



VIA FAX: 604-247-8481

November 17, 2009

Assistant Commissioner Bud Mercer
Vancouver 2010 Integrated Security Unit
11411 No. 5 Road,
Richmond, B.C. V7A 4E8

Dear Assistant Commissioner Mercer:

RE: Recent Assurances Regarding Agent Provocateurs and the 2010 Olympic Games

I am again writing to you in your capacity as the head of the Vancouver 2010 Integrated Security Unit (ISU) on behalf of the B.C. Civil Liberties Association. In a letter dated February 16, 2009, our association asked you to commit to preventing the ISU from using agent provocateurs to discredit a protest movement, group or organization. Your extremely brief response dated February 20, 2009 provided no commitments regarding the use of agent provocateurs.

As such, we were very gratified to read in Xtra West ("Calls for an Olympic security code of conduct", Jeremy Hainsworth, Monday, November 16, 2009) that ISU spokesperson Cpl Jen Allan has stated that "agents provocateurs will not be used during the Games." We would like to be assured of the veracity of this statement and ask you to please confirm that the ISU has now determined that no agent provocateurs will be used during the Games. To ensure that we understand the ISU's usage of the term "agent provocateurs" in this context, we ask again whether this announcement means that the ISU commits to the following:

- 1) No undercover officer will participate in, facilitate or encourage acts that could cause bodily harm or death to any other person as part of an undercover investigation;
- 2) No undercover officer will infiltrate a civil society or protest organization or group, unless the group is engaged or threatening to engage in either physical harm to another person or significant property damage, and the ISU has sufficient evidence of such conduct that rises to the level and quality of evidence required to ground a search warrant; and,
- 3) No undercover officer will seek to influence the political direction, policy positions or internal discussions of any organizations infiltrated by security forces.

As you know, the Canadian public has been increasingly concerned about police operations in relations to the Olympics and we believe that citizens are entitled to something beyond bland pronouncements that police officers will conduct themselves in conformity with Canadian law. As such, we were well pleased by Clp Allan's statements in the press and ask that they might be confirmed and clarified.

Yours truly,

A handwritten signature in black ink, appearing to be 'J. Gratl', written in a cursive style.

Jason Gratl, Vice-President,
on behalf of Robert Holmes, President



Assistant Commissioner Bud Mercer
Chief Operating Officer
Vancouver 2010 Integrated Security Unit
11411 No. 5 Road
Richmond, BC V7A 4E8

December 14, 2009

Mr. Jason Gratl
Vice President
BC Civil Liberties Association
Suite 550 B
1188 West Georgia Street
Vancouver, BC V6E 4A2

Dear Sir:

Thank you for your letter dated November 17, 2009.

The Royal Canadian Mounted Police and other law enforcement agencies operating under the direction of the Vancouver 2010 Integrated Security Unit will conduct themselves within the requirements of Canadian law. The Canadian Charter of Rights and Freedoms guides the ISU in the interaction between police personnel and members of the public. Based on this, the ISU upholds the right of all persons to participate in lawful, peaceful and safe protest. At the same time, police will ensure that violations of Canadian laws are fully investigated, regardless of where they occur.

The RCMP and the ISU do not comment in advance on the use of specific investigative techniques for events such as the 2010 Olympic and Paralympic Winter Games. However, the public can be assured that investigative techniques used by police are legal and will be deployed within the bounds of Canadian law. I can add that no police officer or police agent under the control of the ISU will provoke others into committing illegal acts.

Yours truly,

A handwritten signature in black ink, appearing to read 'Bud Mercer', with a large, stylized flourish at the end.

Assistant Commissioner Bud Mercer, O.O.M.
Chief Operating Officer
Vancouver 2010 Integrated Security Unit

cc: Chief Constable Jim Chu, Vancouver Police Department