



VANCOUVER POLICE DEPARTMENT

REPORT TO THE VANCOUVER POLICE BOARD

REPORT DATE: June 6, 2023
BOARD MEETING DATE: June 15, 2023
BOARD REPORT # 2306V10

Regular

TO: Vancouver Police Board
FROM: Simon Demers, Director, Planning, Research & Audit Section
SUBJECT: Jury Recommendations from the Coroner's Inquest into the Death of Myles Gray

RECOMMENDATION:

THAT the Vancouver Police Board receive this report for information.

SUMMARY:

The British Columbia (BC) Coroner's Inquest into the death of Myles Thomas Gray (Myles Gray) was held from April 17 to May 1, 2023 and resulted in the Coroner's Jury making three recommendations. Two of the jury recommendations were addressed to the Vancouver Police Department (VPD).

The two jury recommendations to the VPD are as follows:

- 1) *To expedite the implementation of the use of body camera (with audio recording capabilities) for all patrol officers.*
- 2) *To review and enhance the crisis de-escalation and containment training that VPD officers receive, specifically adding more frequent in-person/blended learning training on:*
 - a. *How to make ongoing health and safety assessments of, and reduce risk to, a subject exhibiting a mental health disturbance;*
 - b. *How to implement a "step back and reassess" methodology; and*
 - c. *How to ensure effective communication and coordination among officers, to determine leadership in multi-officer responses.*

The VPD supports these recommendations and is committed to implementing them. This report provides the VPD's preliminary response to each recommendation.

BACKGROUND:

On August 13, 2015, VPD officers responded to a 9-1-1 call for service related to Myles Gray spraying a member of the public with a water hose and threatening to physically attack her son. When attempting to arrest Myles Gray, he became physically violent with officers. Multiple officers were required to control and handcuff him. Once he was in custody, Myles Gray lost consciousness and died. A BC Coroner's Inquest was held into his death, resulting in two jury recommendations being directed to the VPD.

DISCUSSION:

The following is the VPD's response to the jury recommendations directed to the VPD:

1) To expedite the implementation of the use of body camera (with audio recording capabilities) for all patrol officers

The VPD has been exploring the feasibility of body worn cameras (BWC) since 2009 by liaising with other police departments nationally and internationally, while also tracking the implementation of pilot projects and reviewing recommendations. In November 2013, the VPD provided the Vancouver Police Board (VPB) with a [report](#) detailing the benefits of these devices along with considerations associated with equipment, data storage, and management. The VPD continued to monitor the latest developments and solutions to the challenges around equipment, data storage and BWC implementation, while assessing the feasibility of implementing these devices within the VPD.

In July 2021, as part of the [submissions](#) to the *Special Committee on Reforming the Police Act*, the VPD continued to support the implementation of BWCs requesting that the use of these devices by police services in BC be mandated through Provincial Policing Standards. In early November 2022, the VPD formed a Body Worn Camera Committee led by Superintendent Howard Tran. On December 6, 2022, Vancouver City Council approved \$200,000 in funding for the BWC pilot project as part of the VPD's 2023 budget.

The purpose of the BWC committee is to conduct a pilot project with the goal of implementing BWCs for approximately 100 uniformed members, including officers in both Patrol and the Traffic Section. The BWC Committee is completing the steps required to undertake this project. The use of BWCs will need to comply with the BC Provincial Policing Standards ([Section 4.2.1](#)) and will be accompanied by training, policies, and a Privacy Impact Assessment (PIA). The BWCs will be equipped with audio and video recording capabilities. At this time, there is a procurement process underway to obtain the necessary BWC equipment. The Request for Proposal (RFP) was posted on May 24, 2023 and closes on June 19, 2023.

The VPD BWC Pilot Project (Pilot Project) will be launched in the fall of 2023 and will run for approximately six months. During the Pilot Project, users will be consulted to ensure the required functionality and usability of these devices are met. The VPD will also be consulting with community representatives and VPD community advisory committees on the implementation of this Pilot Project. The ongoing assessment, results and recommendations from this project will be reported publicly through reports to the VPB.

Following the Pilot Project, the VPD will conduct a thorough assessment of the project to ensure compliance with standards and policies, establish best practices with regards to training, and develop a full deployment plan for BWCs. Once funding and infrastructure is fully secured, the VPD intends to implement BWCs throughout the frontline of the organization. As part of this project, the VPD BWC Committee is also conducting a national and international review on BWCs to integrate best practices into the deployment of these devices.

The VPD is currently implementing body worn cameras.

2) To review and enhance the crisis de-escalation and containment training that VPD officers receive, specifically adding more frequent in-person/blended learning training on:

Following the death of Robert Dziekanski at the Vancouver International Airport in 2007, the Braidwood Commission (2010) made a number of recommendations to improve approaches to police intervention during crisis situations, and to train officers to more effectively intervene and de-escalate crisis situations. In January 2015, Crisis Intervention and De-Escalation (CID) training became mandatory for frontline officers and supervisors, as well as new recruits from the police academy through the BC Provincial Policing Standards ([Section 3.2.2](#)). However, the VPD has been providing this training to officers since 2012.

In 2012 and 2013, all frontline officers received in-person CID training. All new recruits have been receiving this training as part of their JIBC Police Academy program since 2012. The VPD has also delivered CID curriculum to VPD Special Municipal Constables and newly hired experienced officers since 2013. Additionally, the provincially-mandated three-hour eLearning CID refresher training (the “CID Course”) is offered to all frontline officers every three years as part of the re-certification requirement set out in the Standard.

The CID Course is the intellectual property of the BC Ministry of Public Safety and Solicitor General (BC PSSG) and the VPD cannot alter the content of this training. The VPD utilizes blended training with on-line modules for theory, conceptual content, or policy purposes and In-person training for use of force tactics and scenario-based training. This in person training is where officers can demonstrate decision-making concerning de-escalation, containment, and other use of force requirements.

The VPD has further integrated CID principles into its cyclical use of force training and scenarios, which means officers are exposed to these principles during training multiple times each year. The VPD Force Options Training Unit (FOTU) utilizes Reality Based Training (RBT) as part of use of force re-qualification and advanced training. The VPD has a robust role player program and utilizes VPD trained role players as part of RBT. Role players act out specific scenarios based on scripts involving all components of the National Use of Force Framework (NUFF). The use of role players allows officers to reinforce the desired outcomes through realistic scenarios that are significantly more representative of the situations officers will experience within the field.

The VPD will continue to deliver leading edge training on crisis de-escalation and containment through a blended approach. The VPD will continue to review the BC PSSG mandated CID training and provide feedback.

a. How to make ongoing health and safety assessments of, and reduce risk to, a subject exhibiting a mental health disturbance.

The VPD delivers annual training to frontline officers during four mandatory training days, which are referred to as cycle training. One cycle training day includes mandatory re-certification pertaining to use of force. This training is delivered in person and includes multi-media presentations followed by firearms, physical skills and drills. This training is comprised of reality-based scenarios that include feedback from FOTU training officers. The purpose of this training is to reinforce current skills and to introduce new concepts while integrating previously covered training such as crisis intervention and de-escalation.

A second cycle training day is dedicated to more advanced tactical skills. This training includes multi-media presentations followed by tactical skill development pertaining to topics such as team tactics, tactical re-positioning, vehicle tactics or public order training. The remaining cycle training days vary in content to include provincially-mandated training such as Fair and Impartial Policing, legal or investigative updates, or cultural sensitivity training.

Within use of force training, ongoing health and safety assessments are integrated into lesson plans. During the 2019 cycle training, the force options scenarios focused on persons in crisis. Officers were provided with a multi-media presentation where subject matter experts discussed physical manifestations of mental health disturbances, underlying causes for crisis, and provided de-escalation techniques within this context. Officers then engaged in scenarios where role players would display manifestations from the presentation and where officers could practice de-escalation techniques. During these scenarios, officers are trained to conduct ongoing assessments to ensure a safe resolution of the scenario.

The VPD will continue developing and delivering enhanced scenario-based training that integrates health and safety assessments and best practices aimed at reducing risk to subjects exhibiting a mental health disturbance.

b. How to implement a “step back and reassess” methodology.

The VPD FOTU utilizes the NUFF model which is included in the BC Provincial Policing Standards ([Section 1.9.1](#)). This model is linked to the provincially-mandated CID Course training with an emphasis on officer presence and communication. Within the NUFF, both officer presence and communication occur throughout the interaction and along a continuum that includes three different states: assess – plan – act. VPD officers receive ongoing training on the NUFF, beginning with the police academy and then annually through mandatory cycle training. Within the continuum of assess – plan – act, officers are provided training where escalation or de-escalation occurs based on how the subject is behaving throughout the interaction.

As part of the 2020 cycle training curriculum, the VPD developed and delivered the *Neurodegenerative and Neuromuscular Diseases* and the *Mental Illnesses and Disorders* eLearning courses. The *Mental Illnesses and Disorders* course uses real-life stories described through video and video discussions from relevant psychologists and psychiatrists to provide additional context. Both these courses include communication strategies and techniques to increase positive outcomes for individuals coming into contact with police. As well, this training addresses visible symptoms and behaviours so that learners can develop awareness and identify

potential underlying causes during interactions with police. The information presented in these courses is meant to further supplement the NUFF and specifically improve communications throughout the assess – plan – act continuum.

Since 2013, the VPD has been working with academic researchers to analyze Subject Behaviour Officer Response (SBOR) reports submitted by VPD officers who have used force during an interaction with a member of the public. SBOR reports are provincially-mandated forms that officers must submit after use of force encounters to document the context in which force was used. This research was further supplemented through a court-certified use of force expert who systematically reviewed court proceedings, inquests and cases involving use of force. This review was conducted as part of the validation process utilized to assess use of force training practices. This research has also supplemented the training developed through FOTU and informs use of force scenario development.

FOTU also looks to national and international use of force experts to continually evaluate training and implement best practices that are evidence-based and tied to potential use of force incidents. Scenarios are designed to expose officers to dynamic situations during which they are faced with multiple decisions points and can practice their decision-making skills and modulate their response based on ongoing assessments. Officers are trained to explore options including creating distance, seeking cover, re-assessing use of force approaches, and/or requesting additional resources, while continually engaging through communication.

More recently, FOTU staff attended train-the-trainer sessions organized by the Police Executive Research Forum. This training, entitled [Integrating Communications, Assessment and Tactics](#) (ICAT), provides officers with additional skills to safely defuse critical incidents. This training builds on CID training already delivered by the VPD, as well as other training offered during FOTU scenarios. ICAT incorporates different skills into scenario-based exercises, lectures, and case studies.

The VPD will continue to research and develop training methodologies that provide officers with the skills required to safely resolve the most challenging interactions with the public.

c. How to ensure effective communication and coordination among officers, to determine leadership in multi-officer responses.

VPD officers receive use of force training starting in the police academy. Within this context, officers are trained to respond to incidents in various ways, including multi-officer responses. Multi-officer response training includes communication and coordination strategies. The VPD continuously builds on the use of force training that recruits receive at the police academy through cycle training for frontline officers. The VPD has a purpose-built training centre called the Tactical Training Centre (TTC). The TTC has classrooms, two firearm ranges with one large enough to accommodate complex scenarios, breakout scenario rooms, and a training space with a sprung floor to optimize physical skills training. The TTC is considered one of the most modern training centres in Canada.

FOTU trainers focus on developing physical skills that do not rely on punching or striking as distraction techniques. For example, the SMC jail training has shifted away from striking and punching techniques and now highlights multiple-officer responses with a focus on limb control,

extraction, and communication. Additionally, FOTU staff and part-time training staff are encouraged to participate in use of force certification courses and conferences with an emphasis on physical literacy training. Since 2018, new VPD recruits receive 40 hours of physical control skills prior to attendance at the police academy. As well, FOTU offers additional voluntary physical skills training at the TTC three times a week.

The VPD FOTU has implemented physical skills within cycle training focusing on layering skills across a multi-year horizon to ensure officers remain adept in applying the latest proven tactics. The VPD FOTU has championed the 'one officer, one job' approach during multi-officer responses. This approach prioritizes communication, limb control, and quadrant training. Within this approach, there is a team lead that coordinates the response through ongoing assessment and communication. This team lead would be in a position to assess the effectiveness of each officer within their quadrant and continue to do so until the subject is safely under control. The VPD FOTU delivered this approach to physical skills training to all frontline officers during cycle training in 2018, with further skills for multi-officer responses during cycle training in 2019, and patrol tactical scenarios during cycle training in 2022.

The VPD will continue to champion multi-officer responses that prioritize coordination and communication to safely resolve the most challenging interactions with the public.

CONCLUSION:

The VPD recognizes that Myles Gray's death has had a profound and lasting impact on everyone involved. The VPD appreciates those who participated in the Coroner's Inquest and is thankful to the jury for their thoughtful deliberations and recommendations. The VPD supports these recommendations and is committed to implementing them. The VPD will conduct a further review once the Coroner provides comments on the jury recommendations.

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Submitting Executive Member:

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