



OFFICE OF THE
POLICE COMPLAINT COMMISSIONER

British Columbia, Canada

NEWS RELEASE

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OPCC orders a review into the conduct of a Vancouver police officer

Victoria - The Office of the Police Complaint Commissioner has ordered a review by a retired judge into the findings of a Discipline Proceeding relating to an allegation of *Discreditable Conduct* against a member of the Vancouver Police Department (VPD).

Constable Samuel Cheung was investigated under the *Police Act* in relation to an off-duty incident occurring during the evening of July 2, 2022.

Constable Cheung was driving his personal vehicle as the lone occupant, when he collided (rear-ended) a civilian vehicle with several occupants, in Delta, BC.

Delta Police Department (DPD) members attended the motor vehicle collision and issued Constable Cheung an Approved Screening Device demand to provide a breath sample which resulted in a "fail." Additionally, while at the scene, Constable Cheung disclosed to a DPD member that he was employed as a police officer with the VPD.

Constable Cheung was subsequently administered a Breath Test Apparatus, or Approved Instrument test, that registered his blood alcohol level over the legal limit. Constable Cheung was issued a Notice of 24-hour Prohibition and an Administrative Driving Prohibition and was released on an Undertaking to Appear in Criminal Court.

The matter was investigated by the VPD Professional Standards Section, and during a subsequent Discipline Proceeding, Constable Cheung was found to have committed one allegation of *Discreditable Conduct*. The Discipline Authority recommended that Constable Cheung receive a five-day suspension without pay.

In his Notice of Review on the Record issued today, the Police Complaint Commissioner has determined that the proposed discipline does not adequately address the seriousness of Constable Cheung's conduct and that the level of discipline proposed by the Discipline Authority does not sufficiently consider a number of aggravating factors. The Police Complaint Commissioner has further determined that a Review on the Record is necessary in the public interest.

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A retired BC Court Judge will preside as the adjudicator for the Review on the Record which has yet to be scheduled.

Updates on the review will be shared on the OPCC website.

The full notice of review is available [here](#).

About the OPCC and Reviews on the Record:

- The Police Complaint commissioner is a civilian, independent Officer of the Legislature overseeing complaints, investigations and discipline involving municipal police in British Columbia. For more on the OPCC, visit <https://opcc.bc.ca/about-us/>
- Discipline Authorities are generally senior ranking police officers who are required under the Police Act to make determinations regarding the investigation and discipline of police officers alleged to have committed misconduct.
- A Review on the Record is a form of adjudicative review in which the adjudicator, a Retired Judge, conducts a “paper review” of all evidence and materials from the investigation and discipline hearing. The adjudicator may also receive submissions from the respondent member’s counsel, the Police Complaint Commissioner’s counsel, the complainant and the Discipline Authority before rendering his/her decision. More on the OPCC’s involvement in and processes for complaints involving police and misconduct allegations: <https://opcc.bc.ca/police-faq/>
- An adjudicator must determine whether there is misconduct and, if so, determine the corrective or disciplinary measures to be imposed. The adjudicator’s decision at a Review on the Record is final and conclusive.

Note to media: The OPCC is unable to comment on this review while it is underway. For general queries related to the OPCC’s role and processes, please contact:

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- 30 -