



# MEDIA STATEMENT

## CRIMINAL JUSTICE BRANCH

September 13, 2016

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### **Charges approved against former Deputy Sheriff**

**Victoria** – The Criminal Justice Branch (CJB), Ministry of Justice, announced today that on September 7, 2016 Special Prosecutor Michael Tammen, QC approved four charges against former Kamloops Deputy Sheriff Kevin Johnston. The charges include three counts of communicating with a person believed to be underage for the purpose of facilitating a sexual offence, and one count of invitation to sexual touching. These alleged offences are said to have occurred between August 8, 2016 and August 27, 2016, at or near the cities of Kamloops and Kelowna.

On September 1, 2016, the Kelowna RCMP sought the assistance of the CJB in dealing with an investigation into the online activities of Mr. Johnston. The Assistant Deputy Attorney General for the CJB, M. Joyce DeWitt-Van Oosten, QC, appointed a Special Prosecutor under s. 7 of the provincial Crown Counsel Act because she considered it in the public interest to do so in light of the fact that at the time of the alleged offences, Mr. Johnston was an employee of the Ministry of Justice and Attorney General. The appointment of a Special Prosecutor is intended to avoid any potential for real or perceived improper influence in the administration of criminal justice. Mr. Johnston is no longer employed with the B.C. Public Service.

Michael Tammen was appointed a Special Prosecutor on September 2, 2016. Mr. Tammen was given a mandate to provide legal advice to the RCMP investigators as may be necessary, conduct any related charge assessment and assume conduct of the prosecution if charges were approved. Mr. Tammen is a senior Vancouver lawyer in private practice.

Mr. Johnston's first appearance on the approved charges is set for October 20, 2016 in Kelowna Provincial Court, file number 85463.

As this matter is currently before the Court, neither the CJB nor the Special Prosecutor will be making any further comment.

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### ***Branch Vision***

***Courageous, Fair and Efficient – A Prosecution Service that has the Confidence of the Public.***

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CJB's policy on Special Prosecutors and a related Information Sheet can be found at:

<http://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/prosecution-service/crown-counsel-policy-manual/spe-1-special-prosecutors.pdf>

<http://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/prosecution-service/information-sheets/role-special-prosecutors.pdf>

The Charge Assessment Guidelines that are applied by CJB and Special Prosecutors in reviewing all RTCCs are established in Branch policy and are available at:

<http://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/prosecution-service/crown-counsel-policy-manual/cha-1-charge-assessment-guidelines.pdf>

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To learn more about B.C.'s criminal justice system visit the British Columbia Prosecution Service website at:

[www.gov.bc.ca/prosecutionservice](http://www.gov.bc.ca/prosecutionservice)