



TEAMSTERS LOCAL UNION No. 31

AFFILIATED WITH TEAMSTERS CANADA AND THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS
#1 GROSVENOR SQUARE, DELTA, BC V3M 5S1

May 20, 2020

Dear Sisters and Brothers,

Since the beginning of the pandemic, I know that there has been much concern among the membership surrounding layoffs, and especially so since last week and Council's motion to cut the VPD's budget by 1%. I have spoken with Chief Palmer about the motion, the issues arising from it and concerns surrounding job loss and he has assured me that there will be no layoffs of the civilian staff.

Last Friday we sent out a letter concerning what had transpired last week with Vancouver City Council conducting an in-camera meeting and passing a motion to reduce the VPD budget for 2020 and confirming expectations surrounding compensation costs. In our message to you, we set out the resolution of Council and referred to the content of Chief Palmer's email in response to the City Manager. Please find attached the City Manager's email and the Chief's response.

In a statement on May 14th, Chief Palmer set out his position and mentioned a request made by the City last month for the VPD to reduce operating costs and in it refers to a detailed response from the Police Board. Please find attached the Chief's statement and the Police Board's letter of April 27, 2020 for your review.

The Police Board will be meeting this Thursday, May 21st. The Chief has advised that this motion will be discussed and will keep us informed as to the outcome.

If you have any questions or concerns, please do not hesitate to contact me.

Kind regards,

Karlene Bateman
Business Representative

KB:sep *moveup*

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May 13, 2020 2:26 PM

Email from Vancouver City Manager, Sadhu Johnston to Chief Constable Adam Palmer

Greetings Adam

Please find below a motion that was moved by a Councillor and approved by Council today in-camera. Please share with appropriate Union Representatives and the Police Board. Please feel free to reach-out to me, Paul or Patrice if we can be of assistance in addressing the direction from Council.

Best

Sadhu

THEREFORE BE IT RESOLVED

- A. THAT Council reduce the VPD budget for 2020 by 1%, in line with the savings achieved by VFRS, to address the budget pressures created by COVID-19
- B. THAT Council confirm its expectation that the Vancouver Police Board pursue collective agreements with all three unions representing VPD employees that result in a 0% increase in compensation costs for 2020, in line with recent COV labour discussions. And, subject to the outcome of any arbitration under the Fire and Police Service Collective Bargaining Act, that the VPD budget for 2020 be further reduced by any amount notionally budgeted for 2020 compensation adjustments.
- C. THAT this decision be released from in camera after it has been formally communicated to the Police Board, Police Chief, and Police Unions.

Sadhu Aufochs Johnston | City Manager
Office of the City Manager | City of Vancouver
sadhu.johnston@vancouver.ca
604.873.7627

Pronouns: he, him, his



The City of Vancouver acknowledges that it is situated on the unceded traditional territories of the Musqueam, Squamish, and Tsleil-Waututh peoples.

May 13, 2020 20:11

Email from Chief Constable Adam Palmer to Vancouver City Manager, Sadhu Johnston

Hello Sadhu,

Thank you for your e-mail. There are a few initial points I would like to bring to your attention.

There are potential legal and jurisdictional issues with this motion. Statutorily, the Vancouver Police Department (VPD) exists as a separate legal entity from the City of Vancouver and is governed by the Vancouver Police Board (VPB), per the Police Act of British Columbia. As clarification, VPD does not take 'direction from Council' as you note in your e-mail. Having said that, we always try to have a positive and professional working relationship with staff and Council at the City.

The VPD is both an essential service and a core service for the City. However, there was no consultation with the VPD on this motion nor was the VPD afforded the opportunity to address City Council about the potential public safety implications/repercussions of reducing the VPD's budget during a worldwide pandemic.

In my view, there is a fundamental concern with cutting essential services to fund non-essential services.

There is a lack of public transparency and accountability with this in-camera process. This was decided away from the eyes of the public, the VPD and the VPB, and then released to the VPD as a final product with no knowledge of the discussions or debate and how our elected officials voted. This is particularly concerning regarding matters of public safety that impact all Vancouverites – decisions that have a fundamental impact on public safety should not be made in private.

This motion comes in the midst of an extremely challenging year that includes large-scale pipeline protests, the COVID-19 pandemic, Oppenheimer Park decampment as well as increased calls of anti-Asian racism, arsons, commercial premises being burglarized and violent robberies in our city, to name a few. Our VPD members have been on the frontlines throughout the entire pandemic, 24/7, putting themselves at risk to keep Vancouver safe (including VPD members becoming infected with COVID-19 in the performance of their duties). The VPD responds to far more emergency calls for service than all other first responders combined.

The combined impact of A and B is approximately \$8.5M – or approximately 80 fewer police officers protecting Vancouver. This is very concerning given the fact that we have been operating with reduced service levels for the past decade and have only recently caught up to 2009 staffing levels.

We received confirmation from the Province this week that the Surrey Police Department transition is moving ahead as planned. This creates a unique risk to VPD losing a significant number of officers in 2020 and 2021, which further exacerbates the problems with this motion.

Regardless of the financial climate, police have an unwavering statutory requirement to maintain public safety, prevent crime, ensure the safety of victims and witnesses, apprehend offenders, and advance investigations.

I will not be taking any further action on this until I receive direction from the Vancouver Police Board.

As requested in your note below, I am sharing this with the appropriate union representatives and the Police Board by copying them on this email:

- Mayor Kennedy Stewart, Chair, Vancouver Police Board
 - Mr. Barj Dhahan, incoming Vice-Chair, Vancouver Police Board
 - Dr. Sherri Magee, outgoing Vice-Chair, Vancouver Police Board
 - Inspector Leslie Stevens, President, Vancouver Police Officers' Association
 - Sergeant Ralph Kaisers, President, Vancouver Police Union
 - Ms. Karlene Bateman, Business Representative, Teamsters Union Local No. 31
- Please feel free to contact me anytime to discuss.

Best regards,

Adam

C H I E F A D A M P A L M E R

V A N C O U V E R P O L I C E D E P A R T M E N T | *Beyond the Call*

604.717.2950

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May 14, 2020

VPD statement from Chief Constable, Adam Palmer, regarding VPD's 2020 budget

Since the pandemic began, police officers have been working 24 hours a day, seven days a week. Patrol officers have been on the frontline, putting themselves at risk, to keep the city safe. Police cannot reduce or defer frontline work, as in-progress emergencies have continued throughout the city.

Crime has not stopped. Calls from the public have not stopped. I appreciate the hardship faced by employees of the City, the library, and the Park Board who have recently received lay-off notices. I do not want to minimize the impact the pandemic has had on these employees and their families. However, it's important to take into consideration that there was a corresponding reduction in their workload due to closures as a result of physical distancing rules. This has not been the case for police.

I'm surprised the City of Vancouver has asked for a reduction to frontline response in the midst of a pandemic – police are an essential, core service. In my view, it is problematic to cut an essential service to fund non-essential services. Ninety-seven percent of the VPD's budget is non-discretionary (i.e. salaries). Therefore, any reduction equals a reduction in police response.

I'm concerned about the lack of transparency in this process. Decisions that have the potential to have a fundamental impact on public safety should not be made in private. The public has a right to know what was debated, and how their elected officials voted. There was zero consultation with the Vancouver Police Board, VPD, or any VPD unions on the motion itself and how it will affect the safety and security of Vancouver residents. I learned about the motion on Wednesday afternoon after it was developed, voted on, and passed. I would have appreciated the opportunity to present to Council, in a public forum, on the public safety implications.

Last month, the City asked the Vancouver Police Board to reduce VPD's operating costs significantly. The board provided a thorough, detailed response about how such a reduction would be detrimental to public safety. However, the board committed to ensuring that VPD works to maximize budget savings throughout the year.

It's important to note that the VPD was asked to reduce costs by not filling frontline positions in response to the 2008/2009 economic downturn. Finally, this year, the department overcame this staffing deficit to return to 2009 staffing levels. During this same time, the city's population has increased by eleven percent and calls for police service have increased by 14 per cent.

I will be discussing next steps with the Vancouver Police Board next week.

-Adam Palmer, Chief Constable, Vancouver Police Department



"PROVIDING INDEPENDENT CIVILIAN OVERSIGHT, GOVERNANCE, AND STRATEGIC LEADERSHIP TO THE VANCOUVER POLICE DEPARTMENT, REFLECTING THE NEEDS, VALUES AND DIVERSITY OF VANCOUVER'S COMMUNITIES."

MAYOR KENNEDY STEWART, CHAIR April 27, 2020

DR. SHERRI MAGEE, VICE-CHAIR

PATRICIA BARNES, MEMBER

ALLAN E. BLACK, Q.C., MEMBER

BARJ DHANAN, MEMBER

WENDY JOHN, MEMBER

CLAIRE MARSHALL, MEMBER

RACHEL ROY, MEMBER

DR. PETER WONG, MEMBER

**Mayor Kennedy Stewart and Members of Vancouver City Council
c/o City Clerk's Office, City of Vancouver
453 West 12th Avenue
Vancouver, BC V5Y 1V4**

Dear Mayor and Vancouver City Council:

I am writing on behalf of the Board in response to correspondence from the City requesting information on measures that the Vancouver Police Board (the Board) has implemented to reduce operating expenses of the Vancouver Police Department (VPD) in response to the COVID pandemic, as well as potential options for additional operating savings.

As a Board, we understand that this pandemic will challenge all levels of government to manage both the public health needs, and the resulting financial implications. We appreciate the difficult decisions that are being made on all levels, and the need for everyone to do their part to get through these extraordinary times. It is however, all of our responsibility to maintain public safety on behalf of the community, especially during times of crisis when crime is increasing, and the mental wellbeing of our citizens is being severely challenged. At the municipal level, police and fire services are on the frontline of the pandemic protecting the welfare of our community; these services must be steadfastly supported during a crisis, not reduced. The Board firmly supports the VPD and its members who, through their service, are compromising their personal wellbeing even more so than ever to ensure the safety, health, livability and vibrancy of our community.

The Vancouver Police Board, as the governing authority of the VPD, is committed to strong and prudent financial oversight by ensuring that the VPD performs under budget and actively manages its budget to maximize its potential savings. These savings can be redirected to mitigate the financial impacts faced by our partners at the City of Vancouver. To achieve this goal, the Vancouver Police Board has directed the VPD that, after ensuring public safety is maintained, its fiscal management is its top priority in 2020. To provide active oversight, the Vancouver Police Board's Finance Committee is conducting regular meetings with the VPD to ensure all fiscal control measures, which do not impact public safety, are considered and, where feasible, are enacted.

The Board would like to provide context for its decision to firmly support the VPD's budget. While the pandemic has decreased or eliminated service demand for many organizations, demand for VPD service has not declined. And unlike any other Canadian

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police agency, the VPD has undergone two separate, large-scale independent organizational reviews in the past 15 years. Leading criminologists headed each of these reviews recommending efficiency through reallocation of existing resources, utilizing civilian professionals, and leveraging technology and analytics. These reviews identified that virtually all of the VPD's budget is non-discretionary after implementing all possible internal efficiency changes.

Provincial and municipal governments across Canada have considerable latitude in managing public finances. However, this latitude is distinctly constrained in the case of policing. The Department is a separate legal entity from the City, and a clear legislative standard for its budget exists within various sections of the *Police Act*; this standard requires the provisions of "adequate and effective" police services. This legal requirement is most apparent in section 27(4) of the *Police Act*, which specifies that a municipal council "must" include the costs from the police board's provisional budget in its budget. Fortunately, reliance on this legislation has been avoided thanks to the strong working relationship the Vancouver Police Board has with you, and previous City Councils. This relationship has been based on the shared goal of the Vancouver Police Board and Vancouver City Council in ensuring that VPD operations are efficient and effective.

Staffing recommendations from the latest operational review are being implemented on the basis of ensuring adequate and effective policing as required by the *Police Act*. However, the VPD has only now, in 2020, returned to 2009 staffing levels. In contrast, during the same period, Vancouver's population has increased by 11%, the region's population has risen by 17%, and calls for service requiring VPD attendance have grown by 14%. The potential for cost savings is limited, without having a significant negative impact on the public safety by reducing staffing levels. Unlike some City of Vancouver departments, the VPD is not a revenue generating organization and has very limited ability to charge fees for its services. Any discussion of reducing the VPD's operating budget would translate directly into service cuts, which would have a detrimental effect on public safety, in particular during a time of crisis such as this.

The majority of policing services are aligned with frontline service delivery and response to emergencies. Thus the only areas that could possibly be reduced are programs that proactively address the upstream drivers of crime. These include the 11 community policing centres, school liaison officers, youth resources including the VPD cadet program, and diversity and inclusion programming that is key to furthering relationships with Indigenous, LGBTQ2S+, vulnerable and traditionally underserved populations. As these crime mitigation and community outreach programs support the long-term success of the VPD in ensuring public safety, any service reductions would have a disproportionate negative impact to such a marked degree that these impacts would outweigh the potential savings that could be achieved.

During the pandemic, many organizations have an ability to reduce their operations to ensure the safety of their staff and delay work projects to mitigate financial pressures. The VPD has neither of these abilities. Instead, the pandemic has required a department-wide response and, accordingly, the VPD has not ceased or scaled down its operations.

Regardless of the financial climate, police have an unwavering legal obligation to maintain public safety, ensure the safety of victims and witnesses, apprehend offenders, and advance investigations.

Additional factors that the Board has considered with respect to maintaining public safety by not reducing VPD staffing or service levels include but are not limited to the following:

- The VPD continues to operate 24 hours a day. In terms of workload faced by police, fire, and ambulance, police receive 69% of the calls for service (ambulance 25%, Fire 6%). For each 9-1-1 call that the Vancouver Fire and Rescue Service (VFRS) receives, the VPD receives over 11 calls, and unlike calls to the VFRS, calls to police can lead to months of investigative and follow-up work.
- City of Vancouver departments and public service providers such as TransLink and BC Ferries have laid off appreciable percentage of their workforces, however, these layoffs have been made due to declines of more than 80% in demand for service or operations.
- Despite the social distancing and restrictions on consumer facing activities, the VPD has responded to the same number of emergency calls that include stabbings, robberies, assaults and break and enters, in addition to coordinated criminal acts and social unrest carried out by groups that have explicitly stated that they will continue their protests.
- The pandemic has resulted in spikes in certain types of crime that have placed additional burdens on police:
 - A rise in anti-Asian hate crimes;
 - Commercial break-and-enters have more than doubled;
 - A climb in the use of violence during thefts, and targeting closed businesses; and,
 - Echo pandemic concerns regarding domestic violence, mental health crisis, and disturbances.
- Numerous Business Improvement Associations have highlighted how thefts are disproportionately victimizing businesses, many of which are already struggling to survive.
- The VPD is required to support the Province who, under the Emergency Program Act, has recently issued notice that the approximately 300 people living in Oppenheimer Park will be moved into supportive housing by May 9th. While it is hoped that the majority of people living at the encampment will welcome newly activated housing options, there is a high potential for unrest, protests and persons refusing to comply with the provincial order, which will require a significant number of VPD resources to manage.
- There has been a reduced ability to have offenders sentenced for their crimes, as trials in BC Provincial Court have declined by 57%. There are also 607 fewer individuals in provincial correctional facilities in response to the risk of transmission in prisons.
- Both Provincial and Federal governments have added new enforcement responsibilities for police in an effort to manage the pandemic, placing an increased burden on police.
- The imminent economic downturn is expected to lead to higher levels of unemployment and subsequently crime.
- As physical distancing restrictions are lifted, it is expected that major pipeline protests will return and become even more contentious. Protests have typically occurred at ports, rail lines and bridges; these are locations that are critical to the recovering economy and are vital components of essential supply lines.

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The Board would also like to directly address the request from Vancouver City Council to consider measures including layoffs and deferred hiring. In addition to an inevitable failure to ensure the adequate level of policing service required by the *Police Act*, there are a variety of factors that underline the Board's decision to not support a reduction in staffing levels or deferred hiring.

As previously noted, the VPD has only now, in 2020, returned to the number of officers it had in 2009. If we were to reduce staffing levels now it would effectively result in policing Vancouver in 2020 with 1990s staffing levels. This is in contrast to City of Vancouver staffing levels, where the employee headcount has increased by 14% over the past decade. Any reduction to VPD strength would be irresponsible and imprudent, compromising public safety and public trust in the VPD. It is also imperative for both public safety and the wellbeing of first responders that the VPD remains adequately staffed and resourced in order to mitigate the inevitable psychological toll on the frontline of the pandemic, and the resulting increased rates of burnout, anxiety, and depression.

The VPD is also facing a unique situation due to the creation of the new Surrey Police Department, which has been confirmed by the City of Surrey and BC's Policing and Security Branch. In addition to the regular rate of attrition of approximately 50 officers retiring per year, the VPD faces an impending threat to retaining talented staff, as invariably a portion of its sworn officers and civilian professionals will transfer to the new Surrey Police Department. Currently 41% of VPD staff live in Surrey and its neighboring communities, and the potential for staff to transfer is driven primarily by the area in which staff live. It will take the VPD years to recover from this loss due to the significant lead times needed prior to new staff being deployable. It typically takes over one year to recruit, screen, train and mentor officers prior to their deployment, while onboarding of new staff in most City of Vancouver Departments takes considerably less time and training.

Furthermore, Vancouver City Council has asked the Vancouver Police Board to consider reducing exempt staff compensation as a means of lowering operating costs. Unlike City of Vancouver departments where the number of exempt staff make up 16% of all staff, the number of exempt staff at the VPD is extremely small, comprising just 3% of all staff. It must also be taken into consideration that the VPD's exempt staff are responsible for running a 24/7 operation, tirelessly working on evenings and weekends to keep up with the unceasing demands of policing. As such, reducing VPD exempt staff compensation to mirror the City's 10% reduction would result in negligible budget savings and seriously impact morale during this stressful time.

In discussions of how different City of Vancouver departments can reduce operating expenses, careful distinction must be drawn between areas that are legislated core municipal services versus non-core services. Similarly, even amongst core municipal services, a distinction must be made between essential and non-essential services. While these classifications are often debated, the pandemic has made such distinctions a reality. The VPD is unquestionably a core service, and one that is a legislated mandate of

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municipal government. In addition, the VPD is an essential service that cannot cease or scale back its operations. When evaluating how to reduce operating expenditures within the City of Vancouver, applying the same reduction target universally to all areas fails to consider these factors.

The requested reductions are not a viable and prudent option for the VPD. Despite these ongoing challenges, the Board and the VPD have consistently demonstrated its fiscal responsibility by performing under budget in each of the past 15 years. This year the VPD has been actively managing a number of unforeseen financial challenges including: starting the year with a \$1M funding shortfall that resulted from the 2020 budget process; spending over \$1M to police major pipeline protests that occurred in the first three months of 2020 (these protests will continue when physical distancing measures are relaxed); and, incurring over \$1.9M in costs associated to the pandemic (e.g. the purchase of personal protective equipment for frontline staff and the activation of the VPD's Department Operations Centre). To mitigate these costs, the Board has identified several budget items that are expected to be under budget in 2020 due to the pandemic. These budget items include training, travel, costs associated with policing major events, the costs of deploying additional officers on weekends in the Granville and Gastown entertainment areas, and potentially deferring facility projects, equipment purchases, fleet replacement, and technology projects. In managing these budget areas, the Board is committed to being an active participant in ensuring the financial well-being of the City of Vancouver. We are dedicated to performing under budget and maximizing the size of its 2020 budget savings in support of the City of Vancouver's ongoing budget mitigation measures.

Undoubtedly, economic recovery will be a key priority for our community, and all levels of government. Effective and timely economic recovery is reliant upon community safety to attract and retain businesses and residents. As the core city in the region, and as the economic engine of British Columbia, it is imperative that Vancouver retains its world-recognized degree of livability, which considers security as a major factor in achieving this sought after ranking.

We are confident that together we will ensure Vancouver remains one of the best places in the world to visit, work, and live.

Respectfully,

A handwritten signature in black ink, appearing to read 'Barj Dhahan', with a stylized initial 'B'.

Barj Dhahan
Finance Committee Chair, Vancouver Police Board

Cc: Mr. Sadhu Johnston, City Manager
Adam Palmer, Chief Constable