

Vancouver, B.C.  
June 6, 2002

File PH01-02

**PUBLIC HEARING**

**Pursuant to the Police Act,**

**RSBC 1996, C. 367**

**(as amended)**

**IN THE MATTER OF THE PUBLIC HEARING  
INTO THE COMPLAINT AGAINST**

**CONSTABLE MICHAEL CHAN AND SERGEANT ROSS PASCUZZO  
OF THE VANCOUVER POLICE DEPARTMENT**

Counsel: Joseph M. Doyle, Commission Counsel

James W. Williams, for PC Chan

E. David Crossin, QC, for Sgt Pascuzzo

The final four paragraphs of Part One of the agreed statement of facts reads as follows:

“27. PC Chan and Sgt. Pascuzzo were both offered a pre hearing conference and both admitted to the allegations made against them and accepted the discipline proposed.

28. PC Chan admitted to the disciplinary defaults of Discreditable Conduct and Neglect of Duty, contrary to sections 5(e) and 6(a) of the Code of Professional Conduct. He received a two-day suspension.

29. Sgt. Pascuzzo admitted to the disciplinary default of Discreditable Conduct, contrary to section 5(c) of the Code of Professional Conduct. He received a written reprimand.

30. The ‘Admission of Disciplinary Default and Acceptance of Disciplinary and/or Corrective Measure During a Prehearing Conference’ and the ‘Report on Disciplinary or Corrective Measures following a Prehearing Conference’ for PC

Chan and Sgt. Pascuzzo are at Tab C and Tab D, respectively, of the Book of Documents.

Then Part Two of the Agreed Statement contains the Agreed Issues as follows:

Both PC Chan and Sgt Pascuzzo maintain their admissions of disciplinary default, as set out in Paragraphs 27 to 30.

The live issue at this public hearing is whether the discipline proposed by the disciplinary authority with respect to each respondent is appropriate and adequate.

Based upon the Agreed Statement of Facts and related materials, the Adjudicator will be asked to do the following, pursuant to section 61(6) of the Police Act:

1. Confirm the disciplinary authority's findings of disciplinary default against each respondent.
2. Affirm, increase or reduce the disciplinary or corrective measures proposed by the disciplinary authority.

Having read the Statement of Agreed Facts, I confirm the disciplinary authority's findings of disciplinary default against each respondent.

“           signed           ”

K.E. Meredith, Adjudicator