



June 24, 2020

Sent via email

Vancouver Police Board
2120 Cambie Street, Vancouver BC V5Z 4N6

Re: Street Checks VPD Service or Policy Complaint – 2018-14863

Dear Members of the Vancouver Police Board,

I am writing on behalf of the British Columbia Civil Liberties Association (“BCCLA”) and the Union of British Columbia Indian Chiefs (“UBCIC”) to follow up on your closure of our joint policy complaint regarding street checks, the resulting investigation that has commenced in a related matter, and to ask you to release pertinent information.

The policy complaint was submitted on June 14, 2018, after we reviewed street check data released by the Vancouver Police Department (“VPD”). The data strongly suggested to us that street checks have been conducted in a discriminatory manner, contrary to the *Canadian Charter of Rights and Freedoms* and B.C.’s *Human Rights Code*. Your board closed the complaint on February 20, 2020, citing among the reasons your acceptance of the findings and recommendations in the final report by Pyxis Consulting Group.

We learnt by way of a June 5, 2020, letter from Clayton Pecknold, the Police Complaint Commissioner, that an order of investigation was issued on December 19, 2019, and an ongoing investigation is underway by the Vancouver Police Professional Standards unit.

We were very disturbed to find out about the basis for the investigation, described by the Commissioner as:

...[c]oncerns expressed by Pyxis researchers related to the conduct of two Vancouver Police Officers. This is alleged to have occurred during two separate “ride-along” excursions in the course of the street checks project. Reportedly, one officer was alleged to have made a number of inappropriate, racially insensitive comments and another is alleged to have made inappropriate comments about vulnerable and marginalized people, had anger issues, and was overly terse and extremely rude to a member of the public. One of the researchers self-identified as a member of a racialized community.

These allegations are very troubling. We originally filed the policy complaint because we were alarmed by the release of data indicating that the Vancouver Police Department were discriminating

against Black and Indigenous people, and Indigenous women in particular. Based on the superficial information that we have about this current Professional Standards investigation, we believe that the alleged comments and behaviour are very relevant to the Pyxis-authored Vancouver Police Board Street Checks review report that your board accepted. Discriminatory behaviour and attitudes were at the very core of our concerns in our original complaint.

Despite the relevance of the alleged comments and behaviour to the conclusions that can be drawn, we have also learned from the Commissioner’s letter that the allegations were included in a draft Street Checks study report, but were missing from the final public report. This discrepancy in versions of the report raise another serious set of concerns about the objectivity, methodology, and findings of the Pyxis-authored Vancouver Police Board Street Check Review.

Given how much public trust is at stake with the handling of our complaint and the subsequent investigation, we were pleased to receive confirmation today from the Director of Police Services that she is acting upon the recommendations of the Commissioner. The Director of Police Services is conducting an analysis into the findings, conclusions and methodology as contained in the Pyxis report, and will scrutinize the process of how your board selects and retains contractors.

Based on the limited information we have, it is unclear how many draft reports Pyxis prepared, and whether they shared them with your board. If you do have one or more draft versions of the Pyxis-authored Vancouver Police Board Street Check Review (i.e. any version that departs from the one that is available to the public), we request that you disclose them to us. We also request the disclosure of any field notes or other ancillary materials prepared by Pyxis and provided to your board in conducting their study and preparing their report. Thank you for your attention to this important matter.

Sincerely,



Grand Chief Stewart Phillip
President
On behalf of Union of BC Indian Chiefs



Chief Don Tom
Vice President



Kukpi7 Judy Wilson
Secretary-Treasurer



Harsha Walia
Executive Director
On behalf of BC Civil Liberties Association



Meghan McDermott
Interim Policy Director



Latoya Farrell
Staff Counsel

Cc: Clayton Pecknold, Police Complaint Commissioner
Brenda Butterworth-Carr, Assistant Deputy Minister, Director of Police Services