



VANCOUVER POLICE DEPARTMENT

REPORT TO THE VANCOUVER POLICE BOARD

REPORT DATE: June 9, 2021
COMMITTEE MEETING DATE: June 24, 2021
BOARD REPORT # 2106C02

Regular

TO: **Vancouver Police Board Service and Policy Complaint Review Committee**
FROM: Inspector Kevin Bernardin, Executive Services Section
SUBJECT: Service and Policy Complaint #2021-006 Property Damage Costs

RECOMMENDATION:

THAT the Vancouver Police Board (VPB) Service and Policy Complaint Review Committee (Committee) concludes its review of the complaint based on information outlined in this report.

SUMMARY:

A complainant from Alberta contacted emergency services in Vancouver reporting concerns with her daughter's safety and well-being. Members of the Vancouver Police Department (VPD), Vancouver Fire and Rescue Service (VFRS) and BC Emergency Health Services (EHS) responded and as the VPD were exhausting all other means attempting to locate her, VFRS made the decision to breach the door and enter the suite. While she was not located in the suite, VPD members ultimately located the daughter. Safe and unharmed, the daughter did not want to return to the suite. As the suite was insecure, the VPD contacted the City of Vancouver (CoV) to secure it.

The complainant was billed \$5,811.19 for expenses related to securing and repairing the door that VFRS breached. The complainant feels it is unfair that she was left with these outstanding expenses. She is concerned that other citizens may not make the same potentially life-saving calls for help if there is a potential for significant financial implications.

The VPD did not cause the damage nor did they assume any liability. They followed policy by directing the complainant to follow up with CoV Risk Management. The VPD recommends that the Committee conclude its review of this complaint based on the information provided.

BACKGROUND:

On January 8, 2021, the complainant had read a two-hour-old social media post causing her to be concerned with her daughter's mental health and safety. The complainant resides in Alberta and had no one to assist with checking on her daughter who resides in Vancouver. The complainant called EHS first requesting assistance.

EHS contacted the VPD, as it is their standard practice to have police respond to assist with gaining entry and with dealing with any potential safety concerns. VPD members immediately, with the help of E-Comm dispatch, started to investigate and attempt to locate and contact the complainant's daughter. Cellular phone pings, door knocks, and other measures were utilized in an attempt to locate her.

EHS requested support from VFRS, as they could not access the third floor. When all three agencies were on the third floor, VFRS made the decision to enter the suite and took physical action to breach the door. The complainant's daughter was not located inside and VPD were eventually able to connect with her daughter confirming she was safe and not suicidal. The daughter did not come home, opting to stay with her friend. As per policy, the VPD contacted CoV Engineering to come and secure the suite.

The complainant spoke with the attending VPD members. She was left with the belief that she could contact CoV Risk Management and have any damage expenses reimbursed. The complainant received all invoices through the strata requiring her to pay \$919.24 associated to having the CoV board and secure the suite; \$374.85 to complete a temporary repair of the door; and \$4,517.10 to replace the door and repair the property back to its original condition prior to the breach.

DISCUSSION:

In the course of this Service and Policy review, the VPD spoke with the complainant twice. Once on April 1, 2021, when she initially emailed the CoV and was subsequently referred to the VPD. The second on May 25, 2021, as part of the review of this complaint. She has two main concerns:

1. The complainant had the belief that she would be reimbursed for the damages incurred.
2. The complainant is concerned that the financial cost from the damaged door may deter similar future calls for service.

When examining the first concern, the VPD is unable to determine the specific details of the exact conversation between the attending VPD officer and the complainant at the conclusion of the incident on January 8, 2021. The VPD and the complainant agree that the complainant was provided direction by the attending VPD members to contact the CoV Risk Management. This may have led the complainant to infer that the cost would be covered. The attending member stated that it is their practice not to assume liability nor to advise that the CoV would cover the costs.

The specific Regulations and Procedures Manual (RPM) related to property damage (section 5.2.3), was recently updated on February 5, 2021. The policy states that members are not to assume liability but are to direct claim inquiries to CoV Risk Management.

In response to the second concern, the complainant believes that people may not call 911 if they are aware of a potential associated financial cost. It is accepted policy and practice that when the VPD or VFRS act in good faith, and while in the performance of their duties, that damage referrals are made to CoV Risk Management who will then make a final legal decision.

Members spoke to the complainant's daughter inviting her to come home and secure the suite but she was not in a position to return. Members have a duty to ensure the property is secure and followed policy by contacting CoV Engineering (VPD RPM 1.6.21).

CONCLUSION:

The VPD acknowledges the concerns raised by the complainant. The complainant understands that the VPD could not reconcile her first concern. The complainant has been advised that the VFRS was the agency that actually breached the door. There are no changes recommended to any policy or procedure. The VPD recommends that the Committee conclude its review of this complaint based on the information provided.

Author: Inspector Kevin Bernardin

Date: June 15, 2021

Submitting Executive Member:

Deputy Chief Howard Chow

Date: June 15, 2021