

# Justice and Mental Health 43 Annual CIAJ Conference

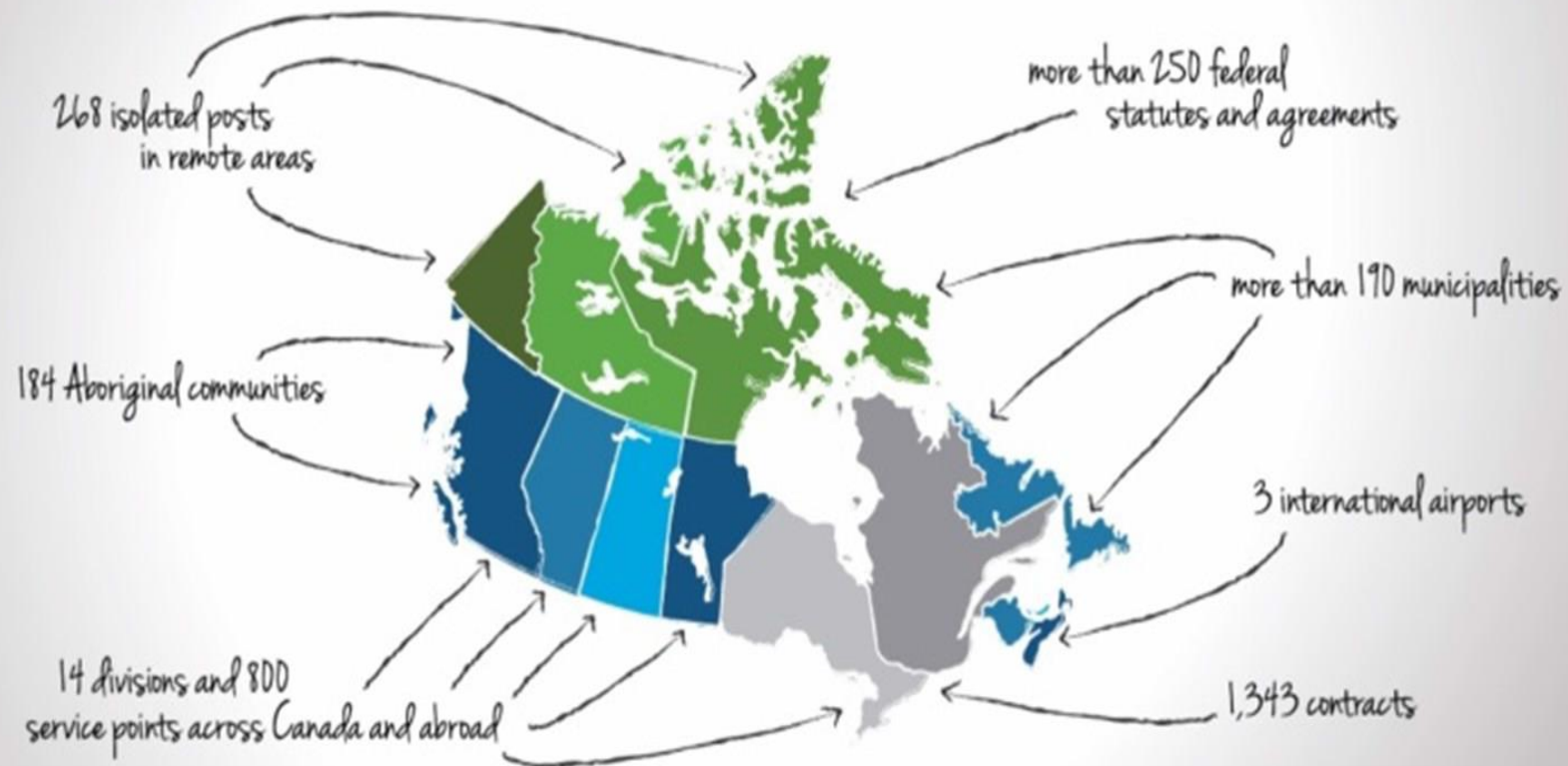
**Mental Health and Criminal Law: Impacts on Policing**



Deputy Commissioner Brenda Butterworth-Carr  
Commanding Officer of the BC RCMP

# The RCMP – An Overview

**Today's RCMP...** jurisdiction over 8 provinces and 3 territories



# The BC RCMP

- BC RCMP – Municipal, Provincial, Indigenous and Federal Police Service
- BC RCMP polices 99% of the geographic area of BC
- 72% of BC residents live in RCMP jurisdictions
- 144 Detachments serving 150 municipalities and 132 First Nations Communities
- Over 10,105 employees
- Answer over 1.4 million calls for service per year



# The policing landscape

'We don't have the resources!' City to call on province for mental health, overdose support

By Dominic Abassi January 9, 2018 - 5:56pm Updated: January 10, 2018 - 12:47pm



## Coquitlam RCMP: More mental health help is needed

Gary McKenna / Tri-City News NOVEMBER 17, 2017 10:23 AM



Coquitlam RCMP Supt. Sean Maloney is asking for my staff as his detachment to deal with the growing number of residents in the com struggling with mental health and addiction issues. Photograph By FILE PHOTO

The Coquitlam RCMP is requesting more resources to deal with the growing number of residents in the community struggling with mental health and addiction issues.



## Police deal with threats and mental health issues

Creston RCMP responded to 73 calls for assistance from September 25 to October 2.

LORNE ECKERSLEY / Oct. 2, 2018 12:00 a.m. / NEWS



Creston RCMP responded to 73 calls for assistance from September 25 to October 2, Staff Sergeant Ryan Currie said on Tuesday.



## Nanaimo Mounties pull distraught woman from bridge

Constables credited with possibly saving woman's life in downtown Nanaimo two weeks ago

NANAIMO NEWS STAFF / Jun. 11, 2018 12:25 p.m. / LOCAL NEWS / NEWS



Two Nanaimo Mounties are credited with possibly saving the life of a distraught young woman after they managed to pull her off the top railing of the Bastion Street bridge.

## Cops wait on mental health cases: Stewart

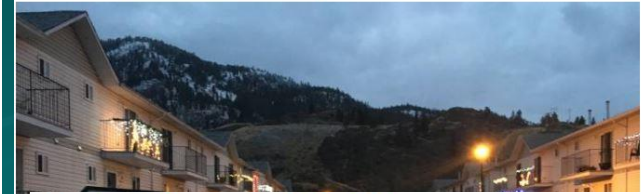
Coquitlam mayor wants RCH to change way it triages

Grant Granger / Tri-City News MAY 4, 2018 09:23 AM



## Okanagan Falls school locked down while police deal with distraught woman

By Blaine Gaffney Global News



## Port Alberni RCMP members injured in struggle with knife-wielding suspect

RCMP attended reports of male acting irrationally in front of courthouse

ELENA RARDON / Dec. 22, 2017 6:30 a.m. / LOCAL NEWS / NEWS



One Port Alberni RCMP member sustained significant injuries during a struggle on Monday, Dec. 18.

On Monday afternoon, RCMP received a report of a male acting irrationally in front of the courthouse. Members attended, but the individual had already moved on.

He later attended a business on Third Avenue, still acting irrationally, and RCMP were called to the scene to attend and assist. After observing the male, they informed him that he would be placed under arrest, at which point he bolted out of the business.

He was later found in a local apartment, and brandishing a knife when police officers showed up.

# Mental Health and interactions with police

- In 2012 Statistics Canada released a report titled “Mental health and contact with police in Canada”
- The study found approximately 1 in 5 people (18.5%) with a mental health disorder had contact with police – approximately 950,000 people in Canada
- This was double the rate for people without a mental or substance use disorder
- Not all contacts are criminal in nature



# Mental Health and interactions with police

- In 2017 Public Safety Canada release a report titled “Crime Prevention: Youth Mental Health, Mental Illness & Crime”
- The report cited research which showed that certain disorders, including substance use disorders, had an impact of people offending or re-offending
- The report also found that gang members had a higher rate of mental health disorders



# Mental Health and interactions with police

- Some mental health clients can create a disproportionate number of calls for police assistance
- A study by one BC RCMP Detachment found 8 people with mental health needs were responsible for 1,500 calls to police in four years



# Crime Cycle

**Mental illness /  
substance abuse**

**Criminal Activity**

**Release from prison /  
Return to previous lifestyle**

**Arrest and incarceration**

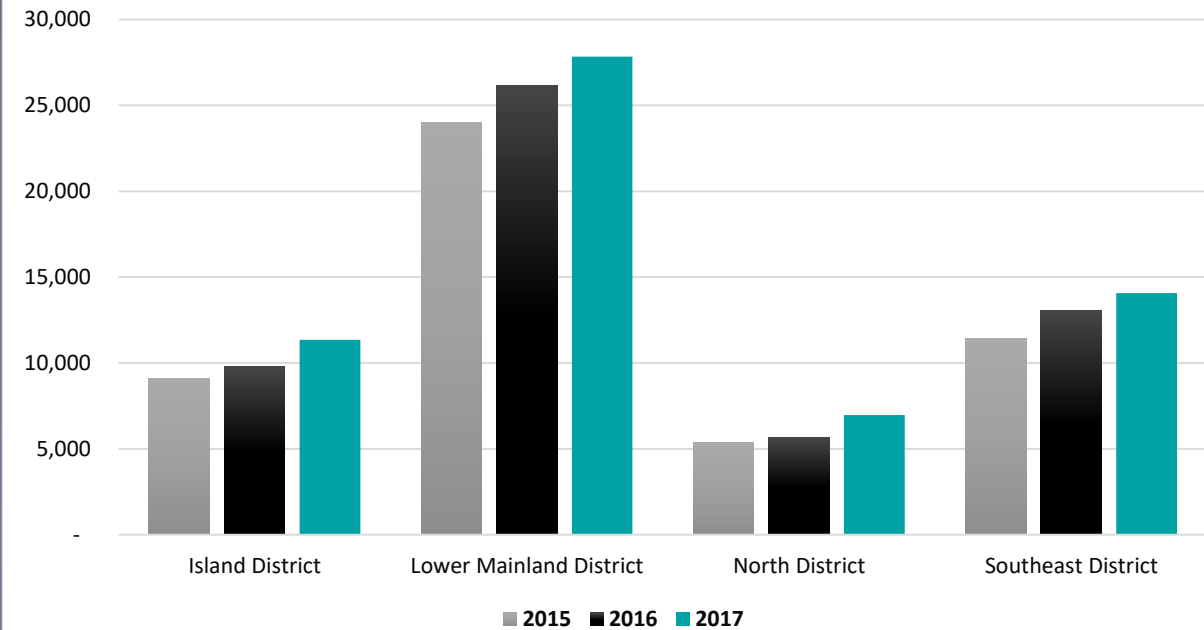




# Policing perspective

- A continuous rise in mental health related occurrences
- The increase is being experienced across the province
- Most significant increase by percentage is in the North District which typically has smaller municipalities and less resources

Mental Health Related Occurrences  
'E' Division RCMP

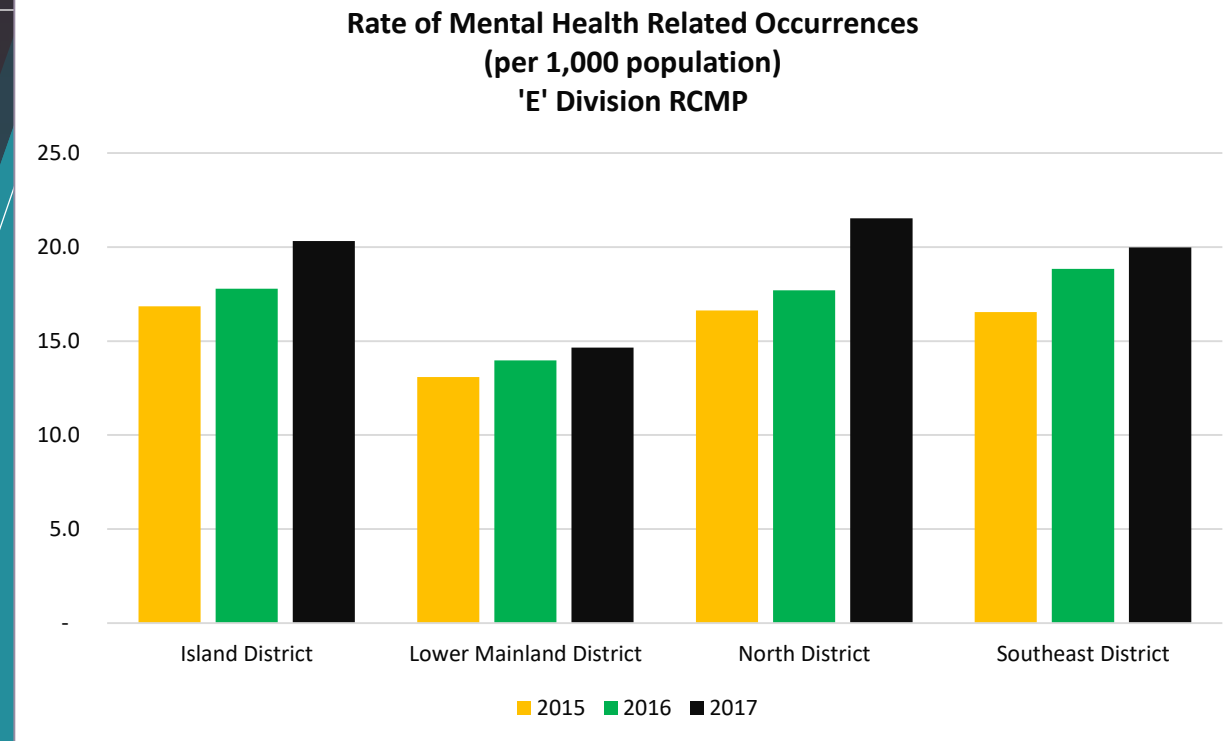


Mental Health Related Occurrences  
E Division RCMP

	2015	2016	2017	% increase 2015-2017
<i>Island District</i>	9,087	9,792	11,354	24.9%
<i>Lower Mainland District</i>	24,019	26,167	27,832	15.9%
<i>North District</i>	5,379	5,671	6,963	29.4%
<i>Southeast District</i>	11,395	13,053	14,068	23.5%
<i>Total</i>	49,880	54,683	60,217	20.7%

# Policing perspective

- Smaller Districts (based on population) have a higher percentage of Mental Health Related police occurrences
- These areas typically have smaller Detachments and fewer police resources



**Rate of Mental Health Related Occurrences  
(per 1,000 population)  
E Division RCMP**

	2015	2016	2017	% increase 2015-2017
<i>Island District</i>	16.8	17.8	20.3	20.6%
<i>Lower Mainland District</i>	13.1	14.0	14.7	12.0%
<i>North District</i>	16.6	17.7	21.5	29.5%
<i>Southeast District</i>	16.5	18.8	20.0	20.7%
<b>Total</b>	<b>14.7</b>	<b>15.9</b>	<b>17.3</b>	<b>17.3%</b>

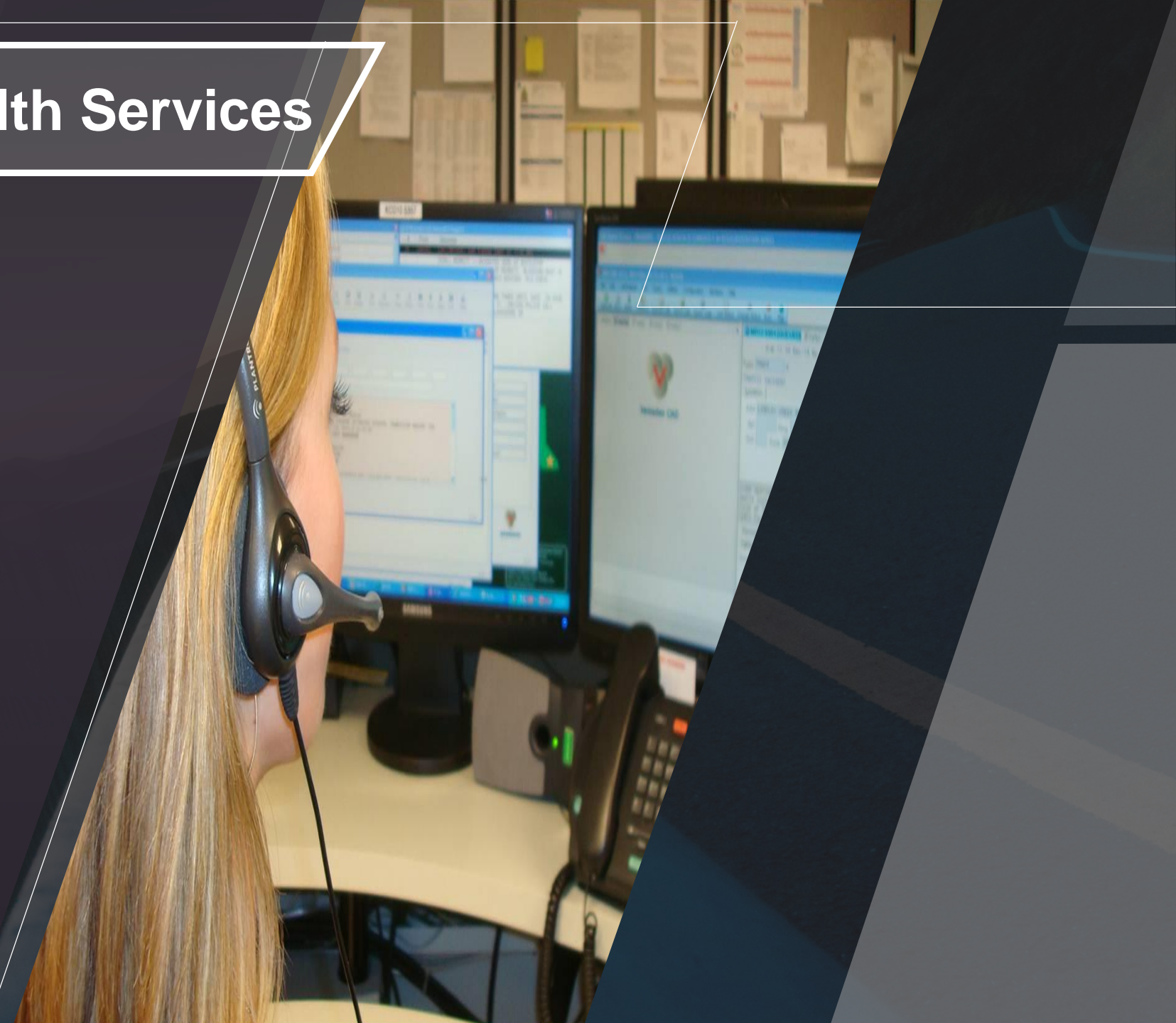
# RCMP Intervention tools

- National Crisis Intervention De-escalation Course – mandatory for all police officers
- Trained Negotiators
- Less lethal use of force options – Pepper, Spray, Conducted Energy Weapons, 40mm Extended Range Impact Weapon



# Models for Mental Health Services

- Integrated Mobile Crisis Response Services
- Integrated Case Management and Outreach Services



# Models for Mental Health Services

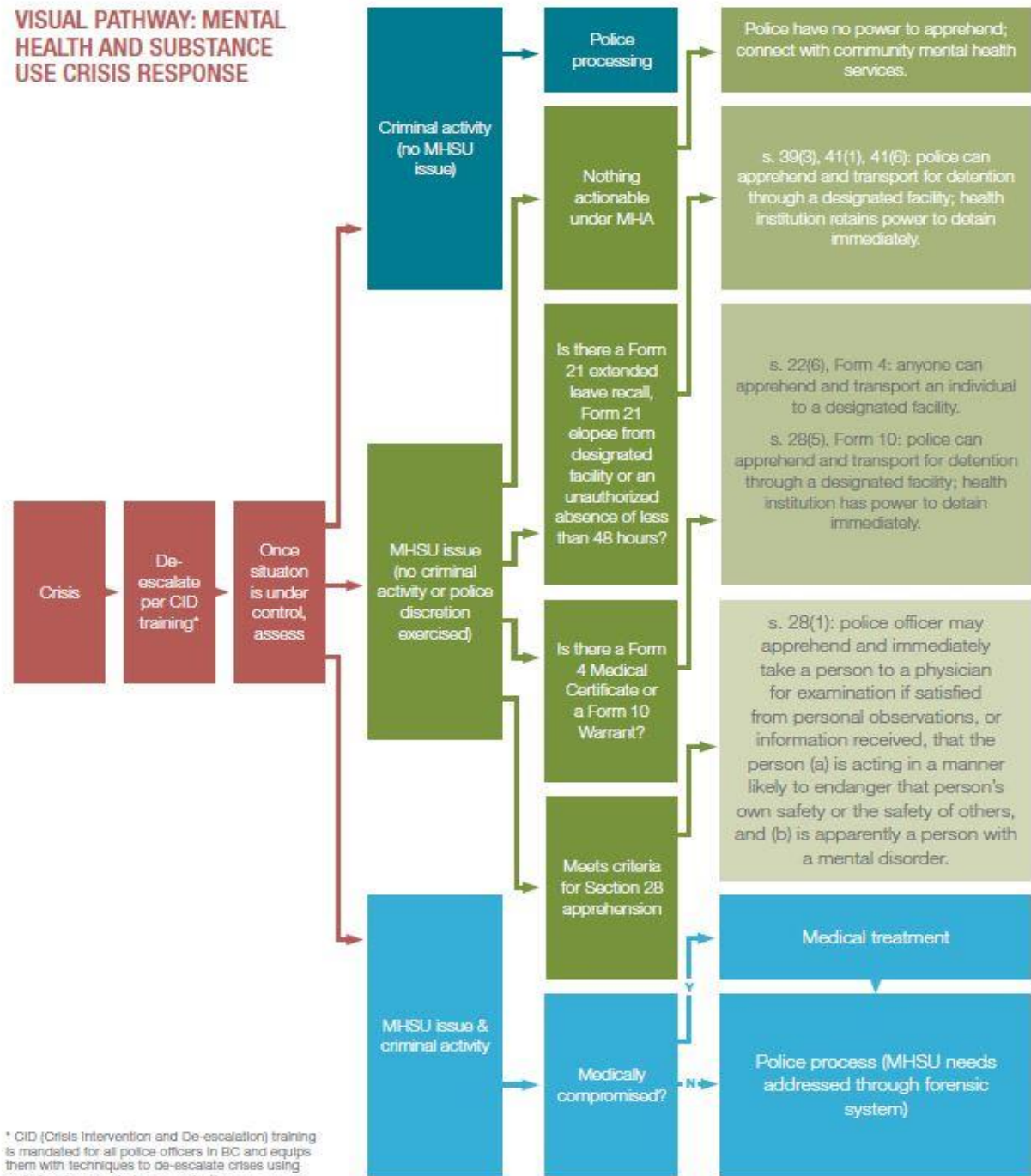
- Mental Health and Substance Use Liaison



# Mental Health and Crisis Response

- There are four possible police actions when dealing with a mental health or substance use crisis: Section 28 Police Apprehension; Form 4 Medical Certificate + Form 10 Police Apprehension; Form 21 Police Apprehension (Director's Warrant – extended leave recall); No Police Apprehension

## VISUAL PATHWAY: MENTAL HEALTH AND SUBSTANCE USE CRISIS RESPONSE



## Section 28 Police Apprehension

- Section 28 of the *Mental Health Act* authorizes police to apprehend an individual if an individual is behaving in a way that will endanger their own safety or the safety of others, and they apparently have a disorder of the mind that requires treatment and that seriously impairs the individual's ability to react appropriately to their environment or to associate with others



# Form 4 Medical Certificate & Form 10 Police Apprehension

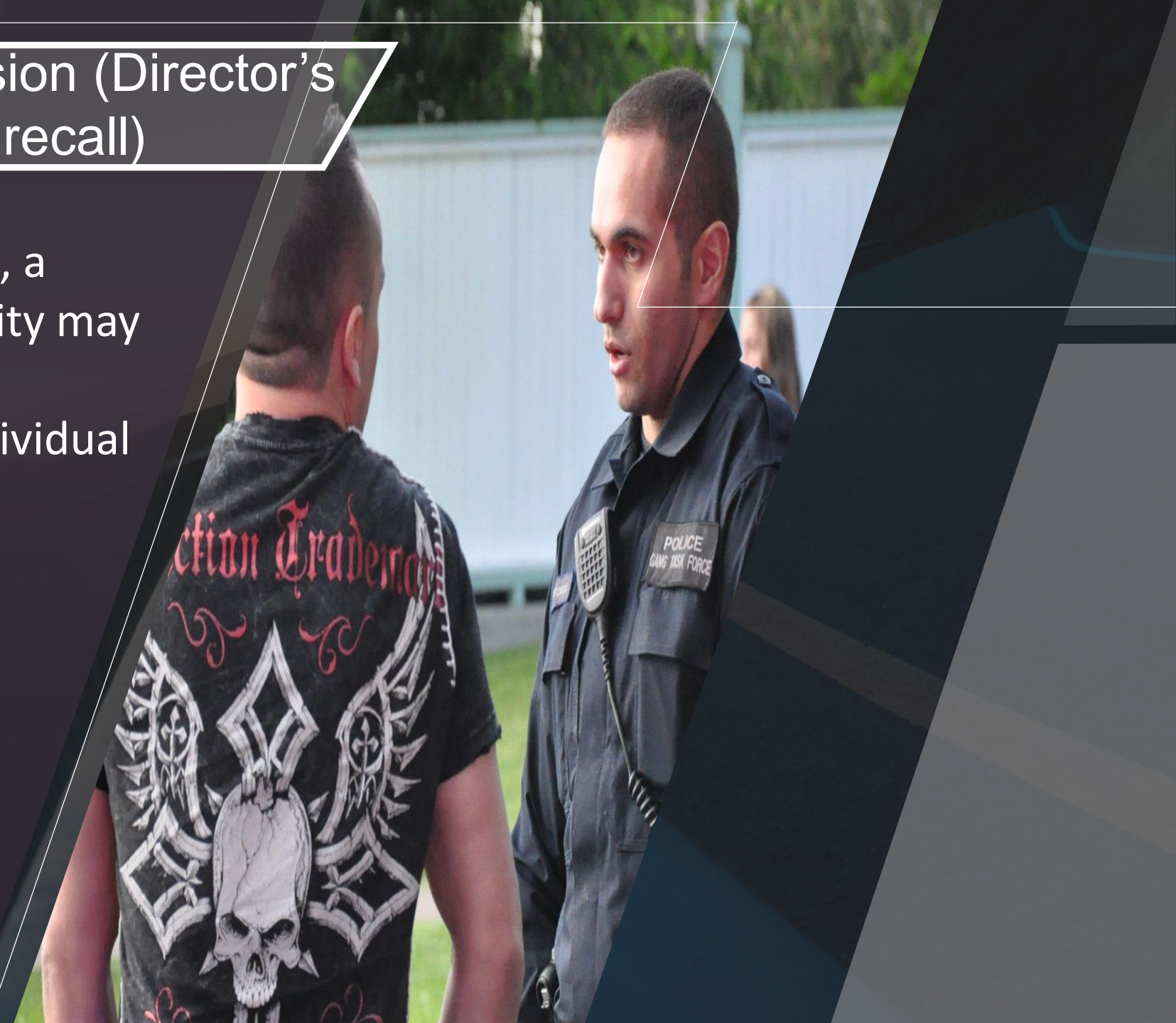
- According to section 22(6) and section 28(5) of the *Mental Health Act*, an individual can be apprehended and transported to a designated mental health facility to be admitted and detained for treatment for a mental disorder if a physician has issued a Form 4 medical certificate or a judge has issued a Form 10 warrant.





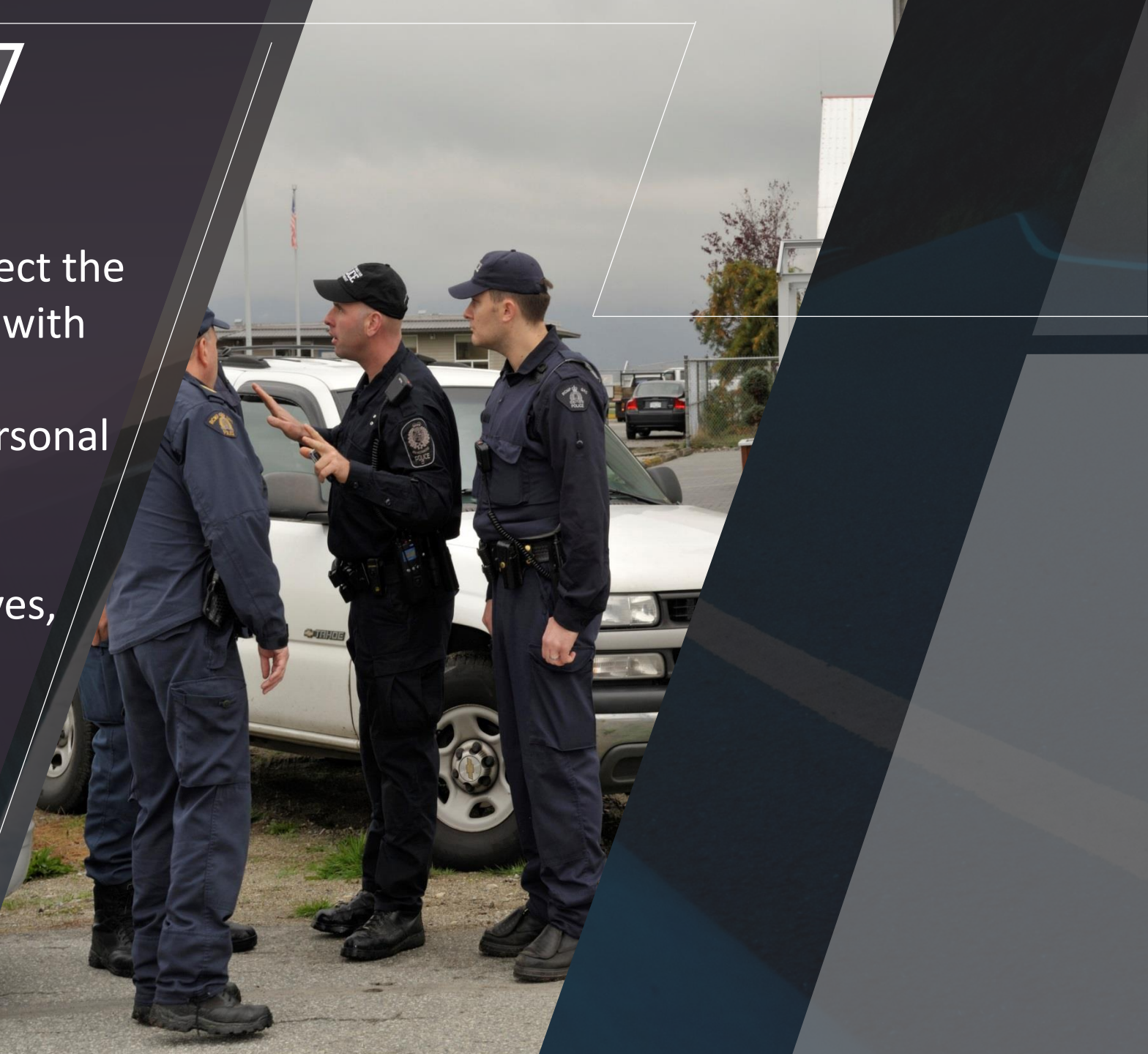
## Form 21 Police Apprehension (Director's Warrant – extended leave recall)

- Under the *Mental Health Act*, a Director of a designated facility may issue a Form 21 warrant to apprehend and return an individual to a medical facility.



# Privacy of the Individual

- Police have a responsibility to protect the privacy a person that they interact with
- We must ensure the security of personal health information
- Failure to do so can impact their lives, employment, future opportunities



## Where we are

- Police are often the agency of last resort when dealing with people with mental health and substance abuse issues
- Larger Detachments or Police Forces can dedicate resources to mental wellness issues. Not feasible in smaller communities
- Confrontations that could result in injuries to both parties are possible



# Spectrum of interactions

**Best**

Police Officer attends /  
Peaceful resolution / Person  
gets medical help



**Worst**

Use of force required / Person injured or  
killed / Attending member requires long  
term medical or emotional support

## UPDATE: RCMP help man down from tower at Penticton Regional Hospital

Police have closed a section of Government street while they deal with a distraught man

KRISTI PATTON / Aug. 17, 2018 7:10 a.m. / LOCAL NEWS / NEWS



**UPDATE: 10:50 a.m.**

The Penticton Western News has learned the distraught man that was sitting on top of the tower at the Penticton Regional Hospital was safely brought down with the help of RCMP. Government Street is now reopened.

## B.C. officer who killed man sues watchdog, alleging investigation that cleared his name took too long

By The Canadian Press  
Thu., Sept. 6, 2018



VANCOUVER—An RCMP officer who shot and killed a man during a confrontation in British Columbia has launched a lawsuit against the provincial police watchdog alleging the investigation that cleared him of any wrongdoing took too long.

## Where we are

- Incarceration is temporary
- If people with mental health issues are not supported with the critical assistance they require the potential exists for high rates of recidivism



# Moving Forward

- We need to be proactive and focus on preventative approaches
- Use of our CAPRA Model; Clients, Acquire & Analyze, Partners, Responses and Assessments
- Police and partner agencies must share the responsibility to break the cycle





Questions?

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