



OFFICE OF THE  
POLICE COMPLAINT COMMISSIONER

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British Columbia, Canada

**NEWS RELEASE**

January 5, 2021

**OPCC to initiate investigation into fatal police involved shooting in Vancouver**

**VICTORIA** - The Office of the Police Complaint Commissioner (OPCC) will initiate a *Police Act* investigation into the fatal shooting in the Downtown Eastside of Vancouver today by Vancouver Police officers.

The OPCC initiates mandatory *Police Act* investigations whenever death or serious harm results from an incident involving municipal police officers. These investigations are separate and distinct from investigations by the Independent Investigations Office (IIO) and are not restricted to evidence gathered by the IIO. Under the *Police Act*, officers may be compelled to provide statements, answer questions and otherwise account for their actions.

The *Police Act* investigation will be conducted independently of the Vancouver Police Department under the civilian oversight of the OPCC and will examine all of the actions of the officers. It will also include a review of the operations of the Vancouver Police Department related to the incident, any allegations of misconduct by officers, and any other relevant considerations.

The OPCC will also closely monitor the progress of the investigation by the IIO and will be seeking prompt disclosure of their investigation at the appropriate time. *Police Act* investigations may be suspended to ensure there is no interference with a criminal investigation or prosecution.

**Note to media: As this matter is currently under investigation, the OPCC is unable to provide further information.**

**Key Facts:**

- The Office of the Police Complaint Commissioner is the civilian, independent Officer of the Legislature overseeing complaints, investigations and discipline involving municipal police and their conduct in British Columbia. The OPCC is independent of police and

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Clayton Pecknold  
Police Complaint Commissioner

5<sup>th</sup> Floor, 947 Fort Street  
PO Box 9895 Stn Prov Govt  
Victoria, British Columbia V8W 9T8  
Tel: (250) 356-7458 Fax: (250) 356-6503

Toll Free 1 877-999-8707 # Website: [www.opcc.bc.ca](http://www.opcc.bc.ca)

government agencies such as the Ministry of Attorney General, Independent Investigations Office or the B.C. Prosecution Service.

- Criminal investigations are conducted by police agencies and prosecutions are under the jurisdiction of the B.C. Prosecution Service. Where a criminal investigation or prosecution is underway, *Police Act* investigations may be suspended to ensure there is no interference with the criminal proceedings.
- *Police Act* disciplinary conduct investigations are distinct from criminal investigations, are conducted to a civil standard of proof and have broader evidence gathering scope.
- Under a *Police Act* investigation, officers can be compelled to give statements and are under a duty to cooperate.
- The *Police Act* places a mandatory, non-discretionary responsibility on the Police Complaint Commissioner to direct an investigation into municipal police involved matters of death and serious harm and appoint an external police agency to conduct this investigation. The investigation will assess all of the circumstances including but not limited to, any training, policy, or misconduct allegations.
- In some circumstances the Commissioner may order adjudicative reviews or Public Hearings into the conduct of municipal police officers. Public Hearings are open to the public and evidence is given under oath before a retired judge.
- The Police Complaint Commissioner may also make recommendations to Police Boards or to government regarding policies, practices or systemic issues that may contribute to the misconduct. The Commissioner may also refer matters to the BC Prosecution Service for consideration of criminal charges.

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**Media Contact:** Andrea Spindler, Deputy Police Complaint Commissioner  
1-250-356-7458

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