



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

October 10th 2018

MAYOR GREGOR ROBERTSON, CHAIR

DR. SHERRI MAGEE, VICE-CHAIR

CAROLYN ASKEW, MEMBER

PATRICIA BARNES, MEMBER

JOHNNY CHEUNG, MEMBER

BARJ DHAHAN, MEMBER

CLAIRE MARSHALL, MEMBER

THOMAS TAM, MEMBER

DR. PETER WONG, MEMBER

Attention:

The UNION of BC INDIAN CHIEFS

Grand Chief Stewart Phillip, President
Chief Robert Chamberlin, Vice-President
Kukpi7 Judy Wilson, Secretary-Treasurer

And

BC Civil Liberties Association

Mr. Josh Paterson, Executive Director

Sent via email: andrea@ubcic.bc.ca

Dear Grand Chief Stewart Phillip, Chief Robert Chamberlin, Kukpi7 Judy Wilson and Mr. Josh Paterson:

Re: Service & Policy Complaint #2018-133; OPCC #2018-14863

This letter is to advise you that the Service and Policy Complaint Review Committee of the Vancouver Police Board considered your complaint, along with the attached investigation report and study entitled "Understanding Street Checks: An Examination of a Proactive Policing Strategy", at its meeting on September 26 2018. This meeting is taped and can be viewed at any time on our website at www.vancouverpoliceboard.ca.

Your complaint detailed concerns with respect to alleged inadequacy and inappropriateness of the Vancouver Police Department's training programs, policies and internal procedures on the practice of 'street checks' based on the data that the VPD publicly released in May 2018. You subsequently filed an amended complaint, which questioned the statistical overrepresentation

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of Indigenous females in VPD street check data. On July 20 2018, in response to a letter from you of July 17 2018, you were advised that the Board had not yet taken any action with respect to the complaint; the VPD was investigating it, as they automatically investigate all Service & Policy complaints.

The attached investigation report outlines the VPD's investigation into the complaint, which includes a comprehensive statistical analysis, along with a geographic analysis of street checks. The report concludes that there is no statistical basis for the conclusion that the actions of VPD officers are discriminatory.

Accompanying this report is a comprehensive review of street checks entitled "Understanding Street Checks: An Examination of a Proactive Policing Strategy". This review provides:

- Context and background on what street checks are and how they improve public safety;
- The circumstances under which street checks are conducted and the legal authorities for these checks;
- A statistical analysis of the frequency, location and background of persons who were checked by VPD officers;
- A discussion of what steps the VPD has taken to ensure street checks are not conducted in a random or arbitrary manner; and,
- An examination of the ongoing training that the VPD has conducted to provide education around fair and impartial policing of vulnerable community members, with specific focus on Indigenous and Black Persons.

The VPD acknowledges overrepresentation of certain ethnic groups in the statistics may be related to or symptomatic of socioeconomic disadvantages including the generational effects of colonization, displacement, discriminatory government policies and the residential school system. The VPD acknowledges the importance of maintaining and improving existing relationships with the communities it serves. To ensure transparency and public confidence that the VPD's practices are not discriminatory, the report recommends the following:

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THAT the Board approve the following six recommendations:

1. Formalize the existing VPD street check standards into policy and ensuring that the policy adheres to new provincial standards that are currently being developed;
2. Additional training to ensure that VPD officers are utilizing street checks appropriately;
3. Commit to publicly releasing VPD street check data annually;
4. Further existing community relationships to better understand the unique experiences, perceptions and histories of the communities that we serve;
5. Assign an Indigenous Liaison Protocol Officer to support greater communication between our patrol officers and our partners in the Indigenous community; and,
6. Establish a new street check category in the records system to specifically document when officers are dealing with an individual to ensure their safety and well-being.

The Board approved the six recommendations outlined in the report, with the addition of a seventh recommendation:

THAT Board staff issue a Request for Proposals (RFP) from independent third parties to conduct the following studies:

- a) Independently analyze and interpret the Vancouver Police Department data on street checks practice, policy, procedures and guidance on street checks and use of them as a policing tool
- b) The impacts of street checks on Indigenous and racialized people including a community based research assessment of police contacts to determine the satisfaction of particularly affected racialized or geographic communities with recommendations in relation to street checks in Vancouver

THAT these studies start by January 2019 and complete by July 2019; and, THAT Board staff research the resources necessary to conduct these studies, complete an evaluation and recommendation of the RFP bids and bring forward a plan to the Police Board before year-end.

We thank you for bringing this matter to our attention and trust that the action taken addresses your concerns.

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Pursuant to Section 172 (2) of the *Police Act*, if you are dissatisfied with the actions of the 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

Telephone: (250) 356-7458 or Toll Free: 1-877-999-8707

If you have any questions or concerns about this determination, or the process that the Vancouver Police Board uses in its oversight of service and policy complaints, please do not hesitate to contact me directly.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P Marfleet', with a long horizontal flourish extending to the right.

Patti Marfleet
Executive Director

cc:
Chief Constable Adam Palmer, Vancouver Police Department
Office of the Police Complaint Commissioner,
Clayton Pecknold, Director of Police Services, Ministry of Public Safety and Solicitor General