



Sent via email.

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April 29, 2024

Dear Honorable Glen Lewis and Commissioner Rajan:

Re: VPD officers wearing the Israel national flag and the 'Thin Blue Line' patches at pro-Israel rally on November 19, 2024

On November 19, 2023, Veronica Martisius, Staff Counsel with the BC Civil Liberties Association ("BCCLA"), observed a rally in support of Israel taking place on Denman Street in front of Ofra's Kitchen. Ms. Martisius arrived on the scene at approximately 3:30pm when the rally was coming to an end. There were several rally-goers, onlookers, and members of the Vancouver Police Department ("VPD").

Ms. Martisius stopped to speak with one of the onlookers, who self-identified as Palestinian. The onlooker told Ms. Martisius that a VPD officer had just filmed them for no reason. They suspect it was because they were wearing a keffiyeh. They also pointed out an officer wearing a patch with Israel's national flag on their uniform.

Ms. Martisius saw a VPD officer (badge #3390) wearing the patch seen in the attached photographs. Another VPD officer (badge #3099) standing next to him was wearing a "Thin Blue Line" patch. Ms. Martisius also has video footage showing the officers at the rally.

Almost three months after Ms. Martisius witnessed the officer wearing the Israeli flag patch, Vancouver resident Sean Orr [tweeted](#) a picture of the same VPD officer (badge #3390) with the

Israeli flag patch on his VPD uniform at Pacific Center Mall. He confirmed via correspondence with BCCLA Policy Director Meghan McDermott that he took the photograph on Monday, February 12, 2024.

The VPD should not be partisan. The administration of justice must be objective and impartial. Police officers should not be affixing patches of foreign national flags on their uniforms or highlighting their political stance on international issues while on duty and serving the public.

VPD Uniform Policy

As per VPD’s policy, “the use of any unauthorized patches by VPD members on their uniform is prohibited”.¹ On January 13, 2023, the VPD sent out a reminder to all members about the Uniform Policy to ensure their continued awareness of the importance of adhering to said policy.²

Although the VPD’s “Uniform and Dress” policy does not elaborate on why unauthorized patches are not permitted, the policy on tattoos offers some insight. VPD members are not permitted to display any tattoo that “discredits the member or diminishes the public’s trust in the VPD.”³ Part of that trust stems from the public’s belief that police officers have a duty to serve and protect everyone in Canada regardless of Indigenous identity, race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age of that person or class of persons.⁴

Furthermore, the VPD’s policy on ‘Uniform and Dress’ only allows for the following religious exceptions (that is, they do not violate the policy):

- Turbans and patkas
- Hijabs
- Kippahs/Yarmulkes
- Other “bona fide religious or cultural” headdresses approved by the VPD Uniform Committee.⁵

No exception permits VPD officers to display the insignia of a foreign nation-state on their uniform.

Still a Problem Despite Vancouver Police Board’s 2023 Decision re: “Thin Blue Line”

On January 19, 2023, the Vancouver Police Board (the “Board”) made it clear that members of the VPD are not permitted to wear the controversial ‘thin blue line’ patch because it contravenes the VPD’s long-standing policy against unauthorized adornments.⁶

This decision was made in response to a Service or Policy Complaint #2022-21155, filed by a complainant on December 1, 2021, with concerns regarding a VPD member wearing what the

¹ [SP_2301C09_Thin Blue Line - Service or Police Complaint Response.pdf \(vancouverpoliceboard.ca\)](#), at p. 3.

² [SP_2301C09_Thin Blue Line - Service or Police Complaint Response.pdf \(vancouverpoliceboard.ca\)](#), at p. 3.

³ Section 5.4.9, “Uniform and Dress,” “Tattoos,” [regulations-and-procedures-manual.pdf \(vpd.ca\)](#), at p. 779.

⁴ Human Rights Code, RSBC 1996, c. 210.

⁵ Section 5.4.10, “Uniform Dress,” “Religious or Cultural Clothing – Headdress,” [regulations-and-procedures-manual.pdf \(vpd.ca\)](#), at pp. 781-781.

⁶ [2023-01-19_SP Minutes.x17245.pdf \(vancouverpoliceboard.ca\)](#)

complainant perceived to be a “white supremacist badge” ⁷(Canadian flag with blue line through it), at a land back rally. The Vancouver Police Board concluded its review of the complaint on January 19, 2023, after consulting with both the VPD Indigenous Advisory Committee (IAC) and the African Descent Advisory Committee (IDAC).

The feedback provided by these advisory committees is only indirectly known to us, as the briefing report entitled “Thin Blue Line” that should be available to the public as Attachment ‘C’ to the Board Report #2301C09 recommending a conclusion of its review is no longer available online. However, I have attached the document to this email.

An Investigative Report by Vancouver’s Integrity Commissioner into a separate matter characterizes the consultations between the VPD and the Advisory Committees as follows:

The Briefing Report detailed the VPD’s consultation with community members, including the Indigenous Advisory Committee and the African Descent VPD Advisory Committee. The VPD met with the Indigenous Advisory Committee on October 6, 2022, and received consistent feedback on their perception of the Thin Blue Line as a dividing line (i.e. us versus them, with Indigenous Peoples being viewed as “them”), and that this division was at odds with Indigenous philosophy, which was not binary. The African Descent VPD Advisory Committee shared a common theme of racialized peoples’ experience with police (including the impact of policing in Canada on “Indigenous Peoples, Chinese and Japanese during WWII” and how that history informed their view of the thin Blue Line).⁸

It is deeply concerning to the BCCLA that members of the VPD continue to wear unauthorized patches that are symbols of suppression, oppression, and violence for many in our community.

As Justice Thomson observed in his ruling on RCMP misconduct at Fairy Creek, “the ‘thin blue line’ patches deeply offend some citizens.”⁹ For Indigenous peoples in particular, “the ‘thin blue line’ patch [is] symbolic of the history of RCMP involvement in enforcing policies that brought about the genocide of Indigenous peoples.”¹⁰

The public trust in police and their civilian oversight board is severely undermined when members of the VPD publicly and repeatedly defy their own regulations and procedures. In the case of the thin blue line patch, a matter which has already been investigated and concluded as a service and policy complaint, members of the public may reasonably arrive at unfavourable conclusions about the culture of policing in Vancouver.

Israeli Flag Patch on Member’s Police Uniform Indicates Biased Policing

The Vancouver Police Board has a duty to promote equitable policing and ensure that all employees of the VPD are aware that they must deliver services impartially, in a manner that upholds human rights, and without discrimination based on race, national or ethnic origin, colour,

⁷ https://vancouverpoliceboard.ca/police/policeboard/agenda/2022/0421/SP_2.1_2022-002_Thin%20Blue%20Line_Redacted.pdf

⁸ <https://vancouver.ca/files/cov/2023-10-17-integrity-commissioner-investigation-report.pdf>, at p. 4.

⁹ *Teal Cedar Products Ltd. v. Rainforest Flying Squad*, 2021 BCSC 1903, paras 79-88.

¹⁰ *Ibid.*, para 82.

religion, age, sex, sexual orientation, marital status, family status, disability, gender identity and expression, political beliefs, types of employment, economic or social standing.¹¹

The Palestinian onlooker, who wishes to remain anonymous, informed Ms. Martisius that observing a member of the VPD wearing the Israel flag patch on his police uniform at a pro-Israel rally was jarring and frightening. To them, it indicated police were biased towards a nation-state inflicting unrelenting attacks on Palestinians and denying humanitarian aid in Gaza, where some of their family members live. The patch made the Palestinian onlooker feel unsafe, undermining their trust in the police.

Conclusion

The BCCLA supports religious freedom and freedom of expression as protected by the *Canadian Charter of Rights and Freedoms*. However, a police officer's role demands that they refrain from expressing their political beliefs while on duty, especially where it is reasonably foreseeable that those beliefs would escalate tensions. Furthermore, earning public trust requires that justice is seen to be done free from bias. Attending a pro-Israel rally with the Israeli flag on your police uniform is an inflammatory political act, much like attending a Black Lives Matter protest with a Thin Blue Line patch is an inflammatory political act.

Both officers blatantly broke department policy, undermining public trust in the VPD. On February 16, 2024, the VPD directed officer (badge #3390) to [remove the patch](#). Asking both officers to remove their patches is not enough. It is evident from the conduct of these officers, that they do not take their own policy and procedures seriously.

Consequently, we request that the Director of Police Services conducts a thorough investigation into the matter, including whether other officers in the province may be wearing unauthorized patches on their uniforms. The results of the investigation, including how many officers were non-compliant with the policy and the disciplinary action taken, must be made public. Finally, we ask that the VPD and the Police Board issue a public apology on behalf of all their members for undermining public trust in the police and its civilian oversight body.

Sincerely,



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¹¹ BC Policing Standards Subject 6.1.1(1), available online: <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/police/standards/6-1-1-promote-unbiased.pdf>