



OFFICE OF THE  
POLICE COMPLAINT COMMISSIONER

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British Columbia, Canada

**MEDIA RELEASE**

For Immediate Release  
February 23, 2015

OPCC 2013-8599  
RR 2015-01

**POLICE COMPLAINT COMMISSIONER ORDERS A REVIEW ON THE RECORD**

*Victoria* - The Office of the Police Complaint Commissioner today announced a Review on the Record into allegations of police misconduct with respect to Constable Felipe Gomes of the Delta Police Department.

On February 14, 2013, the Office of the Police Complaint Commissioner (OPCC) received information from the Delta Police Department (DPD) in relation to the conduct of Constable Felipe Gomes. According to the DPD, during the course of a previous professional standards investigation into the conduct of Constable Gomes, the investigator encountered issues with the integrity of Constable Gomes' notes and the information he provided during interviews. The investigator recommended that a formal investigation be commenced into these issues.

After reviewing the information, the Police Complaint Commissioner (PCC) ordered an investigation into this matter and the DPD Professional Standards Section conducted an investigation into the allegations against Constable Gomes. The allegations identified against Constable Gomes during the DPD's investigation included four allegations of *Deceit*, one allegation of *Neglect of Duty* and one allegation of *Damage to Police Property*.

On May 20, 2014, based on the Final Investigation Report and the Supplementary Investigation Report, Chief Constable Jim Cessford as the Discipline Authority, determined that the four allegations of Deceit and single allegation of Neglect of Duty appeared to be substantiated while the allegation of Damage to Police Property had not. As a result, the matter was forwarded to a Discipline Proceeding.

On January 6, 2015, after the completion of the Discipline Proceeding, Chief Constable Cessford released his findings in relation to each allegation and determined that the allegations of Deceit and the single allegation of Neglect of Duty against Constable Gomes had been proven. After considering the aggravating and mitigating factors in relation to this matter, Chief Constable Cessford proposed that Constable Gomes be dismissed from the DPD in relation to each

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allegation of Deceit. In relation to the allegation of Neglect of Duty, Chief Constable Cessford proposed that Constable Gomes receive a suspension of 10 days without pay.

Pursuant to section 137 of the *Police Act*, where a Discipline Authority proposes dismissal or reduction in rank as a disciplinary measure and upon written request from the police member, the PCC must promptly arrange a Public Hearing or Review on the Record.

On January 9, 2015, the Police Complaint Commissioner received a request from Constable Gomes for a public hearing or a review on the record. On February 2, 2015, with the assistance of legal counsel, Constable Gomes limited his request to a public hearing, taking issue only with the proposed discipline and corrective measures, and not taking issue with the substantiation of the allegations.

After having reviewed the record of the disciplinary decision, the associated determinations and the submission received from Constable Gomes in support of his request, the Police Complaint Commissioner, pursuant to sections 137(1) and 141 of the *Police Act*, has determined that a Review on the Record shall be arranged as it is a more effective and efficient means of adjudicative review in all the circumstances.

Upon the recommendation of the Associate Chief Justice of the British Columbia Supreme Court, retired Provincial Court Judge Mr. Alan Filmer, QC is appointed to preside as Adjudicator in these proceedings, pursuant to section 142(2) of the *Police Act*.

A date for the Review on the Record will be determined in the future.

Details may be found in the *Notice of Review on the Record* located at [www.opcc.bc.ca](http://www.opcc.bc.ca).

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