



Minister Mike Farnworth
Assistant Deputy Minister Wayne Rideout
Ministry of Public Safety and Solicitor General
Via Email: PSSG.Minister@gov.bc.ca; SGPSPB@gov.bc.ca

May 13, 2021

Dear Minister Farnworth and Assistant Deputy Minister Rideout,

RE: Joint Letter to Provincial Government Regarding Unauthorized Police Enforcement of COVID-19 Travel Restrictions on May 1, 2021

We are writing to follow up on the rollout of enforcement [Ministerial Order No. M182](#). As you are aware, on April 21, 11 community groups released an [open letter](#) to Premier Horgan, Minister Farnworth, and Minister Eby in response to the police enforcement set to accompany the Ministerial order. In this letter, signatories noted that they were “deeply concerned about the overbroad and unconstitutional expansion of police powers that will disproportionately impact Black, Indigenous and racialized communities.”

Prior to the release of enforcement details, representatives of several organizations met with ADM Rideout for the purpose of a technical briefing on April 29. At that time, we were advised that enforcement re: non-essential travel would only take place at designated RCMP checkpoints.

We have since been made aware of a ticket issued by the RCMP on Vancouver Island on May 1, outside of an RCMP checkpoint. The matter has been covered in the news, [B.C. RCMP say they ticketed a person for non-essential travel after pulling them over for speeding](#) (May 12). This enforcement action contravenes the order and contradicts what we were advised by ADM Rideout.

The unauthorized expansion of police power affirms the concerns that 11 groups first identified, and raised in a subsequent [press release](#). We must highlight the concerns that have been repeatedly identified – that any type of policing activity creates a situation where Black and Indigenous people will be subject to racial profiling, and other marginalized and stigmatized groups such as people who use drugs, people living in poverty will be subject to

disproportionate police contact. Although the targeting of Indigenous people has been repeatedly identified as a significant concern, we are still awaiting assurance that Indigenous people will not be targeted for “non-essential” travel. Any policing and enforcement, including activities authorized by Order No. M182 must be compliant with the *Declaration on the Rights of Indigenous Peoples Act* and section 35 of the *Constitution Act*.

Today, we are requesting a full investigation into the May 1 incident, and further assurances that MPSSG is committed to ensuring no further unauthorized police enforcement activity will take place for the duration of this Order. Finally, we request that MPSSG send a memo to all RCMP detachments to clarify the non-derogation clause, affirming the section 35 rights of First Nations Peoples for hunting, fishing, medicines, and foods harvesting.

Sincerely,

Kukpi7 Judy Wilson, Union of BC Indian Chiefs

Eris Nyx, Coalition of Peers Dismantling the Drug War

Harsha Walia, BC Civil Liberties Association

J. Evin Jones, Pacific AIDS Network

Kit Rothschild, PACE Society

Meenakshi Manoe, Pivot Legal Society

Michael Klein, Q.C., Criminal Defence Advocacy Society