

**VANCOUVER POLICE BOARD
SERVICE & POLICY COMPLAINT REVIEW COMMITTEE**

Meeting minutes

February 20, 2020

2:11pm to 2:43pm

7th floor boardroom, 2120 Cambie Street, Vancouver, BC

Board Members Present

Barj Dhahan (Chair)
Mayor Kennedy Stewart (Board Chair)
Dr. Sherri Magee (Vice-Chair)
Patricia Barnes
Dr. Peter Wong
Allan E. Black

Absent:

Wendy John
Claire Marshall

Staff Present

Chief Constable Adam Palmer
DCC Howard Chow
DCC Steve Rai
DCC Laurence Rankin

Stephanie Johanssen, Executive Director
Minutes by: Ali Huculak, Executive Assistant

The Chair called the meeting to order at 2:30pm.

1. Agenda

THAT the Vancouver Police Board approve the Service and Policy meeting Agenda for February 20, 2020.

MOVED / SECONDED:

CARRIED

2. Minutes

THAT the Vancouver Police Board approve the Service and Policy meeting Minutes of January 23, 2020.

MOVED / SECONDED:

CARRIED

3. Vancouver Police Board External Street Checks Review [Complaint #2018-133]

3.1. Overview of review Process [Ruth Montgomery; Pyxis Consulting Group INC]

Ms. Montgomery from Pyxis Consulting Group Inc. (Pyxis) spoke to the external street checks review and outlined the objectives and the processes that were followed in conducting the study.

The objective was to analyze and interpret the VPD data that had been provided on street checks and to gain an understanding of the views and lived experiences of those affected by street checks. The methodology included a literature review that incorporated both academic literature as well as numerous reports produced both by community organizations, government and police departments. It also included a literature review of three studies that were conducted on street checks in Canada. The focus of the community consultations was on Vancouver based organizations and Pyxis spoke with 36 community organizations, activists, advocates and other people working with marginalized populations and communities of diversity as well as users of their services. They also conducted interviews with VPD members and spoke to Executives, senior management teams, they ran focus groups with patrol officers, supervisors, staff sergeants as well as members of specialty units. Observations were also conducted which included ride-along's in each division, and walk-alongs with patrol. All the information that was gathered and integrated and coordinated and submitted into the final report which is available on the Police Board website.

Vice Chair Dr. Sherri Magee spoke of the Boards position on the Street Checks review with respect to the findings in the report. She thanked Ms. Montgomery and her team at Pyxis for providing the in-depth report and acknowledged their dedication and extensive experience that went into the report. It was important for the Board to commission external consultants that were separate from the VPD to assist the Board in its oversight and governance role by addressing the concerns of various segments of the community with respect to profiling and discrimination. The Board formed a special street check committee which was chaired by Indigenous Board member Claire Marshall. The street check policy that the Board passed on January 7th 2020 is in line with the Provincial standards and these standards address many of the recommendations that were outlined in the Pyxis report. The Pyxis report is comprehensive and provides detailed information on the needs of the community and the gaps that need to be addressed as well as the areas that require on-going attention. The Board wanted to clarify that although the Board is considering the conclusion of the initial service and policy complaint, it is doing so based on the commitment to provide oversight over this matter through an annual audit of the street checks data and through an annual report to the Governance committee of the Police Board.

The Chair spoke to the summary report of the review. That, and the VPD response to the review's recommendations can be found on the Vancouver Police Board website. www.vancouverpoliceboard.ca The Board understands that Pyxis findings determined that the available data and information could neither confirm nor deny police racism or bias. The Chair noted that this is not a reflection of the Boards understanding of the needs of the community nor shall it diminish the experiences of those that have been subjected to profiling or discrimination. In light of the findings the Board is committed to continued oversight of the matter and community's concerns. The Board's continued oversight will pertain to the broader community including all communities of diversity, marginalized people, vulnerable people and youth.

Motion:

THAT the Vancouver Police Board (the Board) accepts the findings of the external review by Pyxis Consulting Group Inc. (Pyxis), and supports the 34 recommendations outlined in the final report;

THAT the Vancouver Police Board commits to ongoing oversight and involvement through its Governance Committee to monitor the broader community's concerns with respect to racial profiling, oversee the annual audit of street checks, and to ensure that action continues to be taken with respect to the recommendations; and,

THAT the Vancouver Police Board (Board) conclude its review of this complaint, based on the information outlined in the report, and given the action(s) taken by the Board and VPD in response to this complaint.

MOVED/SECONDED

CARRIED

**4. New Service or Policy Complaint & Investigation Report
Report #2002C01: VPD Report on S&P #2019-017 [E-Comm Service Levels]**

Mr. Drazen Manojlovic spoke to the complaint regarding the E-Comm service levels and stated that the complainant had received incorrect information from the E-Comm call taker regarding his noise complaint, partially due to an error in E-Comm's standard operating procedure (SOP). The VPD has resolved this error with E-Comm and E-Comm has updated their staff with the SOP amendments. Fundamentally the VPD want to hear about noise complaints and those calls merit a response.

There was discussion regarding E-Comm's level of service and what actions have been taken to attempt to fix the ongoing systemic issues with E-Comm.

Motion to conclude the review of the complaint based on the information outlined in the report and given the actions taken by the VPD in response to this complaint.

MOVED/SECONDED

CARRIED

**5. New Service or Policy Complaint & Investigation Report
Report #2001C02 : VPD Report on S&P #2019-015 [Hate Speech]**

Supt. Michelle Davey spoke to the complaint, which involves a student who made a video that contained racist, hateful and threatening language targeting the black community. A criminal investigation occurred and it was determined, as per the Youth Criminal Justice Act (YCJA) that extra judicial measures were appropriate to hold the student accountable and charges were not recommended to Crown Counsel. A complaint was filed with the Office of the Police Complaint Commissioner (OPCC) by the British Columbia Community Alliance (BCCA) who took issue with charges not being recommended to Crown Counsel. The criminal investigation was reviewed by a senior, experienced investigator in the VPD and it was determined that the appropriate outcome was reached.

Motion to conclude the review of the complaint based on the information outlined in the report.

MOVED/ SECONDED

CARRIED

**6. New Service or Policy Complaint & Investigation Report
Report #2002C03 : VPD Report on S&P #2019-016 [Labour Disputes]**

Insp. Phil Heard spoke to the complaint regarding labour disputes. The VPD has specific policy on labour disputes, the policy requires officers to maintain neutrality and take a measured approach and specifically criminal charges are viewed to be a last resort when other remedies such as court injunctions are first pursued. A court injunction was granted in this case which set a specific noise limit in what the court determined was reasonable for the workers to express and prohibited certain noise making devices from being used. This outcome was congruent with VPD policy. Moving forward, the court injunction issued in this matter provides a very useful reference case to assist in the response to future labour disputes in residential areas.

Motion to conclude the review of the complaint based on the information outlined in the report.

MOVED/SECONDED

CARRIED

**7. New Service or Policy Complaint & Investigation Report
Report # 2002C04: VPD Report on S&P #2020-003 [Plainclothes officers with carbine rifles]**

Insp. Phil Heard spoke to the complaint regarding the operational deployment of a carbine rifle by an officer dressed in plain clothes. The VPD has policy governing the deployment of plainclothes officer in high-risk situations when they are required to take overt action. No shortcomings in the VD policy have been identified. It was determined that several officers had responded to a report of a firearm being produced in the course of a robbery that had just occurred. The officer in plainclothes as well as several uniformed officers quickly apprehended the suspect. The carbine rifle was present at the time of the arrest but was not pointed at any persons involved. The VPD policy requires plainclothes officers when practicable to wear an identifiable jacket when conducting high risk arrests. This policy seeks to maximize the safety of the public, the police and any persons involved. In this incident the immediate response due to the situation didn't require the officer to put on such a jacket however the officer was standing directly beside two uniformed police officers and there were several marked police vehicles in the immediate area. Thus, it was quite apparent to all people involved including the complainant that the officer in plainclothes was in fact a police officer. The incident review determined that the officer was trained and certified to carry a carbine rifle in response to emergency situations such as this, and lastly the officer following the incident completed all the required paperwork to document the deployment of a carbine rifle in this incident.

Motion to conclude the review of the complaint based on the information outlined in the report.

MOVED/SECONDED

CARRIED

**8. New Service or Policy Complaint & Investigation Report
Report # 2002C06: VPD Report on S&P # 2019-018 [Police record check termination]**

Mr. Drazen Manojlovic spoke to the complaint regarding the vulnerable sector (VS) police information check (PIC). The VPD plays an important role in the Province's current legislation that requires annual PICs for taxi drivers (and ride-sharing drivers) to ensure both driver and

passenger safety. There was concerning information about this individual in various police reports, therefore the VPD terminated the check. The termination was supported by the Director of a manager within the Information Management Section (IMS), the Director of IMS and the Senior Director of Information Services Mr. Jason Rude. The VPD followed Provincial guidelines throughout the process and upheld the decision after review by IMS management.

Motion to conclude the review of the complaint based on the information outlined in the report.

MOVED/SECONDED

CARRIED

9. OPCC Concluding Correspondence

Motion to receive the correspondence from the OPCC.

MOVED/SECONDED

CARRIED

The meeting was adjourned at 2:43pm

TO BE APPROVED BY THE VANCOUVER POLICE BOARD ON February 20, 2020
