



February 7, 2008

Ms. Jenny Kwan, MLA
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1070 – 1641 Commercial Drive
Vancouver BC V5L 3Y3

Mr. Mike Farnworth, MLA
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Dear Ms. Kwan and Mr. Farnworth:

I am responding to your December 12, 2007 letter addressed to The Honourable Wally Oppal, Attorney General and me, regarding the use of Tasers by members of the Greater Vancouver Transportation Authority Police Service (GVTAPS) and the membership of the GVTA Police Board.

The Board is appointed under the designated law enforcement section of the *Police Act*, which states the Minister may appoint those persons the Minister considers suitable as members of the board. It is not the first time police officers have been on a board in British Columbia. For example, in 1998 the organized crime agency had police appointed to the board.

GVTAPS is a police jurisdiction that overlays other policing jurisdictions. As such, it is necessary to ensure that operational policies, procedures and tactics were harmonized with the local jurisdictional police and that rules of engagement were established. This process was enhanced by linking the jurisdictions through the board.

Two independent civilian board members were appointed by the Province on December 18, 2007. TransLink is represented because TransLink is in fact the employer. Further civilian appointments will occur during 2008. There will always be a need for some representation from jurisdictional police on the board.

.../2

Ms. Jenny Kwan, MLA
Mr. Mike Farnworth, MLA
Page 2

SkyTrain police are a police department operating under the same standard as all police in this province; and as a result, are entitled to use the same police tools, including Tasers, as other municipal police departments. They are fully trained to the same standard as other police in British Columbia and also fall under the Office of the Police Complaints Commissioner.

As of December 2007, 93 GVTA police officers have received the required Conducted Energy Weapon (CEW) training. These standards include the proper use of CEWs and officers are required to qualify in the use of the CEW at least every two years. The GVTA has 20 Model X-26 Tasers. A Taser is issued to qualified two member teams, upon reporting for duty.

In regards to data collection, as required of police departments in British Columbia, the GVTA Police Service submits annual use of force statistical information to Police Services at the completion of the calendar year. No specific CEW report is currently produced, as the GVTA Police Service only commenced issuance of the weapon in July 2007.

With respect to Mr. Paul Kennedy's report, including the 10 recommendations, my Ministry is currently reviewing the interim report and as a province, we will compare Mr. Kennedy's recommendations to our own policies and standards of practice. Moreover, I am in the process of establishing a committee comprised of Ministry officials, independent police agencies and the RCMP to clarify the practices and policies around CEW use in British Columbia.

At this time, police will continue to have the ability to use CEWs as an alternative option to more intrusive force response measures. However, we will continue to monitor the situation based on the various processes currently under way.

Thank you both for writing.

Yours truly,

Original signed by:

John Les
Solicitor General

pc: The Honourable Wally Oppal
Greater Vancouver Transportation Authority Police Board

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December 12, 2007

Solicitor General John Les and Attorney General Wally Oppal:

As you are aware, the police use of tasers has become a national story of concern to Canadians since the unfortunate death of Robert Dziekanski. Since that time, the Official Opposition has called for a moratorium on the use of tasers while a review is underway. As well, there have been two more deaths in Canada after individuals have been tasered. There have been at least 18 deaths associated with taser use in Canada and many more in the United States.

As a matter of public interest, we would like to pose the following questions to you regarding the GVTA Police Board:

- How many stun guns does the transit police own?
- How many officers are properly trained in their use?
- Are officers retrained periodically and if so, how often?
- Does the GVTA have a collection of data related to the use of these tasers since the introduction of its use? If so, could you please provide a copy of this report to us for our review?

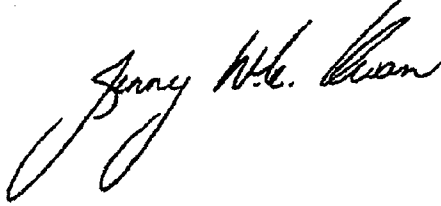
As you are aware, an interim report by the Chair of the Commission for Public Complaints Against the RCMP concerning the RCMP's use of the tasers was submitted last week to Minister of Public Safety Stockwell Day. The report contained ten recommendations. Could you please advise if it is the intention of the GVTA Police Board to adopt the ten recommendations?

Furthermore, the GVTA Police Board continues to have policing representatives on its Board which raises many concerns with the public. The current structure of the Board is a major distortion from basic standards associated with the democratic governance of policing. As you are aware, the Police Act forbids the appointment of police to municipal police boards. B.C.'s 12 municipal and one First Nations police forces are governed by civilian boards. But the transit police force is not. Police are not only on the board, they are in the majority: four of six transit-police board members are municipal police or RCMP. All were appointed by the Solicitor General's Ministry.

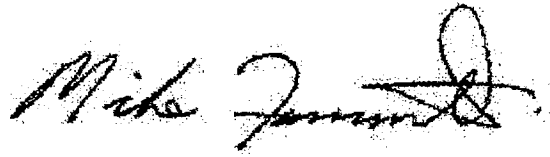
Is there any plan in place to replace the current GVTA Police Board with full representation from the public in a timely manner?

We look forward to your prompt response.

Sincerely,



Jenny Wai Ching Kwan, MLA
Vancouver Mt. Pleasant



Mike Farnworth, MLA
Port Coquitlam-Burke Mountain

cc: GVTA Police Board