

BCPPS 6.2 Police Stops

In British Columbia and across Canada, there has been critical attention on the police practice often referred to as street checks and in particular the over-representation of Indigenous persons and racial minorities amongst persons who have been the subject of a street check. The Director of Police Services is addressing this matter through provincial policing standards on the promotion of unbiased policing, which are currently under development. This work is moving forward in consultation with police and community-based organizations.

While this work continues, the Director of Police Services has established the following Standards on Police Stops, as an interim approach, to provide direction to British Columbia police agencies on key areas and promote consistency in police practices throughout the province. Policing and law enforcement services in BC must be delivered in a manner that respects rights and is free of discrimination.

The term police stops is intended to refer to any interaction between a police officer and a person that is more than a casual conversation and which impedes the person's movement. A stop may include a request or demand for identifying information depending on the circumstances.

While stops cannot be random or arbitrary unless authorized by law, or based on a person's race, social or economic status, there are situations where police have the legal authority to require a person to stop consistent with existing obligations to ensure a person's rights are upheld during the stop. Officers are not permitted to request or demand, collect, or record a person's identifying information without a justifiable reason.

The Standards also require police agencies to provide written direction to police officers regarding interactions that may result in a request for a person to voluntarily provide identifying information. The officer must reasonably believe there is a public safety purpose or objective they are attempting to address, and the officer must explain the reason to the person. It is also the responsibility of the officer to take steps to ensure that the person understands their right to not answer questions and to walk away. Many people stopped by a police officer will feel compelled to remain and answer questions, regardless of the circumstances. This is especially the case when the person stopped is vulnerable, relies on public space to live, is Indigenous or racialized. Informing a person that their participation is voluntary may not be sufficient on its own and additional steps may need to be taken to ensure the person does not feel compelled to cooperate.

The Standards do not yet cover all aspects of police stops that are important to address, such as where and how long records of voluntary interactions are kept. Work on comprehensive Standards to address these matters is continuing.