



# VANCOUVER POLICE BOARD

## *Service or Policy Complaint Review Committee Meeting Agenda*

**Date:** Thursday February 29, 2024

**Time:** 2:00- 2:20 pm

| 1 | <b>Consent Agenda</b><br><br>*1.1 Agenda for February 29, 2024<br><br>*1.2 Minutes of January 18, 2024 Meeting<br><br>*1.3 OPCC File# 2023-24999- Concluding Letter<br><br>*1.4 OPCC File #2023-24853- Follow up Email                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| 2 | <br><br>*2.1 OPCC File # 2023-23490<br><ul style="list-style-type: none"><li>• Concluding Letter</li></ul><br>*2.2 OPCC File # 2022-22917 and 2020-17401<br><ul style="list-style-type: none"><li>• Concluding Letter</li></ul><br>2.3 File # 2024-002 - Verbal Update<br><br>*2.4 OPCC File # 21-19359 and 2120873<br><ul style="list-style-type: none"><li>• Concluding Letter</li></ul><br>*2.5 OPCC File # 2024-25248- Acknowledgement Letter<br><ul style="list-style-type: none"><li>• Service or Policy Complaint</li><li>• Intake Letter to the Police Board</li><li>• Acknowledgement Letter</li><li>• Memo- Service or Policy Complaint Review Committee</li></ul><br>*2.6 OPCC File # 2023-23673- Follow up email<br><ul style="list-style-type: none"><li>• OPCC Recommendations</li><li>• Second Acknowledgment Letter</li><li>• Memo- Service or Policy Complaint Review Committee</li></ul><br>*2.7 VPB File # 2023-023 – Verbal Update<br><br>*2.8 OPCC File # 2024-25270<br><ul style="list-style-type: none"><li>• Service or Policy Complaint</li></ul> |

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | <ul style="list-style-type: none"> <li>• Intake Letter to the Police Board</li> <li>• Acknowledgement Letter</li> <li>• Memo- Service or Policy Complaint Review Committee</li> </ul> <p>*2.9 OPCC File # 2023-24232</p> <ul style="list-style-type: none"> <li>• Service or Policy Complaint</li> <li>• Intake Letter to the Police Board</li> <li>• Acknowledgement Letter</li> <li>• Memo- Service or Policy Complaint Review Committee</li> </ul> |
| 3. | <b>For Information</b>                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 4. | <b>Other Business</b>                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|    | ADJOURNMENT Service or Policy Complaint Review Committee Meeting                                                                                                                                                                                                                                                                                                                                                                                      |



## Service or Policy Complaints Review Committee Minutes

Date/Time: January 18, 2024 –1:41pm- 1:55pm

Location: 7<sup>th</sup> Floor Boardroom- 2120 Cambie St. Vancouver BC

| Attendees                            |                                     |        |
|--------------------------------------|-------------------------------------|--------|
| Vancouver Police Board Members/Staff | Vancouver Police Department         | Guests |
| Faye Wightman                        | Chief Constable Adam Palmer         |        |
| Ken Sim                              | Deputy Chief DCC Howard Chow        |        |
| Allan Black (Chair)                  | Deputy Chief Constable Fiona Wilson |        |
| Comfort Sakoma- Fadugba              | Deputy Chief Constable Steve Rai    |        |
| Frank Chong                          | Superintendent Shelley Horne        |        |
| Patricia Barnes                      | Superintendent Trevor Burmachuk     |        |
| Lorraine Lowe                        |                                     |        |
| Jason Kuzminski (Executive Director) |                                     |        |
| Alaleh Shah Ali                      |                                     |        |
| Alysha Bortolussi                    |                                     |        |

The Chair Mr. Allan Black called the meeting to order at 1:41 pm.

### 1. \*Adoption of:

\*1.1 Agenda for January 18, 2024

\*1.2 Minutes of November 23, 2023 Meeting

Amendments were recommended to the minutes of November 23, 2023 to clarify Director Black was chairing the meeting.

Motion: To approve the amended minutes from Nov 23, 2023. Passed

### 2. \*New Service or Policy Complaints

#### New Service or Policy Complaint (OPCC File# 2023-24999)

- \*Service or Policy Complaint
- \*Intake Letter to the Police Board
- \*Acknowledgement Letter
- \*Memo- Service or Policy Complaint Review Committee

The Service or Policy subcommittee reviewed and investigated the complaint and made recommendations to the Board. The Board dismissed the complaint as it was not a Service or Policy complaint. The complainant will be provided a response to this effect.

Action: Board will provide a response to complainant and inform them that the complaint will be dismissed as it was not a Service or Policy complaint.

### **3.1 Board Recommendations re Contract Management- OPCC File# 2023-23490 -Verbal Update**

The Chair briefed the committee on reports requested by the Service or Policy Complaint Review sub-committee that examined the VPD's procurement policy with the City of Vancouver's, compared the purchase authority approval matrices, and assessed the adequacy of criteria established for written justification of sole source contracts.

The Chair explained that an independent review was conducted by the City of Vancouver's Auditor which reviewed VPD policies, and the subcommittee reviewed billing invoices and evidence about practices followed, in order to assess compliance with contract terms and financial policies in place at the time. The City Auditor's report confirms that VPD's sole source policies and practices were and are consistent with the City of Vancouver. The VPD stated that it is working on a comparison of its purchase authority approval matrix to the City of Vancouver's and other similar organizations and will complete this research this year. The City Auditor's report also confirms the adequacy of criteria for sole sourced contracts. A copy of the report is attached as an appendix to this letter.

The subcommittee noted that the contract itself was thoroughly written and vetted. Information showed that the Board was briefed about the contract in January 2019 and approved it in February 2019. Subsequent management of the contract and decisions were made on an expedited basis, with overriding political consideration by previous mayors in Surrey and Vancouver, and, because of the urgency of the request, not all of the contract provisions were followed precisely.

The subcommittee noted that the complaint significantly overstated monetary amounts for the work, and any decisions fell within the delegated authority of those who made them. VPD advised the subcommittee that its financial policies have been updated in the past three years to enhance controls. The subcommittee recommends that the updated policies to its Finance and Risk Committee to review and ensure appropriate thresholds for payments are in place, the policies have a clear threshold for potential write-offs to be identified and/or approved by the Board, and there is appropriate monitoring of agency-to-agency agreements and correspondence and moves that the Board accept this report and the City Auditor's report as concluding this matter.

Motion: To refer VPD's updated financial policies to the Finance and Risk Committee for review, to conclude the Board's investigation into the complaint, and to report the decision to the OPCC. Approved.

### **4.1 Response to OPCC Recommendations- OPCC File# 2021-19359 and 2021-20873- Verbal Update (#2401V08)**

The Committee considered specific amendments to VPD's Sudden Death Notifications policy *in camera* pursuant to section 69(2)(a), for the reason that public disclosure of investigation procedures embedded in the policy could reasonably be expected to seriously impair effective policing. The information about the amendments that the Committee reviewed address the OPCC recommendations and are aligned with a memorandum of understanding with the BC Corners service and the Independent Investigations Office ratified in July 2023. The policy changes and additional mandatory training are measures that are intended to ensure VPD members and supervisors continue to be trained, prepared, and supported to document and investigate sudden deaths.

Motion: To conclude the Board's investigation into the complaint based on amendments to the Sudden Death Notifications policy that are based on the July 2023 MOU with the BC Coroners Service and IIO. Approved.

### **5.1 OPCC 2023-24853- Service or Policy Complaint Review Committee- Verbal Update**

- \*Follow up correspondence sent to the complainant

The Committee considered this complaint regarding VPD's HR policies *in camera* pursuant to section 69(2)(c) and (d), for the reasons that it involves a personnel matter and because the complainant consented to it being considered in private. The Committee was informed that the OPCC has an open and ongoing investigation that is interconnected with the complaint. The Chair recommended the complaint be held in abeyance pending the outcome of the OPCC process and to advise the complainant of that effect.

Action: To hold the complaint in abeyance pending the outcome of the OPCC process and update the complainant when the file is back before the Board. Approved

**3. For Information**

**4. Other Business**

**Motion: To Adjourn. Approved**

*The meeting was adjourned at 1:55 pm.*

**TO BE APPROVED BY THE VANVOUVER POLICE BOARD on February 29, 2024**



Date: January 23, 2024

Sent via email to: [REDACTED]

Dear [REDACTED],

**RE: Service or Policy Complaint -OPCC File #2023-24999**

At its meeting on January 18, 2024, the Service or Policy Complaint Review Committee of the Vancouver Police Board met and considered your complaint alleging that the Board altered meeting agendas, did not discuss specific reports on the agenda and censored the public while discussing issues relevant to the agenda. A Service or Policy Complaint is considered with respect to:

- a) The general direction and management or operation of a municipal police department; or,
- b) The inadequacy or inappropriateness of any of the following in respect of a municipal police department:
  - a. Its staffing or resource allocation;
  - b. Its training programs or resources;
  - c. Its standing orders or policies;
  - d. Its ability to respond to requests for assistance;
  - e. Its internal procedures.

After careful review, the Committee considered that the complaint is not in relation to the municipal police department as required by the *Police Act* and determined it be dismissed for that reason.

The Board reviewed the records of the meetings you attended where concerns you have raised arose, in particular, the July 20, 2023 meeting. The purpose of that meeting was to consider a number of service or policy complaints, which is reflected in the regular meeting agenda limited only to a consent agenda that contained two items. Following approval of the consent agenda, the meeting was adjourned without an opportunity for the public to ask questions related to business discussed at the meeting, which the Board acknowledges was an oversight but explainable by the fact that the only business discussed at the meeting was approval of minutes of the June meeting.

The Board immediately corrected what was a technical error when it was brought to its attention, by communicating that it would return to the regular meeting to receive questions at the conclusion of the service or policy complaint review committee meeting. It did in fact do so. No one was denied access as alleged. The questions that were posed to the Board were ruled out of order on the basis that they did not relate to business discussed at the meeting and were in regard to broad social and public health policy issues that are beyond the scope of the Board's mandate. Pursuant to the Board's *Governance Manual*, you were invited to meet with the executive director who would receive your questions and comments.

With regard to the availability of a microphone for members of the public to use for questions during meetings, the Committee also dismissed this complaint as beyond the scope of the *Police Act*. While the Board endeavours to make meetings as accessible to the public as possible, there is no obligation to provide microphones. The public who are unable to attend a meeting in person are still able to follow proceedings



A copy of the minutes of the July Board meeting is attached here for your reference.

#### 8. Opportunities for Enquiries from the Public

NOTE: Due to an inadvertent error in advice of Board Office staff, the opportunity for enquiries from the public took place after the Regular Meeting went into recess for the Board to consider Service or Policy Complaint Review Committee business.

A member of the public asked about a broken hyperlink to OPCC correspondence in relation to an item on the Service or Policy Complaint Review agenda package. Executive Director Jason Kuzminski explained that documents are redacted for privacy of information, and he committed to reviewing whether this was the case or an administrative error, and whether the document can be made publicly available.

The same individual commented on the community in the Downtown East Side and requested a moment of silence to acknowledge the number of people who died of toxic drugs in Vancouver and the province. The Chair acknowledged the crisis that is occurring in Vancouver and, after clarifying that according to section 4.11.6 of the Board Governance Manual public enquiries must relate to business discussed at the meeting, ruled the question out of order.

The individual asked additional questions which were ruled out of order, and the Chair invited a follow up meeting with the Executive Director.

Action: The Board office will provide the hyperlink for the agenda item 2 regarding OPCC correspondence.

Motion: To Adjourn the Meeting(M/S/C)

The Regular Meeting was adjourned at 1:46 pm.



The Vancouver Police Board has concluded its review of the matter and closed its file. Pursuant to s. 172 (2) of the *Police Act*, if you are dissatisfied with the actions of the Vancouver Police Board in this matter, you may ask the Police Complaint Commissioner to review them. You have twenty business days from receipt of this letter to request a review, and you can contact the Commissioner at:

Office of the Police Complaint Commissioner  
#501, 947 Fort Street  
PO Box 9895, Stn Prov Govt  
Victoria, BC V8W 9T8

Yours sincerely,

Jason Kuzminski  
Executive Director  
Vancouver Police Board

CC:

Chief Constable Adam Palmer;  
Office of the Police Complaint Commissioner;  
Ministry of Public Safety and Solicitor General  
Ministry of Public Safety and Solicitor General



Date: January 22, 2024

Sent via email to: [REDACTED]

Dear [REDACTED],

**RE: Service or Policy Complaint #2023-020 / OPCC File #2023-24853**

This letter is to update you that on November 23, 2023 the Service or Policy Complaint Review Committee of the Vancouver Police Board met *In camera* to consider your complaint. At that time, the Committee was advised that the Office of the Police Complaint Commissioner has ordered an investigation into matters that may relate to the policy complaint you have made. After careful deliberation, the Committee resolved to hold your complaint in abeyance pending the conclusion of the OPCC investigation, in order to protect the integrity of the process, and this decision was reported publicly at the Board's next meeting which occurred on January 18, 2024.

Your complaint file remains open and will come back before the Committee in due course. You will be notified beforehand. With regard to your correspondences of January 11 and January 21, 2024, in which you advise that you have additional information that may be pertinent to the complaint, please document the information and retain records to provide when the Committee resumes considering the complaint.

Yours sincerely,

**Office of Vancouver Police Board**

**CC:**

Chief Constable Adam Palmer;  
Office of the Police Complaint Commissioner;  
Ministry of Public Safety and Solicitor General



Date: February 20, 2024  
Sent via email to: [info@opcc.bc.ca](mailto:info@opcc.bc.ca)

Dear Commissioner,

**RE: Service or Policy Complaint – Board File No. 2023-003 / OPCC 2023-23490**

I am writing further to the Vancouver Police Board's consideration of this complaint brought by an anonymous complainant.

At its April 20, 2023 meeting, the Service or Policy Complaint Review Committee of the Board (SPCRC) adopted a motion to initiate an investigation into the complaint by arranging for an independent review of the Vancouver Police Department's sole source procurement policies, including:

- Comparison of VPD policies with the City of Vancouver's sole source procurement policies;
- Comparison of the VPD's purchase authority approval matrix with similar organizations; and
- The adequacy of criteria established for written justification of sole sourced contracts.

The independent review was conducted by the City of Vancouver's Auditor. In addition to the City Auditor's review of VPD policies, a subcommittee of the SPCRC reviewed billing invoices and evidence about practices followed, in order to assess compliance with contract terms and financial policies in place at the time. The City Auditor's report has confirmed that VPD's sole source policies and practices were and are consistent with the City of Vancouver. The VPD stated that it is working on a comparison of its purchase authority approval matrix to the City of Vancouver's and other similar organizations and will complete this research this year. The City Auditor's report also confirms the adequacy of criteria for sole sourced contracts. A copy of the report is attached as an appendix to this letter.

The SPCRC noted that the contract itself was thoroughly written and vetted. A review of information about the management of the contract referred to in the complaint showed that the Board was briefed about the contract in January 2019 and approved it in February 2019. Subsequent management of the contract and decisions were made on an expedited basis, with overriding political consideration by previous mayors in Surrey and Vancouver. In light of the above, and because of the urgency of the request by Surrey, not all of the contract provisions were followed.

The evidence before the SPCRC revealed that the allegations in the complaint significantly overstated monetary amounts for the work, and any decisions fell within the delegated authority of those who made them. VPD financial policies have been updated in the past three years to enhance controls, and the Board has referred the updated policies to its Finance and Risk Committee to review and ensure appropriate thresholds for payments are in place, the policies have a clear threshold for potential write-offs to be identified and/or approved by the Board, and there is appropriate monitoring of agency-to-agency agreements and correspondence.

Based on the foregoing, the Board resolved to accept the SRCPC's review, including the City Auditor's report, and its recommendation to close this matter at its meeting on January 18, 2024.

If the complainant is dissatisfied with the Board's actions, explanations or results of the investigation or summary of those results, that person may, within 20 business days of receiving the explanation or

summary, request the Police Complaint Commissioner to review the matter. As you are aware, the complaint was received by your office and referred to the Board, and the complainant is anonymous to us. If you are in a position to forward this correspondence to the complainant, the Board would be much obliged.

Yours sincerely,



Jason Kuzminski  
**Executive Director**  
**Vancouver Police Board**

**CC:**

Chief Constable Adam Palmer;  
Office of the Police Complaint Commissioner;  
Ministry of Public Safety and Solicitor General

From: Sr. Legal Analyst <[legalanalyst@opcc.bc.ca](mailto:legalanalyst@opcc.bc.ca)>

Sent: Thursday, December 14, 2023 9:25 AM

To: [REDACTED]

Subject: OPCC File 2022-22917: Recommendation to the Vancouver Police Board

You don't often get email from [legalanalyst@opcc.bc.ca](mailto:legalanalyst@opcc.bc.ca). [Learn why this is important](#)

Dear Mayor Sim,

**Re: Recommendation to the Vancouver Police Board to Examine  
and Reconsider Policies and Procedures Pursuant to Section 177(4)(c) of the *Police Act***

On March 30, 2023, the Office of the Police Complaint Commissioner forwarded a letter of recommendation to the Vancouver Police Board. Pursuant to section 171(4) of the *Police Act*, the Police Complaint Commissioner may request a status report from the police board regarding the process of recommendations made by the Office of the Police Complaint Commissioner.

Our office is seeking an update on the progress of the review into the recommendations described in the March 30, 2023, letter, which is attached for your records.

Should you have any questions regarding the above or with respect to the *Police Act* process, please do not hesitate to contact me and I connect you with the most appropriate person.

Kindly,



**Bonnie Egan** (she/her)

Senior Legal Analyst

Direct: 250-508-1672 | Toll Free: 1 (877) 999-8707

5<sup>th</sup> Floor – 947 Fort Street, Victoria BC V8W 9T8

[www.opcc.bc.ca](http://www.opcc.bc.ca)

Our office is located on the unceded traditional lands of the Ləkʷəŋən (Lekwungen) People and ancestors and our work extends across the homelands of the Indigenous Peoples within what we now call British Columbia. We honour the many territorial keepers of the lands and waters where we work.

*This message, together with any attachments, is intended only for the use of the individual or entity to which it is addressed. It may contain information that is confidential and prohibited from disclosure. If you are not the intended recipient, you are hereby notified that any dissemination or copying of this message or any attachment is strictly prohibited. If you have received this message in error, please notify the original sender immediately by telephone or by return email and delete this message along with any attachments, from your computer.*



## VANCOUVER POLICE BOARD

"PROVIDING INDEPENDENT CIVILIAN OVERSIGHT, GOVERNANCE, AND STRATEGIC LEADERSHIP TO THE VANCOUVER POLICE DEPARTMENT, REFLECTING THE NEEDS, VALUES AND DIVERSITY OF VANCOUVER'S COMMUNITIES."

To: **Service or Policy Complaint Review Committee**  
From: Board Office  
Date: February 14, 2024  
Subject: MT SPCRC re # 2022-22917 and # 2020-17401- Concluding Letter to OPCC re- OPCC recommendations

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The Office of the Police Complaint Commissioner has written the Vancouver Police Board regarding recommendations it made in referring two service or policy complaints that raised workplace concerns. The complaints were investigated and disposed of by the Board, and the outcomes were reported to the OPCC. While the OPCC is not seeking any further action in relation to the individual complaints, it asked the Board for a status report on its general recommendation for the Board to examine and reconsider certain policies and procedures to ensure issues about the Marine Unit that were identified.

### SPCR-Sub-committee Recommendation re concluding letter

The sub-committee reviewed the complaint referred to the Board by the OPCC, along with information provided by the VPD about an independent investigation of allegations about the workplace pursuant to the department's Respectful Workplace policy. The independent investigator examined the allegations and determined there were no breaches of the VPD's Respectful Workplace policy and Marine Unit matters that gave rise to the complaints have been addressed.

The sub-committee notes that in 2023 the Board asked its Human Resources Committee to review workplace culture, policies, programs and procedures and recommends that insofar as there may be any outstanding issues related to the OPCC's recommendations these be considered as part of that review.

**2.3 File # 2024-002**

**VERBAL UPDATE**



# VANCOUVER POLICE BOARD

"PROVIDING INDEPENDENT CIVILIAN OVERSIGHT, GOVERNANCE, AND STRATEGIC LEADERSHIP TO THE VANCOUVER POLICE DEPARTMENT, REFLECTING THE NEEDS, VALUES AND DIVERSITY OF VANCOUVER'S COMMUNITIES."

February 20, 2024

Office of the Police Complaint Commissioner  
5<sup>th</sup> Floor, 947 Fort Street  
PO Box 9895 Stn Prov Govt  
Victoria, BC V8W 9T8

Attn: Eric Chown

Dear Sirs/Mesdames,

**RE: Service or Policy Complaint -OPCC File #2021-19359 and #2021-20873**

At its meeting on January 18, 2024, the Service or Policy Complaint Review Committee of the Vancouver Police Board met and considered the recommendations of the Police Complaint Commissioner set out in his letter of April 14, 2023. The recommendations are:

1. Review and amend, as may be required, any policy, procedures, and training in relation to sudden death investigations with an emphasis on:
  - a. Ensuring members and supervisors are adequately trained, prepared and supported to document and investigate these matters to an impartial, objective and thorough standard; and
  - b. Emphasizing the independent role of the police in sudden death investigations vis-à-vis the Coroner in determining the circumstances of the death.
2. Consider the requirements of *Provincial Police Standard Section 6.1.1 (Promoting Unbiased Policing)* to assist in this review and the development of relevant policies, procedures, or training.

The information and evidence before the Committee is that the Vancouver Police Department's policy regarding "Sudden Deaths" has been amended to reflect the OPCC recommendations and a Memorandum of Understanding with the BC Coroners Service and the Independent Investigations Office (the "MOU") that was ratified in July 2023. As well, the amended policy mandates training for members and supervisors that has been enhanced to ensure they are adequately trained, prepared and supported to investigate and document sudden deaths to an impartial, objective and thorough standard. Supplementary training on Sudden Death Investigations and Death Notifications will be delivered as part of Cycle 2 Training between April 2 and June 4, 2024.

Attendance at Cycle 2 Training is mandatory for members assigned to patrol, including the Beat Enforcement Team, Neighbourhood Policing Team, Marine Unit and Mounted Unit, as well as the Collision Investigation Unit, Gang Crime Unit, Youth Services Section and others. The VPD's Learning and Development Unit continues to monitor best practice related to sudden death investigations and death notifications training. Cycle 2 Training also will address guiding principles from the amended policy, Provincial Policing Standards, trauma-informed practice, cultural humility and accessibility, documentation requirements, and employee well-ness.

Specifically, and in accordance with recommendation 1(b), the policy clarifies and delineates the roles at a sudden death investigation by making the information more prominent in the preamble that introduces the policy. To address recommendation 2, an additional paragraph and hyperlink to the BC Provincial Policing Standards Subject 6.1.1 Promoting Unbiased Policing has been added, to reinforce the duty to deliver police services impartially and equitably, in a manner that upholds human rights, is culturally safe, trauma-informed, responsive and without discrimination. To reflect this within the policy, the term “next-of-kin” has been replaced by “Appropriate Person” and is consistent with the MOU and section 5 of *Freedom of Information and Protection of Privacy Regulation*.

The Committee carefully considered the information alongside the OPCC recommendations and accepted that the amended policy and additional training appropriately address the recommendations and respond to circumstances such as the ones which led to them. Consequently, the Board adopted the Committee’s recommendation to conclude this matter, notify the OPCC of its decision and to close its file.

Yours sincerely,



Jason Kuzminski  
**Executive Director**  
**Vancouver Police Board**

**CC:**

Chief Constable Adam Palmer;  
Office of the Police Complaint Commissioner;  
Ministry of Public Safety and Solicitor General

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**From:** [REDACTED]  
**Sent:** Wednesday, December 6, 2023 11:32 AM  
**To:** Web Submissions  
**Subject:** [REDACTED] 09/07/2020

**CAUTION:** This email came from an external source. Only open attachments or links that you are expecting from a known sender.

**Your Contact Details**

**Title**

[REDACTED]

**First Name**

[REDACTED]

**Last Name**

[REDACTED]

**Mailing Address**

[REDACTED]

**City/Town**

[REDACTED]

**Province**

BC

**Postal Code**

[REDACTED]

**Contact Phone Number**

[REDACTED]

**Alternate Phone Number**

[REDACTED]

**Email Address**

[REDACTED]

**Date of Birth**

[REDACTED]

**If you would like to, please let us know how you wish to be addressed (she/her, they/them, he/him):**

[REDACTED]

**If you have a disability, accommodations are available. Please indicate how we may accommodate your needs**

N/A

[REDACTED]

**Complaint Information**

**When did the incident happen?**

09/07/2020

**Name of the police department involved, if known. Choose from this menu**

Vancouver

**Name or badge number of the officer(s), if known**

unknown - requested

**Police file number, if known**

VA20-121147

**Were there any witnesses? If so, please list their names and contact information**

yes - unknown

**Describe your injuries (if any)**

N/A

**If you received treatment for your injuries, please indicate when and where you received it:**

N/A

**Choose the type of complaint you are filing**

**Choose the type of complaint you are filing**

- Police Complaint

**Complaint Description**

**Complaint Details**

Hello

I am writing today as I have left multiple messages with various officers at the VPD regarding the issue that I found out last week that my mother passed in a fire in July 2020!

My family was concerned as we had not heard from her in a few years. My cousin, who is OPP, [REDACTED] called VPD on Monday November 27 to ask for a compassionate to locate call.

Later that evening she was informed via a message from [REDACTED] that my mother passed in a fire in 2020.

VPD incident number#: VA20-121147

I called the VPD non-emergency number first thing Tuesday November 28 asking to speak with [REDACTED], who was still on shift. I did not receive a call back.

On Wednesday November 29, while I was speaking with the coroner she advised me that she was in contact with another officer, [REDACTED] was involved with this file as my sister, [REDACTED] had also called the VPD inquiring about our mother's death.

██████ was made aware via the coroner that she had released information to the wrong next of kin. I was advised that ██████ would call me back on Wednesday. I did not receive a call back.

██████ has a very large family - she 3 daughters, 5 grandchildren, 6 brothers and sisters in Ontario, all married with children. ██████ is Aunt to many cousins. Lorraine was loved by a large family.

██████ does not have a spouse, and her three daughters are estranged, so by law the eldest becomes appointed as next of kin. That is me. ██████ is my younger sister.

There were multiple officers on scene of the fire. I would assume they are all still working. One officer identified my mother. I am aware that someone at scene identified themselves as next of kin and that the VPD took his word for it - ██████. Once the coroner's office notified the VPD that this ██████ fellow could not be located, the VPD was then asked to conduct a reasonable search for next of kin. The VPD notified the coroner's office that there was no next of kin.

On Tuesday December 5, myself and my sister ██████ were interviewed by Global News. The correspondent ██████ forwarded the response that Global received from the VPD and it is disappointing. They have spun a tall tale of inaccuracies, rather than offer apologies and admit the reasonable search for next of kin process in British Columbia needs a review and amendments to ensure another family does not experience the same.

Today, Wednesday December 6 I received an email from ██████ dismissing my request to speak to the officers at scene or the officer who conducted the search for next of kin at the request of the coroner's office. He stated he was not in charge of my mother's case, nor does he supervise the officers involved. He directed me to the coroner's office - the coroner is not able to connect me with the officers at scene nor provide me with the steps taken as part of the VPD's search. He also advised me to go through FOIPPA to obtain a copy of the police report.

I would like a copy of the police report without having to go through the long drawn out process of FOIPPA.

I would like to speak to officers at the scene of the fire, especially the one who spoke with ██████ who identified himself as next of kin.

I would like to speak to the officer who conducted a reasonable search for next of kin at the request of the coroner's office and be provided with the list of the exact steps used to conduct the search.

I hope to hear from someone who was involved with my mother's case, as soon as possible.

## Complaint Resolution

Are you interested in participating in Complaint Resolution?

Yes

## My Statement

Please write first and last name here

████████████████████

Date Signed

06/12/2023

February 6, 2024

VIA E-MAIL: [REDACTED]

His Worship Mayor Ken Sim  
Chair, Vancouver Police Board  
City Hall 3<sup>rd</sup> Floor – 453 West 12<sup>th</sup> Avenue  
Vancouver, BC V5Y 1V4

Dear Mayor Sim:

**Re: Service or Policy Complaint – Vancouver Police Department  
OPCC File No. 2024-25248**

On December 6, 2023, the Office of the Police Complaint Commissioner (OPCC) received a complaint from [REDACTED] outlining [REDACTED] concerns related to the Vancouver Police Department's (VPD) handling of the next of kin identification and notification after [REDACTED] mother's passing. The Complainant asserts that an incorrect person was identified and notified as next of kin. It was suggested through [REDACTED] complaint that "...the reasonable search for next of kin process in British Columbia needs a review and amendments...". A copy of the original complaint is attached.

Please note, an aspect of [REDACTED] complaint has also been determined to be admissible pursuant to Division 3 of the *Police Act* (OPCC file 2023-25016 refers).

As you are aware, a service or policy complaint may include a complaint regarding the general direction and management or operation of a municipal police department. It may also include a complaint about the inadequacy or inappropriateness of a municipal police department's policies or internal procedures, training programs or resources, staffing or resource allocation, or the department's ability to respond to requests for assistance.

Upon receiving a copy of the complaint, pursuant to section 171(1) of the *Police Act*, the board, having authority over the municipal police department to which the complaint relates, must promptly do one or more of the following:

- (a) Request that the chief constable of that municipal police department investigate and report on the complaint;
- (b) Initiate a study concerning the complaint;

- (c) Initiate an investigation into the complaint;
- (d) Dismiss the complaint with reasons; and/or
- (e) Take any other course of action the board considers necessary to respond adequately to the complaint.

Pursuant to section 171(3) of the Act, within 20 business days after doing any of the things described in subsection (1)(a) to (e), the board must notify the Complainant, the Director of Police Services, and the Police Complaint Commissioner regarding the course of action being taken. The Police Complaint Commissioner may request a status report from the board regarding the progress of an investigation or a study concerning a complaint under Division 5.

The police board must send an explanation for actions taken by the board under section 171 (1) and if applicable, a detailed summary of the results of any investigation or study initiated to the Complainant, the Director of Police Services, and the Police Complaint Commissioner. If the Complainant is dissatisfied with the board's actions, explanations, or results from the investigation or the summary of those results, that person may, within 20 business days of receiving the explanation or summary, request the Police Complaint Commissioner to review the matter.

Should you have any questions regarding the above or with respect to the *Police Act* process, please do not hesitate to contact me at (250) 356-7458 or by email at [info@opcc.bc.ca](mailto:info@opcc.bc.ca).

Yours truly,



Cameron Loveless  
A/Executive Director, Oversight Operations

Enclosure

cc: Chief Constable Adam Palmer, Vancouver Police Department  




Date: February 9, 2024

Sent via email to: [REDACTED]

[REDACTED]

**RE: Service or Policy Complaint #2024-003/ OPCC File #2024-25248**

This letter acknowledges the receipt of your complaint outlining your concerns related to Vancouver Police Department's handling of the next of kin identification and notification processes. The Board's Service or Policy Complaint Review Committee intends to consider the complaint at its next meeting in February. Please note that a Service or Policy Complaint is considered with respect to:

- a) The general direction and management or operation of a municipal police department; or,
- b) The inadequacy or inappropriateness of any of the following in respect of a municipal police department:
  - a. Its staffing or resource allocation;
  - b. Its training programs or resources;
  - c. Its standing orders or policies;
  - d. Its ability to respond to requests for assistance;
  - e. Its internal procedures.

Upon investigating a complaint, the Service or Policy Complaint Review Committee can decide to take any of the following actions in accordance to the *Police Act*, section 171(1):

- (a) request a chief constable of that municipal police department to investigate and report on the complaint;
- (b) initiate a study concerning the complaint;
- (c) initiate an investigation into the complaint;
- (d) dismiss the complaint with reasons;
- (e) take any other course of action the board considers necessary to respond adequately to the complaint.

The Service or Policy Complaint Review Committee next meets on February 29, 2024. The meeting will immediately follow the Board's regular meeting, which starts at 1:00 p.m. The meetings are live-webcast on the Board's website: [www.vancouverpoliceboard.ca](http://www.vancouverpoliceboard.ca).

The agendas and reports for both meetings will also be available online on our website prior to the meeting. The Board office will advise you in writing of any decision made by the Committee with respect to this complaint following the meeting.

Yours sincerely,

**Office of Vancouver Police Board**

CC:

Chief Constable Adam Palmer;  
Office of the Police Complaint Commissioner;  
Ministry of Public Safety and Solicitor General



## VANCOUVER POLICE BOARD

"PROVIDING INDEPENDENT CIVILIAN OVERSIGHT, GOVERNANCE, AND STRATEGIC LEADERSHIP TO THE VANCOUVER POLICE DEPARTMENT, REFLECTING THE NEEDS, VALUES AND DIVERSITY OF VANCOUVER'S COMMUNITIES."

To: **Service or Policy Complaint Review Committee**  
From: Board Office  
Date: February 20, 2024  
Subject: Complaint #OPCC- 2024-25248

On February 6, 2024, the Board Office received a complaint raising allegations related to the VPD's handling of the next of kin identification and notification after their mother's passing. The complainant alleges that VPD incorrectly identified and notified the wrong person as the next of kin, asserting that by law she only she is the next-of-kin, and that VPD could have avoided the error through a reasonable search. OPCC has determined that the allegations of misconduct against the officer or officers are admissible. The question for the SPCRC is whether there is a valid complaint about the general direction of management of the department, and/or about the inadequacy or inappropriateness of the VPD's policies, internal procedures, training programs, or other similar issues. The answer may depend in part on who is considered to be next-of-kin in law and policy.

The Service or Policy Complaint Review Sub-Committee asked for clarification of the respective roles of the VPD and BC Coroners Service with regard to notifying next-of-kin. This information was presented to the Board at its January 2024 meeting, as part of a briefing about the VPD's Sudden Death Notifications policy that has information about next-of-kin embedded in it. The VPD briefing is that there is no role for the coroner in notifications. An MOU that was entered into by VPD, IIO and the BC Coroner which sets out that only a coroner can speak to the cause of death—and, accordingly, the VPD is to refrain from commenting on the cause. The VPD may comment on the general circumstances of the death.

The key parts of the policy that are relevant to the complaint are set out as follows:

### DEFINITIONS

**Appropriate Person:** is synonymous with next-of-kin (NOK). For example, a committee acting for the deceased under s. 24 of the Patients Property Act, a personal representative, a nearest relative, or a guardian.

### Appropriate Person Notification

28. The identification of the deceased and ***notification of the Appropriate Person is the responsibility of the initial investigators and shall be completed in as timely a manner as practicable.*** The Appropriate Person notification shall be conducted in person when possible. An indirect notification (e.g., by phone) is not recommended and is only acceptable when no practical alternative exists. Members shall document how the Appropriate Person was identified and notified in the GO report. ***In the event the IIO takes conduct of the investigation, the IIO will be responsible for the notification*** (see sections 47 and 48 under IIO Notifications).

29. Members may request the Victim Services Unit, and should consider providing cultural and spiritual resources to people impacted by the person's sudden death. See RPM Section 1.14.2 Victim Services Unit.
30. Where investigators from the Homicide Unit have been called to the scene of a sudden death investigation, the assigned patrol members shall seek direction from the Homicide Unit supervisor regarding notification of the Appropriate Person.
31. Where Homicide Unit investigators are assigned to investigate a death, it will be their responsibility to follow up with the Appropriate Person to provide information when appropriate, and as further facts become known.
32. The cause of death can only be determined by the Coroner at the conclusion of the Coroner's investigation. When information is requested by, or provided to, an outside jurisdiction or the Appropriate Person regarding the cause of death, members are to advise that the information relayed is only a suspected cause of death until such time as there has been confirmation received from the Coroner.
33. The circumstances surrounding the cause of death may only be determined at the conclusion of the police investigation. When information is requested by, or provided to, an outside jurisdiction or the Appropriate Person, members shall consult with the Coroner and Team Commander of the investigating specialty unit to assess what information is appropriate to disclose.
34. In all incidents where the cause of death appears to be suspicious and/or criminal in nature, members must refrain from disclosing information to the Appropriate Person or outside jurisdiction until approved by the Team Commander.
35. In consultation with the Team Commander, members shall make every effort to ensure the Appropriate Person notification has been conducted prior to any media release.
36. Members conducting the notification shall provide the Appropriate Person with the contact information for the VPD Coroner's Liaison and the BC Coroners Service. In non-suspicious sudden death investigations, after the initial notification has been completed, it will be the responsibility of the BC Coroners Service to provide follow-up information to the Appropriate Person if further facts regarding the death become known.
37. When the Appropriate Person resides in a jurisdiction outside of Vancouver but within a reasonable proximity, the assigned members should consider making the in-person notification themselves. When the Appropriate Person is located in a jurisdiction outside Vancouver, and it is not practicable for VPD members to do the notification, the assigned member:
  - a. shall, as soon as practicable, send a CPIC message on the "VA\_NOK Notification" template to the appropriate police agency requesting assistance with the Appropriate Person notification, ensuring that suitable and sufficient details and contact numbers are included;
  - b. shall request that the Appropriate Person notification be conducted in person in as timely a manner as possible; and

- c. should contact the outside police agency by telephone and ensure they are aware that an Appropriate Person notification requiring timely attention has been submitted via a CPIC message.

...

One important consideration for SPCRC is what the policies, procedures and training were at the time material to the complaint. These have all changed since July 7, 2020, when the mother of the complainants died. Insofar as Standard 6-Unbiased Policing is an issue for the complainant and complaint, the standard did not come into effect until well after the death. A review of the current VPD policy and procedures in the RPM, along with what VPD said about training in the January 2024 meeting, the updates policies and procedures appear to comply with Standard 6.

Insofar as there is something to consider as a service or policy complaint, there may still be a gap in who can be considered “next-of-kin”—or the “Appropriate Person” as the new term in the policy. The complainant says that her mother had no spouse and so, by law, she as the eldest daughter is appointed as the next-of-kin/Appropriate Person. This [Government of Canada information](#) suggests that the complainant’s assertion may be incorrect and that next-of-kin is whomever the individual decides, including persons who are not related. Spelling this out one way or the other may be something for the SPCRC to recommend.

The other thing that the SPCRC may wish to consider is requesting a report on training for these notifications—both what was in place at the time and what is in place now—to best inform officers of what looks to be a good, culturally sensitive and modern policy.

#### SPCR-Sub-committee Recommendation

The sub-committee reviewed the complaint and the foregoing information recommends requesting the Chief Constable to investigate and report :

- (a) What policy or policies were in place at the time and now and ensure that they comply with the legal definition of “next-of-kin” and “Appropriate Person”;
- (b) Whether training regarding under the former policy was adequate and effective in preparing members and supervisors to make notifications in accordance with the policy; and
- (c) Whether any further changes in training may be required to prepare members and supervisors in making notifications in accordance with the amended policy.

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** OPCC File 2023-23673 | s. 173 Letter  
**Date:** Friday, February 09, 2024 12:31:00 PM  
**Attachments:** [image001.png](#)

---

Hello,

Thank you for your email.

In accordance with your recommendations, the Board will hold this complaint in abeyance, pending the conclusion of the Human Rights Commissioner's inquiry; and at the conclusion of the inquiry, consider any findings and recommendations from the inquiry in the context of further action that the Board may wish to take in relation to this complaint. The Board will inform the complainant of its decision accordingly.

Kind regards,

**Office of Vancouver Police Board**

Email: [office@vanpoliceboard.ca](mailto:office@vanpoliceboard.ca) | Web: [vancouverpoliceboard.ca](http://vancouverpoliceboard.ca)

**NOTICE OF CONFIDENTIAL COMMUNICATION:**

This transmission may contain confidential or privileged communications, and the sender does not waive any related rights and obligations. If you are not the intended recipient and have received this in error, you must immediately destroy it. Unauthorized copying or distribution of any information herein is strictly prohibited and may constitute a criminal offence, a breach of Provincial or Federal privacy laws, or may otherwise result in legal sanctions. We ask that you notify the Vancouver Police Department immediately of any transmission received in error, by reply e-mail to the sender.

Sent from my Bell Samsung device over Canada's largest network.

---

**From:** [REDACTED]  
**Sent:** Monday, February 5, 2024 11:29:08 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** OPCC File 2023-23673 | s. 173 Letter

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hello,

Please see the attached correspondence in relation to the above noted OPCC file, sent on behalf of Clayton Pecknold, Police Complaint Commissioner. Please note this letter is dated as of the Commissioner's last day in office.

Thank you,



**Bonnie Egan** (she/her)  
Senior Legal Analyst  
Direct: 250-508-1672 | Toll Free: 1 (877) 999-8707  
5<sup>th</sup> Floor – 947 Fort Street, Victoria BC V8W 9T8  
[www.opcc.bc.ca](http://www.opcc.bc.ca)

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Our office is located on the unceded traditional lands of the **Ləkʷənən** (Lekwungen) People and ancestors and our work extends across the homelands of the Indigenous Peoples within what we now call British Columbia. We honour the many territorial keepers of the lands and waters where we work.

*This message, together with any attachments, is intended only for the use of the individual or entity to which it is addressed. It may contain information that is confidential and prohibited from disclosure. If you are not the intended recipient, you are hereby notified that any dissemination or copying of this message or any attachment is strictly prohibited. If you have received this message in error, please notify the original sender immediately by telephone or by return email and delete this message along with any attachments, from your computer.*



Date: February 9, 2024

Sent via email to: [REDACTED]

[REDACTED]

**RE: Service or Policy Complaint #2023-022 / OPCC File #2023-23673**

On behalf of the Vancouver Police Board, I write to acknowledge receipt of OPCC's email of January 31, 2024 outlining recommendations for the Board.

The Service or Policy Complaint Review Committee next meets on February 29, 2024. The meeting will immediately follow the Board's regular meeting, which starts at 1:00 p.m. The meetings are live-webcast on the Board's website: [www.vancouverpoliceboard.ca](http://www.vancouverpoliceboard.ca).

The agendas and reports for both meetings will also be available online on our website prior to the meeting. The Board office will advise you in writing of any decision made by the Committee with respect to this complaint following the meeting.

Yours sincerely,

**Office of Vancouver Police Board**

**CC:**

Chief Constable Adam Palmer;  
Office of the Police Complaint Commissioner;  
Ministry of Public Safety and Solicitor General



## VANCOUVER POLICE BOARD

"PROVIDING INDEPENDENT CIVILIAN OVERSIGHT, GOVERNANCE, AND STRATEGIC LEADERSHIP TO THE VANCOUVER POLICE DEPARTMENT, REFLECTING THE NEEDS, VALUES AND DIVERSITY OF VANCOUVER'S COMMUNITIES."

To: **Service or Policy Complaint Review Committee**  
From: Board Office  
Date: February 9, 2024  
Subject: Complaint #2023-022-OPCC 2023-23673- Update on OPCC Recommendations re "Exclusion Zones"

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On January 31, 2024, the Board received correspondence from the Office of the Police Complaint Commissioner regarding this complaint which the Board considered and dismissed at its meeting in November 2023. The complaint alleges that VPD had prevented the movement of media during the City of Vancouver's decampment operation on Hastings Street, which the OPCC characterized as an "exclusion zone." Following the decision to dismiss the service or policy complaint, the BC Human Rights Commissioner announced an inquiry into media exclusion zones, including as alleged by the complainant.

The OPCC correspondence references the Human Rights Commissioner's inquiry and makes the following recommendations:

*Having had the opportunity to examine the Board's decision, and in light of the Inquiry undertaken by the Human Rights Commissioner, this office recommends, pursuant to section 173 of the Police Act, that the Board undertake further courses of action to adequately respond to this complaint; specifically:*

- 1. Hold the conclusion of this complaint in abeyance pending the conclusion of the Human Rights Commissioner's inquiry; and*
- 2. At the conclusion of the inquiry, consider any findings and recommendations from the inquiry in the context of further action that the Board may wish to take in relation to this complaint.*

The Service or Policy Complaint Review sub-committee reviewed the OPCC recommendations, along with the facts and circumstances, and recommends the Board approve the following:

1. To accept the OPCC recommendations;
2. To hold the complaint in abeyance pending the conclusion of the BC Human Rights Commissioner's inquiry; and
3. To reconsider the complaint following the conclusion of the inquiry, and consider further actions as needed.

**2.7 VPB File # 2023-023**

**VERBAL UPDATE**

**From:** [REDACTED] <opccomplaints@opcc.bc.ca>  
**Sent:** Friday, January 19, 2024 2:44 PM  
**To:** Web Submissions  
**Subject:** Complaint Form - [REDACTED] - 16/01/2024

**Categories:**

**CAUTION:** This email came from an external source. Only open attachments or links that you are expecting from a known sender.

|                                                                                                     |            |
|-----------------------------------------------------------------------------------------------------|------------|
| Your Contact Details                                                                                |            |
| Title                                                                                               | [REDACTED] |
| First Name                                                                                          | [REDACTED] |
| Last Name                                                                                           | [REDACTED] |
| Mailing Address                                                                                     | [REDACTED] |
| City/Town                                                                                           | [REDACTED] |
| Province                                                                                            | [REDACTED] |
| Postal Code                                                                                         | [REDACTED] |
| Contact Phone Number                                                                                | [REDACTED] |
| Email Address                                                                                       | [REDACTED] |
| Date of Birth                                                                                       | [REDACTED] |
| If you would like to, please let us know how you wish to be addressed (she/her, they/them, he/him): |            |
| [REDACTED]                                                                                          |            |
| [REDACTED]                                                                                          |            |
| [REDACTED]                                                                                          |            |
| [REDACTED]                                                                                          |            |
| [REDACTED]                                                                                          |            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Complaint Information</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>When did the incident happen?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 16/01/2024                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Where did the incident happen?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Oppenheimer Park, Vancouver                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Name of the police department involved, if known. Choose from this menu</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Vancouver                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Choose the type of complaint you are filing</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Choose the type of complaint you are filing</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <ul style="list-style-type: none"> <li>Police Complaint</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Complaint Description</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Complaint Details</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>Police evicted homeless Vancouverites, sheltering in the park. They were forced to take down their dwellings and leave the park during an extreme weather warning just prior to a snow storm and during several days of sub-zero temperatures. Inadequate alternative shelter was provided. This was inhumane treatment of my fellow citizens and not in-line with the VPD's stated commitment to serve our city with compassion and respect.</p> <p>To be clear: my friend was present and shared video footage with me, I was not physically present during this encounter.</p> |
| <b>Complaint Resolution</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Are you interested in participating in Complaint Resolution?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>My Statement</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Please write first and last name here</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| ██████████                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Date Signed</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 19/01/2024                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

February 13, 2024

VIA E-MAIL: [REDACTED]

His Worship Mayor Ken Sim  
Chair, Vancouver Police Board  
City Hall 3<sup>rd</sup> Floor – 453 West 12<sup>th</sup> Avenue  
Vancouver, BC V5Y 1V4

Dear Mayor Sim:

**Re: Service or Policy Complaint – Vancouver Police Department  
OPCC File No. 2024-25270**

On January 19, 2024, the Office of the Police Complaint Commissioner (OPCC) received a complaint from [REDACTED] outlining [REDACTED] concerns related to the Vancouver Police Department's officers forcibly evicting unhoused persons sheltering in Oppenheimer Park. The complaint alleges that individuals were made to dismantle their dwellings and leave the park during an extreme weather warning without alternative shelter provided. A copy of the original complaint is attached.

As you are aware, a service or policy complaint may include a complaint regarding the general direction and management or operation of a municipal police department. It may also include a complaint about the inadequacy or inappropriateness of a municipal police department's policies or internal procedures, training programs or resources, staffing or resource allocation, or the department's ability to respond to requests for assistance.

Upon receiving a copy of the complaint, pursuant to section 171(1) of the *Police Act*, the board, having authority over the municipal police department to which the complaint relates, must promptly do one or more of the following:

- (a) Request that the chief constable of that municipal police department investigate and report on the complaint;
- (b) Initiate a study concerning the complaint;
- (c) Initiate an investigation into the complaint;
- (d) Dismiss the complaint with reasons; and/or
- (e) Take any other course of action the board considers necessary to respond adequately to the complaint.

Pursuant to section 171(3) of the Act, within 20 business days after doing any of the things described in subsection (1)(a) to (e), the board must notify the Complainant, the Director of Police Services and the Police Complaint Commissioner regarding the course of action being taken. The Police Complaint Commissioner may request a status report from the board regarding the progress of an investigation or a study concerning a complaint under Division 5.

The police board must send an explanation for actions taken by the board under section 171 (1) and if applicable, a detailed summary of the results of any investigation or study initiated to the Complainant, the Director of Police Services and the Police Complaint Commissioner. If the Complainant is dissatisfied with the board's actions, explanations, or results from the investigation or the summary of those results, that person may, within 20 business days of receiving the explanation or summary, request the Police Complaint Commissioner to review the matter.

Should you have any questions regarding the above or with respect to the *Police Act* process, please do not hesitate to contact me at (250) 356-7458 or by email at [info@opcc.bc.ca](mailto:info@opcc.bc.ca).

Yours truly,



Cameron Loveless  
Acting Executive Director, Oversight Operations

Enclosure

cc: Chief Constable Adam Palmer, Vancouver Police Department  
[REDACTED]



Date: February 20, 2024

Sent via email to: [REDACTED]

[REDACTED]

**RE: Service or Policy Complaint OPCC File #2024-25270**

This letter acknowledges the receipt of your complaint outlining your concerns related to Vancouver Police Department's handling of unhoused persons sheltering in Oppenheimer Park. The Board's Service or Policy Complaint Review Committee intends to consider the complaint at its next meeting in February. Please note that a Service or Policy Complaint is considered with respect to:

- a) The general direction and management or operation of a municipal police department; or,
- b) The inadequacy or inappropriateness of any of the following in respect of a municipal police department:
  - a. Its staffing or resource allocation;
  - b. Its training programs or resources;
  - c. Its standing orders or policies;
  - d. Its ability to respond to requests for assistance;
  - e. Its internal procedures.

Upon investigating a complaint, the Service or Policy Complaint Review Committee can decide to take any of the following actions in accordance to the *Police Act*, section 171(1):

- (a) request a chief constable of that municipal police department to investigate and report on the complaint;
- (b) initiate a study concerning the complaint;
- (c) initiate an investigation into the complaint;
- (d) dismiss the complaint with reasons;
- (e) take any other course of action the board considers necessary to respond adequately to the complaint.

The Service or Policy Complaint Review Committee next meets on February 29, 2024. The meeting will immediately follow the Board's regular meeting, which starts at 1:00 p.m. The meetings are live-webcast on the Board's website: [www.vancouverpoliceboard.ca](http://www.vancouverpoliceboard.ca).

The agendas and reports for both meetings will also be available online on our website prior to the meeting. The Board office will advise you in writing of any decision made by the Committee with respect to this complaint following the meeting.

Yours sincerely,

**Office of Vancouver Police Board**

CC:

Chief Constable Adam Palmer;  
Office of the Police Complaint Commissioner;  
Ministry of Public Safety and Solicitor General



## VANCOUVER POLICE BOARD

"PROVIDING INDEPENDENT CIVILIAN OVERSIGHT, GOVERNANCE, AND STRATEGIC LEADERSHIP TO THE VANCOUVER POLICE DEPARTMENT, REFLECTING THE NEEDS, VALUES AND DIVERSITY OF VANCOUVER'S COMMUNITIES."

To: **Service or Policy Complaint Review Committee**  
From: Board Office  
Date: February 20, 2024  
Subject: Complaint #OPCC- 2024-25270

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On February 13, 2024, the Board Office received a complaint from OPCC outlining the complainant's concerns related to the VPD officers forcibly evicting unhoused persons sheltering in Oppenheimer Park. The complaint alleges that individuals were made to dismantle their dwellings and leave the park during an extreme weather warning without alternative shelter provided.

### SPCR-Sub-committee Recommendation

The Service or Policy Complaint Review sub-committee reviewed the complaint which contains allegations similar to previous service or policy complaints regarding the Hastings decampment initiative. Those complaints were dismissed on the basis that the operations are initiatives of City of Vancouver and Ministry of Attorney General and Ministry Responsible for Housing, which conducted the actual decampments, while the VPD ensured safety and security, and keeping the peace.

In this instance, the decampment operation was an initiative of the Vancouver Parks Board and City staff conducted the decampment. The information and evidence presented to the sub-committee is that the VPD performed the same role of ensuring safety and security, and keeping the peace. VPD did not dismantle dwellings and acted within its lawful authority to enforce traffic bylaws, support enforcement of the Fire Chief's order and maintain public safety.

After careful consideration, pursuant to section 171 (1) (a) of the Police Act, the sub-committee recommends the Board request the Chief Constable to investigate and report on VPD's compliance with the Board's expectation of compliance with requirements set out in Provincial Policing Standard 6.

**From:** [REDACTED]  
**Sent:** Monday, July 17, 2023 7:05 PM  
**To:** Web Submissions  
**Subject:** Complaint Form - [REDACTED]

**Categories:**

**CAUTION:** This email came from an external source. Only open attachments or links that you are expecting from a known sender.

| Your Contact Details  |            |
|-----------------------|------------|
| Title                 | [REDACTED] |
| First Name            | [REDACTED] |
| Last Name             | [REDACTED] |
| Mailing Address       | [REDACTED] |
| City/Town             | [REDACTED] |
| Province              | [REDACTED] |
| Postal Code           | [REDACTED] |
| Contact Phone Number  | [REDACTED] |
| Email Address         | [REDACTED] |
| Date of Birth         | [REDACTED] |
| [REDACTED]            |            |
| [REDACTED]            |            |
| [REDACTED]            |            |
| [REDACTED]            |            |
| [REDACTED]            | [REDACTED] |
| Complaint Information |            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>When did the incident happen?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 17/07/2023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>What time did it occur?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 05:05 pm                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Where did the incident happen?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Metro Vancouver                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Name of the police department involved, if known. Choose from this menu</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Vancouver                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Choose the type of complaint you are filing</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Choose the type of complaint you are filing</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <ul style="list-style-type: none"> <li>• Service or Policy</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Complaint Description</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Complaint Details</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>I am complaining about the lack of enforcement for open hard drug use, selling of illegal items openly in established market on DTES, loitering on public walkways, parks etc.</p> <p>Possession of hard drugs in small amounts is now decriminalized I understand, but to not enforce the use of it in public spaces, is not fair to the general public and is unsafe. The bigger issue is law enforcement ignoring the blatant breaking of laws. When the police ignore crimes being committed it affects the communities trust in the police. Why not allow the open consumption of alcohol in all public spaces, like you do drugs?</p> <p>The VPD allow open hard drug use in Parks, school yards, side walks, in front of community centres etc.</p> <p>The VPD also allows the market of stolen goods to continue on DTES.</p> <p>The VPD turns a blind eye to loitering of persons in groups that conduct illegal activities.</p> <p>Why is there no push by VPD to disrupt those affecting the community negatively, breaking laws, or obviously about to commit crimes to get money to purchase drugs?</p> <p>Aren't all laws that are being broken in plain sight of law enforcement supposed to be addressed by the police in that moment?</p> <p>The City is for all. All citizens need to be served and protected.</p> <p>Vancouverites as you are aware, have had enough of the crime, random attacks and general lawlessness.</p> <p>Why no big push by VPD to crack down on what I have mentioned?</p> <p>There is a systemic, socio eco omic problem yes. But, this does not negate laws needing to be enforced.</p> <p>Thank you for taking time to read my complaint.</p> <p>Regards;</p> <p>[REDACTED]</p> |
| <b>Complaint Resolution</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Are you interested in participating in Complaint Resolution?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>My Statement</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Please write first and last name here</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| [REDACTED]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Date Signed</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 17/07/2023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |



Date: February 21, 2024

Sent via email to: [REDACTED]

Dear [REDACTED]

**RE: Service or Policy Complaint / OPCC File #2023-24232**

On behalf of the Vancouver Police Board, I write to acknowledge receipt of your July 17, 2023 complaint outlining your concerns related to Vancouver Police Department's lack of enforcement for open hard drug use in public spaces. We sincerely regret the delay to process your complaint.

Please note that a Service or Policy Complaint is considered with respect to:

- a) The general direction and management or operation of a municipal police department; or,
- b) The inadequacy or inappropriateness of any of the following in respect of a municipal police department:
  - a. Its staffing or resource allocation;
  - b. Its training programs or resources;
  - c. Its standing orders or policies;
  - d. Its ability to respond to requests for assistance;
  - e. Its internal procedures.

Upon investigating a complaint, the Service or Policy Complaint Review Committee can decide to take any of the following actions in accordance to the *Police Act*, section 171(1):

- (a) request a chief constable of that municipal police department to investigate and report on the complaint;
- (b) initiate a study concerning the complaint;
- (c) initiate an investigation into the complaint;
- (d) dismiss the complaint with reasons;
- (e) take any other course of action the board considers necessary to respond adequately to the complaint.

The Service or Policy Complaint Review Committee next meets on February 29, 2024. The meeting will immediately follow the Board's regular meeting, which starts at 1:00 p.m. The meetings are live-webcast on the Board's website: [www.vancouverpoliceboard.ca](http://www.vancouverpoliceboard.ca).

The agendas and reports for both meetings will also be available online on our website prior to the meeting. The Board office will advise you in writing of any decision made by the Committee with respect to this complaint following the meeting.

Yours sincerely,

**Office of Vancouver Police Board**

CC:

Chief Constable Adam Palmer;  
Office of the Police Complaint Commissioner;  
Ministry of Public Safety and Solicitor General

July 25, 2023

**VIA E-MAIL: Jason.kuzminski@vanpoliceboard.ca**

His Worship Mayor Ken Sim  
Chair, Vancouver Police Board  
City Hall 3<sup>rd</sup> Floor – 453 West 12<sup>th</sup> Avenue  
Vancouver, BC V5Y 1V4

Dear Mayor Sim:

**Re: Service or Policy Complaint – Vancouver Police Board  
OPCC File No. 2023-24232**

On July 17, 2023, the Office of the Police Complaint Commissioner (OPCC) received a complaint from [REDACTED] outlining his concerns related to the Vancouver Police Department's lack of enforcement for open hard drug use in public spaces. A copy of the original complaint is attached.

As you are aware, a service or policy complaint may include a complaint regarding the general direction and management or operation of a municipal police department. It may also include a complaint about the inadequacy or inappropriateness of a municipal police department's policies or internal procedures, training programs or resources, staffing or resource allocation, or the department's ability to respond to requests for assistance.

Upon receiving a copy of the complaint, pursuant to section 171(1) of the *Police Act*, the board, having authority over the municipal police department to which the complaint relates, must promptly do one or more of the following:

- (a) Request that the chief constable of that municipal police department investigate and report on the complaint;
- (b) Initiate a study concerning the complaint;
- (c) Initiate an investigation into the complaint;
- (d) Dismiss the complaint with reasons; and/or
- (e) Take any other course of action the board considers necessary to respond adequately to the complaint.

Pursuant to section 171(3) of the Act, within 20 business days after doing any of the things described in subsection (1)(a) to (e), the board must notify the Complainant, the Director of Police Services and the Police Complaint Commissioner regarding the course of action being taken. The Police Complaint Commissioner may request a status report from the board regarding the progress of an investigation or a study concerning a complaint under Division 5.

The police board must send an explanation for actions taken by the board under section 171 (1) and if applicable, a detailed summary of the results of any investigation or study initiated to the Complainant, the Director of Police Services and the Police Complaint Commissioner. If the Complainant is dissatisfied with the board's actions, explanations, or results from the investigation or the summary of those results, that person may, within 20 business days of receiving the explanation or summary, request the Police Complaint Commissioner to review the matter.

Should you have any questions regarding the above or with respect to the *Police Act* process, please do not hesitate to contact me at (250) 356-7458 or by email at [info@opcc.bc.ca](mailto:info@opcc.bc.ca).

Yours truly,



Tom Steenvoorden  
Executive Director, Oversight Operations

Enclosure

cc: Chief Constable Adam Palmer, Vancouver Police Department  
[REDACTED]



## VANCOUVER POLICE BOARD

"PROVIDING INDEPENDENT CIVILIAN OVERSIGHT, GOVERNANCE, AND STRATEGIC LEADERSHIP TO THE VANCOUVER POLICE DEPARTMENT, REFLECTING THE NEEDS, VALUES AND DIVERSITY OF VANCOUVER'S COMMUNITIES."

To: **Service or Policy Complaint Review Committee**  
From: Board Office  
Date: February 21, 2024  
Subject: OPCC File # 2023-24232

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On July 25, 2023, the Board Office received correspondence from the Office of the Police Complaint Commissioner regarding a complaint by an individual about the Vancouver Police Department's lack of enforcement for open hard drug use in public spaces. This new complaint is nearly identical to one that the Board considered and concluded for the reason that the federal and provincial governments' decriminalization pilot prevents a policing response to public consumption except for in narrowly defined and specified locations. The new complaint also included unique allegations about a lack of enforcement with respect to illegal merchandise being openly sold in the DTES market.

At the Board's meeting on July 20, 2023—five days before the service or policy complaint was received—DCC Chow provided an *in camera* briefing about the DTES market. He stated that the market is a City-supported initiative, which limits the enforcement action the VPD may take, but the City will be withdrawing its support and the market will close in August 2023. With regard to street vending, the VPD has asked the City to clarify its position about whether vending on sidewalks is considered a bylaw infraction. Where it is clearly evident that merchandise being sold is contraband or stolen merchandise, the VPD will confiscate it, but it would be more straightforward to enforce a bylaw that prohibits all unlicensed street vending.

With regard to the new service or policy complaint, the Service or Policy Complaint Review Committee never formally considered the complaint and determined disposition of it. This is due, in part, to administrative error and confusion about whether the reports that the Board had received for the earlier complaint about public consumption and DCC Chow's briefing formed the basis for a response without putting the new complaint before the Committee.

In order to correct the error and formally resolve the complaint, the Board Office is requesting to bring this matter forward and proposes that the Committee:

- (1) Dismiss the part of the complaint regarding public consumption of illicit substances for the reason that it is not a policing policy or service matter;
- (2) Dismiss the part of the complaint alleging lack of enforcement of the sale of stolen merchandise in the DTES market for reasons as set out above; and
- (3) Direct the Board Office to communicate its decisions to the complainant, OPCC and others as required.