

FINAL REPORT: IIU concludes investigation into alleged misuse of RCMP credit card

On September 26, 2018, the Royal Canadian Mounted Police (RCMP) notified the IIU of a number of questionable RCMP Traffic Services (Selkirk) charge card transactions at the Selkirk Co-op Gas Bar and Carwash (Co-op), and reported as a potential offence of theft under \$5000.00. The salient portions of the notification read, in part:

“While monitoring police vehicle receipts, [witness officer 1] noticed a large number of car wash receipts for [referenced police vehicle]. He cross-referenced the schedule and noticed the dates on the car wash receipts were frequently purchased when [subject officer] was working and driving the [referenced police vehicle]. Suspicious of the amount of car washes, [witness officer] spoke with a manager at the Co-op, who provided a print-out of every car-wash code with the corresponding date when each was used. A review of the code print-out from the Co-op indicates that the majority of the car washes (sic) purchases were redeemed on a date differing from the purchase date. Video footage from the Co-op was obtained for multiple transactions and it has been determined that the vehicle being washed is not a government vehicle. The date/time stamp on the video has been confirmed as accurate.

On September 13, 2018 the video footage was reviewed and it was noted a Black Dodge SUV with Winnipeg Jets Manitoba plates. Although the plate number is not discernable it is believed to be the same personal vehicle operated by [subject officer].”

On September 28, 2018, the IIU civilian director advised the RCMP that the matter reported was a discretionary matter under section 73(1) (b) of the *Police Services Act* (PSA) and that, following assessment of the information provided, IIU would assume a monitoring role over the RCMP investigation. An IIU investigator was assigned to monitor the continuing RCMP investigation.

On December 28, 2018, the IIU investigator received a final investigative report on this matter from the RCMP. A video critical to the investigation had been sent for enhancement and would be forwarded to IIU at a later date for viewing. Following a review of the materials provided, the IIU investigator forwarded a series of questions to the RCMP. On February 13, 2019, the IIU investigator received an updated file report from the RCMP, which included:

- general report;
- correspondence with subject officer;
- video from the Co-op;
- notes;
- shift schedule for May to September, 2018, inclusive;

- GPS tracking data;
- RCMP vehicle information;
- photocopy of receipts and working notes.

Following review of the updated file report, on February 19, 2019, the civilian director determined, pursuant to s. 75(1), that it was in the public interest for IIU to assume conduct of the investigation and advised the RCMP accordingly. The civilian director formally designated two RCMP officers as witness officers (WO1-WO2), although WO1 was the only officer interviewed at length, and the subject RCMP officer as a subject officer (SO).

Summary of Investigation

The following represents the results of the IIU investigation which identified a number of significant deficiencies in the available evidence as well as investigative issues.

Shift Schedule

The RCMP provided a shift schedule documenting who was scheduled to work. Some of the questionable purchases were made when no member of the RCMP Traffic Services (Selkirk) was scheduled to work. Some of the questionable transactions were made when a number of members of the RCMP Traffic Services (Selkirk) were scheduled to work. The investigation revealed that the shift schedule does not accurately record which individuals are on which shift at any given time and, as such, do not determine who was working at the time of the redemptions and purchases.

Vehicle Identification

The vehicles used by the RCMP Traffic Services (Selkirk) in their day to day work are not assigned to any one individual. The RCMP have an electronic system used to log individuals into specific vehicles. This system does not clarify precisely who was operating the police vehicles being driven.

GPS Tracking

The GPS system which tracks vehicles was not activated on the vehicles in all instances; therefore it was not actively recording the locations of these vehicles at all times when they were in use. As such, using the GPS to conclusively include or exclude vehicles from those being at the Co-op at either the times of purchase or redemption of the car washes in question was futile.

Credit Purchasing Card (ARI)

The ARI cards used to purchase goods and services for the vehicles are kept in the vehicles and are assigned to the vehicle and not to any particular individual.

Witness Officer Interview

WO1 was interviewed on two separate occasions by IIU investigators. WO1 advised during his first interview that he was responsible for consolidating these purchases, but was unable to express what caused him to report the incidents. During his second interview, WO1 stated there was an unusual number of car washes noted, but he was unable to articulate what constitutes an unusual number. WO1 was best characterized as a confrontational witness.

Co-op Video

Video was obtained from the Co-op for two occasions when a purchased car wash was redeemed. The video image is poor and the license plates are indiscernible. WO1 had identified the vehicles on the car wash video as non-police vehicles, but then stated he did not know if any undercover vehicles were being used by the RCMP at the dates and times in question.

Subject Officer

Pursuant to the provisions of the PSA, a subject officer cannot be compelled to provide his or her notes regarding an incident nor participate in any interview with IIU investigators. In this case, the subject officer declined to attend for an interview.

Conclusion

Following a review of this investigation, it is evident there is insufficient evidence available to conclude reasonable and probable grounds exist to believe SO has committed an offence. No charges will be authorized against SO. This matter will be referred back to the RCMP to be dealt with in accordance with its policies and processes.

Accordingly, IIU has completed its investigation and this matter is now closed.

Final report prepared by:

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