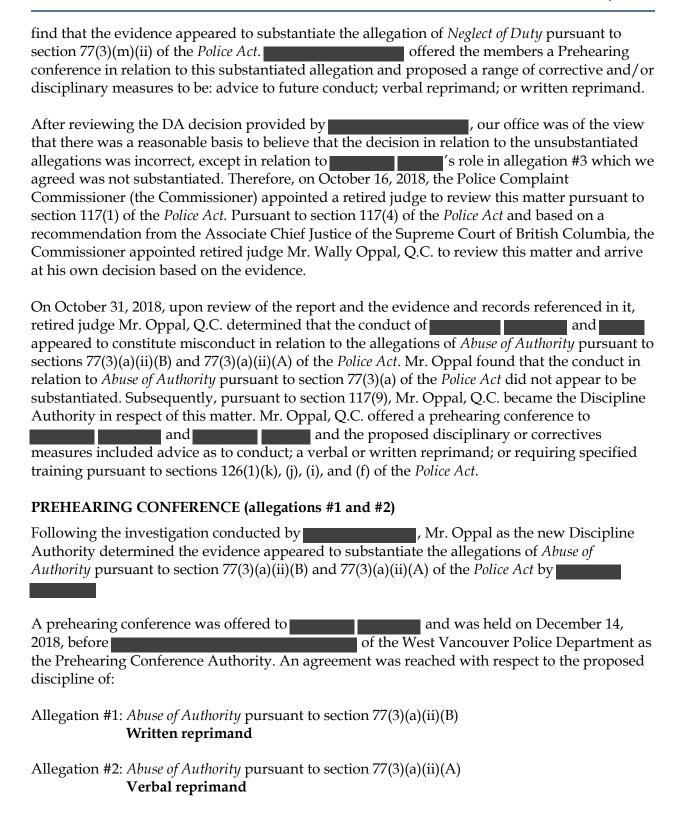


## **CONCLUSION OF PROCEEDINGS**

Pursuant to s.120(16) of the *Police Act*, RSBC 1996, c.367

		OPCC File: 2018-14290 January 22, 2019
То:		(Complainant)
And to:	c/o Vancouver Police Department Professional Standards Section	(Member)
And to:	The Honourable Mr. Wally Oppal, Q.C. Retired Judge, BC Court of Appeal	(Discipline Authority)
And to:	c/o West Vancouver Police Department Professional Standards Section	(external Prehearing Conference Authority)
And to:	c/o Vancouver Police Department Professional Standards Section	(Prehearing Conference Authority)
And to:	Chief Constable Adam Palmer c/o Vancouver Police Department Professional Standards Section	
registered o	7 4, 2018, the Office of the Police Complain complaint from describing describing Police Department (VPD) on	at Commissioner (OPCC) received a ng his concerns with members of the
from his gratook the ele group decionseparated a his wrist ar	evator to the conference level and security ded not to purchase tickets and they starte	staff on how to check out the event. They staff escorted them to the ticket stand. The ed to walk away. The group became direction when a security guard grabbed be there.



provided oral submissions to in relation to this incident. noted how the events of provided oral submissions to in relation to this incident. noted how the events of provided him in terms of his embarrassment in front of family and friends. In noted how the actions of provided were excessive and based on the information of an untrained security guard.
A report following the prehearing conference was received at our office on December 20, 2018. In reviewing the investigation conducted by and considering all the relevant factors in this case, the Prehearing Conference Authority has appropriately considered the aggravating and mitigating factors pursuant to section 126 and the discipline imposed is appropriate based on the circumstances.
We note that was the primary member involved in the interaction with on the night of the incident and took the lead in engaging with . We also note that the discipline imposed by is within the range outlined by Mr. Oppal in his section 117 review. Additionally, we have taken into consideration the proactive efforts undertaken by post incident to educate himself with program and training modules related to decision making and communications. The modules taken obviates the need for any additional training.
It is noted that has taken full responsibility for his role in this incident which included engaging in related training modules. The intent of the Act is to consider an approach that seeks to correct and educate the member concerned as long as that approach does not bring the administration of police discipline into disrepute. We do not believe that the discipline imposed here, within the range outlined by Mr. Oppal, would bring the administration of police discipline into disrepute.
PREHEARING CONFERENCE (allegation #4)
Following the investigation conducted by, as the original Discipline Authority determined the evidence appeared to substantiate the allegation of Neglect of Duty pursuant to section 77(3)(m)(ii) of the Police Act by
A prehearing conference was offered to and was held on October 24, 2018, before of the VPD as the Prehearing Conference Authority. An agreement was reached with respect to the proposed discipline of:
Allegation #4: Neglect of Duty pursuant to section 77(3)(m)(ii)  Advice as to conduct
A report following the prehearing conference was received at our office on October 24, 2018. In reviewing the investigation conducted by and considering all the relevant factors in this case, has appropriately considered the aggravating and mitigating factors pursuant to section 126 and the discipline imposed is appropriate based on the circumstances.

We agree with that the use of force on a citizen is a serious matter that should be properly documented. Proper documentation of incidents such as this, which includes police notes and reports, serves to refresh memory, justify decisions, and record police actions and evidence. Vancouver Police Policy outlines that accurate, detailed, and comprehensive documentation is the foundation of effective police work. Not having any police reports nor having any substantive reference to the incident in the officer's notes does not promote accountable and transparent policing. It also places the <i>Police Act</i> investigation at a disadvantage in not being able to review, assess, and compare any documentation made at the time of the incident.
It is noted that has taken full responsibility for the misconduct and understands what the expectations and requirements are after force has been applied. The intent of the Act is to consider an approach that seeks to correct and educate the member concerned as long as that approach does not bring the administration of police discipline into disrepute. I do not believe that the discipline imposed here would bring the administration of police discipline into disrepute.
Therefore, the agreements reached at the prehearing conferences are approved and the resolution is final and conclusive. Our file with respect to this matter will be concluded upon receipt of confirmation that in accordance with the <i>Police Act</i> , any disciplinary or corrective measure imposed in relation to, or agreed to by, a member or former member, has been completed, and that their service record of discipline has been updated.
Investigative Analyst
cc. Vancouver Police Department