



# VANCOUVER POLICE DEPARTMENT

## REPORT TO THE VANCOUVER POLICE BOARD

REPORT DATE: April 1, 2020, 2020  
COMMITTEE MEETING DATE: April 16, 2020  
BOARD REPORT # 2004C01

*Regular*

TO: **Vancouver Police Board Service and Policy Complaint Review Committee**

FROM: Sergeant Jason Robillard, Youth Services Unit, Youth Services Section

SUBJECT: Service or Policy Complaint #2020-002: Role of school liaison officers in Vancouver schools

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### RECOMMENDATION:

**THAT the Vancouver Police Board Service and Policy Complaint Review Committee (Committee) concludes its review of the complaint based on information outlined in the report.**

### SUMMARY:

In November 2018, a student posted a video online, which contained hate speech and threatening comments directed towards black students at Lord Byng Secondary School. This incident was investigated by the Vancouver Police Department (VPD) School Liaison Officer (SLO) assigned to Lord Byng. The Vancouver School Board (VSB) also conducted a concurrent investigation.

The complainant in this matter believed that, as a matter of policy, the SLO should not have been the primary investigator and responsible for recommending criminal charges to Crown Counsel. Further, he believed that the SLO's involvement in the investigation would undermine the SLO's trust with Lord Byng students. A complaint was filed with the Office of the Police Complaint Commissioner (OPCC), who in turn issued a notice of a Service or Police Complaint to the Vancouver Police Board.

This complaint was reviewed by the School Liaison Unit (SLU) Sergeant, who concluded that the officer's actions were in line with their assigned responsibilities. SLOs play an important role in Vancouver schools, which includes a myriad of assigned responsibilities. These responsibilities include but are not limited to, investigating criminal offences related to their assigned school(s), which may result in formally recommending criminal charges to Crown Counsel. It is expected they will conduct these investigations in a fair and impartial manner, much like all police officers in the VPD, regardless of the setting.

Additionally, SLOs serve as a liaison between their assigned school(s) and the criminal justice system. SLOs work closely with school authorities to develop the best outcome for students who are subject to criminal investigations. This requires SLOs to exercise discretion within the

framework of the guiding principles of the *Youth and Criminal Justice Act (YCJA)*. The YCJA encourages the use of extra-judicial measures to address certain criminal behaviour where youth are involved. The YCJA also calls for the youth's background to be considered when determining an appropriate corrective plan; the SLO was in the best position to consider the youth's background and, thereby, ensure that an appropriate outcome was reached. Because the student was a youth, it is understood that the SLO must continually assess whether their law enforcement role within the school environment would be appropriate, as well as whether their role will jeopardize the trust they have gained with students in schools. The findings of this review indicate that it was appropriate for the SLO to conduct criminal investigations and that the SLO effectively balanced and maintained the trust he had established with both the students and school administration.

As such, it is recommended that this complaint be concluded based on the information outlined in this report.

## **DISCUSSION:**

In November of 2018, a student at Lord Byng Secondary School created a video that was shared via social media with other students. The student's face was clearly depicted and recognizable in the video. The student could be heard making racial slurs against the black community and expressed a desire to harm the black community as a whole. The threats were not directed towards any named member(s) of the black community.

A parent brought the video to the attention of the school administration, who disclosed it to the assigned SLO. The SLO was best positioned to act on this information immediately, and initiated a criminal investigation, while the VSB launched a concurrent investigation.

At the conclusion of both investigations, and after giving careful consideration to the YCJA's guiding principles on the use of extra-judicial measures, the SLO determined that he would not recommend criminal charges to Crown Counsel. Alternatively, and in accordance with the YCJA, disciplinary actions were imposed upon the student by both the SLO and the VSB. The police disciplinary actions required the student to write a letter of apology, meet with the offended person(s), and develop a self-imposed education plan. The VSB transferred the student to another high school.

The SLO was the most appropriate police officer to conduct this criminal investigation. He was familiar with school policies, procedures, resources, and staff. As police officers, SLOs do have the ability to exercise discretion in terms of their role in the investigation. Additionally, the SLO possessed the requisite skills and experience to investigate this matter.

If an SLO believes that remaining as the primary investigator could jeopardize the SLO's trust with their students, conduct of the investigation could be transferred to another police officer, after consultation with their supervisor. In this situation, after consideration of the aforementioned factors, neither the SLO, their supervisor, nor the school administration expressed any concerns over the SLO retaining conduct of the investigation. Furthermore, a review of the investigation was conducted by a senior investigator, not assigned to the SLU, who found the investigation to be fulsome and comprehensive.

**CONCLUSION:**

The SLO was the most appropriate police officer to conduct this criminal investigation. He was familiar with school policies, procedures, resources, administration and staff. As police officers, SLOs have the ability to exercise discretion in terms of their role in the investigation. The SLO was confident that he possessed the requisite investigative skills and experience to retain conduct of this investigation. This is exemplified by the SLO's careful consideration to the YCJA's guiding principles on the use of extra-judicial measures. The SLO determined that he would not recommend criminal charges to Crown Counsel and that alternative disciplinary actions were suitable.

If an SLO believes that retaining conduct of an investigation could jeopardize trust with their students, consideration may be given to transfer conduct to another police officer, after consultation with their supervisor.

In this situation, after consideration of the aforementioned concerns, neither the SLO, their supervisor, nor the school administration expressed any concerns over the SLO retaining conduct of the investigation.

In conclusion, it is recommended that the Committee concludes its review of the complaint based on the information outlined in the report.

Author: Sgt. Jason Robillard Telephone 604-717-2832 Date: April 1, 2020

Submitting Executive Member:

Supt. Michelle Davey Date: April 7, 2020