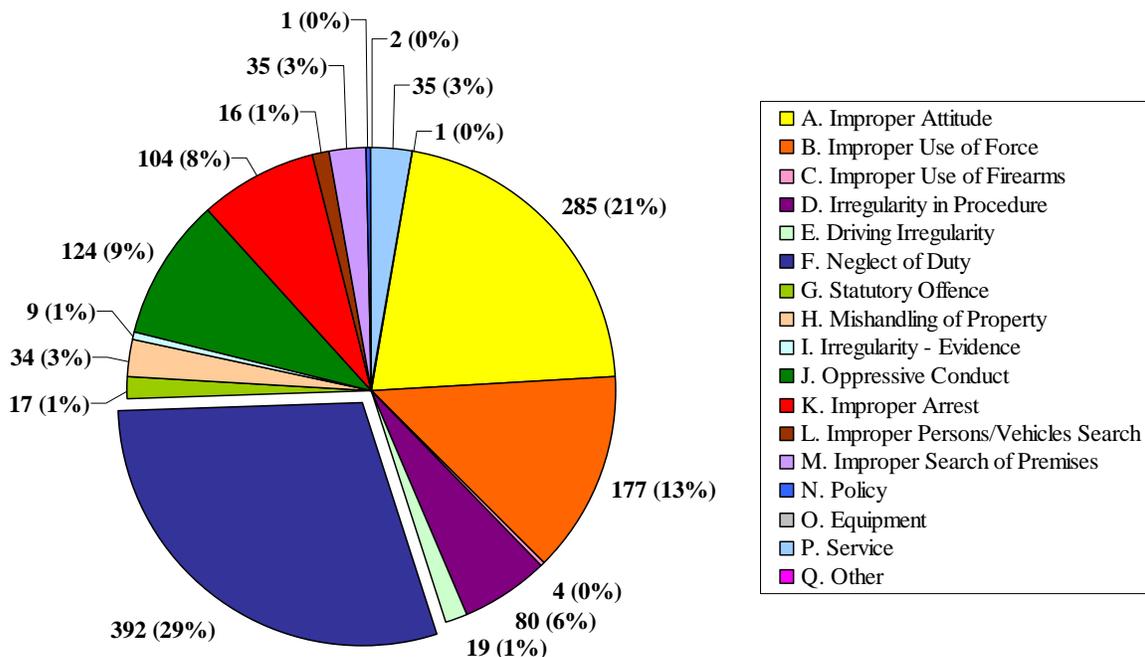
**“E” Division: Number of Complaints by Member Rank**



**Allegations**

A total of 1,335 allegations were made against members in “E” Division, which averaged about 2.2 allegations per complaint. The three most common allegations were “Neglect of Duty” (29%), “Improper Attitude” (21%) and “Improper Use of Force” (13%).

**“E” Division: Allegations Breakdown**



Allegations were also examined at the detachment level:

- For the Surrey Detachment, the results indicated that the most common allegation was “Neglect of Duty” (37%), followed by “Improper Attitude” (16%) and “Oppressive Conduct” (13%).
- For the Kelowna Detachment, the results indicated that the most common allegations included “Neglect of Duty” (29%), “Improper Use of Force” (21%), “Improper Attitude” (20%) and “Oppressive Conduct” (11%).
- For the Kamloops Detachment, the common allegations were “Neglect of Duty” (45%), “Oppressive Conduct” (21%) and “Improper Attitude” (19%).
- For the Prince George Detachment, the most common allegation was “Neglect of Duty” (21%), then “Improper Attitude” (20%), “Improper Use of Force” (16%), “Irregularity in Procedure” (14%) and “Oppressive Conduct” (11%).
- For the Coquitlam Detachment, typical allegations included “Neglect of Duty” (26%), “Improper Use of Force” (19%), “Improper Attitude” (17%), “Oppressive Conduct” (14%) and “Improper Arrest” (13%).
- For the North Vancouver Detachment the most common allegations were “Neglect of Duty” (32%) and “Improper Attitude” (30%).
- For the Richmond Detachment, the most common allegations were “Neglect of Duty” (30%), followed by “Improper Arrest” (16%), “Improper Search of Premises” (16%), “Improper Use of Force” (11%) and “Oppressive Conduct” (11%).
- For the Langley Detachment, the most common allegation was “Neglect of Duty” (46%), then “Oppressive Conduct” (20%), “Improper Attitude” (11%) and “Improper Arrest” (11%).

Allegations were further analyzed by member rank. In “E” Division, “Neglect of Duty” (27%) was the most common allegation made against constables, followed by “Improper Attitude” (22%) and “Improper Use of Force” (15%).

Corporals were typically subject to allegations of “Neglect of Duty” (31%), “Improper Attitude” (22%), “Oppressive Conduct” (12%) and “Improper Use of Force” (11%).

Surprisingly, “Improper Use of Force” (37%) was the most common allegation made against chief superintendents, but further analysis would have to be conducted to determine why that is.

For every complaint disposition received, the Commission analyzed the reason and incident details in order to identify issues related to the nature of the complaint. By cross-referencing these issues with the RCMP allegations, the Commission was able to identify key issues that come up for each allegation. The most common issues that were raised in the complaints for “E” Division were “Attitude” (18%), “Arrest” (10%), “Criminal Investigation Quality (RCMP)” (9%) and “Vehicular Incidents” (9%).

**“E” Division: Commission-Identified Issues**

<b>Issue</b>	<b>Number of Complaints</b>	<b>%</b>
Aboriginal community	6	0.4%
Abusive Language	35	2.2%
Alcohol or Drugs (not impairment)	40	2.5%
Arrest	166	<b>10.2%</b>
Attitude	286	<b>17.6%</b>
Care in Custody	22	1.4%
Chemical Irritant	13	0.8%
Child Abuse Response	5	0.3%
Child Custody	9	0.6%
Civil Disputes/No Child	17	1.0%
Conflict of Interest	8	0.5%
Criminal Investigation Quality (RCMP)	145	<b>8.9%</b>
Crowd Control	1	0.1%
Custody Deaths	8	0.5%
Detention	48	3.0%
Entry of Premises	28	1.7%
Impairment	51	<b>3.1%</b>
Informants/Sources	1	0.1%
Lethal Weapons	9	0.6%
Lying under Oath	3	0.2%
Medical Care	27	1.7%
Mental Illness	32	2.0%
Non-custody Deaths	1	0.1%
Non-lethal weapons other than chemical irritants	30	1.9%
Non-pursuit Police Driving	4	0.2%
Non-spousal, Non-child Assault Response	25	1.5%
Non-spousal, Non-child Sexual Assault Response	4	0.2%
Note-taking Quality	4	0.2%
Other (if necessary)	33	2.0%
Police Dogs	6	0.4%
Police Physical Abuse	71	<b>4.4%</b>
Police Pursuit Driving	5	0.3%
Policy	13	0.8%
Property Mishandling	32	2.0%
Public Complaint Process Quality (RCMP)	33	2.0%
Release/Disclosure of Information	18	1.1%
Restraints	33	2.0%
Right to Counsel	17	1.0%
Search	53	<b>3.3%</b>
Seizure	35	2.2%
Service	62	<b>3.8%</b>
Spousal Abuse Response	28	1.7%
Vehicular Incidents	142	<b>8.8%</b>
Youth Interaction	12	0.7%
<b>Total</b>	<b>1,621</b>	

Trends in the issues were also identified by detachment:

- The main issue identified in complaints from the Surrey Detachment was “Attitude” (20%), followed by “Criminal Investigation Quality” (13%) and “Arrest” (9%).
- The main issue identified in complaints from the Kelowna Detachment was “Attitude” (13%), followed by “Arrest” (12%) and “Vehicular Incidents” (10%).
- The main issues in complaints from the Kamloops Detachment were “Attitude” (26%), “Criminal Investigation Quality (RCMP)” (15%) and “Vehicular Incidents” (11%).
- The main issue for the Prince George Detachment was also “Attitude” (16%), followed by “Criminal Investigation Quality (RCMP)” (10%) and “Arrest” (8%).
- The main issues identified for the Coquitlam Detachment were “Attitude” (12%), “Arrest” (11%) and “Vehicular Incidents” (11%).
- The main issues identified in complaints for the North Vancouver Detachment were “Attitude” (23%) and “Arrest” (15%).
- The key issue for the Richmond Detachment was “Attitude” (14%), then “Arrest” (12%) and “Vehicular Incidents” (12%).
- The main issue for the Langley Detachment was “Attitude” (12%), then “Criminal Investigation Quality (RCMP)” (11%).

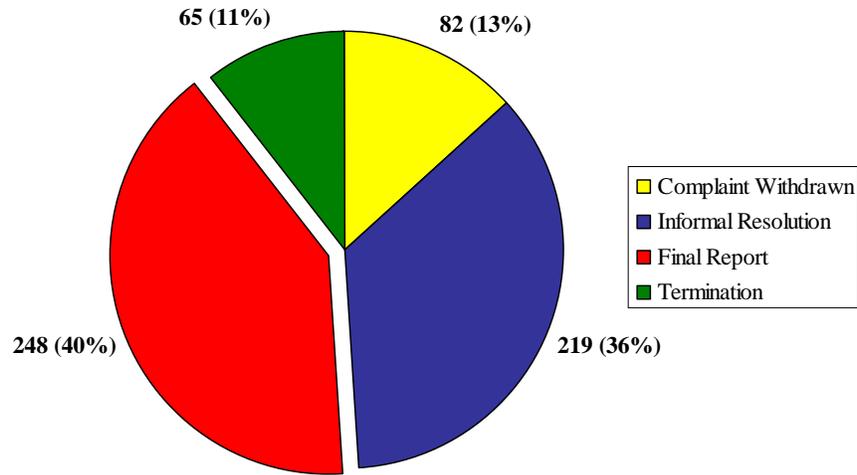
Further, the results revealed trends in the issues for each allegation. For the purpose of this analysis, the common issues will be reported for the three most frequently occurring allegations: “Neglect of Duty”, “Improper Attitude” and “Improper Use of Force”.

For complaints alleging “Neglect of Duty” the key issues were “Criminal Investigation Quality (RCMP)” (17%), “Attitude” (11%) and “Service” (9%).

The main issues identified in complaints alleging “Improper Attitude” included “Attitude” (31%), “Vehicular Incidents” (11%) and “Arrest” (7%). Finally, for allegations involving “Improper Use of Force” the key issues identified were “Arrest” (19%), “Police Physical Abuse” (13%) and “Attitude” (10%).

## Disposition of Complaints

### “E” Division: Number of Complaints by Disposition Type



### *Investigation and Final Report*

Of the complaint dispositions the Commission received from “E” Division, 248 (40%) were formally investigated and a Final Report by the RCMP was issued. These reports made determinations on 405 allegations with allegations of “Neglect of Duty” and “Improper Use of Force” being the most common.

At the detachment level, Final Reports accounted for:

- 7 of the 42 dispositions received from the Surrey Detachments (17%);
- 26 of the 37 dispositions received from the Kelowna Detachment (70%);
- 8 of the 29 dispositions received from the Kamloops Detachment (28%);
- 12 of the 28 dispositions received from the Prince George Detachment (43%);
- 18 of the 25 dispositions received from the Coquitlam Detachment (72%);
- 5 of the 25 dispositions received from the North Vancouver Detachment (20%);
- 14 of the 25 dispositions received from the Richmond Detachment (56%); and
- 16 of the 24 dispositions received from the Langley Detachment (67%).

Most of the RCMP’s findings contained in the Final Report did not support the complainant’s allegation(s). For almost every type of allegation, with the exception of “Improper Use of Firearms”, the overwhelming majority (77-100%) of the RCMP’s findings did not support the complainant’s allegation(s). For allegations involving “Improper Use of Firearms”, half of the findings supported the complainant’s allegation(s), while the other half did not.

### *Informal Resolutions*

Accounting for the second most common way to dispose of a complaint, informal resolutions occurred in 36% of the cases. In total, 369 allegations were informally resolved, the most common being “Improper Attitude”.

At the detachment level, informal resolutions accounted for:

- 11 (26%) of the complaints from the Surrey Detachment;
- 8 (22%) of the complaints from the Kelowna Detachment;
- 10 (34%) of the complaints from the Kamloops Detachment;
- 13 (46%) of the complaints from the Prince George Detachment;
- 3 (12%) of the complaints from the Coquitlam Detachment;
- 18 (72%) of the complaints from the North Vancouver Detachment;
- 5 (20%) of the complaints from the Richmond Detachment; and
- 5 (21%) of the complaints from the Langley Detachment.

### *Withdrawals*

In 13% of the cases, the complainant withdrew the complaint. In total, 177 allegations were withdrawn, the most common being “Neglect of Duty”.

At the detachment level, withdrawals accounted for:

- 7 (17%) complaint dispositions from the Surrey Detachment;
- 1 (3%) complaint disposition from the Kelowna Detachment;
- 7 (24%) complaint dispositions from the Kamloops Detachment;
- 3 (11%) complaint dispositions from the Prince George Detachment;
- 3 (12%) complaint dispositions from the Coquitlam Detachment;
- 2 (8%) complaint dispositions from the North Vancouver Detachment;
- 3 (12%) complaint dispositions from the Richmond Detachment; and
- 1 (4%) complaint disposition from the Langley Detachment.

### *Terminations (Notice of Direction)*<sup>50</sup>

In 2007, in 11% of all public complaints received from “E” Division, a Notice of Direction (termination) was issued. In 2% of the 65 cases, the termination paragraph was not specified in the Notice of Direction. In total, 120 allegations were subject to termination paragraphs, with allegations of “Neglect of Duty” being most common. Termination paragraph (c) was most often invoked.

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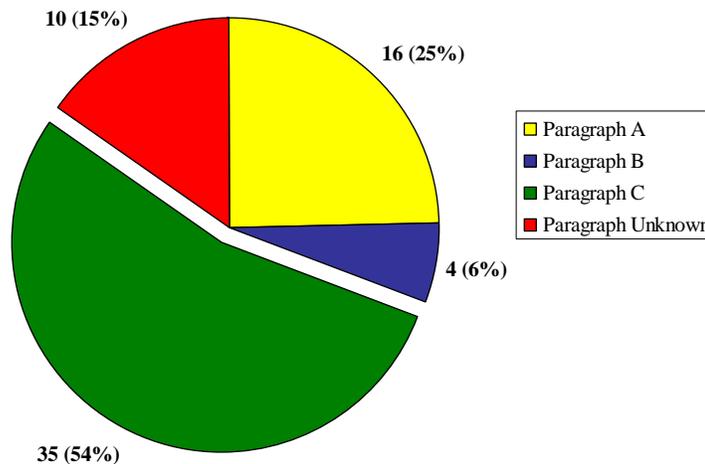
<sup>50</sup> The RCMP may decide to terminate a complaint under three strict grounds provided for in paragraphs (a), (b) and (c) of subsection 45.36(5) of the *RCMP Act*. These paragraphs are:

- (a) the complaint is one that could more appropriately be dealt with, initially or completely, according to a procedure provided under any other Act of Parliament;
- (b) the complaint is trivial, frivolous, vexatious or made in bad faith; and
- (c) having regard to all the circumstances, investigation or further investigation is not necessary or reasonably practicable.

At the detachment level, Notice of Directions accounted for:

- 17 (40%) complaint dispositions received from the Surrey Detachment;
- 2 (5%) complaint dispositions from the Kelowna Detachment;
- 4 (14%) complaint dispositions received from the Kamloops Detachment;
- 1 (4%) complaint disposition received from the Coquitlam Detachment;
- 3 (12%) complaint dispositions received from the Richmond Detachment; and
- 2 (8%) complaint dispositions received from the Langley detachment.

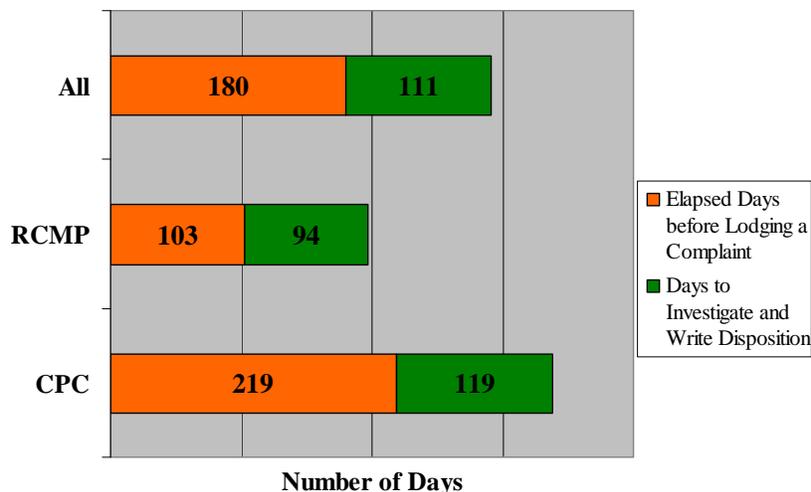
**“E” Division: Number of Terminated Complaints by Grounds Identified in subsection 45.36(5) of the RCMP Act**



### Service Standards: Complaint Processing Time

In 2007, “E” Division, on average, took 111 days to issue a disposition once a complaint was lodged (range: 0 to 447 days). This is in comparison to the RCMP national average of 114 days to issue a disposition once a complaint was lodged (range: 0 to 447 days). It typically took complainants 180 days after the incident date to file a complaint (range: 0 to 5,326 days).

**“E” Division: Complaint Timeline Based on the Organization it Was Lodged With**



The average number of days to issue a disposition was 119 for Commission-lodged complaints (range: 0 to 447 days) as opposed to 94 days for RCMP-lodged complaints (range: 0 to 355 days). On average, complainants waited 219 days after the incident took place before lodging a complaint with the Commission (range: 0 to 5,326 days), while complaints lodged with the RCMP averaged 103 days after the incident (range: 0 to 3,997 days).<sup>51</sup>

Independent of the public complaint processing timelines the Review of the Record Project required the RCMP to provide the Commission copies of all dispositions for its analyses. To that end, the average number of days for the Commission to receive the complaint disposition from this division was 96 for Commission-lodged complaints (range: 0 to 496 days) as opposed to the 71 days it took for RCMP-lodged complaints (range: 2 to 287 days).

Complaint processing times were analyzed for each of the eight detachments who were identified most often in the complaints.

- On average, the Surrey Detachment took 88 days to issue a disposition once a complaint was lodged (range: 3 to 331 days). Typically, for these cases complainants waited 122 days after the incident date to lodge the original complaint (range: 0 to 818 days).
- The Kelowna Detachment took an average of 105 days to issue a disposition once a complaint was lodged (range: 8 to 300 days). Complainants, on average, lodged the original complaint 194 days after the incident date (range: 0 to 2,717 days).
- The Kamloops Detachment, on average, took 104 days to issue a disposition following receipt of the complaint (range: 0 to 283 days). For these cases complainants waited an average of 54 days after the incident to lodge the complaint (range: 0 to 255 days).
- In general, the Prince George Detachment took 104 days to issue a disposition (range: 0 to 358 days). Complainants waited an average of 139 days following the incident date to file the original complaint (range: 1 to 2,468 days).
- The Coquitlam Detachment took 111 days to issue a disposition (range: 9 to 258 days). Complainants waited an average of 212 days following the incident date to file the original complaint (range: 0 to 3,413 days).
- The North Vancouver Detachment took 74 days to issue a disposition (range: 5 to 356 days). Complainants waited an average of 90 days following the incident date to file the original complaint (range: 0 to 1,007 days).
- The Richmond Detachment, on average, took 65 days to issue a disposition (range: 4 to 173 days). Complainants waited an average of 237 days following the incident date to file the original complaint (range: 0 to 2,117 days).
- The Langley Detachment took 111 days to issue a disposition (range: 22 to 259 days). Complainants waited an average of 309 days following the incident date to file a complaint (range: 0 to 2,499 days).

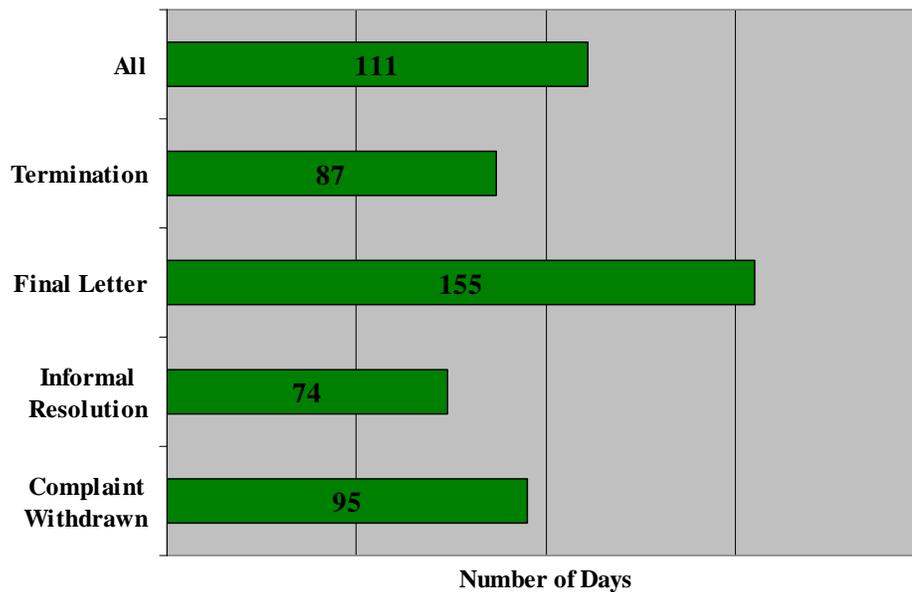
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<sup>51</sup> While the reasons for this delay is not yet fully understood, some preliminary analysis of the data suggests that complainants wait extended periods of time to lodge complaints with the Commission because: 1) the types of allegations that are lodged with the Commission tend to be more serious in nature than those lodged with the RCMP; 2) the complainant may not have immediate access to the public complaint system; 3) the complaint may be historical in that an incident occurred many years (in some cases decades) before a formal complaint is lodged; and 4) alternate ways of resolving the complaint may have been attempted before a formal complaint was lodged.

Complaint timelines were also determined by disposition type.

- To issue a Final Report by the RCMP it took, on average, 155 days (range: 5 to 447 days). In these cases, it generally took 230 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 0 to 5,326 days).
- To capture a withdrawal it took an average of 95 days (range from 0 to 297 days). It generally took 143 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 0 to 1,940 days).
- To issue a Notice of Direction invoking any of the termination provisions it took, on average, 87 days (range: 4 to 345 days). It generally took 333 days to elapse before a complainant lodged a complaint that resulted in this type of disposition (range: 0 to 3,997 days).
- To enter into an informal resolution it took 74 days (range from 0 to 397 days). In these cases, it generally took 95 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 0 to 2,233 days).

**“E” Division: Number of Days to Issue the Disposition by Disposition Type**



Complaint timelines were also determined by allegation type. For the three most common types of allegations, i.e. “Neglect of Duty”, “Improper Attitude” and “Improper Use of Force”, timelines are reported.

- For complaints involving allegations of “Neglect of Duty”, on average, “E” Division RCMP took 115 days to issue a disposition (range: 0 to 397 days). Typically, complainants waited 259 days after the incident date to lodge a complaint (range: 0 to 3,413 days) for this type of allegation.
- For “Improper Attitude”, on average, “E” Division RCMP took 105 days to issue a disposition (range: 0 to 355 days). Complainants, on average, lodged the original complaint 91 days after the incident date (range: 0 to 5,326 days) for this type of allegation.
- Finally, for “Improper Use of Force” “E” Division RCMP typically took 133 days to issue a disposition once a complaint was lodged (range: 0 to 358 days). On average,

complainants waited 95 days to lodge a complaint (range: 0 to 2,499 days) for this type of allegation.

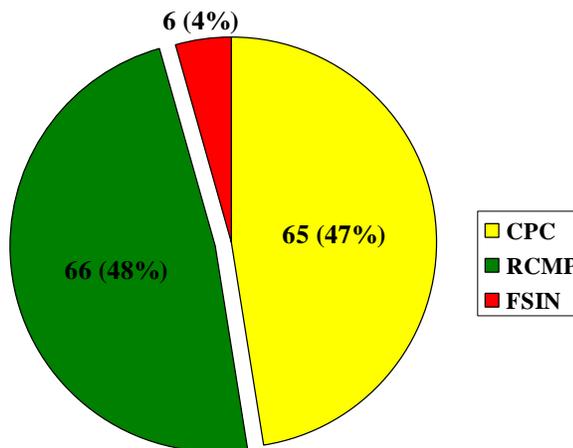
It is interesting to note that within “E” Division complaints involving “Improper Use of Firearms” allegations, on average, took the longest time (235 days) to issue dispositions. All of the complaints alleging this activity were formally investigated and a Final Report was issued by the RCMP in this division.

**F-SASKATCHEWAN  
DIVISIONAL REPORT**

## Complaints Received

The Commission received 137 complaint dispositions of which 48% were lodged with the Commission, 48% were lodged with the RCMP and 4% were lodged with the FSIN.

### “F” Division: Number of Complaints Based on the Organization it Was Lodged With

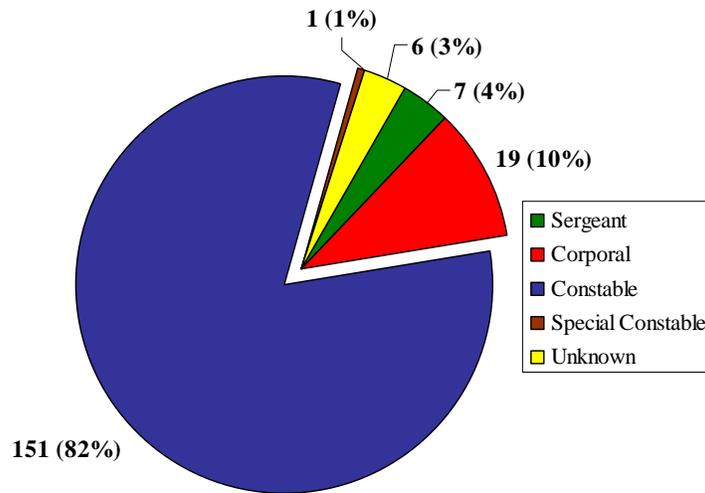


Of the 137 complaints received from “F” Division, 66 (48%) were lodged with the RCMP, 65 (48%) were lodged with the Commission and 6 (4%) were lodged with the FSIN. In comparing the five detachments, it was found that:

- For the North Battleford Detachment, 5 (50%) of the complaints were lodged with the Commission, 4 (40%) of them were lodged with the RCMP and 1 (10%) was lodged with the FSIN.
- For the La Loche Detachment, 7 (78%) of the complaints were lodged with the CPC, 2 (22%) were lodged with the FSIN and none (0%) were lodged with the RCMP.

The average number of members named in the complaints for “F” Division was 1.4, with the rank of constable being represented most often (79%) followed by the rank of corporal (11%) and sergeant (5%).

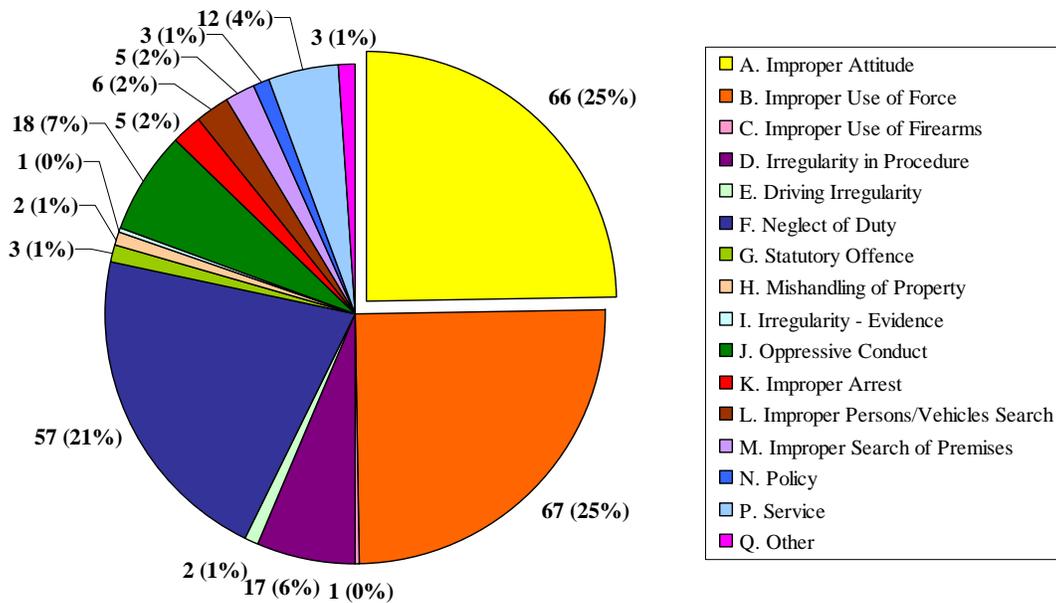
**“F” Division: Number of Complaints by Member Rank**



**Allegations**

A total of 268 allegations were made against members in “F” Division, which averaged about 2 allegations per complaint. The three most common allegations were “Improper Use of Force” (25%), “Improper Attitude” (24%) and “Neglect of Duty” (22%).

**“F” Division: Allegations Breakdown**

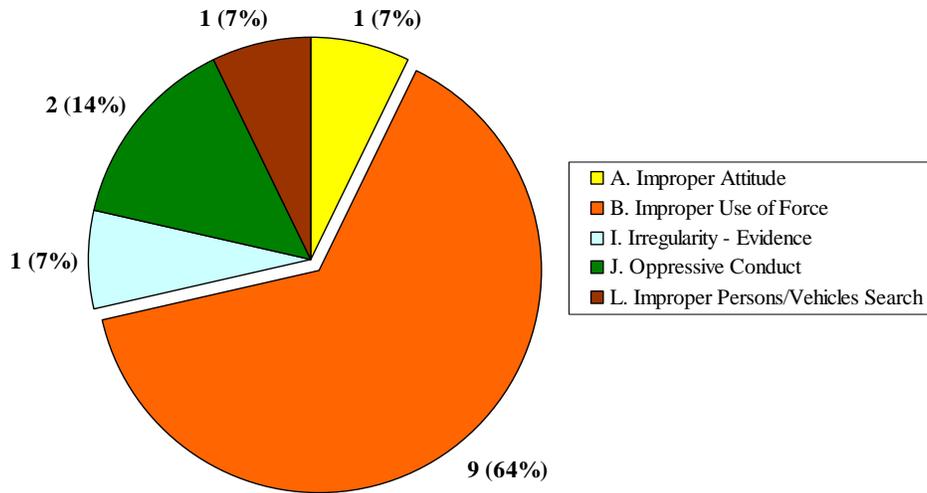


Allegations could also be examined at the detachment level:

- For the North Battleford Detachment, the results indicated that the common allegations were “Improper Attitude” (37%), followed by “Improper Use of Force” (16%), “Neglect of Duty” (16%) and “Service” (16%).

- For the La Loche Detachment, the results indicated that the common allegations were “Improper Use of Force” (73%) and “Improper Attitude” (13%).

**“F” Division: Allegations for FSIN-Lodged Complaints**



Allegations were further analyzed by member rank. In “F” Division RCMP, “Improper Attitude” (27%), “Improper Use of Force” (25%) and “Neglect of Duty” (22%) were the most common allegations against constables. Similarly, corporals were typically subject to complaints alleging “Neglect of Duty” (15%) and “Improper Use of Force” (42%). Sergeants were most likely to be subject to allegations of “Improper Attitude” (40%).

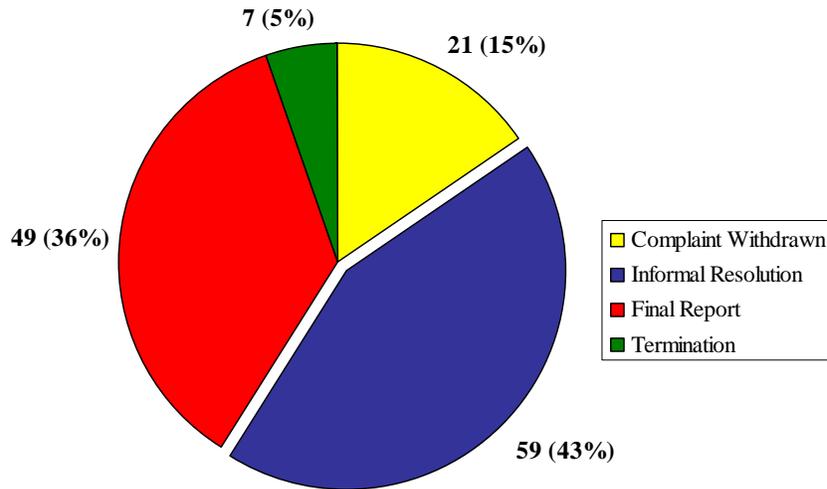
For every complaint disposition received, the Commission analyzed the reason and incident details in order to identify issues related to the nature of the complaint. By cross-referencing these issues with the RCMP allegations, the Commission was able to identify key issues that come up for each allegation. The most common issues that were raised in the complaints for “F” Division were “Attitude” (18%), “Arrest” (12%), “Criminal Investigation Quality (RCMP)” (9%) and “Vehicular Incidents” (6%).

**“F” Division: Commission-Identified Issues**

<b>Issue</b>	<b>Number of Complaints</b>	<b>%</b>
Aboriginal community	7	2.2%
Abusive Language	6	1.9%
Alcohol or Drugs (not impairment)	6	1.9%
Arrest	39	<b>12.0%</b>
Attitude	58	<b>17.9%</b>
Care in Custody	7	2.2%
Chemical Irritant	2	0.6%
Child Custody	2	0.6%
Civil Disputes/No Child	4	1.2%
Criminal Investigation Quality (RCMP)	30	<b>9.3%</b>
Detention	13	<b>4.0%</b>
Entry of Premises	7	2.2%
Impairment	8	2.5%
Lethal Weapons	2	0.6%
Medical Care	8	2.5%
Mental Illness	2	0.6%
Non-lethal weapons other than chemical irritants	10	<b>3.1%</b>
Non-pursuit Police Driving	1	0.3%
Non-spousal, Non-child Assault Response	2	0.6%
Other (if necessary)	8	2.5%
Police Physical Abuse	16	<b>4.9%</b>
Police Pursuit Driving	2	0.6%
Policy	1	0.3%
Property Mishandling	4	1.2%
Public Complaint Process Quality (RCMP)	<b>9</b>	2.8%
Release/Disclosure of Information	4	1.2%
Restraints	<b>9</b>	2.8%
Right to Counsel	6	1.9%
Search	10	<b>3.1%</b>
Seizure	2	0.6%
Service	<b>9</b>	2.8%
Spousal Abuse Response	5	1.5%
Vehicular Incidents	20	<b>6.2%</b>
Youth Interaction	5	1.5%
<b>Total</b>	<b>324</b>	

## Disposition of Complaints

### “F” Division: Number of Complaints by Disposition Type



### *Investigation and Final Report*

Of the complaint dispositions the Commission received from “F” Division, 49 (36%) were formally investigated and a Final Report by the RCMP issued. These reports made determinations on 124 allegations, with the most common allegation being “Improper Use of Force”.

For almost every type of allegation, with the exception of “Mishandling of Property”, the majority (57-100%) of the RCMP’s findings did not support the complainant’s allegation(s). For the allegation relating to “Mishandling of Property”, the RCMP supported the complainant’s allegations.

### *Informal Resolutions*

Accounting for the most common way in this division to dispose of a complaint, informal resolutions occurred in close to half (44%) of the cases. Informal resolution disposed of 94 allegations. The percentage of dispositions that resulted in informal resolutions in “F” Division was 14 percentage points higher than the Force-wide percentage of 30.

The majority of complaints involving allegations of “Improper Attitude” resulted in an informal resolution. Lastly, complaints involving allegations of “Neglect of Duty” were also typically informally resolved.

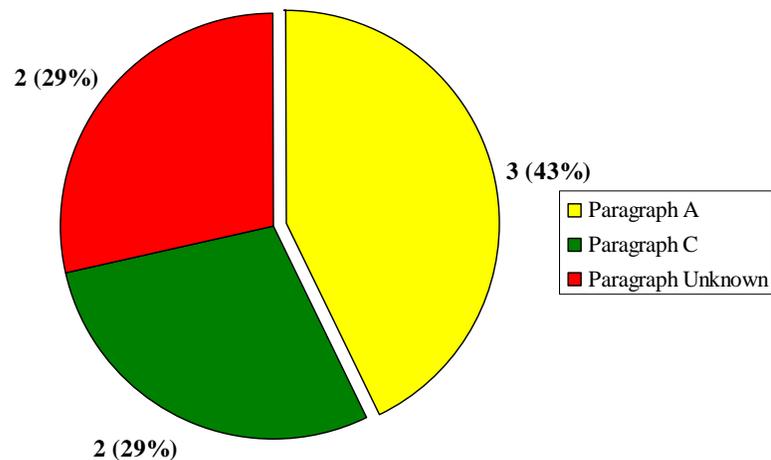
### *Withdrawals*

In 15% of the cases, the complainant withdrew the complaint. This disposition type disposed of 34 allegations, the most common of which was “Neglect of Duty”.

### *Terminations (Notice of Direction)*<sup>52</sup>

In 5% of all public complaints received from “F” Division a Notice of Direction was issued. In 29% of the 7 complaints that were terminated, the termination paragraph was not specified in the Notice of Direction.

#### **“F” Division: Number of Terminated Complaints by Grounds Identified in subsection 45.36(5) of the RCMP Act**



Notice of Directions disposed of 14 allegations, the most common of which was “Improper Use of Force”.

### **Service Standards: Complaint Processing Time**

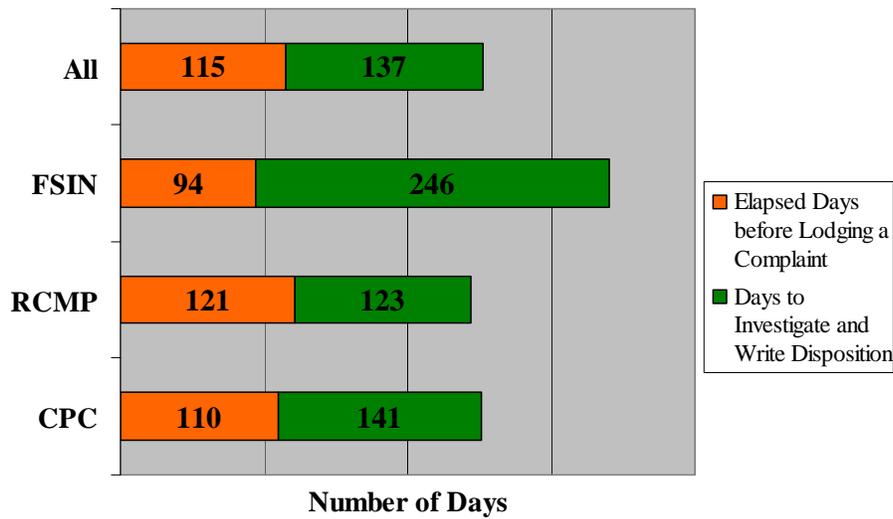
In 2007, “F” Division, on average, took 137 days to issue a disposition once a complaint was lodged (range: 0 to 405 days). This is in comparison to the RCMP national average of 114 days to issue a disposition once a complaint was lodged (range: 0 to 447 days). It typically took complainants 115 days after the incident date to lodge a complaint (range: 0 to 4,062 days).

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<sup>52</sup> The RCMP may decide to terminate a complaint under three strict grounds provided for in paragraphs (a), (b) and (c) of subsection 45.36(5) of the *RCMP Act*. These paragraphs are:

- (a) the complaint is one that could more appropriately be dealt with, initially or completely, according to a procedure provided under any other Act of Parliament;
- (b) the complaint is trivial, frivolous, vexatious or made in bad faith; and
- (c) having regard to all the circumstances, investigation or further investigation is not necessary or reasonably practicable.

**“F” Division: Complaint Timeline Based on the Organization it Was Lodged With**



The average number of days to issue a disposition was 141 for Commission-lodged complaints (range: 0 to 405 days) as opposed to 123 days for RCMP-lodged complaints (range: 0 to 362 days). On average, complainants waited 110 days after the incident took place before lodging a complaint with the Commission (range: 0 to 1,216 days), while complaints lodged with the RCMP averaged 121 days after the incident (range: 0 to 4,062 days).<sup>53</sup>

Independent of the public complaint processing timelines, the Review of the Record Project required the RCMP to provide the Commission copies of all dispositions for its analyses. To that end, the average number of days for the Commission to receive the complaint disposition from this division was 74 for Commission-lodged complaints (range: 13 to 217 days) as opposed to the 57 days it took for RCMP-lodged complaints (range: 9 to 224 days).

For complaints lodged with the FSIN, it took an average of 246 days to issue a disposition once a complaint was lodged (range: 47 to 364 days) and another 52 days for the Commission to receive a copy of the disposition (range: 18 to 95 days). Complainants, on average, lodged a complaint 94 days after the incident date (range: 34 to 215 days).

Complaint processing times were analyzed for each of the 2 detachments identified most often in complaint dispositions:

- The North Battleford Detachment took 158 days to issue a disposition once a complaint was lodged (range: 0 to 364 days). Typically, for these cases complainants waited 137 days after the incident date to lodge the original complaint (range: 1 to 934 days).

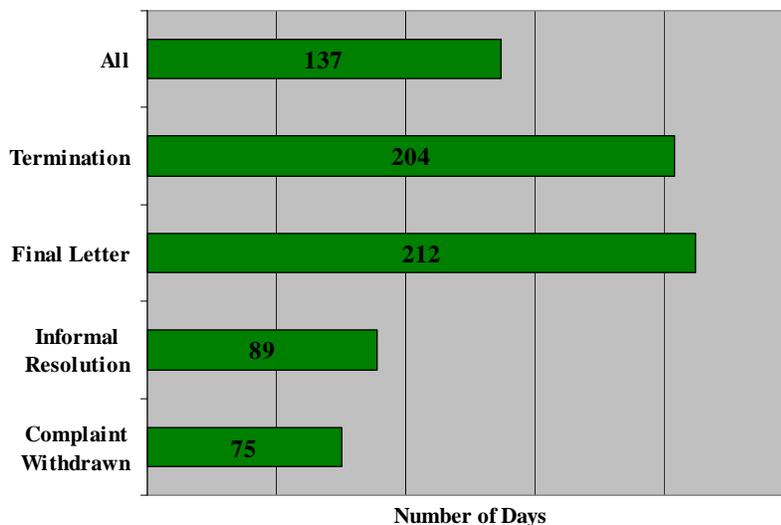
<sup>53</sup> While the reasons for this delay is not yet fully understood, some preliminary analysis of the data suggests that complainants wait extended periods of time to lodge complaints with the Commission because: 1) the types of allegations that are lodged with the Commission tend to be more serious in nature than those lodged with the RCMP; 2) the complainant may not have immediate access to the public complaint system; 3) the complaint may be historical in that an incident occurred many years (in some cases decades) before a formal complaint is lodged; and 4) alternate ways of resolving the complaint may have been attempted before a formal complaint was lodged.

- The La Loche Detachment took an average of 165 days to issue a disposition once a complaint was lodged (range: 47 to 280 days). Complainants, on average, lodged the original complaint 43 days after the incident date (range: 0 to 215 days).

Complaint timelines were also determined by disposition type:

- To issue a Final Report by the RCMP it took 212 days (range: 83 to 364 days). For these cases, it generally took 82 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 0 to 557 days).
- To enter into an informal resolution it took 89 days (range: 0 to 405 days). For these cases, it generally took 146 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 0 to 4,062 days).
- For a complainant to withdraw a complaint it took 75 days (range: 0 to 268 days). For these cases, it generally took 133 days to elapse before a complainant lodged a complaint that resulted in this type of disposition (range: 1 to 865 days).
- To issue a Notice of Direction invoking any termination provision it took 204 days (range: 24 to 315 days). For these cases, it generally took 24 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 1 to 68 days).

**“F” Division: Number of Days to Issue the Disposition by Disposition Type**



Complaint timelines were also determined by allegation type. For the three most common types of allegations, i.e. “Improper Use of Force” “Improper Attitude” and “Neglect of Duty”, timelines are reported.

- Allegations of “Improper Use of Force”, on average, took 216 days for a disposition to be issued (range: 1 to 364 days). Typically, complainants waited 46 days after the incident date to lodge the original complaint (range: 0 to 430 days) for this type of allegation.
- Allegations of “Improper Attitude”, on average, took 93 days for a disposition to be issued (range: 0 to 343 days). Complainants, on average, lodged the original complaint 79 days after the incident date (range: 0 to 934 days) for this type of allegation.

- Allegations of “Neglect of Duty” took 140 days for a disposition to be issued once a complaint was lodged (range: 0 to 350 days). On average, complainants waited 148 days to lodge the original complaint (range: 0 to 1,216 days) for this type of allegation.

It is interesting to note that within “F” Division complaints involving “Policy” allegations, on average, took the longest time (159 days) to issue dispositions.

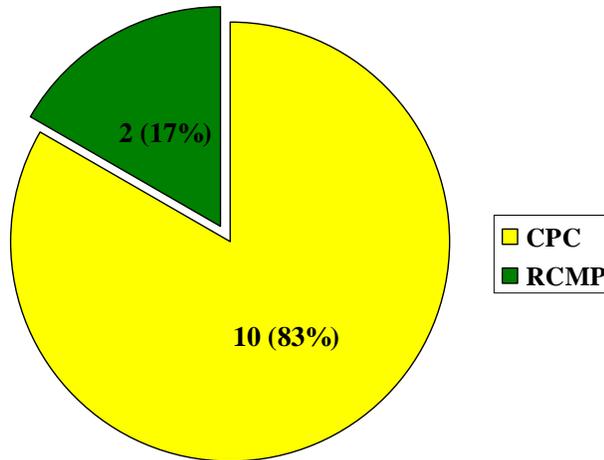
**G-NORTHWEST TERRITORIES**

**DIVISIONAL REPORT**

## Complaints Received

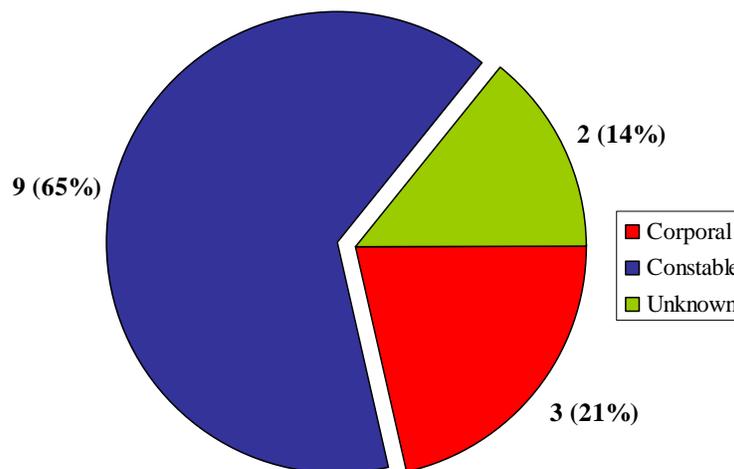
The Commission received 12 complaint dispositions from “G” Division with complaints involving the Yellowknife Detachment accounting for 50% of the total complaint dispositions. Of the 12 complaints received from “G” Division, 10 (83%) were lodged with the Commission, while 2 (17%) were lodged with the RCMP. For the Yellowknife Detachment, 4 (67%) of the complaints were lodged with the Commission and 2 (33%) were lodged with the RCMP.

### “G” Division: Number of Complaints Based on the Organization it was Lodged With



The average number of members named in the complaints for “G” Division was 1.2 with constable being represented most often in the complaints (64%), followed by the rank of corporal (21%). Other ranks were not identified.

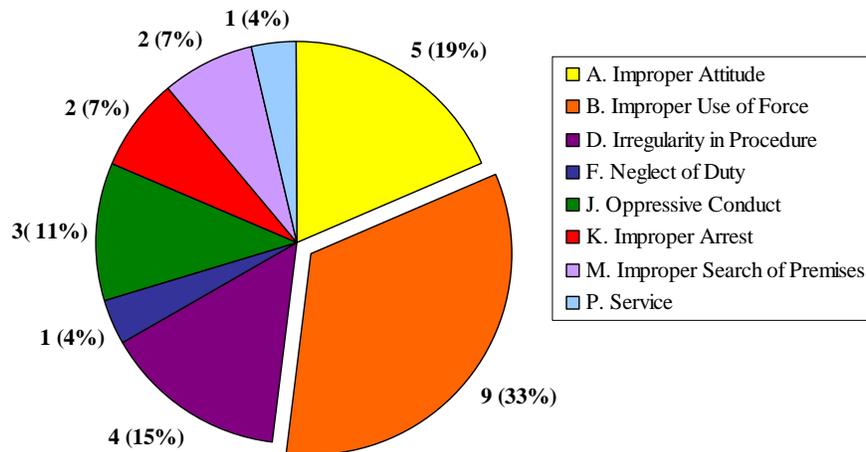
### “G” Division: Number of Complaints by Member Rank



## Allegations

A total of 27 allegations were made against members in “G” Division, which averaged about 2.3 allegations per complaint. The two most common allegations were “Improper Use of Force” (33%) and “Improper Attitude” (19%). For the Yellowknife Detachment, the data indicates that most of the allegations (20%) related to “Irregularity in Procedure” in that members allegedly improperly obtained personal information.

### “G” Division: Allegations Breakdown



Allegations were further analyzed by member rank. For “G” Division, of the allegations made against constables, the most common allegations related to “Improper Attitude” (31%) and “Improper Use of Force” (31%). The majority of allegations against corporals related to “Improper Use of Force” (67%).

For every complaint disposition received, the Commission analyzed the reason and incident details in order to identify issues related to the nature of the complaint. By cross-referencing these issues with the RCMP allegations, the Commission was able to identify key issues that come up for each allegation. The most common issues that were raised in the complaints were “Arrest” (13%), “Attitude” (11%), “Police Physical Abuse” (11%), “Criminal Investigation Quality (RCMP)” (6%), “Entry of Premises” (6%) and “Non-lethal Weapons Other than Chemical Irritants” (6%).

**“G” Division: Commission-Identified Issues**

<b>Issue</b>	<b>Number of Complaints</b>	<b>%</b>
Abusive Language	1	2.1%
Alcohol or Drugs (not impairment)	1	2.1%
Arrest	6	<b>12.8%</b>
Attitude	5	<b>10.6%</b>
Care in Custody	1	2.1%
Chemical Irritant	1	2.1%
Civil Disputes/No Child	1	2.1%
Criminal Investigation Quality (RCMP)	3	<b>6.4%</b>
Detention	1	2.1%
Entry of Premises	3	<b>6.4%</b>
Impairment	2	<b>4.3%</b>
Medical Care	1	2.1%
Mental Illness	2	<b>4.3%</b>
Non-lethal weapons other than chemical irritants	3	<b>6.4%</b>
Non-spousal, Non-child Assault Response	2	<b>4.3%</b>
Non-spousal, Non-child Sexual Assault Response	1	2.1%
Police Physical Abuse	5	<b>10.6%</b>
Policy	1	2.1%
Public Complaint Process Quality (RCMP)	1	2.1%
Restraints	1	2.1%
Right to Counsel	1	2.1%
Service	1	2.1%
Spousal Abuse Response	1	2.1%
Vehicular Incidents	1	2.1%
Youth Interaction	1	2.1%
<b>Total</b>	<b>47</b>	

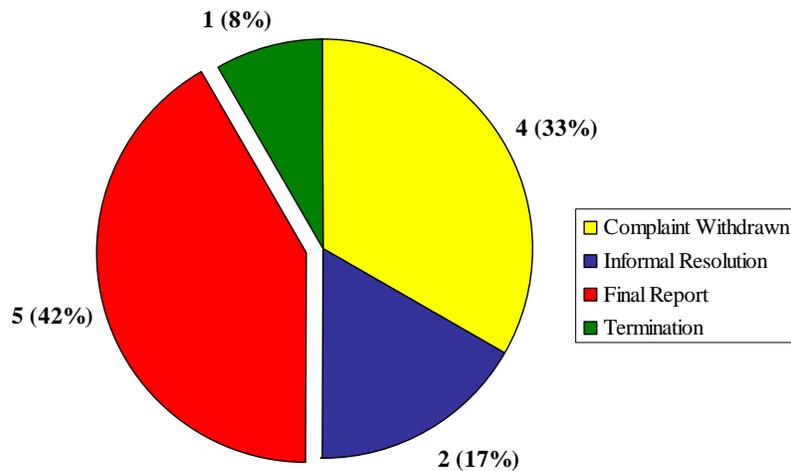
Further, the results revealed trends in the issues for each allegation. For the purpose of this analysis, the common issues will be reported for the most frequently occurring allegations: “Improper Attitude” and “Improper Use of Force”.

- The main issues that arose for “Improper Attitude” included “Attitude” (23%) and “Non-spousal, Non-child Assault Response” (14%).
- For allegations involving “Improper Use of Force” the key issues identified were “Arrest” (20%), “Police Physical Abuse” (17%), “Entry of Premises” (11%) and “Non-lethal Weapons Other than Chemical Irritants” (11%).

In comparing the issues raised for these two types of allegations, it appears that most of the allegations arise from situations where members are called to investigate an assault or when entering dwellings to make arrests.

## Disposition of Complaints

### “G” Division: Number of Complaints by Disposition Type



### *Investigation and Final Report*

Of the complaint dispositions the Commission received, 5 (42%) were formally investigated and a Final Report by the RCMP was issued. These reports made determinations on 12 allegations. At the detachment level, of the total dispositions for the Yellowknife Detachment, the Commission received 4 Final Reports, which represented 12 allegations. For every type of allegation addressed in the Final Reports by the RCMP, the RCMP did not support the complainant's allegation(s).

Complaints involving allegations of “Improper Use of Force” were most often formally investigated and a Final Report was issued by the RCMP in 56% of the cases.

### *Informal Resolutions*

Informal resolutions occurred in 17% of the cases, which dealt with 2 allegations. Allegations that were subject to an informal resolution were “Improper Use of Force” and “Irregularity in Procedure”.

### *Withdrawals*

In 33% of all the public complaints from this division, the complainant withdrew the complaint. A total of 7 allegations were disposed of in this manner. In 36% of the complaint dispositions received from the Yellowknife Detachment, the complainant withdrew the complaint.

Allegations of “Improper Attitude” were most likely to result in a withdrawal.

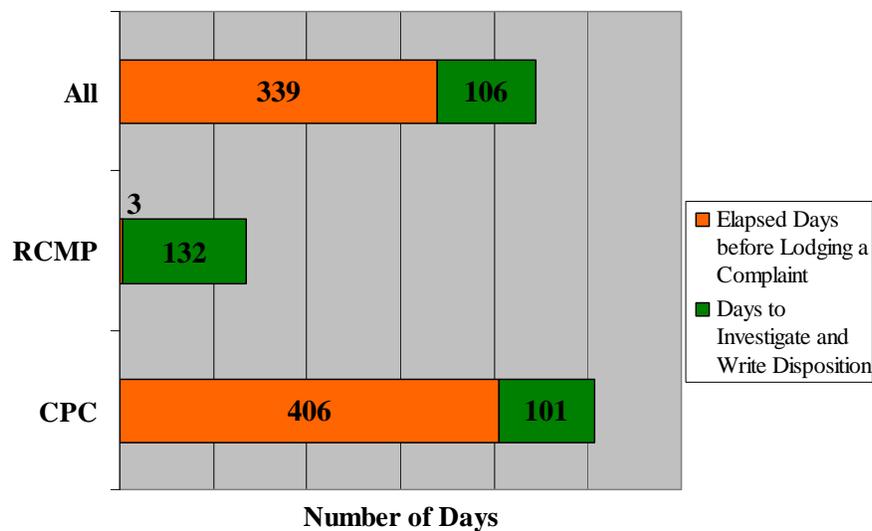
## Terminations (Notice of Direction)<sup>54</sup>

In 2007, of all public complaints received from “G” Division, only 1 Notice of Direction under termination paragraph (b) provision was cited, which represented 2 allegations of “Improper Attitude”.

## Service Standards: Complaint Processing Time

On average, it took 106 days to issue a disposition once a complaint was lodged (range: 6 to 241 days). This is in comparison to the RCMP national average of 114 days to issue a disposition once a complaint was lodged (range: 0 to 447 days). It typically took close to one year (339 days) for a complainant to lodge a complaint (range: 1 to 2,166 days).

### “G” Division: Complaint Timeline Based on the Organization it Was Lodged With



The average number of days to issue a disposition was 101 for Commission-lodged complaints (range: 6 to 169 days) as opposed to 132 days for RCMP-lodged complaints (range: 22 to 241 days). On average, complainants waited 406 days after the incident took place before lodging a complaint with the Commission (range: 1 to 2166 days), while complaints lodged with the RCMP averaged 3 days after the incident.<sup>55</sup>

<sup>54</sup> The RCMP may decide to terminate a complaint under three strict grounds provided for in paragraphs (a), (b) and (c) of subsection 45.36(5) of the *RCMP Act*. These paragraphs are:

- (a) the complaint is one that could more appropriately be dealt with, initially or completely, according to a procedure provided under any other Act of Parliament;
- (b) the complaint is trivial, frivolous, vexatious or made in bad faith; and
- (c) having regard to all the circumstances, investigation or further investigation is not necessary or reasonably practicable.

<sup>55</sup> While the reasons for this delay is not yet fully understood, some preliminary analysis of the data suggests that complainants wait extended periods of time to lodge complaints with the Commission because: 1) the types of allegations that are lodged with the Commission tend to be more serious in nature than those lodged with the RCMP; 2) the complainant may not have immediate access to the public complaint system; 3) the complaint may be historical in that an incident occurred many years (in some cases decades) before a formal complaint is lodged; and 4) alternate ways of resolving the complaint may have been attempted before a formal complaint was lodged.

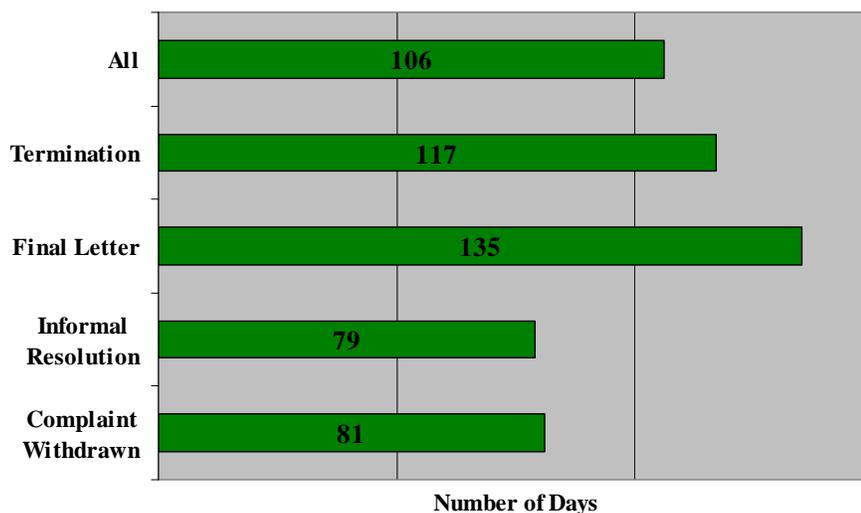
Independent of the public complaint processing timelines, the Review of the Record Project required the RCMP to provide the Commission copies of all dispositions for its analyses. To that end, the average number of days for the Commission to receive the complaint disposition from this division was 93 for Commission-lodged complaints (range: 27 to 224 days) as opposed to the 103 days it took for RCMP-lodged complaints (range: 56 to 149 days).

Complaints identifying the Yellowknife Detachment, on average, took 92 days to issue a disposition once a complaint was lodged (range: 6 to 241 days) and an additional 102 days for the Commission to receive a copy of the disposition (range: 56 to 154 days). Typically, complainants waited 559 days after the incident date to lodge a complaint (range: 1 to 2,166 days).

Complaint timelines were also determined by disposition type.

- To issue a Final Report it took 135 days (range: 73 to 241 days). For these cases, it generally took 736 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 1 to 2,166 days).
- To issue a Notice of Direction invoking any termination provision it took 117 days. For these cases, it generally took 53 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition.
- To enter into an informal resolution it took 79 days (range: 78 to 79 days). For these cases it generally took 80 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 45 to 115 days).
- To receive a withdrawal it took 81 days (range: 6 to 169 days). For these cases, it generally took 43 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 3 to 120 days).

**“G” Division: Number of Days to Issue the Disposition by Disposition Type**



Complaint timelines were also determined by allegation type. For the most frequently occurring types of allegations, i.e. “Improper Use of Force” and “Improper Attitude”, timelines are reported.

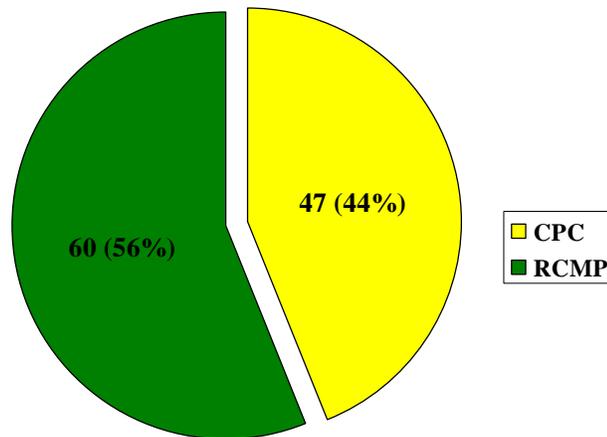
- Allegations of “Improper Use of Force”, on average, took the longest time (127 days) for a disposition to be issued (range: 73 to 241 days), compared to the other types of allegations. Typically, complainants waited 486 days after the incident date to lodge the original complaint (range: 1 to 2,166 days) with this type of allegation.
- Allegations involving “Improper Attitude” took 68 days for a disposition to be issued (range: 6 to 127 days). Complainants, on average, lodged the original complaint 55 days after the incident date (range: 3 to 120 days) with this type of allegation.

**H-NOVA SCOTIA**  
**DIVISIONAL REPORT**

## Complaints Received

The Commission received 107 complaint dispositions of which 60 (56%) were lodged with the RCMP, while 47 (44%) were lodged with the Commission. The complaints were further examined at the detachment level. The detachments that were most often identified in the complaint dispositions included the Halifax Detachment (17%), followed by the Digby Detachment (7%) and the Eskasoni Detachment (7%).

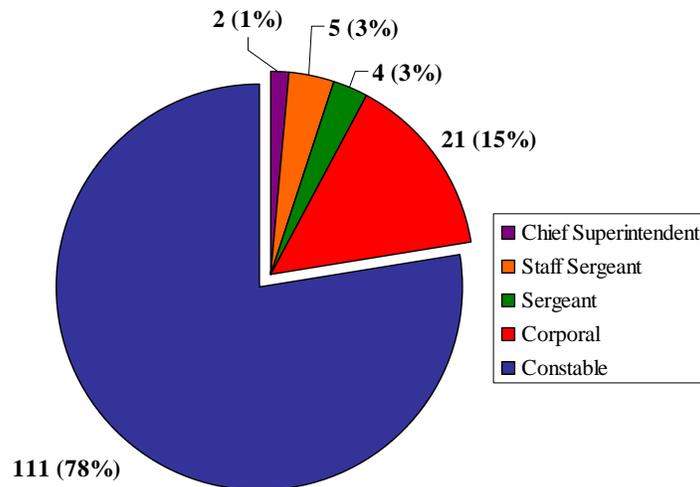
### “H” Division: Number of Complaints Based on the Organization it was Lodged With



In comparing the three detachments, it was found that for the Halifax Detachment, 56% of the complaints were lodged with the RCMP, while 44% of them were lodged with the Commission, for the Digby Detachment 86% of the complaints were lodged with the RCMP and 14% were lodged with the Commission, and for the Eskasoni Detachment, no complaints were lodged with the RCMP and 100% of the complaints were lodged with the Commission.

The average number of members named in the complaint for “H” Division was 1.4, with the rank of constable (78%) being the most common rank, followed by corporal (11%) and sergeant (3%).

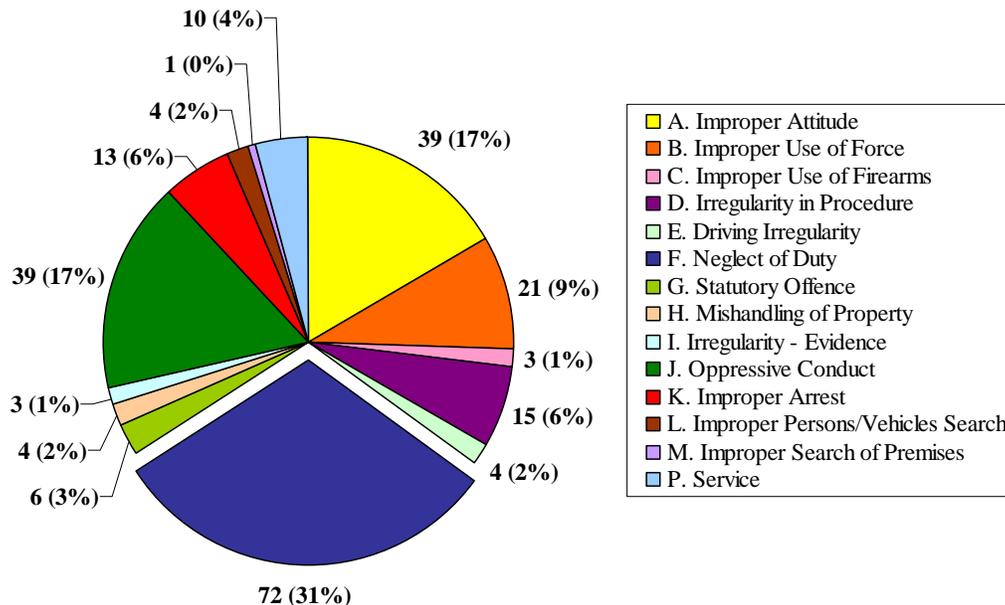
### “H” Division: Number of Complaints by Member Rank



## Allegations

A total of 234 allegations were made against members in “H” Division, which averaged about 2.2 allegations per complaint. The three most common allegations were “Neglect of Duty” (31%), “Improper Attitude” (17%) and “Oppressive Conduct” (17%).

### “H” Division: Allegations Breakdown



Allegations were also examined at the detachment level. For the Digby Detachment, the results indicate that half (50%) of the allegations related to “Neglect of Duty”. The most common allegation for the Eskasoni Detachment was “Oppressive Conduct” (26%). Similarly, for the Halifax Detachment the most frequent allegation was “Oppressive Conduct” (33%) and equally so was “Neglect of Duty” (33%).

In “H” Division, “Neglect of Duty” was the most common allegation directed towards constables (30%), corporals (32%) and staff sergeants (60%).

For every complaint disposition received, the Commission analyzed the reason and incident details in order to identify issues related to the nature of the complaint. By cross-referencing these issues with the RCMP allegations, the Commission was able to identify key issues that come up for each allegation. The most common issues that were raised in the complaints for “H” Division were “Attitude” (20%), “Criminal Investigation Quality (RCMP)” (13%), “Arrest” (8%) and “Vehicular Incidents” (8%).

**“H” Division: Commission-Identified Issues**

<b>Issue</b>	<b>Number of Complaints</b>	<b>%</b>
Abusive Language	10	<b>3.7%</b>
Alcohol or Drugs (not impairment)	6	2.2%
Arrest	20	<b>7.5%</b>
Attitude	54	<b>20.1%</b>
Care in Custody	3	1.1%
Chemical Irritant	2	0.7%
Civil Disputes/No Child	3	1.1%
Criminal Investigation Quality (RCMP)	34	<b>12.7%</b>
Crowd Control	2	0.7%
Detention	6	2.2%
Entry of Premises	13	<b>4.9%</b>
Impairment	2	0.7%
Lethal Weapons	1	0.4%
Medical Care	5	1.9%
Mental Illness	2	0.7%
Non-lethal weapons other than chemical irritants	1	0.4%
Non-pursuit Police Driving	1	0.4%
Non-spousal, Non-child Assault Response	4	1.5%
Non-spousal, Non-child Sexual Assault Response	2	0.7%
Other (if necessary)	6	2.2%
Police Dogs	2	0.7%
Police Physical Abuse	8	3.0%
Police Pursuit Driving	1	0.4%
Policy	3	1.1%
Property Mishandling	3	1.1%
Public Complaint Process Quality (RCMP)	12	<b>4.5%</b>
Release/Disclosure of Information	5	1.9%
Restraints	2	0.7%
Right to Counsel	5	1.9%
Search	8	3.0%
Seizure	6	2.2%
Service	13	<b>4.9%</b>
Vehicular Incidents	20	<b>7.5%</b>
Youth Interaction	3	1.1%
<b>Total</b>	<b>268</b>	

Trends in the issues were also identified by detachment:

- For the Digby Detachment, the common issues raised were “Criminal Investigation Quality (RCMP)” (26%), followed by “Attitude” (21%) and “Property Mishandling” (11%).
- The two most common issues identified in complaints received from the Eskasoni Detachment were “Public Complaint Process Quality (RCMP)” (25%) and “Attitude” (19%).

- Lastly, for the Halifax Detachment, “Attitude” (25%) was the key issue identified in the complaints, followed by “Criminal Investigation Quality (RCMP)” (16%) and “Vehicular Incidents” (16%).

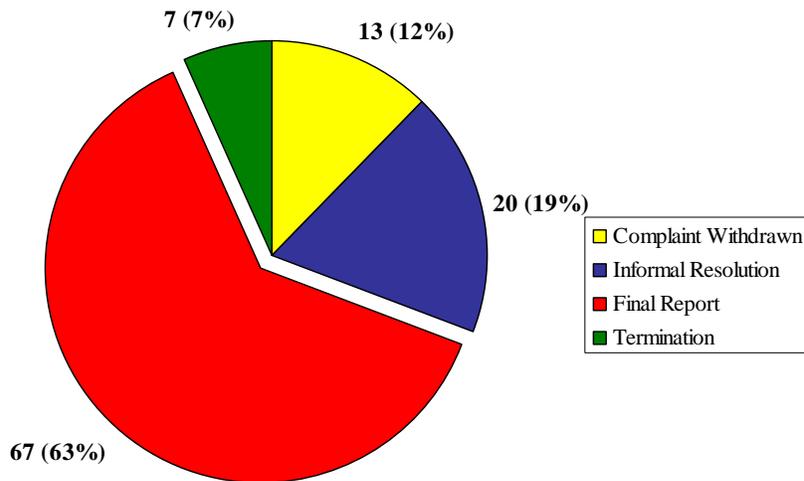
Further, the results revealed trends in the issues for each allegation. For the purpose of this analysis, the common issues will be reported for the three most frequently occurring allegations: “Neglect of Duty”, “Improper Attitude” and “Oppressive Conduct”.

- For complaints alleging “Neglect of Duty” the key issues were “Criminal Investigation Quality (RCMP)” (25%), “Attitude” (16%) and “Service” (10%).
- For complaints alleging “Improper Attitude” the key issues were “Attitude” (35%), “Vehicular Incidents” (11%) and “Criminal Investigation Quality (RCMP)” (9%).
- For complaints alleging “Oppressive Conduct” the key issues identified were “Attitude” (22%), “Arrest” (8%), “Release/Disclosure of Information” (8%), “Entry of Premises” (6%) and “Vehicular Incidents” (6%).

In comparing the issues raised for the three most frequent allegations, it appears that there is a common perceived lack of police professionalism, as “Attitude” was the prominent issue identified in all three allegations.

### Disposition of Complaints

“H” Division: Number of Complaints by Disposition Type



### Investigation and Final Report

Of the complaint dispositions the Commission received, 67 (63%) were formally investigated and a Final Report issued by the RCMP. These reports made determinations on 167 allegations. For almost every type of allegation, with the exception of “Improper Persons/Vehicles Search”, the overwhelming majority (68-100%) of the RCMP’s findings did not support the complainant’s allegation(s).

Allegations most likely to result in a Final Report by the RCMP were “Neglect of Duty” and “Oppressive Conduct”.

### *Informal Resolutions*

Accounting for the second most common way to dispose of a complaint, informal resolutions occurred in 19% of the cases. Informal resolutions dealt with 27 allegations, the most common of which were “Improper Attitude” and “Neglect of Duty”.

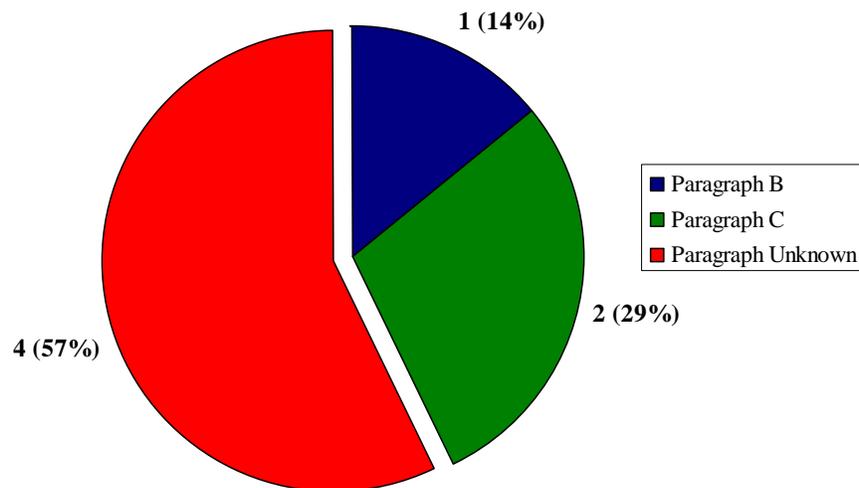
### *Withdrawals*

In 12% of the cases, the complainant withdrew the complaint. Withdrawals disposed of 31 allegations, with the most common being “Neglect of Duty”.

### *Terminations (Notice of Direction)<sup>56</sup>*

In 7% of all public complaints received a Notice of Direction was issued. In total, 9 allegations were subject to termination paragraphs. In 57% of the 7 cases, the grounds for termination were not specified in the Notice of Direction. Allegations most likely to be subject to a termination paragraph were “Neglect of Duty”.

**“H” Division: Number of Terminated Complaints by Grounds Identified in subsection 45.36(5) of the RCMP Act**



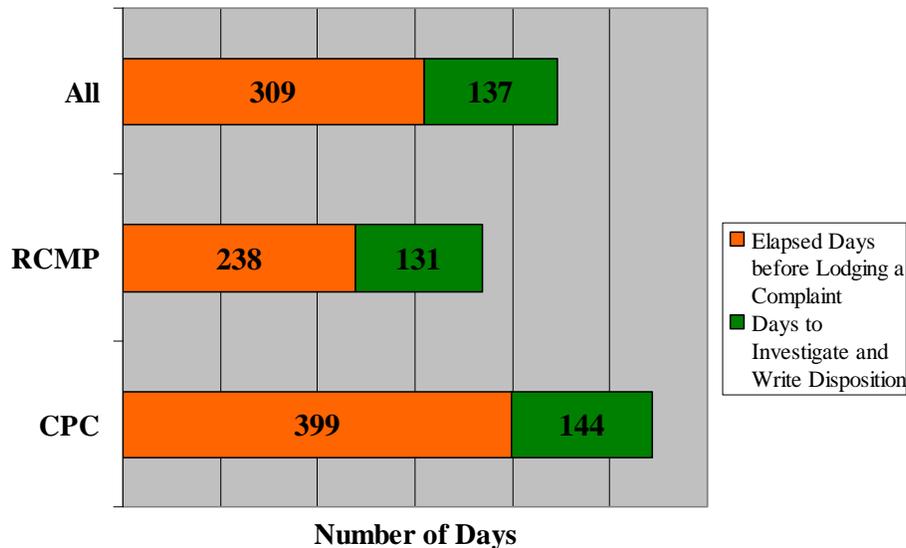
<sup>56</sup> The RCMP may decide to terminate a complaint under three strict grounds provided for in paragraphs (a), (b) and (c) of subsection 45.36(5) of the *RCMP Act*. These paragraphs are:

- (a) the complaint is one that could more appropriately be dealt with, initially or completely, according to a procedure provided under any other Act of Parliament;
- (b) the complaint is trivial, frivolous, vexatious or made in bad faith; and
- (c) having regard to all the circumstances, investigation or further investigation is not necessary or reasonably practicable.

## Service Standards: Complaint Processing Time

In 2007, “H” Division, on average, took 137 days to issue a disposition once a complaint was lodged (range: 5 to 401 days). This is in comparison to the RCMP national average of 114 days to issue a disposition once a complaint was lodged (range: 0 to 447 days). It typically took close to one year (309 days) for a complainant to lodge a complaint (range: 0 to 8,908 days).

### “H” Division: Complaint Timeline Based on the Organization it Was Lodged With



The average number of days to issue a disposition was 144 for Commission-lodged complaints (range: 16 to 400 days) as opposed to 131 days for RCMP-lodged complaints (range: 5 to 401 days). On average, complainants waited 399 days after the incident took place before lodging a complaint with the Commission (range: 0 to 3,456 days), while complaints lodged with the RCMP averaged 238 days after the incident (range: 0 to 8,908 days).<sup>57</sup>

Independent of the public complaint processing timelines, the Review of the Record Project required the RCMP to provide the Commission copies of all dispositions for its analyses. To that end, the average number of days for the Commission to receive the complaint disposition from this division was 64 for Commission-lodged complaints (range: 0 to 249 days) as opposed to the 54 days it took for RCMP-lodged complaints (range: 6 to 249 days).

Complaint processing times were analyzed for each of the three detachments that were identified most often in complaint dispositions:

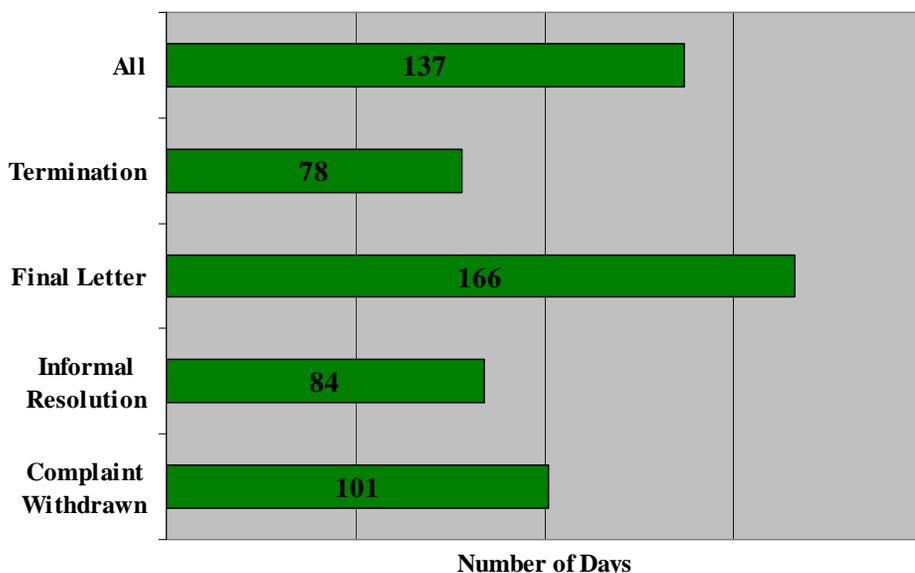
<sup>57</sup> While the reasons for this delay is not yet fully understood, some preliminary analysis of the data suggests that complainants wait extended periods of time to lodge complaints with the Commission because: 1) the types of allegations that are lodged with the Commission tend to be more serious in nature than those lodged with the RCMP; 2) the complainant may not have immediate access to the public complaint system; 3) the complaint may be historical in that an incident occurred many years (in some cases decades) before a formal complaint is lodged; and 4) alternate ways of resolving the complaint may have been attempted before a formal complaint was lodged.

- On average, the Digby Detachment took 137 days to issue a disposition once a complaint was lodged (range: 33 to 250 days). Typically, for these cases complainants waited 385 days after the incident date to lodge the original complaint (range: 0 to 2,433 days).
- The Eskasoni Detachment took an average of 146 days to issue a disposition once a complaint was lodged (range: 61 to 238 days). Complainants, on average, lodged the original complaint 99 days after the incident date (range: 0 to 281 days).
- Finally, the Halifax Detachment, on average, took 148 days to issue a disposition following receipt of the complaint (range: 7 to 324 days). Surprisingly, complainants waited an average of 902 days after the incident to lodge the original complaint (range: 5 to 8,908 days). However, this average is most likely an anomaly caused by complaints being lodged about historical issues.

Complaint timelines were also determined by disposition type:

- To issue a Final Report by the RCMP it took 166 days (range: 13 to 400 days). For these cases, it generally took 279 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 0 to 3,456 days).
- To issue a notice of direction invoking any termination provision it took 78 days (range: 7 to 251 days). For these cases, it generally took 1,751 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 11 to 8,908 days).
- To enter into an informal resolution it took 84 days (range: 5 to 401 days). For these cases, it generally took 54 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 1 to 526 days).
- To issue a withdrawal it took 101 days (range: 15 to 288 days). For these cases, it generally took 77 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 2 to 278 days).

**“H” Division: Number of Days to Issue the Disposition by Disposition Type**



Complaint timelines were also determined by allegation type. For the three most common types of allegations, i.e. “Neglect of Duty,” “Improper Attitude” and “Oppressive Conduct”, timelines are reported.

- Allegations of “Neglect of Duty”, on average, took 146 days for a disposition to be issued (range: 7 to 400 days). Typically, complainants waited 445 days after the incident date to lodge the original complaint (range: 0 to 8,908 days) for this type of allegation.
- Allegations of “Improper Attitude”, on average, took 134 days for a disposition to be issued (range: 14 to 325 days). Complainants, on average, lodged a complaint 66 days after the incident date (range: 0 to 962 days) for this type of allegation.
- Allegations of “Oppressive Conduct” typically took 145 days for a disposition to be issued once a complaint was lodged (range: 16 to 324 days). On average, complainants waited 276 days to lodge the original complaint (range: 0 to 2,446 days) for this type of allegation.

It is interesting to note that within “H” Division complaints involving “Statutory Offence” allegations, on average, took the longest time (252 days) to issue dispositions.

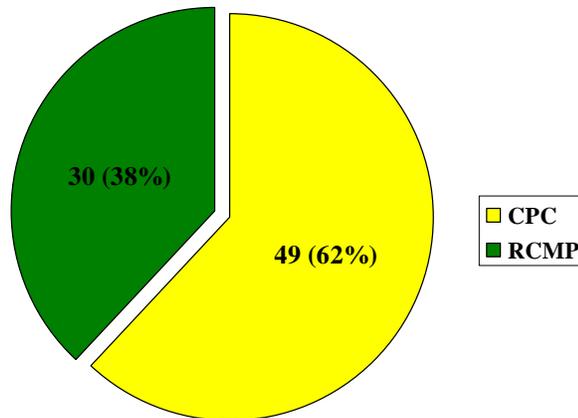


**J-NEW BRUNSWICK**  
**DIVISIONAL REPORT**

## Complaints Received

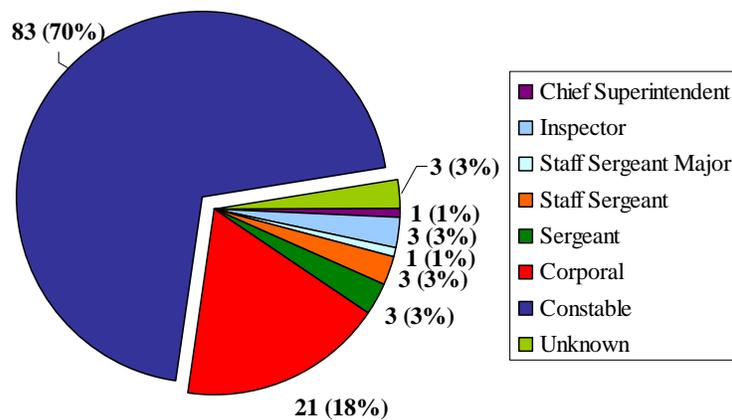
The Commission received 79 complaint dispositions of which 62% were lodged with the Commission, while 38% were lodged with the RCMP. Codiac-Codiac District Detachment was identified in 28% of all public complaints related to this Division. It was found that for the Codiac-Codiac District Detachment, 64% of the complaints were lodged with the Commission and 36% were lodged with the RCMP.

### “J” Division: Number of Complaints Based on the Organization it was Lodged With



The average number of members named in the complaint for “J” Division was 1.7, with the rank of constable (69%) being the most common rank identified in the total complaints. The rank of corporal was represented in 20% of the complaints.

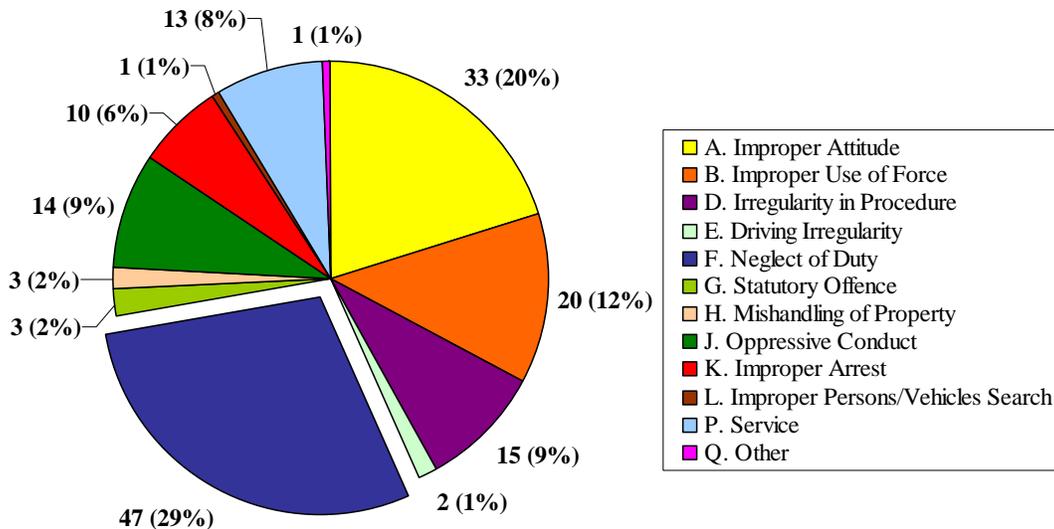
### “J” Division: Number of Complaint by Member Rank



## Allegations

A total of 162 allegations were made against members in “J” Division, which averaged about 2 allegations per complaint. The three most common allegations were “Neglect of Duty” (29%), “Improper Attitude” (20%) and “Improper Use of Force” (12%).

### “J” Division: Allegations Breakdown



Allegations were also examined at the detachment level. For the Codiak-Codiak District Detachment, the results indicate that the most common allegations pertained to “Neglect of Duty” (29%), “Oppressive Conduct” (16%), “Improper Attitude” (13%) and “Improper Arrest” (13%).

Allegations were further analyzed by member rank. Allegations pertaining to “Neglect of Duty” (28%) were the most common allegation against constables, followed by “Improper Attitude” (26%), and “Improper Use of Force” (17%). Corporals were typically the subject of complaints involving allegations of “Neglect of Duty” (29%) and “Oppressive Conduct” (17%).

For every complaint disposition received, the Commission analyzed the reason and incident details in order to identify issues related to the nature of the complaint. By cross-referencing these issues with the RCMP allegations, the Commission was able to identify key issues that come up for each allegation. The most common issues that were raised in the complaints for “J” Division were “Attitude” (14%), “Criminal Investigation Quality (RCMP)” (13%), “Arrest” (8%) and “Vehicular Incidents” (8%). The two most common issues identified in complaints received from the Codiak-Codiak Detachment were “Arrest” (12%), “Attitude” (12%) and “Criminal Investigation Quality” (11%).

**“J” Division: Commission-Identified Issues**

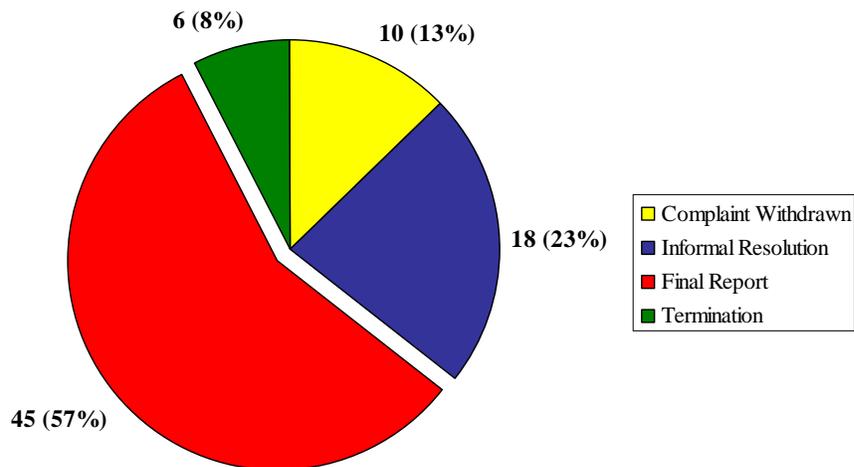
<b>Issue</b>	<b>Number of Complaints</b>	<b>%</b>
Abusive Language	6	3.0%
Alcohol or Drugs (not impairment)	5	2.5%
Arrest	16	<b>8.0%</b>
Attitude	28	<b>14.0%</b>
Care in Custody	4	2.0%
Chemical Irritant	3	1.5%
Child Abuse Response	1	0.5%
Child Custody	1	0.5%
Civil Disputes/No Child	4	2.0%
Conflict of Interest	1	0.5%
Criminal Investigation Quality (RCMP)	22	<b>11.0%</b>
Detention	9	<b>4.5%</b>
Entry of Premises	3	1.5%
Impairment	6	3.0%
Medical Care	7	<b>3.5%</b>
Mental Illness	10	<b>5.0%</b>
Non-lethal weapons other than chemical irritants	1	0.5%
Non-pursuit Police Driving	2	1.0%
Non-spousal, Non-child Assault Response	1	0.5%
Non-spousal, Non-child Sexual Assault Response	1	0.5%
Other (if necessary)	6	3.0%
Police Physical Abuse	9	<b>4.5%</b>
Policy	1	0.5%
Property Mishandling	1	0.5%
Public Complaint Process Quality (RCMP)	8	<b>4.0%</b>
Release/Disclosure of Information	5	2.5%
Restraints	5	2.5%
Right to Counsel	2	1.0%
Search	6	3.0%
Seizure	2	1.0%
Service	6	3.0%
Spousal Abuse Response	5	2.5%
Vehicular Incidents	12	<b>6.0%</b>
Youth Interaction	1	0.5%
<b>Total</b>	<b>200</b>	

Further, the results revealed trends in the issues for each allegation. For the purpose of this analysis, the common issues will be reported for the three most frequently occurring allegations: “Neglect of Duty”, “Improper Attitude” and “Improper Use of Force”.

- For complaints alleging “Neglect of Duty” the key issues were “Criminal Investigation Quality” (26%), “Mental Illness” (9%) and “Spousal Abuse Response” (9%).
- For complaints alleging “Improper Attitude” the key issues were “Attitude” (26%), “Detention” (10%) and “Mental Illness” (10%).
- For complaints alleging “Improper Use of Force” the key issues identified were “Arrest” (18%), “Detention” (15%), “Police Physical Abuse” (10%) and “Attitude” (8%).

## Disposition of Complaints

### “J” Division: Number of Complaints by Disposition Type



### *Investigation and Final Report*

Of the complaint dispositions the Commission received, 57% were formally investigated and a Final Report issued by the RCMP. These reports made determinations on 112 allegations, the most common being “Neglect of Duty”, “Improper Attitude” and “Improper Use of Force”. For every type of allegation identified in the complaints, the overwhelming majority (67-100%) of the RCMP’s findings did not support the complainant’s allegation(s).

### *Informal Resolutions*

Accounting for the second most common way to dispose of a complaint, informal resolutions occurred in 18% of the cases and dealt with 24 allegations. The most common allegation subject to an informal resolution was “Improper Attitude”.

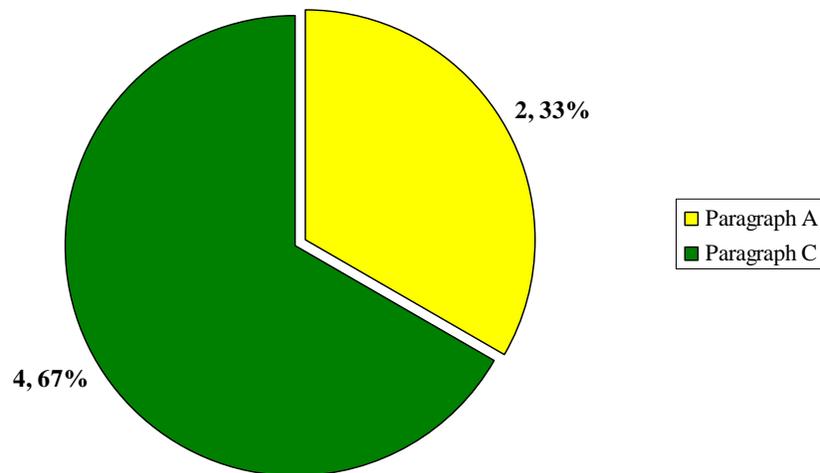
### *Withdrawals*

In 13% of the cases, the complainant withdrew the complaint. In total, 17 allegations were informally resolved, the most common being “Improper Attitude”.

### *Terminations (Notice of Direction)*<sup>58</sup>

In 2007, 8% of all public complaints received a Notice of Direction was issued, which terminated 9 allegations. The most common allegation to be subject to any termination paragraph was “Neglect of Duty”. Termination paragraph (c) was most often invoked.

#### **“J” Division: Number of Terminated Complaints by Grounds Identified in subsection 45.36(5) of the RCMP Act**



### **Service Standards: Complaint Processing Time**

In 2007, “J” Division, on average, took 93 days to issue a disposition once a complaint was lodged (range: 0 to 336 days). This is in comparison to the RCMP national average of 114 days to issue a disposition once a complaint was lodged (range: 0 to 447 days). It typically took over a year (398 days) to elapse before a complainant lodged a complaint (range: 0 to 11,927<sup>59</sup> days).

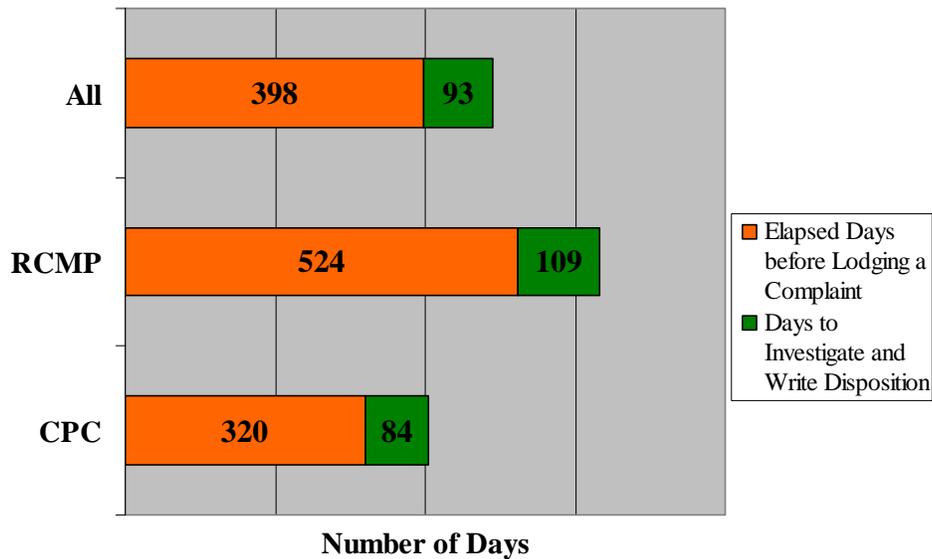
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<sup>58</sup> The RCMP may decide to terminate a complaint under three strict grounds provided for in paragraphs (a), (b) and (c) of subsection 45.36(5) of the *RCMP Act*. These paragraphs are:

- (a) the complaint is one that could more appropriately be dealt with, initially or completely, according to a procedure provided under any other Act of Parliament;
- (b) the complaint is trivial, frivolous, vexatious or made in bad faith; and
- (c) having regard to all the circumstances, investigation or further investigation is not necessary or reasonably practicable.

<sup>59</sup> The average for the amount of time it took for complainants to lodge a complaint has been skewed due to one complaint whose incident date spanned many years but started in January 1975. The complainant lodged the complaint in August 2007

**“J” Division: Complaint Timeline Based on the Organization it Was Lodged With**



The average number of days to issue a disposition was 84 for Commission-lodged complaints (range: 16 to 268 days) as opposed to 109 days for RCMP-lodged complaints (range: 0 to 336 days). On average, complainants waited 320 days after the incident took place before lodging the original complaint with the Commission (range: 0 to 2,253 days), while complaints lodged with the RCMP averaged 524 days after the incident (range: 0 to 1,927 days).<sup>60</sup>

Independent of the public complaint processing timelines, the Review of the Record Project required the RCMP to provide the Commission copies of all dispositions for its analyses. To that end, the average number of days for the Commission to receive the complaint disposition from this division was 74 for Commission-lodged complaints (range: 7 to 270 days) as opposed to the 26 days it took for RCMP-lodged complaints (range: 5 to 93 days).

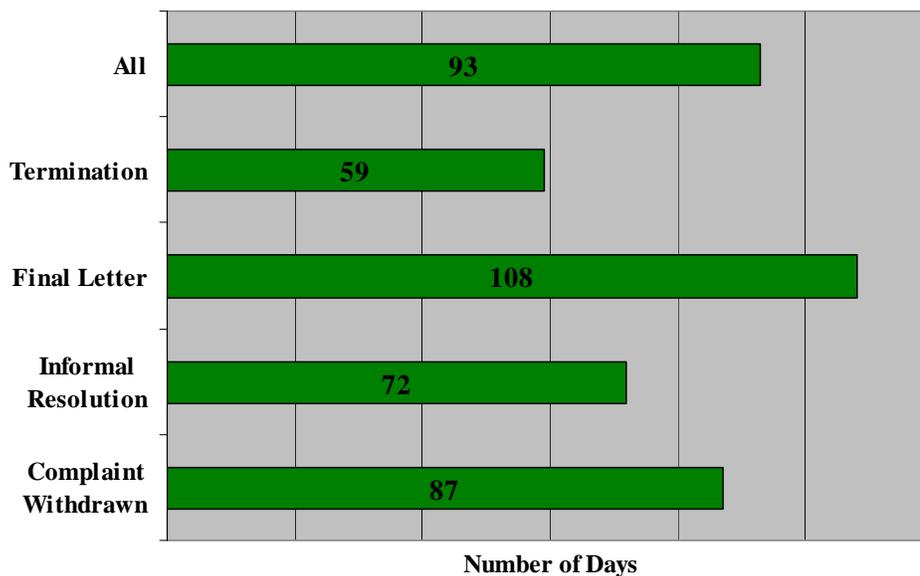
Complaint processing times were analyzed for complaints that identified Codiac-Codiac Detachment. On average, the Codiac-Codiac District Detachment took 102 days to issue a disposition once a complaint was lodged (range: 1 to 336 days). Typically, in these cases, complainants waited 390 after the incident date to lodge the original complaint (range: 0 to 2,253 days).

<sup>60</sup> While the reasons for this delay is not yet fully understood, some preliminary analysis of the data suggests that complainants wait extended periods of time to lodge complaints with the Commission because: 1) the types of allegations that are lodged with the Commission tend to be more serious in nature than those lodged with the RCMP; 2) the complainant may not have immediate access to the public complaint system; 3) the complaint may be historical in that an incident occurred many years (in some cases decades) before a formal complaint is lodged; and 4) alternate ways of resolving the complaint may have been attempted before a formal complaint was lodged.

Complaint timelines were also determined by disposition type:

- To issue a Final Report by the RCMP it took 108 days (range: 4 to 336 days). For these cases, it generally took 553 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 0 to 11,927 days).
- To issue a Notice of Direction invoking any termination provision it took 59 days (range: 16 to 208 days). For these cases, it generally took 699 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 0 to 2,067 days).
- To enter into an informal resolution it took 72 days (range: 0 to 268 days). For these cases, it generally took 86 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 0 to 730 days).
- To capture a withdrawal it took 87 days (range: 26 to 238 days). For these cases, it generally took 79 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 0 to 328 days).

**“J” Division: Number of Days to Issue the Disposition by Disposition Type**



Complaint timelines were also determined by allegation type. For the three most common types of allegations, i.e. “Neglect of Duty”, “Improper Attitude” and “Improper Use of Force”, timelines are reported.

- Allegations of “Neglect of Duty”, on average, took 94 days for a disposition to be issued (range: 8 to 336 days). Typically, complainants waited 855 days after the incident date to lodge a complaint (range from 0 to 11,927 days) for this type of allegation.
- Allegations of “Improper Attitude”, on average, took 95 days for a disposition to be issued (range: 0 to 318 days). Complainants, on average, lodged a complaint 576 days after the incident date (range: 1 to 11,927 days) for this type of allegation.
- Allegations of “Improper Use of Force” typically took 136 days for a disposition to be issued once a complaint was lodged (range: 16 to 298 days). On average, complainants waited 47 days to lodge a complaint (range: 0 to 227 days) for this type of allegation.

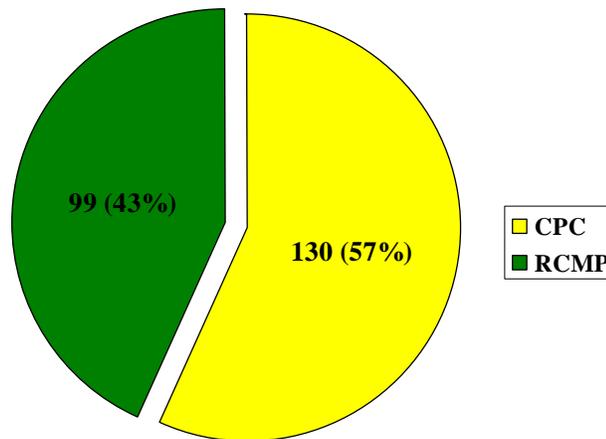
It is interesting to note that within “J” Division complaints involving “Mishandling of Property” allegations, on average, took the longest time (209 days) to issue dispositions.

**K-ALBERTA**  
**DIVISIONAL REPORT**

## Complaints Received

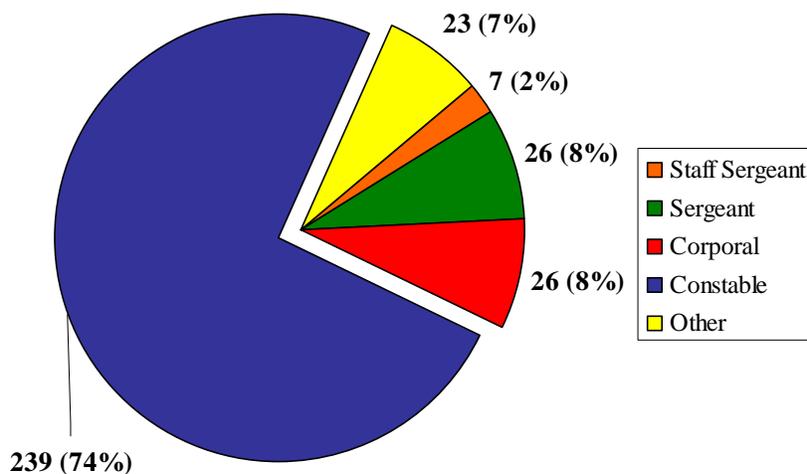
The Commission received 229 complaint dispositions of which 57% were lodged with the Commission, while 43% were lodged with the RCMP. Notably, the Red Deer Detachment was identified in 17% of the submitted complaint records and as a result the Commission paid particular attention to the complaint records from this detachment.

### “K” Division: Number of Complaints Based on the Organization it Was Lodged With



The average number of members named in the complaints for “K” Division was 1.5, with the rank of constable (75%) being the most frequently represented rank of the total complaints. The rank of corporal was represented in 8% of the complaints, while sergeants were also the subject of 8% of the complaints.

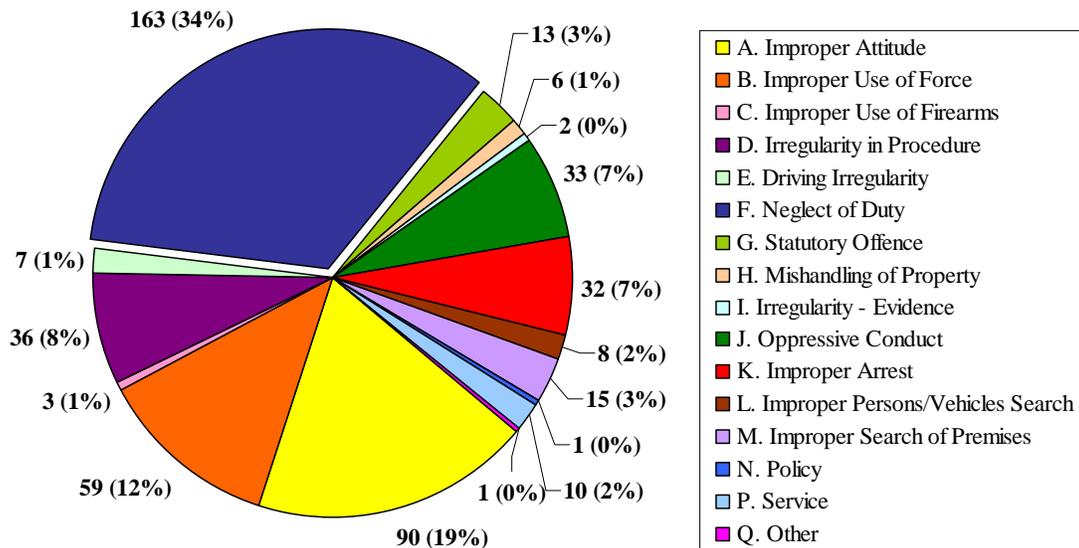
### “K” Division: Number of Complaints by Member Rank



## Allegations

A total of 479 allegations were made against members in “K” Division, which averaged about 2.1 allegations per complaint. The three most common allegations were “Neglect of Duty” (34%), “Improper Attitude” (19%) and “Improper Use of Force” (12%).

### “K” Division: Allegations Breakdown



Allegations were also examined for the Red Deer Detachment. The results indicate that most (34%) of the allegations related to “Neglect of Duty”, followed by “Improper Use of Force” (25%) and “Improper Attitude” (11%).

In “K” Division, the rank of constable (31%), corporal (41%), sergeant (34%), staff sergeant (57%), inspector (83%), and superintendent (100%) frequently faced allegations of “Neglect of Duty”.

For every complaint disposition received, the Commission analyzed the reason and incident details in order to identify issues related to the nature of the complaint. By cross-referencing these issues with the RCMP allegations, the Commission was able to identify key issues that come up for each allegation. The common issues that were raised in the complaints for “K” Division were “Attitude” (14%), “Criminal Investigation Quality (RCMP)” (12%), “Arrest” (10%); “Service” (7%), “Vehicular Incidents” (7%) and “Police Physical Abuse” (5%).

**“K” Division: Commission-Identified Issues**

<b>Issue</b>	<b>Number of Complaints</b>	<b>%</b>
Aboriginal community	3	0.5%
Abusive Language	15	2.3%
Alcohol or Drugs (not impairment)	13	2.0%
Arrest	65	<b>9.8%</b>
Attitude	90	<b>13.6%</b>
Care in Custody	17	2.6%
Chemical Irritant	7	1.1%
Child Abuse Response	7	1.1%
Child Custody	5	0.8%
Civil Disputes/No Child	10	1.5%
Conflict of Interest	2	0.3%
Criminal Investigation Quality (RCMP)	78	<b>11.8%</b>
Crowd Control	1	0.2%
Detention	22	<b>3.3%</b>
Entry of Premises	17	2.6%
Impairment	20	<b>3.0%</b>
Informants/Sources	1	0.2%
Lethal Weapons	3	0.5%
Lying under Oath	1	0.2%
Medical Care	<b>18</b>	2.7%
Mental Illness	10	1.5%
Non-lethal weapons other than chemical irritants	2	0.3%
Non-pursuit Police Driving	3	0.5%
Non-spousal, Non-child Assault Response	7	1.1%
Non-spousal, Non-child Sexual Assault Response	3	0.5%
Note-taking Quality	1	0.2%
Other (if necessary)	2	0.3%
Police Physical Abuse	36	<b>5.4%</b>
Police Pursuit Driving	1	0.2%
Policy	11	1.7%
Property Mishandling	6	0.9%
Public Complaint Process Quality (RCMP)	5	0.8%
Release/Disclosure of Information	7	1.1%
Restraints	11	1.7%
Right to Counsel	13	2.0%
Search	23	<b>3.5%</b>
Seizure	11	1.7%
Service	48	<b>7.3%</b>
Spousal Abuse Response	9	1.4%
Vehicular Incidents	47	<b>7.1%</b>
Youth Interaction	11	1.7%
<b>Total</b>	<b>662</b>	

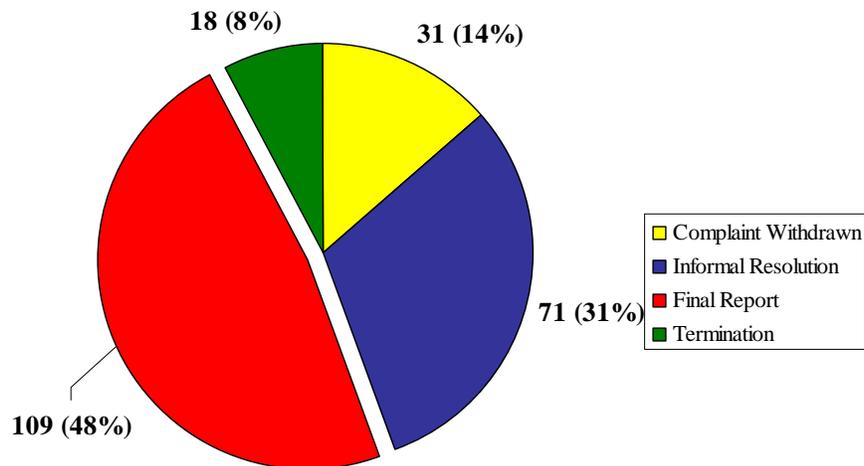
Trends in the issues were also identified for the Red Deer Detachment, where the common issues raised were “Arrest” (15%), followed by “Attitude” (9%), “Criminal Investigation Quality (RCMP)” (9%) and “Police Physical Abuse” (9%).

In “K” Division, the results revealed trends in the issues for each allegation. For the purpose of this analysis, the common issues will be reported for the three most frequently occurring allegations: “Neglect of Duty”, “Improper Attitude” and “Improper Use of Force”.

In complaints alleging “Neglect of Duty” the key issues were “Criminal Investigation Quality (RCMP)” (22%), “Attitude” (12%) and “Service” (11%). The main issues raised in complaints alleging “Improper Attitude” included “Attitude” (26%), “Arrest” (9%) and “Criminal Investigation Quality (RCMP)” (9%). Finally, for allegations involving “Improper Use of Force” the key issues identified were “Arrest” (17%), “Police Physical Abuse” (16%) and “Attitude” (10%). In comparing the issues raised for three most frequent allegations, it appears that there is a common perceived lack of police professionalism, as “Attitude” was the prominent issue identified in all three allegations.

### Disposition of Complaints

“K” Division: Number of Complaints by Disposition Type



### *Investigation and Final Report*

Of the complaint dispositions the Commission received, the majority (48%) were formally investigated and a Final Report was issued by the RCMP. These reports made determinations on 305 allegations, the most common of which were “Neglect of Duty”, “Improper Attitude”, “Improper Use of Force” and “Statutory Offence”. For every type of allegation contained in the complaints the overwhelming majority (75-100%) of the RCMP’s findings did not support the complainant’s allegation(s).

### *Informal Resolutions*

Accounting for the second most common way to dispose of a complaint, informal resolutions occurred in 31% of the cases. It is interesting to note that while 31% of “K” Division public complaints were informally resolved, 47% of the public complaints originating in the Red Deer Detachment were disposed of in this manner, which is 16 percentage points higher than the division average, and 17 percentage points higher than the Force-wide average.

Informal resolutions dealt with 105 allegations, the most common being “Neglect of Duty”.

### *Withdrawals*

In 14% of the cases, the complainant withdrew the complaint. Withdrawals dealt with 44 allegations, the most common being “Neglect of Duty”. Interestingly, 20% of all the public complaints involving the Grande Prairie Detachment were withdrawn.

### *Terminations (Notice of Direction)<sup>61</sup>*

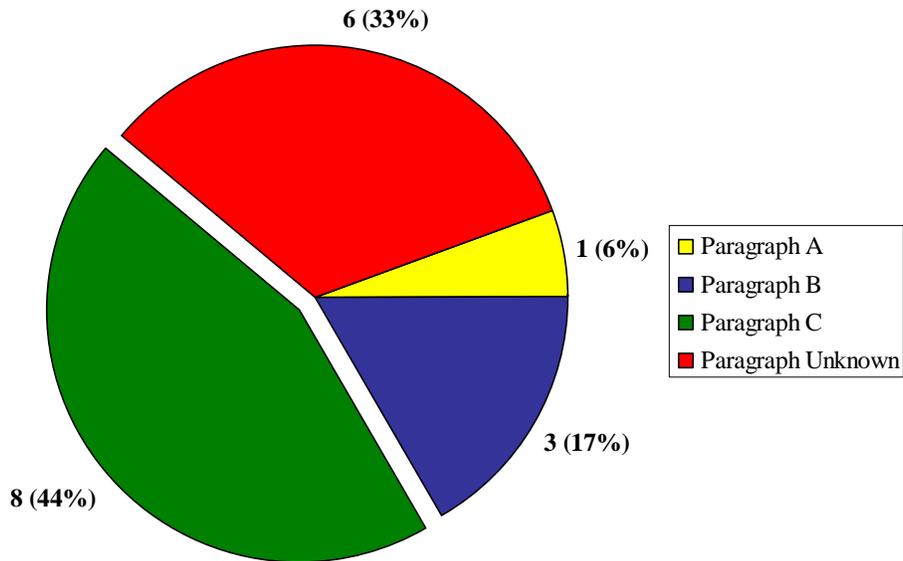
In 2007, in 8% of all public complaints received from “K” Division, a Notice of Direction was issued. In 33% of the 18 cases, the termination paragraph was not specified in the Notice of Direction. In total, 25 allegations were subject to a termination paragraph, the most common of which was “Neglect of Duty”. The grounds for termination most often invoked was paragraph (c).

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<sup>61</sup> The RCMP may decide to terminate a complaint under three strict grounds provided for in paragraphs (a), (b) and (c) of subsection 45.36(5) of the *RCMP Act*. These paragraphs are:

- (a) the complaint is one that could more appropriately be dealt with, initially or completely, according to a procedure provided under any other Act of Parliament;
- (b) the complaint is trivial, frivolous, vexatious or made in bad faith; and
- (c) having regard to all the circumstances, investigation or further investigation is not necessary or reasonably practicable.

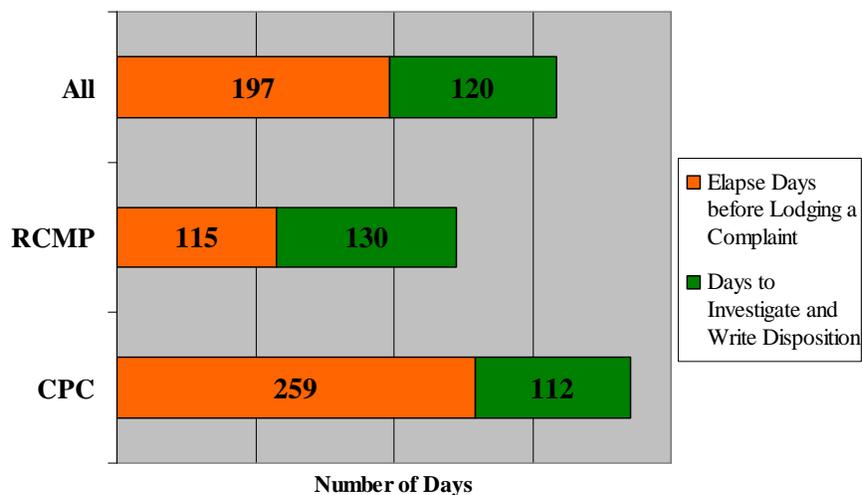
**“K” Division: Number of Terminated Complaints by Grounds Identified in subsection 45.36(5) of the RCMP Act**



**Service Standards: Complaint Processing Time**

In 2007, “K” Division, on average, took 120 days to issue a disposition once a complaint was lodged (range: 0 to 396 days). This is in comparison to the RCMP national average of 114 days to issue a disposition once a complaint was lodged (range: 0 to 447 days). It typically took 197 days to elapse before a complainant lodged a complaint (range: 0 to 4,702 days).

**“K” Division: Complaint Timeline Based on the Organization the Complaint Was Lodged With**



The average number of days to issue a disposition was 112 for Commission-lodged complaints (range: 0 to 352 days) as opposed to 130 days for RCMP-lodged complaints (range: 0 to 396 days). On average, complainants waited 259 days after the incident took place before lodging a complaint with the Commission (range: 0 to 4,702 days), while complaints lodged with the RCMP averaged 115 days after the incident (range: 0 to 2,402 days).<sup>62</sup>

Independent of the public complaint processing timelines, the Review of the Record Project required the RCMP to provide the Commission copies of all dispositions for its analyses. To that end, the average number of days for the Commission to receive the complaint disposition from this division was 110 for Commission-lodged complaints (range: 11 to 331 days) as opposed to the 90 days it took for RCMP-lodged complaints (range: 3 to 349 days).

Specific to the Red Deer Detachment it took 110 days to issue a disposition once a complaint was lodged (range: 0 to 251 days). Typically, complainants waited 126 days after the incident date to lodge the original complaint (range: 0 to 591 days).

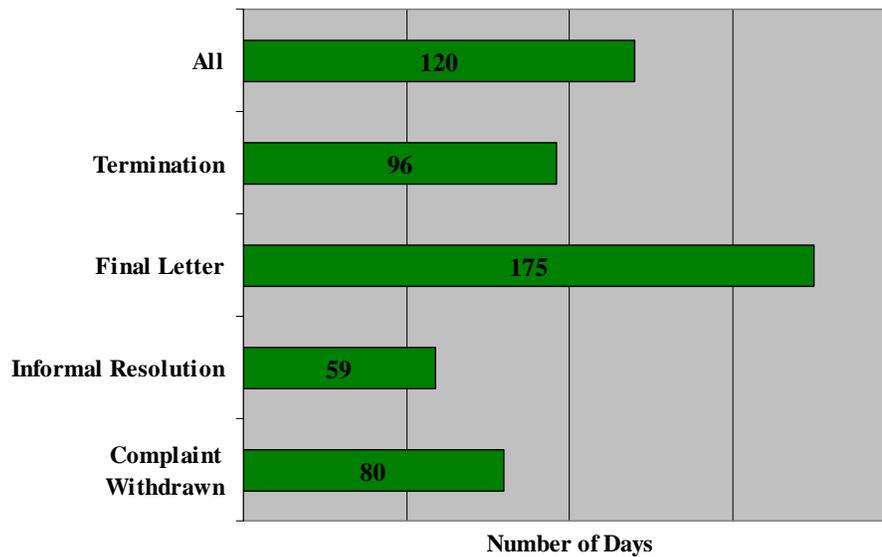
Complaint timelines were also determined by disposition type:

- To issue a Final Report by the RCMP it took 175 days (range: 22 to 396 days). For these cases it generally took 176 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 0 to 1,990 days).
- To issue a Notice of Direction invoking any termination provision it took 96 days (range: 21 to 256 days). For these cases, it generally took 744 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 1 to 4,702 days).
- To issue a withdrawal it took 80 days (range from 0 to 283 days). For these cases, it generally took 211 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 1 to 2,402 days).
- To enter into an informal resolution it took 59 days (range: 0 to 247 days). For these cases, it generally took 84 days to elapse before a complainant lodged a complaint that resulted in this type of disposition (range: 0 to 1,409 days).

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<sup>62</sup> While the reasons for this delay is not yet fully understood, some preliminary analysis of the data suggests that complainants wait extended periods of time to lodge complaints with the Commission because: 1) the types of allegations that are lodged with the Commission tend to be more serious in nature than those lodged with the RCMP; 2) the complainant may not have immediate access to the public complaint system; 3) the complaint may be historical in that an incident occurred many years (in some cases decades) before a formal complaint is lodged; and 4) alternate ways of resolving the complaint may have been attempted before a formal complaint was lodged.

**“K” Division: Number of Days to Issue the Disposition by Disposition Type**



Complaint timelines were also determined by allegation type. For the three most common types of allegations, i.e. “Neglect of Duty”, “Improper Attitude” and “Improper Use of Force”, timelines are reported.

- Allegations of “Neglect of Duty” took 102 days for a disposition to be issued (range: 0 to 283 days). Typically, complainants waited 221 days after the incident date to lodge the original complaint (range: 0 to 2,402 days) for this type of allegation.
- Allegations of “Improper Attitude” took 113 days for a disposition to be issued (range: 0 to 392 days). Complainants, on average, lodged the original complaint 111 days after the incident date (range: 0 to 2,402 days) for this type of allegation.
- Allegations of “Improper Use of Force” typically took 191 days for a disposition to be issued once a complaint was lodged (range: 29 to 396 days). On average, complainants waited 101 days to lodge the original complaint (range: 0 to 1,173 days) for this type of allegation.

It is interesting to note that within “K” Division complaints involving “Statutory Offence” allegations, on average, took the longest time (197 days) to issue dispositions by the RCMP in this division.



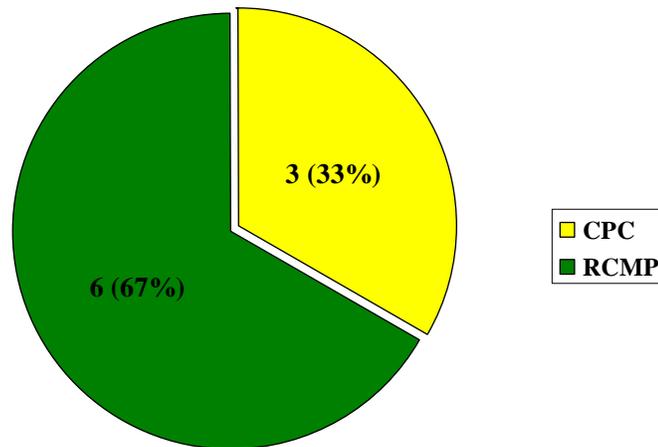
**L-PRINCE EDWARD ISLAND**

**DIVISIONAL REPORT**

## Complaints Received

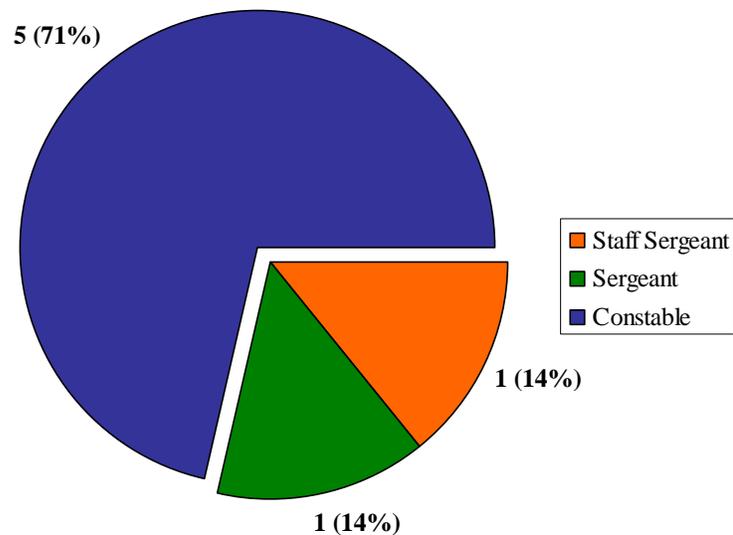
The Commission received 9 complaint dispositions from “L” Division related to complaints lodged in 2007. Of the 9 complaints received 67% were lodged with the RCMP, while 33% were lodged with the Commission.

### “L” Division: Number of Complaints Based on the Organization it was Lodged With



The average number of members named in the complaints for “L” Division was 1.0, with the rank of constable (77%) being the most commonly represented rank. The rank of sergeant, and staff sergeant were only represented once in each of the complaints.

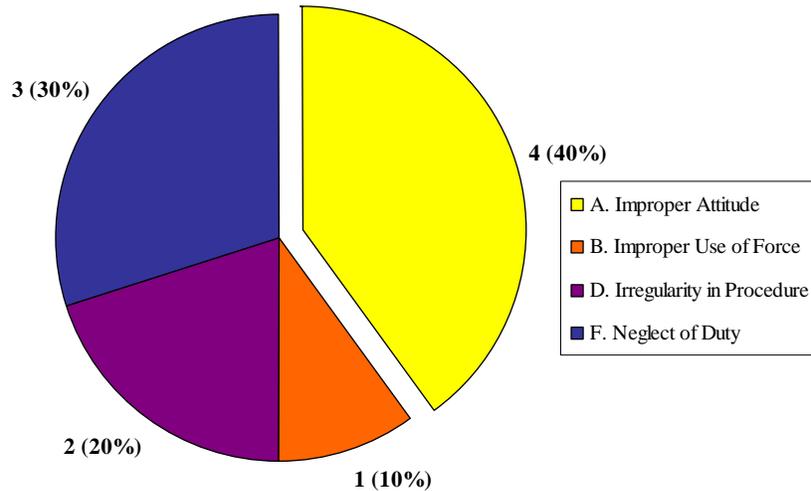
### “L” Division: Number of Complaints by Member Rank



## Allegations

A total of 10 allegations were made against members in “L” Division, which averaged about 1.1 allegations per complaint. The prevalent allegations included “Improper Attitude” (40%), and “Neglect of Duty” (30%).

### “L” Division: Allegations Breakdown



Allegations were further analyzed by member rank. In “L” Division, “Improper Attitude” was the most common allegation against constables (80%).

For every complaint disposition received, the Commission analyzed the reason and incident details in order to identify issues related to the nature of the complaint. By cross-referencing these issues with the RCMP allegations, the Commission was able to identify key issues that come up for each allegation. The common issues identified in the complaints were “Attitude” (29%), “Criminal Investigation Quality (RCMP)” (14%) and “Vehicular Incidents” (14%).

### “L” Division: Commission-Identified Issues

Issue	Number of Complaints	%
Attitude	4	28.6%
Criminal Investigation Quality (RCMP)	2	14.3%
Crowd Control	1	7.1%
Entry of Premises	1	7.1%
Impairment	1	7.1%
Police Physical Abuse	1	7.1%
Property Mishandling	1	7.1%
Release/Disclosure of Information	1	7.1%
Vehicular Incidents	2	14.3%
<b>Total</b>	<b>14</b>	

Further, the results revealed trends in the issues for each allegation. For the purpose of this analysis, the common issues will be reported for the three most frequently occurring allegations: “Neglect of Duty”, “Improper Attitude” and “Improper Use of Force”.

For complaints alleging “Neglect of Duty” the key issue was “Criminal Investigation Quality (RCMP)” (40%). The main issues identified in complaints alleging “Improper Attitude” included “Attitude” (67%). Finally, in complaints involving allegations of “Improper Use of Force” only two issues were identified, bearing equal importance: “Crowd Control” (50%) and “Police Physical Abuse” (50%).

Finally, the allegations were also examined by disposition type. In all of the complaints involving the three common allegations, i.e. “Neglect of Duty” (100%), “Improper Attitude” (100%) and “Improper Use of Force” (100%), a Final Report was issued.

## **Disposition of Complaints**

### *Investigation and Final Report*

Of the complaint dispositions the Commission received, 100% were formally investigated and a Final Report issued by the RCMP. These reports made determinations on 10 allegations. In total, 90% of the RCMP’s findings did not support the complainant’s allegations. Further, for every type of allegation addressed in the complaints, the overwhelming majority (67-100%) of the RCMP’s findings did not support the complainant’s allegation(s).

The allegation most likely to be subject to a Final Report was “Improper Attitude”.

### *Informal Resolutions*

The Commission did not receive any complaint dispositions from “L” Division that contained an informal resolution.

### *Withdrawals*

The Commission did not receive any complaint dispositions from “L” Division that contained a complaint withdrawal.

### *Terminations (Notice of Direction)<sup>63</sup>*

The Commission did not receive any complaint dispositions from “L” Division where a Notice of Direction had been issued.

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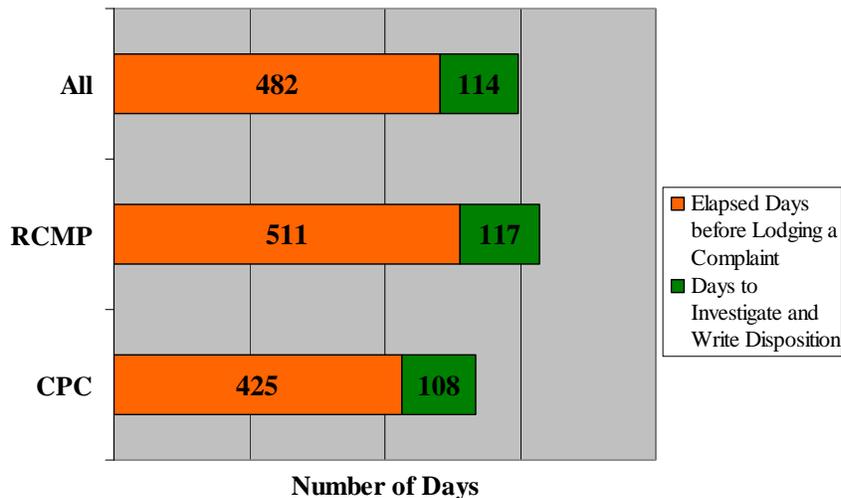
<sup>63</sup> The RCMP may decide to terminate a complaint under three strict grounds provided for in paragraphs (a), (b) and (c) of subsection 45.36(5) of the *RCMP Act*. These paragraphs are:

- (a) the complaint is one that could more appropriately be dealt with, initially or completely, according to a procedure provided under any other Act of Parliament;
- (b) the complaint is trivial, frivolous, vexatious or made in bad faith; and
- (c) having regard to all the circumstances, investigation or further investigation is not necessary or reasonably practicable.

## Service Standards: Complaint Processing Time

In 2007, “L” Division, on average, took 114 days to issue a disposition once a complaint was lodged (range: 26 to 292 days). This is in comparison to the RCMP national average of 114 days to issue a disposition once a complaint was lodged (range: 0 to 447 days). Surprisingly, it typically took 482 days for a complainant to lodge the original complaint (range: 22 to 2,184 days). Since the Commission received only one type of disposition from “L” Division, it is not possible to compare the timelines for the different dispositions.

### “L” Division: Complaint Timeline Based on the Organization the Complaint Was Lodged With



The average number of days to issue a disposition was 108 days for Commission-lodged complaints (range: 26 to 263 days) as opposed to 117 days for RCMP-lodged complaints (range: 38 to 292 days). On average, complainants waited 425 days after the incident took place before lodging the original complaint with the Commission (range: 92 to 974 days), while complaints lodged with the RCMP averaged 511 days after the incident (range: 22 to 2,184 days).<sup>64</sup>

Independent of the public complaint processing timelines, the Review of the Record Project required the RCMP to provide the Commission copies of all dispositions for its analyses. To that end, the average number of days for the Commission to receive the complaint disposition from this division was 122 for Commission-lodged complaints (range: 6 to 242 days) as opposed to the 33 days it took for RCMP-lodged complaints (range: 6 to 90 days).

Complaint timelines were also determined by allegation type. For the three most common types of allegations, i.e. “Neglect of Duty”, “Improper Attitude” and “Improper Use of Force”, timelines are reported.

<sup>64</sup> While the reasons for this delay is not yet fully understood, some preliminary analysis of the data suggests that complainants wait extended periods of time to lodge complaints with the Commission because: 1) the types of allegations that are lodged with the Commission tend to be more serious in nature than those lodged with the RCMP; 2) the complainant may not have immediate access to the public complaint system; 3) the complaint may be historical in that an incident occurred many years (in some cases decades) before a formal complaint is lodged; and 4) alternate ways of resolving the complaint may have been attempted before a formal complaint was lodged.

- Allegations of “Neglect of Duty”, on average, took 43 days for a disposition to be issued (range: 26 to 70 days). Typically, complainants waited almost one year (346 days) after the incident date to lodge the original complaint (range: 92 to 738 days) for this type of allegation.
- Allegations of “Improper Attitude”, on average, took 133 days for a disposition to be issued (range: 38 to 292 days). Complainants, on average, lodged the original complaint 573 days after the incident date (range: 22 to 2,184 days) for this type of allegation.
- Allegations for “Improper Use of Force” typically took 263 days for a disposition to be issued once a complaint was lodged (range: 263 to 263 days).

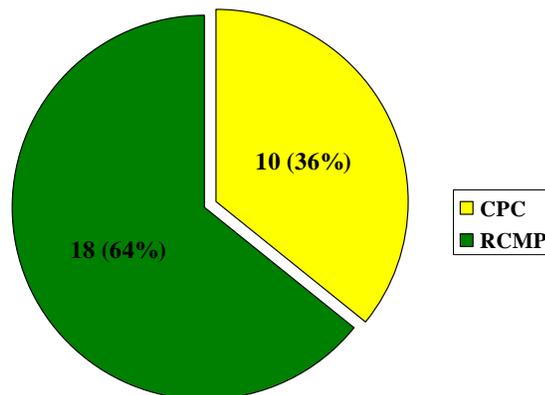
It is interesting to note that within “L” Division complaints involving “Statutory Offence” allegations, on average, took the longest time (263 days) to issue dispositions.

**M-YUKON**  
**DIVISIONAL REPORT**

## Complaints Received

The Commission received 28 complaint dispositions from “M” Division of which 18 (64%) of the complaints were lodged with the RCMP and 10 (36%) were lodged with the Commission.

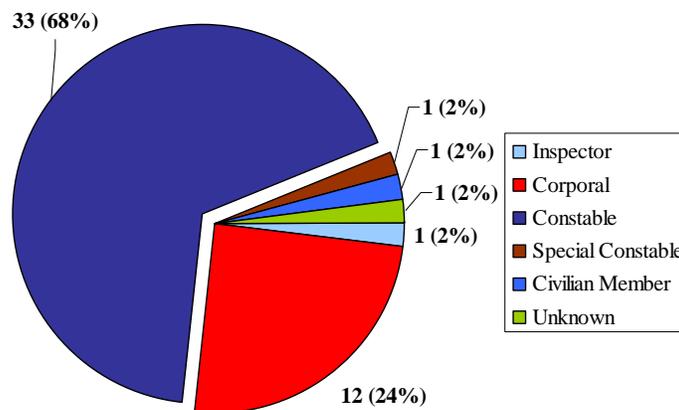
### “M” Division: Number of Complaints Based on the Organization it Was Lodged With



The detachments that were identified the most often in complaint dispositions included Whitehorse Headquarters (57%), followed by the Haines Junction Detachment (14%). In comparing the two detachments, it was found that for Whitehorse Headquarters, 8 (50%) of the complaints were lodged with the RCMP, while 8 (50%) were lodged with the Commission; for the Haines Junction Detachment, 4 (100%) of the complaints were lodged with the RCMP while none of the complaints were filed with the Commission.

The average number of members named in the complaints for “M” Division was 1.8, with constables (23%) being the most frequently represented rank in the complaints, followed by the rank of corporal (23%).

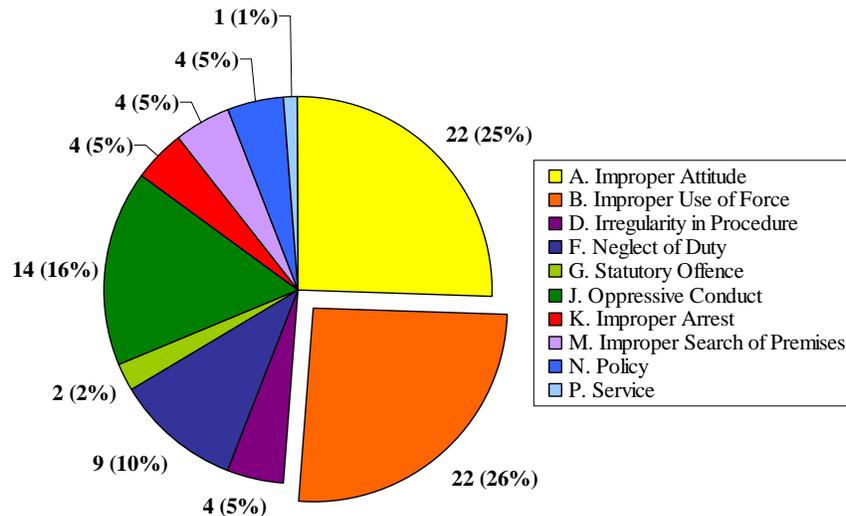
### “M” Division: Number of Complaints by Member Rank



## Allegations

A total of 86 allegations were made, which averaged about 3.1 allegations per complaint. The common allegations were “Improper Attitude” (26%), “Improper Use of Force” (26%), “Oppressive Conduct” (16%) and “Neglect of Duty” (11%).

### “M” Division: Allegations Breakdown



Allegations were further examined at the detachment level. For Whitehorse Headquarters, the results indicate that most of the allegations related to “Improper Use of Force” (27%), followed by “Improper Attitude” (25%), “Oppressive Conduct” (19%) and “Neglect of Duty” (13%). The common allegations from the Haines Junction Detachment were “Improper Use of Force” (25%), “Irregularity in Procedure” (25%) and “Statutory Offence” (25%).

In “M” Division RCMP, of all the allegations made against constables and corporals, allegations of “Improper Attitude”, “Improper Use of Force” and “Oppressive Conduct” were frequently made against both ranks. Specifically, for constables the most frequent allegation was “Improper Use of Force” (25%), followed by “Improper Attitude” (24%) and “Oppressive Conduct” (18%). The most common allegation made against the rank of corporal was “Improper Attitude” (36%), followed by “Improper Use of Force” (29%) and “Oppressive Conduct” (14%). It is interesting to note that one allegation of “Improper Use of Force” was made against the rank of inspector, given that this type of allegation is typical of members involved in front-line policing.

For every complaint disposition received, the Commission analyzed the reason and incident details in order to identify issues related to the nature of the complaint. By cross-referencing these issues with the RCMP allegations, the Commission was able to identify key issues that come up for each allegation. The most common issue identified in the complaints for “M” Division was “Attitude” (24%), followed by “Arrest” (11%), “Police Physical Abuse” (9%), “Detention” (7%) and “Vehicular Incidents” (6%).

**“M” Division: Commission-Identified Issues**

<b>Issue</b>	<b>Number of Complaints</b>	<b>%</b>
Aboriginal community	1	1.4%
Abusive Language	2	2.9%
Arrest	8	<b>11.4%</b>
Attitude	17	<b>24.3%</b>
Care in Custody	2	2.9%
Chemical Irritant	1	1.4%
Child Custody	1	1.4%
Criminal Investigation Quality (RCMP)	3	<b>4.3%</b>
Detention	5	<b>7.1%</b>
Entry of Premises	3	<b>4.3%</b>
Impairment	3	<b>4.3%</b>
Lethal Weapons	1	1.4%
Lying under Oath	1	1.4%
Medical Care	1	1.4%
Mental Illness	1	1.4%
Non-lethal weapons other than chemical irritants	1	1.4%
Non-spousal, Non-child Assault Response	1	1.4%
Other (if necessary)	1	1.4%
Police Physical Abuse	6	<b>8.6%</b>
Property Mishandling	2	2.9%
Right to Counsel	2	2.9%
Search	1	1.4%
Seizure	1	1.4%
Service	1	1.4%
Vehicular Incidents	4	<b>5.7%</b>
<b>Total</b>	<b>70</b>	

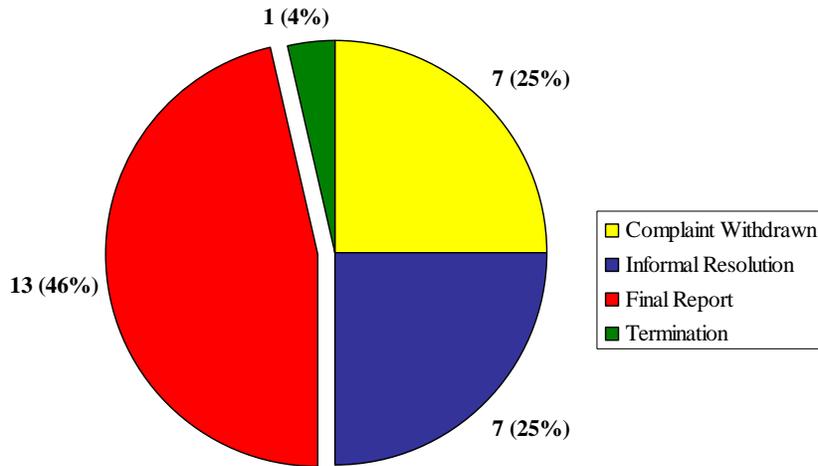
Trends in the issues were also identified by detachment. For the Whitehorse Headquarters, the common issues that the Commission identified in the complaint were “Attitude” (25%), “Arrest” (11%), “Detention” (9%), and “Police Physical Abuse” (9%). No trends could be identified in the complaints from the Whitehorse Detachment because the results were insignificant.

Further, the results revealed trends in the issues for each allegation. For the purpose of this analysis, the common issues will be reported for the most frequently occurring allegations: “Improper Attitude”, “Improper Use of Force”, “Oppressive Conduct” and “Neglect of Duty”.

- For complaints alleging “Improper Attitude” the key issues were “Attitude” (33%), “Police Physical Abuse” (16%), “Abusive Language” (11%) and “Arrest” (11%).
- Complaints alleging “Improper Use of Force” included “Arrest” (19%), “Attitude” (13%) and “Detention” (12%). The key issues in complaints involving allegations of “Oppressive Conduct” include “Attitude” (16%) and “Arrest” (15%).
- For complaints alleging “Neglect of Duty” the most common issue identified by the Commission was “Attitude” (18%), followed by “Arrest” (14%), and “Criminal Investigation Quality (RCMP)” (11%), “Entry of Premises” (11%), “Property Mishandling” (11%) and “Search” (11%).

## Disposition of Complaints

### “M” Division: Number of Complaints by Disposition Type



### *Investigation and Final Report*

Of the complaint dispositions the Commission received from “M” Division, 13 (46%) were formally investigated and a Final Report issued by the RCMP. These reports made determinations on 44 allegations, with the most common being “Improper Use of Force”.

At the detachment level, Final Reports accounted for:

- 8 of the 16 complaint dispositions received from the Whitehorse Detachment; and
- 3 of the 4 complaint dispositions received from the Haines Junction Detachment.

The majority of the RCMP’s findings (98%) did not support the complainant’s allegation(s), while only 2% of the findings were in support of the complainant’s allegation(s). For each type of allegation, with the exception of “Service” the overwhelming majority (68-100%) of the RCMP’s findings did not support the complainant’s allegation(s). There was only one allegation of “Service”; therefore, this finding should be interpreted accordingly.

### *Informal Resolutions*

Complaints were informally resolved in 25% of the dispositions received from “M” Division. In total, 8 allegations were informally resolved, and were most often allegations of “Improper Attitude”.

At the detachment level, informal resolutions accounted for:

- 2 (13%) complaint dispositions from the Whitehorse Headquarters; and
- none of the complaints were informally resolved from the Haines Junction Detachment.

### *Withdrawals*

In 25% of the cases, the complainant withdrew the complaint, which disposed of 16 allegations in total. The most common allegation withdrawn was “Oppressive Conduct”.

At the detachment level, withdrawals accounted for:

- 6 (38%) complaint dispositions from the Whitehorse Headquarters; and
- none of the dispositions received from the Haines Junction Detachment.

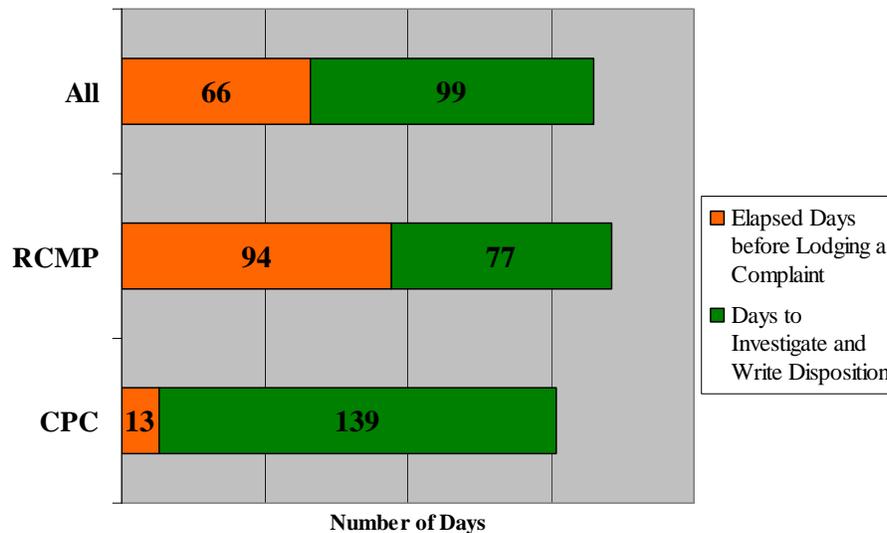
### *Terminations (Notice of Direction)*<sup>65</sup>

In 2007, in 4% of all public complaints received from “M” Division, a Notice of Direction was issued, in which the termination paragraph (c) was specified. In total, 2 allegations relating to “Statutory Offence” were subject to termination paragraph (c).

### **Service Standards: Complaint Processing Time**

In 2007, “M” Division, on average, took 99 days to issue a disposition once a complaint was lodged (range: 1 to 304 days). This is in comparison to the RCMP national average of 114 days to issue a disposition once a complaint was lodged (range: 0 to 447 days). It typically took close to just over two months (66 days) for a complainant to lodge the original complaint (range: 0 to 644 days).

#### **“M” Division: Complaint Timeline by the Organization the Complaint Was Lodged With**



The average number of days to issue a disposition was 139 for Commission-lodged complaints (range: 13 to 304 days) as opposed to 77 days for RCMP-lodged complaints (range: 1 to 182 days). On average, complainants waited 13 days after the incident took place before lodging

<sup>65</sup> The RCMP may decide to terminate a complaint under three strict grounds provided for in paragraphs (a), (b) and (c) of subsection 45.36(5) of the *RCMP Act*. These paragraphs are:

- (a) the complaint is one that could more appropriately be dealt with, initially or completely, according to a procedure provided under any other Act of Parliament;
- (b) the complaint is trivial, frivolous, vexatious or made in bad faith; and
- (c) having regard to all the circumstances, investigation or further investigation is not necessary or reasonably practicable.

a complaint with the Commission (range: 0 to 55 days), while complaints lodged with the RCMP averaged 94 days after the incident (range: 0 to 644 days).<sup>66</sup>

Independent of the public complaint processing timelines, the Review of the Record Project required the RCMP to provide the Commission copies of all dispositions for its analyses. To that end, the average number of days for the Commission to receive the complaint disposition from this division was 56 for Commission-lodged complaints (range: 7 to 197 days) as opposed to the 38 days it took for RCMP-lodged complaints (range: 6 to 168 days).

Complaint processing times were analyzed for each of the two detachments with the most complaints:

- Whitehorse Headquarters took 110 days to issue a disposition once a complaint was lodged (range: 1 to 304 days). Typically, for these cases complainants waited 17 days after the incident date to lodge the original complaint (range: 0 to 71 days).
- The Haines Junction Detachment took an average of 137 days to issue a disposition once a complaint was lodged (range: 67 to 182 days). Complainants, on average, lodged the original complaint 321 days after the incident date (range: 31 to 644 days).

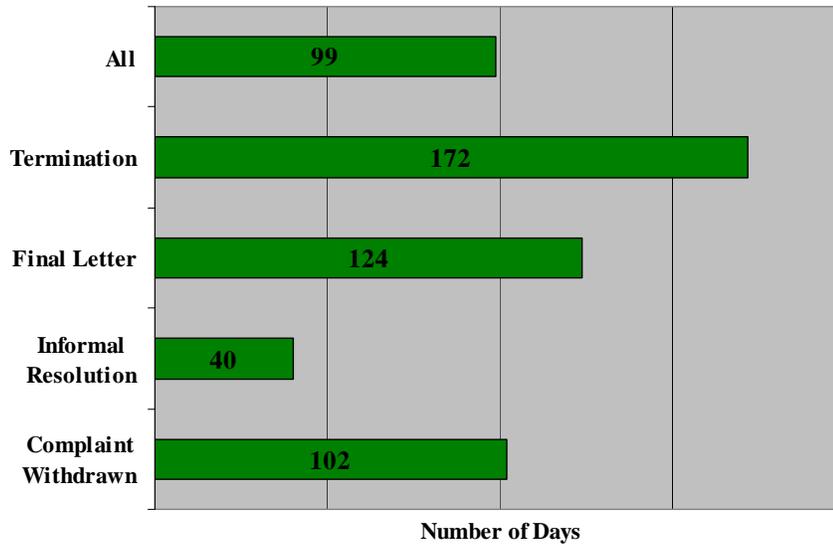
Complaint timelines were also determined by disposition type:

- To issue a Final Report by the RCMP it took 124 days (range: 43 to 197 days). For these cases, it generally took 63 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 1 to 362 days).
- To issue a Notice of Direction invoking any termination provision it took 172 days. For these cases, it generally took 644 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition.
- To capture a withdrawal it took an average of 102 days (range: 1 to 304 days). For these cases, it generally took 14 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 0 to 71 days).
- To enter into an informal resolution it took, on average, 40 days (range: 1 to 138 days). For these cases, it generally took 39 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 2 to 133 days).

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<sup>66</sup> While the reasons for this delay is not yet fully understood, some preliminary analysis of the data suggests that complainants wait extended periods of time to lodge complaints with the Commission because: 1) the types of allegations that are lodged with the Commission tend to be more serious in nature than those lodged with the RCMP; 2) the complainant may not have immediate access to the public complaint system; 3) the complaint may be historical in that an incident occurred many years (in some cases decades) before a formal complaint is lodged; and 4) alternate ways of resolving the complaint may have been attempted before a formal complaint was lodged.

**“M” Division: Number of Days to Issue the Disposition by Disposition Type**



Complaint timelines were also determined by allegation type. For the four common types of allegations, i.e. “Improper Attitude”, “Improper Use of Force”, “Oppressive Conduct” and “Neglect of Duty”, timelines are reported.

- Allegations of “Improper Attitude”, on average, took 77 days for a disposition to be issued (range: 1 to 119 days). Typically, complainants waited 28 days after the incident date to lodge the original complaint (range: 1 to 119 days) for this type of allegation.
- Allegations of “Improper Use of Force”, on average, took 147 days for a disposition to be issued (range: 121 to 185 days). Complainants, on average, lodged the original complaint 37 days after the incident date (range: 0 to 248 days) for this type of allegation.
- Allegations of “Oppressive Conduct”, on average, took 143 days for a disposition to be issued once a complaint was lodged (range: 21 to 304 days). On average, complainants waited 21 days to lodge the original complaint (range: 0 to 119 days) for this type of allegation.
- Allegations of “Neglect of Duty” typically took 110 days for a disposition to be issued (range: 7 to 304 days). Complainants waited, on average, 34 days after the incident date to file the original complaint (range: 2 to 133 days) for this type of allegation.

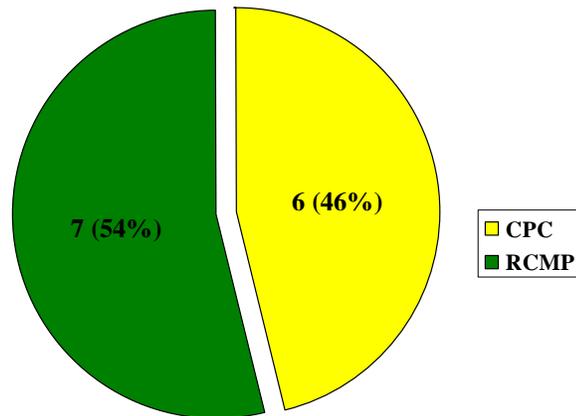
It is interesting to note that within “M” Division, complaints involving “Statutory Offence” allegations, on average, took the longest time (172 days) to issue dispositions. This finding was surprising given that complaints involving this type of allegation were all disposed of through a Notice of Direction.

**O-ONTARIO**  
**DIVISIONAL REPORT**

## Complaints Received

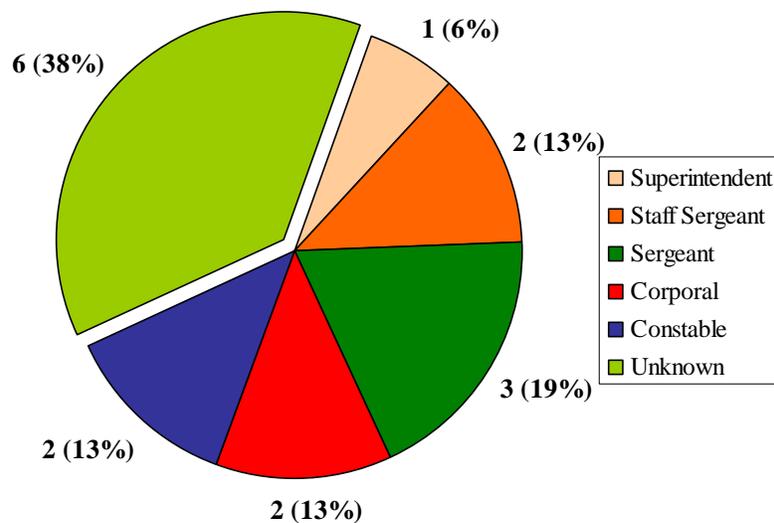
The Commission received 13 complaint dispositions of which 7 (55%) were lodged with the RCMP, while 6 (46%) were lodged with the Commission.

### “O” Division: Number of Complaints Based on the Organization it Was Lodged With



The average number of members named in the complaint for “O” Division was 1.2. Given that most front-line policing within the RCMP is done by constables and corporals, it is surprising that the rank of Sergeant (19%) was more frequently represented in the complaints than constables (13%) and corporals (13%), compared to the other ranks. However, in six instances (38%) the subject member’s rank was not identified, which may account for more constables and corporals.

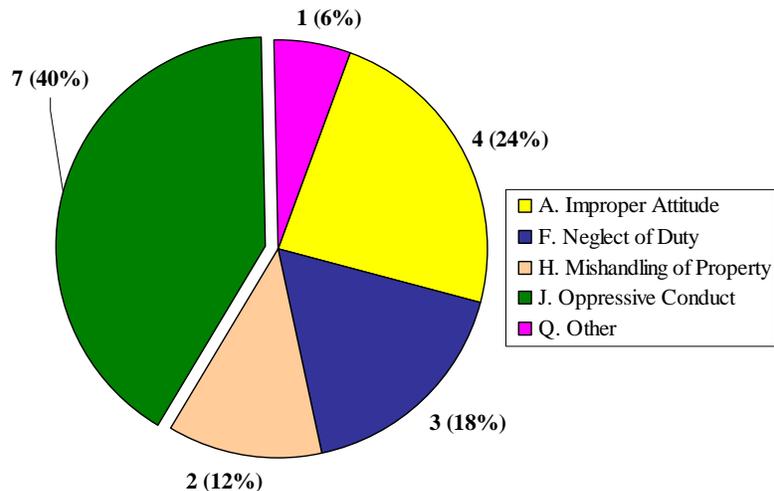
### “O” Division: Number of Complaints by Member Rank



## Allegations

A total of 17 allegations were made against members in “O” Division, which averaged about 1.3 allegations per complaint. Frequent allegations included “Oppressive Conduct” (41%); and “Improper Attitude” (24%).

### “O” Division: Allegations Breakdown



When broken down into rank “Oppressive Conduct” (67%) was the most common allegation made against sergeants, the most frequently represented rank in the complaints.

For every complaint disposition received, the Commission analyzed the reason and incident details in order to identify issues related to the nature of the complaint. By cross-referencing these issues with the RCMP allegations, the Commission was able to identify key issues that come up for each allegation. The typical issues raised in the complaints for “O” Division were “Attitude” (22%), “Mental Illness” (20%), “Criminal Investigation Quality (RCMP)” (11%) and “Public Complaint Process Quality (RCMP)” (11%).

### “O” Division: Commission-Identified Issues

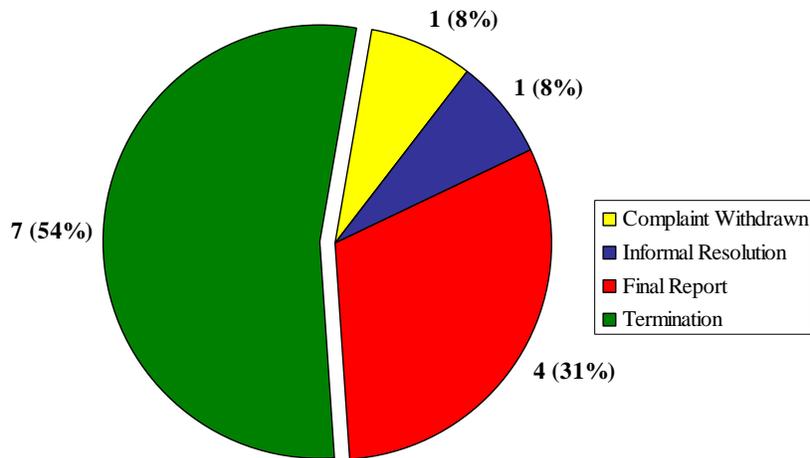
Issue	Number of Complaints	%
Abusive Language	1	5.6%
Attitude	4	22.2%
Criminal Investigation Quality (RCMP)	2	11.1%
Mental Illness	4	22.2%
Police Dogs	1	5.6%
Property Mishandling	1	5.6%
Public Complaint Process Quality (RCMP)	2	11.1%
Release/Disclosure of Information	1	5.6%
Seizure	1	5.6%
Spousal Abuse Response	1	5.6%
<b>Total</b>	<b>18</b>	

Further, the results revealed trends in the issues for each allegation. For the purpose of this analysis, the common issues will be reported for the two most frequently occurring allegations: “Oppressive Conduct” and “Improper Attitude”. The primary issue identified in complaints pertaining to “Oppressive Conduct” included “Mental Illness” (44%) and “Public Complaint Process Quality (RCMP)” (22%). For complains involving allegations of “Improper Attitude” the main issue was “Attitude” (60%).

The allegations were also examined by disposition type. For complaints involving allegations of “Oppressive Conduct”, in most cases (86%), a Notice of Direction was issued. Similarly, for complaints involving allegations of “Improper Attitude”, it was common (50%) for “O” Division RCMP to issue a Notice of Direction.

### Disposition of Complaints

“O” Division: Number of Complaints by Disposition Type



#### *Investigation and Final Report*

Of the complaint dispositions the Commission received from “O” Division, most (31%) were formally investigated and a Final Report issued by the RCMP. These reports made determinations on 6 allegations. Allegations most likely to be subject to a Final Report were “Neglect of Duty” and “Mishandling of Property”. All of the RCMP’s findings in all of the Final Reports did not support the complainant’s allegations.

#### *Informal Resolutions*

Informal resolutions occurred in 8% of the cases. In total, 1 allegation of “Improper Attitude” was informally resolved.

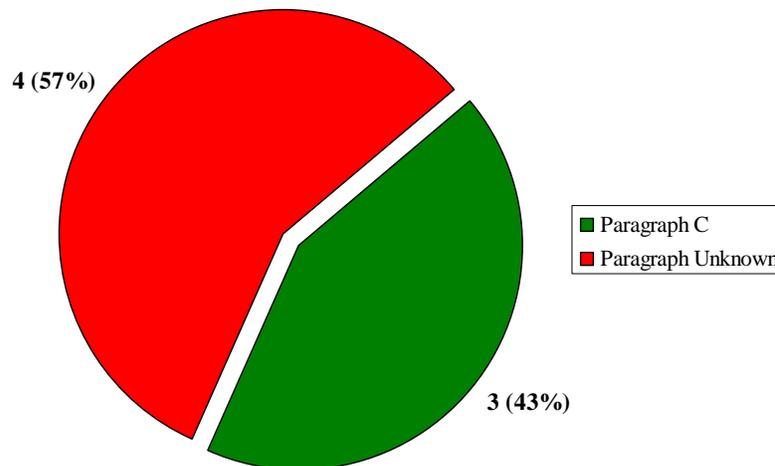
#### *Withdrawals*

In 8% of the cases received by the Commission, the complainant withdrew the complaint. In total, 1 allegation of “Neglect of Duty” was withdrawn.

### *Terminations (Notice of Direction)*<sup>67</sup>

In 2007, the majority (54%) of all public complaints received from “O” Division were issued a Notice of Direction, addressing 9 allegations.

#### **“O” Division: Number of Terminated Complaint by Grounds Identified by subsection 45.36(5) of the RCMP Act**



The allegation most likely to be subject to a termination paragraph was “Oppressive Conduct”. In most cases (57%), the grounds for termination was not specified in the Notice of Direction

#### **Service Standards: Complaint Processing Time**

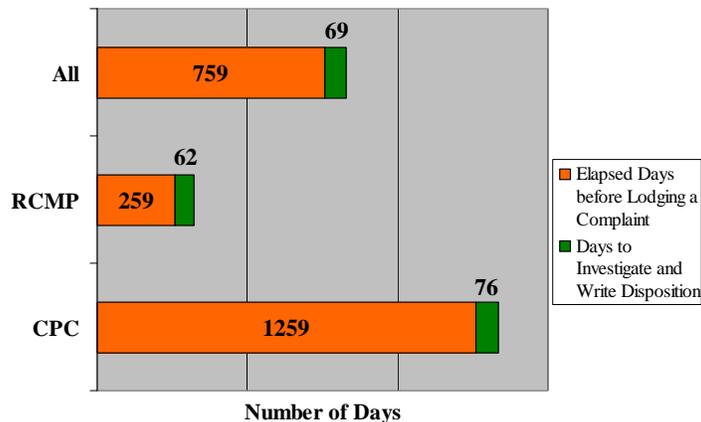
On average, “O” Division took 69 days to issue a disposition once a complaint was lodged (range: 3 to 236 days). This is in comparison to the RCMP national average of 114 days to issue a disposition once a complaint was lodged (range: 0 to 447 days). It typically took over two years (759 days) for a complainant to lodge the original complaint (range: 0 to 2,932 days).

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<sup>67</sup> The RCMP may decide to terminate a complaint under three strict grounds provided for in paragraphs (a), (b) and (c) of subsection 45.36(5) of the *RCMP Act*. These paragraphs are:

- (a) the complaint is one that could more appropriately be dealt with, initially or completely, according to a procedure provided under any other Act of Parliament;
- (b) the complaint is trivial, frivolous, vexatious or made in bad faith; and
- (c) having regard to all the circumstances, investigation or further investigation is not necessary or reasonably practicable.

## “O” Division: Complaint Timeline Based on the Organization the Complaint Was Lodged With



The average number of days to issue a disposition was 76 for Commission-lodged complaints (range: 28 to 215 days) as opposed to 62 days for RCMP-lodged complaints (range: 3 to 236 days). On average, complainants waited 1,259 days after the incident took place before lodging a complaint with the Commission (range: 0 to 2,932 days), while complaints lodged with the RCMP averaged 259 days after the incident (range: 0 to 1,011 days).<sup>68</sup>

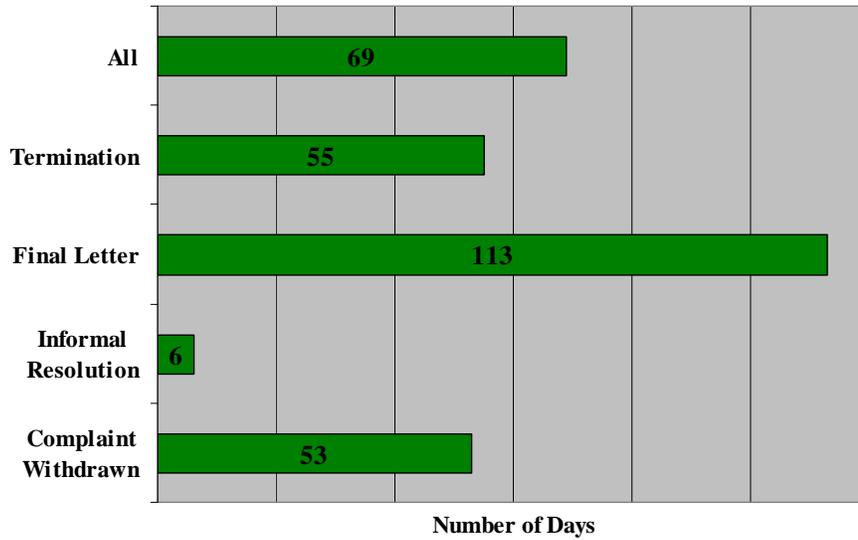
Independent of the public complaint processing timelines, the Review of the Record Project required the RCMP to provide the Commission copies of all dispositions for its analyses. To that end, the average number of days for the Commission to receive the complaint disposition from this Division was 104 for Commission-lodged complaints (range: 9 to 250 days) as opposed to the 98 days it took for RCMP-lodged complaints (range: 2 to 250 days).

Complaint timelines were also determined by disposition type:

- To issue a Final Report by the RCMP it took 113 days (range: 44 to 215 days). For these cases, it generally took 597 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 0 to 2,361 days).
- To issue a Notice of Direction invoking any termination provision it took 55 days (range: 3 to 236 days). For these cases, it generally took 1,118 days for a complainant to lodge a complaint that resulted in this type of disposition (range: 92 to 2,932 days).
- To issue a withdrawal it took 53 days. For these cases, it generally took 7 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition.
- To enter into an informal resolution it took, on average, 6 days. For these cases, it generally took 3 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition.

<sup>68</sup> While the reasons for this delay is not yet fully understood, some preliminary analysis of the data suggests that complainants wait extended periods of time to lodge complaints with the Commission because: 1) the types of allegations that are lodged with the Commission tend to be more serious in nature than those lodged with the RCMP; 2) the complainant may not have immediate access to the public complaint system; 3) the complaint may be historical in that an incident occurred many years (in some cases decades) before a formal complaint is lodged; and 4) alternate ways of resolving the complaint may have been attempted before a formal complaint was lodged.

**“O” Division: Number of Days to Issue the Disposition by Disposition Type**



Complaint timelines were also determined by allegation type. For the most common types of allegations, i.e. “Oppressive Conduct” and “Improper Attitude” timelines are reported.

- Allegations of “Oppressive Conduct”, on average, took just under a month (27 days) for a disposition to be issued (range: 3 to 44 days). Typically, for these cases complainants waited 1,244 days after the incident date to lodge the original complaint (range: 27 to 2,932 days) for this type of allegation.
- Allegations of “Improper Attitude” on average took 92 days for a disposition to be issued (range: 6 to 236 days). Complainants, on average, lodged the original complaint 129 days after the incident date (range: 0 to 419 days) for this type of allegation.

It is interesting to note that within “O” Division complaints involving “ Mishandling of Property” allegations, on average, took the longest time (215 days) to issue dispositions.

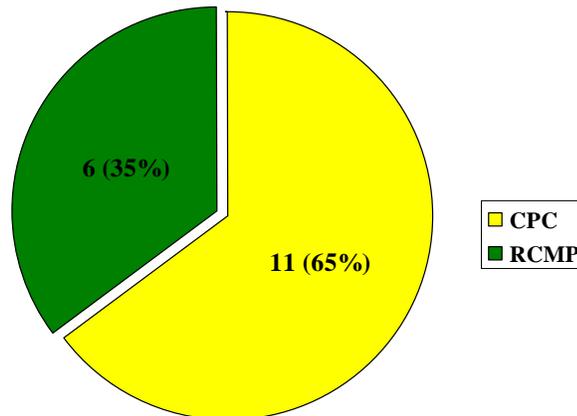


**V-NUNAVUT  
DIVISIONAL REPORT**

## Complaints Received

The Commission received 17 complaint dispositions from “V” Division of which 11 (65%) were lodged with the Commission, while 6 (35%) were lodged with the RCMP.

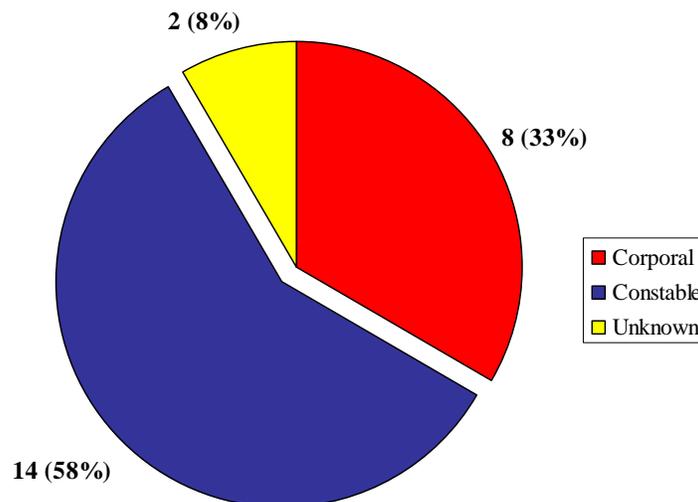
### “V” Division: Number of Complaints Based on the Organization it Was Lodged With



The complaint dispositions were further examined at the detachment level. The detachments that were most often mentioned in the complaint dispositions were Gjoa Haven Detachment (24%), followed by the Rankin Inlet Detachment (18%). In comparing the two detachments, it was found that for the Gjoa Haven Detachment, 2 (50%) of the complaints were lodged with the RCMP, and 2 (50%) were also lodged with the Commission. For the Rankin Inlet Detachment, 2 (67%) of the complaints were lodged with the RCMP, while 1 (33%) was lodged with the Commission.

The average number of members named in the complaints for “V” Division was 1.4 with the rank of constable (59%) being the most commonly rank followed by the rank of corporal (29%).

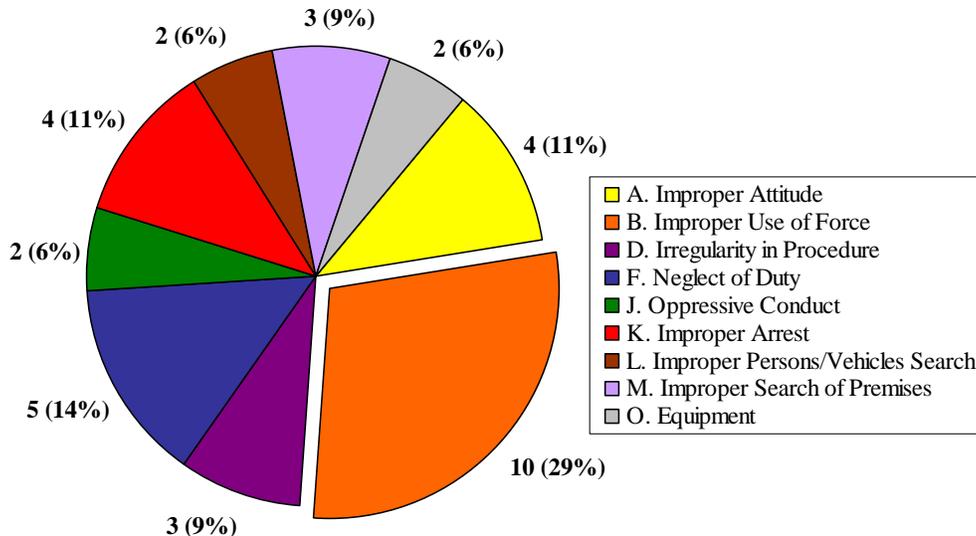
### “V” Division: Number of Complaints by Member Rank



## Allegations

A total of 35 allegations were made against members in “V” Division, which averaged about 2.1 allegations per complaint. The most common allegations were “Improper Use of Force” (29%), “Neglect of Duty” (14%), “Improper Attitude” (11%) and “Improper Arrest” (11%).

### “V” Division: Allegations Breakdown



Allegations were also examined at the detachment level. For the Gjoa Haven Detachment, the results indicate that the most common allegations were “Improper Use of Force” (29%) and “Improper Arrest” (29%). The frequencies of allegations from the Rankin Inlet Detachment were not meaningful enough to report trends.

In “V” Division RCMP, the most common allegation against constables was “Improper Use of Force” (36%), followed by “Improper Attitude” (14%), “Irregularity in Procedure” (14%), “Neglect of Duty” (14%) and “Improper Arrest” (14%). For the rank of corporal, the most common allegation was also “Improper Use of Force” (36%), then “Neglect of Duty” (18%) and “Improper Search of Premises” (18%).

For every complaint disposition received, the Commission analyzed the reason and incident details in order to identify issues related to the nature of the complaint. By cross-referencing these issues with the RCMP allegations, the Commission was able to identify key issues that come up for each allegation. The most common issue that the Commission identified in complaints from “V” Division was “Police Physical Abuse” (15%), followed by “Arrest” (12%) and “Attitude” (12%).

**“V” Division: Commission-Identified Issues**

<b>Issue</b>	<b>Number of Complaints</b>	<b>%</b>
Arrest	4	<b>11.8%</b>
Attitude	4	<b>11.8%</b>
Care in Custody	1	2.9%
Chemical Irritant	1	2.9%
Criminal Investigation Quality (RCMP)	1	2.9%
Detention	1	2.9%
Entry of Premises	3	<b>8.8%</b>
Impairment	3	<b>8.8%</b>
Medical Care	1	2.9%
Non-spousal, Non-child Assault Response	1	2.9%
Police Physical Abuse	5	<b>14.7%</b>
Release/Disclosure of Information	1	2.9%
Restraints	1	2.9%
Search	2	<b>5.9%</b>
Service	3	<b>8.8%</b>
Vehicular Incidents	2	<b>5.9%</b>
<b>Total</b>	<b>34</b>	

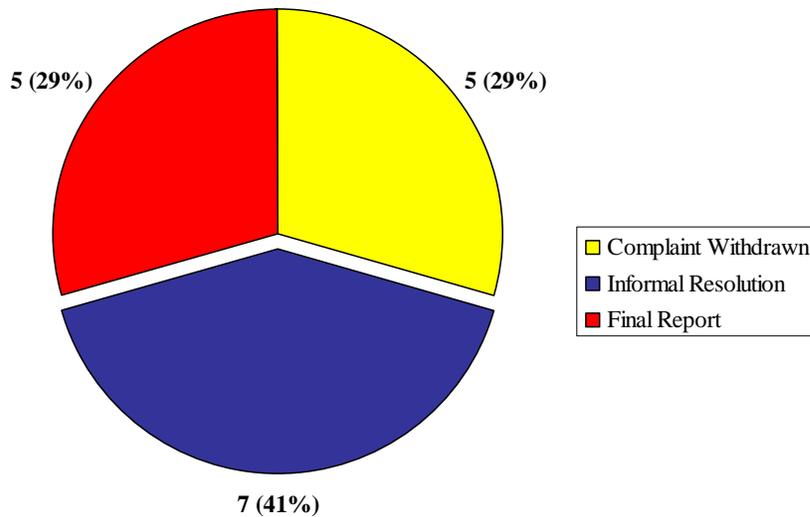
Trends in the issues were also identified by detachment. For the Gjoa Haven Detachment, the most common issue identified in the complaints was “Vehicular Incidents” (29%). Trends in the issues could not be identified for the Rankin Inlet Detachment because only two issues were identified in the complaints.

Further, the results revealed trends in the issues for each allegation. For the purpose of this analysis, the common issues will be reported for the most frequently occurring allegations: “Improper Use of Force”, “Neglect of Duty”, “Improper Attitude” and “Improper Arrest”.

- For allegations of “Improper Use of Force” the key issues were “Police Physical Abuse”, “Arrest,” “Care in Custody”, “Impairment” and “Service”.
- For allegations of “Neglect of Duty” the key issues were “Arrest” (17%), “Care in Custody” (17%), “Police Physical Abuse” (17%) and “Service” (17%).
- For allegations of “Improper Attitude” the key issue was “Attitude” (80%).
- For allegations of “Improper Arrest” there were no significant results.

## Disposition of Complaints

### “V” Division: Number of Complaints by Disposition Type



### *Investigation and Final Report*

Of the complaint dispositions the Commission received from “V” Division RCMP, 5 (29%) were formally investigated and a Final Report issued by the RCMP. These reports made determinations on 13 allegations, the most common of which was “Improper Search of Premises”. The results show that all of the RCMP’s findings in the Final Report did not support any of the complainant’s allegations.

### *Informal Resolutions*

Accounting for the most common way to dispose of a complaint, informal resolutions occurred in 41% of the cases, disposing of 15 allegations. The most common allegation to be informally resolved was “Improper Use of Force”; in 40% of the cases this allegation was resolved in this manner. This is not only significantly above the Force wide average but also raised concern within the Commission that these types of allegations are being informally resolved too frequently.

At the detachment level, informal resolutions accounted for:

- 3 out of the 4 complaint dispositions received from the Gjoa Haven Detachment (75%); and
- 2 out of the 3 complaint dispositions received from the Rankin Inlet Detachment (67%).

### *Withdrawals*

In 29% of the cases, the complainant withdrew the complaint, which disposed of 7 allegations. The most common of these allegations was “Improper Use of Force”.

Allegations of “Improper Use of Force” accounted for 40% of the withdrawals for this time period, which is not only significantly above the Force-wide average, but also raised concern within the Commission that these types of allegations are being informally resolved too often.

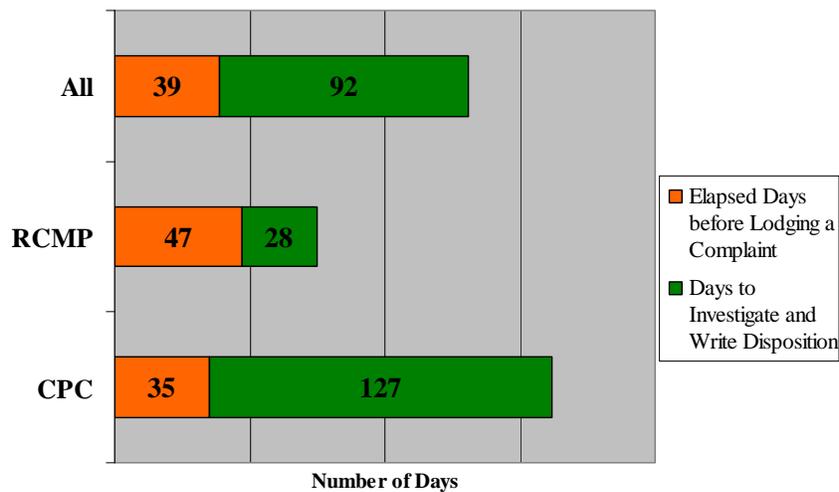
*Terminations (Notice of Direction)*<sup>69</sup>

In 2007, the Commission did not receive any Notice of Directions from “V” Division.

**Service Standards: Complaint Processing Time**

In 2007 “V” Division, on average, took 92 days to issue a disposition once a complaint was lodged (range: 1 to 333 days). This is in comparison to the RCMP national average of 114 days to issues a disposition once a complaint was lodged (range: 0 to 447 days). It typically took just over one month (39 days) for a complainant to lodge a complaint (range: 0 to 199 days).

**“V” Division: Complaint Timeline Based on the Organization the Complaint Was Lodged With**



<sup>69</sup> The RCMP may decide to terminate a complaint under three strict grounds provided for in paragraphs (a), (b) and (c) of subsection 45.36(5) of the *RCMP Act*. These paragraphs are:

- (a) the complaint is one that could more appropriately be dealt with, initially or completely, according to a procedure provided under any other Act of Parliament;
- (b) the complaint is trivial, frivolous, vexatious or made in bad faith; and
- (c) having regard to all the circumstances, investigation or further investigation is not necessary or reasonably practicable.

The average number of days to issue a disposition was 127 for Commission-lodged complaints (range: 28 to 333 days) as opposed to 28 days for RCMP-lodged complaints (range: 1 to 60 days). On average, complainants waited 35 days after the incident took place before lodging a complaint with the Commission (range: 0 to 175 days), while complaints lodged with the RCMP averaged 47 days after the incident (range: 0 to 199 days).<sup>70</sup>

Independent of the public complaint processing timelines, the Review of the Record Project required the RCMP to provide the Commission copies of all dispositions for its analyses. To that end, the average number of days for the Commission to receive the complaint disposition from this division was 182 for Commission-lodged complaints (range: 11 to 365 days) as opposed to the 153 days it took for RCMP-lodged complaints (range: 113 to 224 days).

Complaint processing times were analyzed for each of the two detachments that were identified most often in the public complaints:

- The Gjoa Haven Detachment took on average 65 days to issue a disposition once a complaint was lodged (range: 17 to 104 days). Typically, complainants waited close to two months (54 days) after the incident date to lodge the original complaint (range: 4 to 175 days).
- The Rankin Inlet Detachment took on average 18 days to issue a disposition once a complaint was lodged (range: 1 to 47 days). Complainants, on average, lodged a complaint 69 days after the incident date (range: 0 to 199 days).

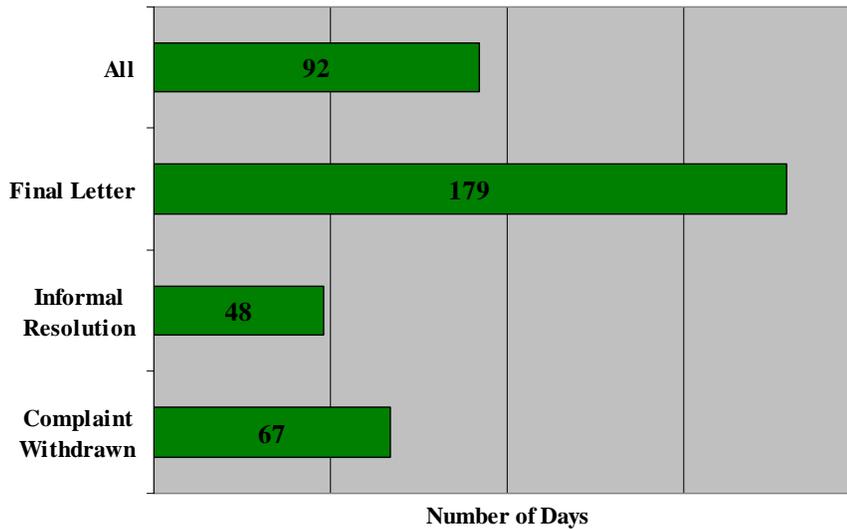
Complaint timelines were also determined by disposition type:

- To issue a Final Report by the RCMP it took 179 days (range: 60 to 333 days). For these cases, it generally took 17 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 5 to 54 days).
- To issue a withdrawal it took an average of 67 days to issue a disposition (range: 1 to 174 days). For these cases, it generally took 64 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 0 to 199 days).
- To enter into an informal resolution it took 48 days (range: 5 to 104 days). For these cases, it generally took 37 days to elapse before a complainant lodged the original complaint that resulted in this type of disposition (range: 0 to 175 days).

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<sup>70</sup> While the reasons for this delay is not yet fully understood, some preliminary analysis of the data suggests that complainants wait extended periods of time to lodge complaints with the Commission because: 1) the types of allegations that are lodged with the Commission tend to be more serious in nature than those lodged with the RCMP; 2) the complainant may not have immediate access to the public complaint system; 3) the complaint may be historical in that an incident occurred many years (in some cases decades) before a formal complaint is lodged; and 4) alternate ways of resolving the complaint may have been attempted before a formal complaint was lodged.

**“V” Division: Number of Days to Issue the Disposition by Disposition Type**



Complaint timelines were also determined by allegation type. For the four common types of allegations, i.e. “Improper Use of Force”, “Neglect of Duty”, “Improper Attitude” and “Improper Arrest”, timelines are reported.

- For allegations of “Improper Use of Force”, on average, it took 138 days for a disposition to be issued (range: 28 to 333 days). Typically, complainants waited 27 days after the incident date to lodge the original complaint (range: 4 to 69 days) for this type of allegation.
- For allegations of “Neglect of Duty”, on average, it took 40 days for a disposition to be issued (range: 1 to 87 days). Complainants, on average, lodged the original complaint 64 days after the incident date (range: 0 to 199 days) for this type of allegation.
- For allegations of “Improper Attitude”, it typically took 40 days for a disposition to be issued once a complaint was lodged (range: 5 to 78 days). On average, complainants waited 52 days to lodge the original complaint (range: 0 to 175 days) with this type of allegation.
- For allegations of “Improper Arrest”, it took the RCMP an average of 119 days for a disposition to be issued (range: 104 to 133 days). Complainants, on average, waited one week (7 days) after the incident date to lodge the original complaint (range: 4 to 10 days) with this type of allegation.

It is interesting to note that within “V” Division complaints involving “Improper Persons/Vehicles Search” allegations, on average, took the longest time (148 days) to issue dispositions.