

CONCLUSION OF PROCEEDINGS

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

OPCC File: 2023-23655
August 15, 2024

To: The Complainants (Complainants)

And to: Constable [REDACTED] (Member)
c/o Vancouver Police Department
Professional Standards Section

And to: The Honourable Judge Wallace T. Oppal (ret'd) (Discipline Authority)
Retired Judge of the British Columbia Court of Appeal

And to: Inspector [REDACTED] (Prehearing Conference Authority)
c/o Abbotsford Police Department
Professional Standards Section

And to: Chief Constable Adam Palmer
c/o Vancouver Police Department
Professional Standards Section

The Office of the Police Complaint Commissioner (OPCC) completed its review of the decision issued by the Prehearing Conference Authority pursuant to section 120 of the *Police Act* in this matter.

1. *Neglect of Duty*, pursuant to section 77(3)(m)(ii) of the *Police Act*; specifically, wearing an unauthorized "Thin Blue Line" flag patch on his uniform, which contravened VPD policy.

Discipline Proposed - Advice to Future Conduct

Following the *Police Act* section 117 review, the appointed Discipline Authority, Mr. Wallace Oppal, determined that the evidence appeared to substantiate the allegation of *Neglect of Duty* pursuant to section 77(3)(m)(ii) of the *Police Act* by Constable [REDACTED].

A prehearing conference was offered to Constable [REDACTED] and was held on June 21, 2024, before Inspector [REDACTED] as the Prehearing Conference Authority.

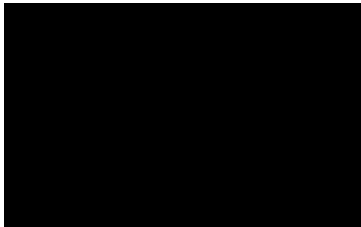
A report following the prehearing conference was received at our office on June 21, 2024. In reviewing the investigation conducted by Sergeant [REDACTED] and considering all the relevant factors in this case, the OPCC has determined that the Prehearing Conference Authority has appropriately considered the aggravating and mitigating factors pursuant to section 126 of the *Police Act*. Specifically, our office notes that Constable [REDACTED] took early acceptance of responsibility for his actions during the prehearing conference.

Therefore, the agreement reached at the prehearing conference is 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 *Police Act*, 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.

The OPCC supports the recommendation made by Mr. Oppal in the *Police Act* section 117 decision:

"...I respectfully suggest that it would be wise for the VPD to communicate to all members, in crystal clear and unambiguous terms, that patches generally, and thin blue line patches in particular, are not allowed."

As such, the OPCC requests the Vancouver Police Department notify us of their response to this recommendation.



Investigative Analyst

cc. Sergeant [REDACTED], Vancouver Police Department
Inspector [REDACTED], Vancouver Police Department