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Coalition of Organizations Call for End to Vancouver Police Department Trespass Prevention Program

January 28, 2021, (X^wməθk^wəyəm (Musqueam), Skw̓xwú7mesh (Squamish) and səlilwətał (Tsleil-Waututh)/Vancouver, B.C – A coalition of Indigenous, women, Downtown Eastside, and legal organizations are voicing their opposition to the Vancouver Police Department’s Trespass Prevention Program, which authorizes police officers to remove people without a call for 911 service if they have allegedly violated the provincial *Trespass Act*.

According to Downtown Eastside resident and advocate **Karen Ward**, “This is a horrible program and escalates the war on the poor. Homeless people, people who are unhoused, drug users, and poor people who have nowhere to go will be unfairly targeted by the Trespass Prevention Program. This program must be fully withdrawn. ”

“Programs such as the Trespass Prevention Program further criminalize and stigmatize poverty, plain and simple. Furthermore, this program gives more power to the police to harass and criminalize street-based sex workers at any time, even if there is no actual public safety issue. A sex worker may take temporary shelter under closed storefronts or building entryways to stay safe, avoid predators, or get out of the rain, yet this program would allow the police to target, street check and ticket her for doing so. This is appalling,” further states **Mebrat Beyene**, Executive Director of WISH Drop-In Centre.

Since 2016, the Office of the Police Complaints Commissioner has repeatedly noted conflict of interest issues arising when Vancouver police officers act as agents for the private sector. In a VPD program known as the Restaurant Watch/Bar Watch Agreement that similarly derives authority from the *Trespass Act*, the Office of the Police Complaints Commissioner has emphasized “this relationship places them [police officers] in a conflict of interest whereby they are simultaneously acting as private citizens and peace officers.” Additionally, the Commissioner has raised police accountability concerns, including the practice of demanding identification akin to street checks, and the use of police databases to record and collect identifying information.

According to **Meghan McDermott**, a lawyer at the BC Civil Liberties Association, “We are so disturbed to see the police roll out a program seeking to expand their jurisdiction to displace, arrest and gather information about people. The fact that the police department has to enter into a series of private agreements is a major problem here, as it highlights that this overly broad and arbitrary use of the *Trespass Act* is not at all what our legislature intended. In addition to the undemocratic aspect of the program, it also severely undermines local and provincial efforts to promote unbiased policing and to limit unjustifiable police stops.”

Since 1981, the BCCLA has been raising concerns about BC’s *Trespass Act*, including the use of policing and penal processes for the minor and non-harmful intrusion of trespass, which is a civil (not

Criminal Code) offense. The Act authorizes the extreme powers of police questioning and arrest without a warrant, while removing the presumption of innocence for the person accused of trespass.

States **Chief Don Tom**, Vice President of the Union of BC Indian Chiefs, “We are appalled by the Vancouver Police Department’s Trespass Prevention Program. Indigenous people already experience institutionalized racism in the justice system and a disproportionately high level of stereotyping, surveillance and violence by police. For Indigenous people, especially our Indigenous unhoused relatives, to now be criminalized as trespassers on our own lands is a cruel legal fiction. During an era of reconciliation, in which BC has committed to fully implementing and championing its *Declaration on the Rights of Indigenous Peoples Act*, this is simply unacceptable. We call on the Vancouver Police Department, the Vancouver Police Board, the City of Vancouver, and the Province of BC to all act immediately to withdraw this discriminatory program.”

Adds **Alice Kendall**, Executive Director of the Downtown Eastside Women’s Centre, “For years, we have been calling for immediate and emergency responses to escalating violence against women in the Downtown Eastside and the crisis of homelessness. Instead, we see more attention and resources going to unacceptable programs like the Trespass Prevention Program to protect the interests of private property owners and to put more money into policing. This is a shameful response in a city experiencing so many overlapping crisis - a homelessness crisis, a crisis of violence against women, an overdose crisis, and a pandemic.”

Meenakshi Manoe, Criminalization and Policing Campaigner at Pivot Legal Society, observes that “The Vancouver Police Department continues to develop programming that criminalizes poverty, by deploying initiatives that specifically target people who rely on public space. Two recent VPD initiatives, the Neighbourhood Response Teams and Trespass Prevention Program, enshrine public safety measures which are rooted in anti-homeless and anti-drug user stigma. These programs divert public funds towards criminalization, despite tremendous public pressure to defund the VPD and invest in community-led safety initiatives and infrastructure to eradicate poverty, inequality and homelessness.”

Eris Nyx, member of the Coalition of Peers Dismantling the Drug War, also denounces this latest VPD initiative, “Fundamentally harmful and ineffective policies instituted by the VPD in our community, including the Trespass Prevention Program and now-defunct Neighbourhood Response Teams, are rooted in systematic racism and anti-poor NIMBY hatred towards houseless neighbours. Actual safety and security for houseless folks does not rely on state-sanctioned violence and displacement, augmented by the prison-industrial complex. The CPDDW has nothing but disdain for a police service that believes they can leverage incarceration and fines against the urban poor, while a housing crisis rages on. Shame on the city of Vancouver for allowing this to happen. The VPD should be abolished.”

MEDIA CONTACTS:

Karen Ward, DTES resident and advocate: 604-655-0276

Estefania Duran, Communications & Media Manager, WISH Drop-In Centre Society: 604-669-9474 (Ext. 124) or communications@wishdropincentre.org

Meghan McDermott, Policy Staff Counsel at BC Civil Liberties Association: 778-679-8906

Chief Don Tom, Vice President of Union of BC Indian Chiefs: 250-813-3315

Andrea Glickman, Board member, Downtown Eastside Women’s Centre: 604-842-2977

Meenakshi Manoe, Criminalization and Policing Campaigner at Pivot Legal Society: 604-255-9700 (Ext. 164) or meenakshi@pivotlegal.org

Eris Nyx, Coalition of Peers Dismantling the Drug War: erissassafrasnyx@gmail.com.