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Via Email

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RE: Feedback to the Policing & Security Branch Regarding Street Stops

We write as organizational participants in the Director of Police Services (DPS) Advisory Committee on Police Stops. Since the start of our participation in this process, we have provided feedback to the Policing and Security Branch on the myriad harms associated with street stops, particularly in relation to poor and racialized people.

The communities where we live, work, and organize have been unequivocal in stating that the practice of street stops causes harm and that the only reasonable response from the DPS is to cease it entirely. To that end, we have repeatedly called for a clear Provincial Policing Standard that imposes a province-wide moratorium on the practice. In addition to the health and safety harms caused by the practice, we have asserted that it is unlawful, unjust, and rooted in systemic racism and anti-poor discrimination.

In its current iteration, *Provincial Policing Standard 6.2.1 Police Stops* does not reflect the feedback provided by our organizations, nor does it address the harms that continue to be caused by street stops. Street stops pursuant to this standard will not stop arbitrary detentions, which specifically

This signatories of this letter work on the unceded territory of the Coast Salish Peoples, including the territories of the xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish), səliłwətaʔ (Tsleil-Waututh), and Ləkʷəŋən (Lekwungen) Nations.

target Indigenous and Black communities in British Columbia. The imposition of such a standard moreover codifies unlawful police action, as we maintain that street stops are *prima facie* unlawful.

The concerns of our organizations and others have been issued to the DPS, Policing and Security Branch, and police departments across British Columbia via numerous letters, statements, and calls to action, including:

- June 14, 2018 - Union of BC Indian Chiefs and the BC Civil Liberties Association submitted a Policy Complaint against the Vancouver Police Department to the Office of the Police Complaint Commissioner regarding the inadequacy and inappropriateness of training programs, policies, and internal procedures on the practice of “street checks” or police stops¹
- July 8, 2019 - Pivot Legal Society submitted a legal memorandum to the DPS, outlining the illegality of street checks and calling for a moratorium on the practice²
- November 2019 - BC NDP Party passes resolution at convention to immediately ban carding or “street checks” in all policing institutions which are provincially controlled.
- February 18, 2020 - Union of BC Indian Chiefs, BC Civil Liberties Association, and Black Lives Matter - Vancouver identified concerns regarding the key findings of the Vancouver Police Board Street Check Review³
- February 20, 2020 - Carnegie Community Action Project, Hogan's Alley Society, BC Civil Liberties Association and Pivot Legal Society call for a moratorium on street checks following the release of the Vancouver Police Board Street Check Review⁴
- March 6, 2020 - BC First Nations Justice Council and the Province of BC endorsed and signed a new First Nations Justice Strategy, with the recognition that Indigenous people are further victimized by systemic racism, including policing practices such as illegal street checks⁵
- June 19, 2020 - Pivot Legal Society submitted a letter to provincial leadership, calling for immediate action to address anti-Black racism in policing, including calling for an immediate moratorium on street stops in BC⁶
- July 6, 2020 - BC Civil Liberties Association, Black Lives Matter-Vancouver, Hogan's Alley Society, Union of BC Indian Chiefs, and WISH Drop-In Society released an open letter, co-

¹ <https://bccla.org/wp-content/uploads/2018/06/UBCIC-BCCLA-OPCC-Complaint-re-Street-Checks-Jun-14-2018-Approved-1.pdf>

² https://www.pivotlegal.org/street_check_moratorium

³ <https://bccla.org/wp-content/uploads/2020/02/Press-Release-VPD-Street-Checks-Review-Report-Feb-2020.pdf>

⁴ https://www.pivotlegal.org/community_groups_call_for_a_moratorium_on_street_checks

⁵ https://news.gov.bc.ca/files/First_Nations_Justice_Strategy_Feb_2020.pdf

⁶ https://www.pivotlegal.org/anti_black_racism_in_policing

signed by 84 organizations, calling for an immediate municipal and provincial ban on police street checks⁷

- July 16, 2020 - Victoria City Council unanimously approved a motion calling on Victoria and Esquimalt police to ban “street checks”⁸
- July 22, 2020 – Vancouver City Council approved a motion to inform the Vancouver Police Board that Council’s priority is to end the practice of street checks in Vancouver⁹
- September 17, 2020 – Vancouver Police Board approves a motion to Conduct a public consultation about the Department’s implementation of *Policy 1.6.53 Conducting and Documenting Street Checks (and Police Stops)* and a review of the responses, to be completed within three months¹⁰
- Ongoing – Over 8,800 people have signed a petition calling for the end of all street checks in Vancouver and BC¹¹

Our call for an end to the practice of street stops has new urgency, given recent developments in public health – in particular, events related to the COVID-19 pandemic – and changing perceptions of police across the country and around the world. At this time, there is intense and rightful scrutiny on the role of police in society, and particular concern about how police perpetuate systemic racism. Now more than ever, we need a clear policy from the DPS to end the use of harmful and dehumanizing police practices, including street stops.

Though participants on the Street Stops Advisory Committee have repeatedly and steadfastly called for a moratorium on street stops, our request has largely gone unacknowledged by the DPS and Policing and Security Branch. During our inaugural Advisory Committee meeting, for instance, the DPS informed participants that a moratorium was unavailable as an option, despite having not yet heard our concerns in full. The current Policing Standard does not meaningfully reflect our organizations’ collective feedback and legal argument, and we are now questioning whether our input is being considered in good faith.

Given this experience, we request that our participation in the Advisory Committee not be named or otherwise used to legitimize the current Policing Standard. We also request that our dissatisfaction with *Provincial Policing Standard 6.2.1* be expressly acknowledged if the Ministry of Public Safety & Solicitor General refers to consultations with our organizations in the future.

⁷ <https://bccla.org/wp-content/uploads/2020/07/Press-Release-Open-Letter-and-Motion-Street-Checks-July-2020-FINAL.pdf>

⁸ <https://pub-victoria.escribemeetings.com/filestream.ashx?DocumentId=56654>

⁹ <https://council.vancouver.ca/20200721/documents/regu20200721min.pdf>

¹⁰ <https://vancouver.ca/police/policeboard/agenda/2020/0917/2009V09-Rachel-Roy-Proposed-Motion.pdf>

¹¹ <https://act.bccla.org/banstreetchecks?fbclid=IwAR1mcv5HsQq011DhUBdNchVaQUbTrYqcKlrzx4ZnPaKj220PBnue0Jnhc3Y>

We will continue to call for a moratorium, and without amendments to Provincial Policing Standards reflecting an absolute ban on street stops, each of our organizations will be forced to deliberate on the utility of participating in this process.

Signed,

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