



February 17, 2009

Assistant Commissioner Bud Mercer  
Vancouver 2010 Integrated Security Unit  
11411 No. 5 Road,  
Richmond, BC  
V7A 4E8

VIA FAX: (604) 247-8481

Dear Asst. Commissioner Mercer:

**RE: Surveillance of City Hall by ISU members**

I am writing to you in your capacity as the head of the Vancouver 2010 Integrated Security Unit (ISU) on behalf of the B.C. Civil Liberties Association, Canada's oldest and most active civil liberties advocacy organization.

Our organization has had notification from a City Councilor of the City of Vancouver that on January 22, 2009 plain clothes members of the ISU attended a City Council meeting to gather security intelligence and do "outreach" to individuals who were at a meeting to speak on Olympic related issues. We understand that the individuals who spoke against Olympic interests were approached by members of the ISU following the meeting for "consultation."

For the purposes of this letter, we will assume that the incident is as described in an unattributed occurrence report shared with City Council by VPD member Steve Sweeny who identified the involved officers as members of the ISU:

*On 2009-01-22 Cst's MARCHAND, CHARTRAND, MCKLUSKY and SGT. FAIRWEATHER attended the Vancouver City Council meeting. There were a couple items of interest on the agenda, Olympic Accountability/ ICI commitments and proposed Vancouver Charter Amendments centered around illegal signage during the Olympics. A number of speakers on the card including Chris SHAW, Garth MULLINS and Andrea WESTERGARD-THORPE who are very involved in the Olympic Resistance Network (ORN). As they had raised concerns during the Council meeting about not being contacted.*

*Cst. MARCHAND, CHARTRAND and MCKLUSKY waited until the meeting was over and they were done with the media to make the approach. MULLINS and*

*WESTERGARD-THORPE were approached outside and presented cards with the members [sic] information. They advised that they were unsure if they wanted to have any dialog with the members in the future and would have to put it to their group for discussion. They said at the end of the day it may only be some form of communication. Cst. MARCHAND asked them to consider it and they would wait to hear from the ORN (MULLINS AND WESTERGARD-THORPE advised that they represent the ORN) They also stated that they would provide Chris SHAW with the members business cards. The meet and greet ended.*<sup>1</sup>

The BCCLA is supportive of the ISU engaging with activist organizations to ensure an open communications channel and to prevent potential misunderstandings during the lead up to, and conduct of, the Games. However, even with a mandate of consultation, the BCCLA suggests that plainclothes security forces attending Council for the purpose of identifying individuals who hold opinions deemed by those security forces to be non-conforming is problematic. Even if the officers had the best of intentions in approaching the speakers, their conduct during the meeting sent a message of surveillance and scrutiny rather than openness, transparency and communication.

Having this activity occur in the context of a meeting of publicly elected officials where members of the public are entitled to attend, hear what is said and, at the appropriate juncture, speak out about matters that concern them, is troubling. We would not want, and we assume that you would not want, there to be any suggestion of intimidation by the presence of such officers at that kind of meeting. As we understand it, there was no security concern for the meeting itself and Council has its own arrangements for that purpose. As such, the time, manner and place of the attendance by such officers raises serious concerns about whether your forces are showing proper respect for democratic institutions and for the rights of the public.

We call on the ISU immediately to cease its practice of monitoring the public democratic process that takes place at City Hall. We also urge the ISU to establish contact with organizations through their established channels, rather than through spontaneous contact in venues traditionally viewed as protected from police monitoring.

Yours truly,



Rob Holmes  
*President*

cc. Chief Jim Chu  
Vancouver Police Department  
VIA FAX: 604-665-3417

Mayor and Council  
c/o City Clerk's Office  
VIA FAX: 604-873-7419

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<sup>1</sup> We note that the events as described in this report may not be consistent with the description of the events that would be given by the individuals identified in the report.