



VPD 68(08)

## VANCOUVER POLICE DEPARTMENT Professional Standards Section

**Date:** 2016-05-20  
**To:** Chief Constable Adam Palmer  
**From:** Inspector Mike Purdy  
**Subject:** **VANCITY BUZZ email review**

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On January 12, 2016, security staff observed three Middle Eastern males taking video and photographs at Pacific Centre Mall in downtown Vancouver. The next day they reported the suspicious behavior to the Vancouver Police Department and patrol members initiated an investigation. Conduct of the investigation was eventually taken over by the VPD Criminal Intelligence Unit (CIU). A bulletin prepared by patrol members with multiple photos of the males was posted on the electronic Patrol Bulletin Board in an attempt to identify the males. On January 14, the bulletin was further disseminated to all VPD sworn staff and to the Real Time Information Centre – BC (RTIC-BC).

It became apparent on the evening of January 14, that a version of the bulletin had been obtained by “VanCity Buzz” and was online on their website. The bulletin that they had obtained has an RTIC-BC task number in the top left corner. The bulletin that was later disseminated to a large distribution list by RTIC-BC did not. The original bulletin on the Patrol Bulletin Board was not the bulletin obtained by the media.

CIU Sergeant Bragagnolo has completed a timeline of events, a review of the investigation and the various versions of the bulletins that were disseminated either by the RTIC or internally at the VPD. His report is comprehensive and provides recommendations surrounding various caveats and processes between the VPD and RTIC-BC for consideration. I have attached his report as Appendix A to this review.

The VPD Professional Standards Section was tasked by the Chief Constable with reviewing this incident to determine if any VPD member had leaked the bulletin to the media.

This was completed by having the Information Technology Section (IT) conduct a number of searches of the VPD email system:

- The email system was searched for any person sending an email to the VanCity Buzz organization. No VPD member sent an email to any address comprised of the email suffix vancitybuzz.com. This suffix is listed on their website.

- The email system was also searched for people who had forwarded an attachment containing one of the bulletins. There were 31 individual people who met that criterion. Each of these individual emails was opened and none of them contained a copy of the first RTIC-BC bulletin with the task number in the corner that was obtained by the media. These emails appear to have been sent for purposes consistent with VPD work related business. All of these emailed bulletins were the second bulletin sent out by the RTIC-BC that did not have the task number and contained the proper protective caveats.

DCC Lemcke requested on January 14 that the first bulletin be shared by RTIC-BC with the <sup>13(1)</sup> [REDACTED]. The RTIC-BC completed this task. This bulletin had the task number in the top left corner similar to the copy the media obtained.

The RTIC-BC sought approval from the CIU on January 14 to distribute the first bulletin to the <sup>13(1)</sup> [REDACTED] and <sup>13(1)</sup> [REDACTED]. CIU approved this. This bulletin had the task number in the top left corner similar to the copy the media obtained.

#### Results:

- The PSS review of this incident has not located any evidence that the bulletin obtained by the media was sent from a VPD email address. No VPD members sent any emails to the vancitybuzz.com email suffix from a VPD email address during the relevant times of this incident.
- The bulletin that was obtained by the media had been sent to <sup>13(1)</sup> [REDACTED] and <sup>13(1)</sup> [REDACTED] by the RTIC-BC.
- This review has identified that the VPD IT Policy (section 4) differs in language from VPD RPM section 2.9.2.

#### Recommendations:

- 1) That, the Planning, Research and Audit section of the VPD review section 2.9.2 of the VPD RPM and ensure it is similar in language to section 4 of the IT Policy.
- 2) That, in an abundance of caution, a VPD Bulletin be prepared by VPD PSS reminding all employees of the email policy surrounding emails being sent outside the organization that contain classified information. While no evidence exists that any VPD member sent the bulletin to the media, the VPD would be well served by reminding members of the policy in place.

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# Project Tribeca

## After Action Report

### Suspicious Males Taking video and Photographs at Pacific Centre Mall

#### Introduction

On January 12, 2016, security staff observed three Middle Eastern males taking video and photographs at Pacific Centre Mall in downtown Vancouver. The next day they reported the suspicious behaviour to the Vancouver Police Department and Patrol members initiated an investigation. Conduct of the investigation was eventually taken over by the Criminal Intelligence Unit (CIU). A bulletin prepared by Patrol members with multiple photos of the males was posted on the Patrol Bulletin Board in an attempt to identify the males. On January 14, the bulletin was further disseminated to all VPD sworn staff and to the RTIC-BC.

On January 14, at approximately 8:30 PM, investigators were advised that internet media outlet Vancity Buzz posted photos and details from the bulletin online. At the same time a screen shot/photo of the RTIC bulletin was also posted on social media. The story was picked up by main stream media outlets and went viral. VPD Public Affairs Unit had no choice to confirm the story and issued a press release. On January 15, 2016, at approximately 9:30 AM, CIU received a phone call from <sup>s.22</sup> [REDACTED] who identified himself as one of the males in the photos. CIU met with Mr. <sup>s.22</sup> [REDACTED] his 14 year old son <sup>s.22</sup> [REDACTED] and the third male, Mr. <sup>s.22</sup> [REDACTED] and determined that their behavior was innocent in nature. When questioned, Vancity Buzz stated that they spoke to investigators who confirmed the information prior to posting it.

#### Summary of Investigation

On January 12, security staff at Pacific Centre Mall observed three Middle Eastern males acting suspiciously and taking video and photographs of exits and security cameras. The males entered the mall via the Canada Line entrance and exited six minutes later out the Dunsmuir Street exit. The following day security at the mall contacted the Vancouver Police Department (VPD) to report the incident. Patrol members met with security and were given photos and video of the males. They commenced a video canvass and prepared a bulletin and posted it on the Patrol Bulletin Board. After being briefed by Patrol members, CIU investigators attended the mall, traced the route of the three males and met with security. After review of the file, CIU believed that the actions of the males were very suspicious and could be a pre-incident indicator (reconnaissance of targets) for a terrorist attack. E-INSET agreed with this assessment. CIU took conduct of the file, a MCM command triangle was established

and E-INSET was notified. Transit Police were engaged to review Canada Line video. They determined that the males boarded the Canada Line at King Edward Station.

On January 14, in an attempt to identify the males, the bulletin was sent via email to "All Sworn Staff-DL" and forwarded to the RTIC for distribution in the Serious Crime Report for the day. CIU amended the contact details on the bulletin to include CIU investigators. At the request of DCC Lemcke the RTIC sent a copy of the VPD bulletin to DCC Lemcke and <sup>13(1)</sup> [REDACTED]. This bulletin had the RTIC Task # in the upper left corner. (A version of the RTIC Bulletin that was leaked had this information on it). CIU also gave approval for the bulletin to be disseminated to <sup>13(1)</sup> [REDACTED] and <sup>13(1)</sup> [REDACTED]. This bulletin also had the RTIC Task # in the upper left corner.

At the request of CIU the RTIC sent out the bulletin earlier than normal to a wide distribution list. This version of the bulletin **did not** have the RTIC Task # in the upper left corner. The bulletin did not appear again in the RTIC Serious Crime Report distributed later that evening.

A full briefing with E-INSET was conducted and they assigned four members to attend Pacific Centre Mall with CIU to review security video and walk the route.

Between 7:49 PM and 9:00 PM, Det. Small advised that he received over a dozen calls about the bulletin. He received a call from a male who identified himself as mall security. They quoted the case number and wanted to confirm if it was 3 or 4 males involved in the incident. Det. Small believed the individual was mall security as the case number was only known to the police and security at the mall. He confirmed that there were only 3 males involved. In hindsight, Det. Small now believes that this call was in fact Vancity Buzz.

At approximately 8:30 PM, investigators were alerted to the fact that the bulletin was posted on the internet. Sgt. Bragagnolo immediately contacted Sgt. Fincham who confirmed the bulletin was on the Vancity Buzz web page and going viral. In consultation with Sgt. Bragagnolo and the VPD Executive it was decided that the VPD would confirm the story and issue a press release with a Tip Line. Immediately after the bulletin was posted online tips from the public were being reported to CIU.

By 8:00 AM on January 15, over 40 tips were received. At 9:30 AM, <sup>s.22</sup> [REDACTED] <sup>s.22</sup> [REDACTED] called the tip line and stated that he was one of the males in the photos at Pacific Centre Mall. He saw his photo in the media and was calling to notify the police of his identity. Mr. <sup>s.22</sup> [REDACTED] stated the other males in the photo were his 14 year old son

and a friend. He advised that he was from the UK and was at <sup>s.22</sup> [REDACTED] for Holistic Medicine in Vancouver where his visually impaired son was receiving treatment. He stated that he would be at the clinic all day.

s.22, s.15



s.22



All aspects of the males' stories were confirmed and it was determined that their behaviour was innocent in nature. At 12:00 PM, the Command Room was stood down.

At the request of the VPD Executive, CIU continued to liaise with the group and to facilitate meetings and activities while they remained in Vancouver. On January <sup>s.22</sup> [REDACTED] Mr. <sup>s.22</sup> [REDACTED] his son and Mr. <sup>s.22</sup> [REDACTED] departed Vancouver for the UK.

### **Preparation and Distribution of VPD Bulletin**

On January 13, Patrol members obtained photographs of the three suspicious males from mall security. They created a bulletin following the instructions on the Patrol Bulletin Board. Using the sample poster recommended on the VPD Intranet the members filled in the required information including the photos, a brief synopsis of the incident and their contact information. At the bottom of the bulletin it read, "Confidential -

for police use only.” As instructed on the Intranet the members submitted it to the VPD Patrol Bulletin Publisher and the bulletin was posted at 5:17 PM.

On January 14, CIU accessed the bulletin and added the contact information of CIU investigators. CIU then sought authorization to distribute the bulletin to “All Sworn Staff-DL” via email. This was authorized by DCC LePard and send out at 11:45 AM.

### **Distribution of VPD Bulletin to RTIC-BC**

On January 14, at 9:08 AM, CIU forwarded the VPD bulletin to the RTIC for distribution in the BC Daily Serious Crime Report.

At the request of DCC Lemcke, the RTIC sent the bulletin to DCC Lemcke <sup>13(1)</sup> [REDACTED]. CIU also gave the RTIC approval to disseminate the bulletin to <sup>13(1)</sup> [REDACTED]. The version of the bulletin sent to DCC Lemcke, <sup>13(1)</sup> [REDACTED] and <sup>13(1)</sup> [REDACTED] had the RTIC Task # in the upper left corner. This is a version of the bulletin that was leaked. <sup>15(1)</sup> [REDACTED]. <sup>15(1)</sup> [REDACTED].

The bulletin was identical to the one posted on the VPD Patrol Bulletin Board except that it had the RTIC Task # in upper top left corner.

At the request of CIU the RTIC sent out the bulletin earlier than normal to a wide distribution list. This version of the bulletin **did not** have the RTIC Task # in the upper left corner. This version of the bulletin appears to follow the normal practices of the daily RTIC Serious Crime Report. <sup>15(1)</sup> [REDACTED].

[REDACTED] I it read the following:

- Classification: Protected “A”
- Disclaimer: “This document is for intelligence purposes only, not for legal use. This transmission contains confidential or privileged information and the sender does not waive any related rights or obligations. It is not to be reclassified, copied, reproduced, used in whole or part or disseminated to any other agency without the consent of the originator. Unauthorized copying or distribution is strictly prohibited and may constitute a criminal offence, a breach of provincial or federal privacy laws and may result in legal sanctions”.

All versions of the bulletin had the proviso at the bottom which reads, “**Confidential - for police use only**”.

### **Vancity Buzz Confirmed Information in Leaked Bulletin**

The leaked bulletin was posted on the internet by Vancity Buzz shortly before 8:30 PM on January 14. Det. Colin Small advised that on January 14, between 7:49 PM and 9:00 PM, he received over a dozen calls about the bulletin. He had forwarded his desk phone to his cell phone to be able to answer phone calls 24/7. At this time the bulletin had been widely circulated internally within the VPD and via the RTIC. He received a call from an unidentified number and the male caller identified himself as mall security. The caller quoted the case number and wanted to confirm if it was 3 or 4 males involved in the incident. Det. Small believed the individual was mall security who may have just come on duty. The case number was known only to the police and security at the mall. He confirmed that there were only 3 males involved. At the time of the call, Det. Small did not know the bulletin was leaked. Det. Small now believes that this caller was in fact Vancity Buzz confirming the story. Det. Small advised that he would never knowingly speak to the media and it is his practice to refer all media to the Public Affairs Unit.

Det. Jackson had also forwarded his desk phone to his cell phone and this same night received a voice mail on his cell phone from Mr. Mohamed from Vancity Buzz who was calling about the incident at the mall. He stated that he had already spoken to Det. Small and left his contact details. Det. Jackson did not return the call.

Members of the Public Affairs Unit have had conversations with Vancity Buzz Editor-in-Chief, Mr. Farhan Mohamed who stated that Det. Colin Small confirmed the information before they posted it on the internet. The Public Affairs Unit reminded Mr. Mohamed that media inquiring about a VPD related story must adhere to established protocols and communicate through the Public Affairs Unit only. Mr. Mohamed advised that he has reminded his staff about these protocols. Of note, Vancity Buzz has followed these protocols in the past and the fact they diverted from those protocols in this instance is suspicious in nature.

## **Recommendations**

Although little can be done to stop an individual from leaking a sensitive document to the media, it is recommended that the "Sample Poster" template on the Intranet be altered. For consideration a drop down menu in the upper right corner where the proper level of designation (Protected "A", "B" or "C") can be selected. Additionally, the following disclaimer should be used at the bottom of the poster:

### **CONFIDENTIAL FOR LAW ENFORCEMENT USE ONLY – THIRD PARTY RULE APPLIES**

This document is loaned specifically to your department/agency in confidence and for internal use only. This document is not to be reclassified, copied, reproduced, used or further disseminated, in whole or part, without the consent of the originator. It is not to be used in affidavits, court proceedings or subpoenas or for any other legal or judicial purpose without the consent of the originator. If you are subject to freedom of information or other domestic laws which do not allow you to protect this information from disclosure, notify the Vancouver Police Department immediately and return the document. This caveat is an integral part of this document and must accompany any extracted information. Should the recipient wish to modify these terms, contact the originator of this document.

There is a "Cheat Sheet" on the Patrol Bulletin Board to assist members in creating and posting a bulletin. It is recommended that Third Party Rule, the Designations (Protected "A", "B" or "C") and the Classifications (Confidential, Secret, Top Secret) be explained and defined on this sheet. Complete details, Third Party Rule, Designations and Classifications can be located in the Vancouver Police Security Policy.

During this incident the RTIC disseminated the bulletin via email on two occasions without Designations or disclaimer. It is recommended that the RTIC consider adding Designations and disclaimers whenever disseminating a VPD bulletin.

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Team Leader Project Tribeca

*Attachments: Bulletin Timeline*