

Meeting September 26, 2024 with Victoria Mayor and City Council

I would like to share my traumatic and uncalled incident, how I was brutally attacked by two Victoria police, Schnare (she) and Haley (he) in my home September 1, 2021.

My request for help: During covid closures all my activities were cancelled, I have no family or friends. On August 9, 2021 through the Oak Bay medical clinic, I made a request for counselling, to be taught how to deal with these circumstances. Dr. Yang referred me to the Urgent Care Clinic on Goldstream Ave. where he had an office. On August 14, 2021, I was to see a counsellor however that person had quit. As a result, I had an interview with Dr. Haddow who put me on their list to see a new counsellor expected in two weeks.

- **Dr. Haddow reports: she has no plans to harm herself; no active home medications; hopefully once we have another MHSU counsellor here she can get involved with them.**

On September 1, 2021, I followed up with a phone call to the clinic, told I had **no appointment** was to go to Esquimalt. I said no, this is where I was referred. I was angry for getting the run around, **was mistreated** at the end of my life, (*at 77 when my mom and grandmother died at 62*). No further discussion was required, I hung up. The receptionist who took my call placed a 911 call said: "I am just going to end my life" or "something along that line" or "something to that effect". She was unable to repeat nor knew what I said. **I did NOT say I was going to kill or harm myself in any way . . EVER!!!**

- **Galia Artzy, Ph.D., Registered Psychologist reports: she is not suicidal.**

I live by myself in a two storey home. The morning of September 1, 2021 I moved furniture from my living room to have the carpet cleaned September 3, did laundry on the main floor. I then attended to emails, made phone calls, had my bath on the second level. **I heard no voices, no noises, no phone or door bell.**

After my bath, I went downstairs, **all was quiet**, no knocks on any door or window, neither the phone or door bell rang. Through a large south window, I saw a ladder moving, could not see who was carrying it. I went to the east patio door in the dining area on the main level, **not the upper deck as the police claimed, saw no one there. When I opened the sliding patio door, was forced and pushed backwards by two persons in all black who barged in.** I asked for their ID which was not provided, they gave **no reason for being in or at my house.** He stated "**you were in the shower**", **my hair was wet.** I asked them to stand on a runner I provided then checked my laundry off the dining area, washed the hardwood floor surrounding the India carpet to remove their boot marks while they watched.

The three of us were standing together in the dining area where I was questioned. I answered politely and calmly in spite of the intrusion and not knowing who they were or the reason for being in my home. **I had no weapons on or near me.** He asked how old I was, I said 77. She

asked why I was having my carpets cleaned; I said they hadn't been cleaned in two years, needed to be. She said that I kept my house nice. He asked if I had a cell phone, I said no, the only phone is in the kitchen.

➤ **Suddenly he flashed handcuffs, said he was taking me into custody. With force grabbed my hands/wrists, twisted my arms and held them together behind my back while pushed me approx. 10' from the dining area into the kitchen, bruised my hands and injured my right shoulder. She watched.** This was the first time since their arrival anyone was in or near the kitchen. They claim while in the kitchen I held my hands over my ears, impossible, he was holding my hands together behind my back. He claimed there was a paring knife by the sink. I usually leave one there to dry, could likely have been one, not certain.

After I yelled "let me go", "I had broken my left arm", "my dad abused me", he let go of my left eventually my right hand. I attempted to take an incoming phone call behind me but so upset, hit the wrong button did not connect. Freed, I ran to my car where he met me and took my keys. On my way back inside I saw a rebar sticking out the window frame. Back inside she admitted they planned to break down the front door, pry open the window, and enter through the upper deck glass door. She still gave no reason for being at or in my house. She asked and I gave her permission to take pictures of the damaged window however the window was closed, the damages were only visible with the window open.

I went upstairs unescorted to hang out my laundry and change. They knew I was in no harm to myself. They searched the main level. When back downstairs, I went directly into the kitchen to cook breakfast **he made no attempt to stop me as claimed.** I went back into the dining area where they were standing. He held a cell phone and stated; I thought you said you didn't have a cell phone. My reply was what he was holding is not connected, used as my contact information for paddlers. He went directly to the stove and looked at what I was cooking. **The dead cell phone was on the lower shelf of a table in the far corner in the dining area behind stacks of furniture, found in their search while I was upstairs.**

When leaving, I was shocked when she asked, **how I was going to die. My reply, "I do not know".** She left a **note** on the kitchen peninsula "re: repairs" Rachel (Esquimalt Urgent care, 530 Fraser St. 205 519-3880) Go there today, and a counselor will see you today." **I have not been reimbursed. Rachel is not a counsellor, I had no appointment.** They left peacefully while I was eating.

My phone records callers, none from police. **Rachael** from the Esquimalt medical clinic **who I had never met or spoke to previously**, left a telephone message after the police had left. When I returned her call she said that I said was going to kill myself. **I asked her why she thought that, she refused to answer, give no reason.**

I phoned the ombudsperson who when I described what happened said: that was not a wellness check.

I filed a complaint through the OPCC. I represented myself since lawyers were unwilling to get involved in a police matter, a conflict of interest, several lawyers on the police board.

The OPCC advised:

- on Jan 21, 2022, **“Recovering costs was the one of the outcomes we were able to achieve out of the Complaint Resolution process. And we are still open to discuss the damage cost reimbursement at any time”.**
- on Feb. 22, 2022 wrote: **“I would like to advise you that the Victoria Police Department is willing to assist with the reimbursement that you are claiming”.**

The police provided a report which omitted their brutal attack and has conflicting, false statements. I am unaware a lie detector test was taken by these two police.

My case with the OPCC was closed in August 2022 after no replies to my numerous emails and registered letters since May 2022. **I received no reimbursement.**

I wrote Del Manik January and April 2023 requesting payment but no reply. As a result, I filed through the CRT for repairs and treatment costs for \$4899.34. plus filing fee \$200, doctor report \$675. and postage \$33.11.

I then filed through the CRT, submitted evidence, receipts, pictures of damages and injuries. The CRT advised after someone was appointed, it would take 6 weeks or longer for a decision. Instead, I received notice from David Jiang of his decision within a week that my case was dismissed based on his assumptions although the differences between the facts and the police story were identified and different.

I disagree that the police actions were appropriate at all times having learnt they claimed to conduct a wellness check. **The current description on the “public safety” website:** What is a police wellness check? A welfare check, also known as a wellness check, is when police stop by a person’s home to make sure they are okay. Requests for welfare checks are made by friends, family, and neighbours, typically after someone unexpectedly stops answer their phone or getting in touch with others. If the police go to the location and find that the **person is in good health — and it was likely a miscommunication why you were unable to get a hold of him or her — they will notify you to let you know.** **When they arrive, officers might assess the person’s mental health and hygiene, ask about their day, and take a peek inside the house.**

The police did not conduct their “wellness check” at my residence in this manner nor was there a reason for one. I was in good mental and physical health, had good hygiene, just got out of the bath, he commented that I was in the shower. Her comment, I kept my house nice. A wellness check does not involve a brutal attack: injuries to a person or damages to a person’s home. None of the actions by the two police were that of a wellness check.

They:

- * attempted to break-in and damaged my home;
- * did not allow for social distancing according to health official requirements;
- * did not wear masks according to health official requirements;
- * **did not identify themselves;**
- * **gave no reason for being in or at my home;**
- * did not ask how I was feeling;
- * physically pushed me backwards when I opened the door not seeing or knowing anyone was there;
- * **threatened to handcuff and take me into custody; gave and had no reason to do that;**
- * **with EXCESSIVE FORCE** grabbed my hands/wrists twisted my arms behind my back, held them together there while pushed me approx. 10 feet from the dining area into the kitchen;
- * **BRUISED** my wrists and **INJURED** my right shoulder;
- * gave no reason for their brutal and violent attack on me;
- * gave no reason for damaging or being at my house;
- * caused damages to the front door, window and house frames during their attempt to break-in;
- * allowed me to finish my laundry and change upstairs UNSUPERVISED (they knew I was no threat to myself);
- * searched the main floor of my home while I was upstairs.

The police found I was in no danger to myself, had no weapons on or near me. They gave no reason to threaten to handcuff and take me into custody. **He had and gave no reason to grab and forcefully hold my hands behind my back while pushing me approx. 10'. None of their actions indicated they were doing a "wellness check" nor was there a reason for one.**

The police report contained several **false, conflicting and bizarre statements, and eliminated their brutal attack and forced invasion.**

The window is an all-in-one unit by Loewen, **damaged beyond repair, not a small dent in the wood as claimed.** Replacement cost **\$1567.13, front door repair was \$350.. Treatment costs to December 2023: acupuncture \$1889.60, counselling \$724.50 and physiotherapy \$335. and are ongoing. No reimbursement has been received.**

Outcome: The **dishonesty and brutal actions by police need to be stopped.** They had and gave no reason for being at and in my home. I trust the Victoria Mayor and Council will see that no other person is treated in this manner, **not only the physical abuse** but after informed; "recovering costs was the one of the outcomes we were able to achieve", " the Victoria Police Department is willing to assist with the reimbursement that you are claiming" and her note "re repairs', **I received no reimbursement.**

No one should be brutally attacked in their own home, they had and gave no reason to be there, threaten to handcuff and take me into custody. Their damages to my home and injury to my shoulder were unnecessary. I have not received reimbursed for costs although indicated I would. I still relive the ordeal over and over, have flash backs and nightmares, an uncalled for experience.

Below are emails from the OPCC stating I would receive reimbursement of costs and her note re: repairs. The pictures are of the injuries and damages. The last picture is of the window showing the lock system.

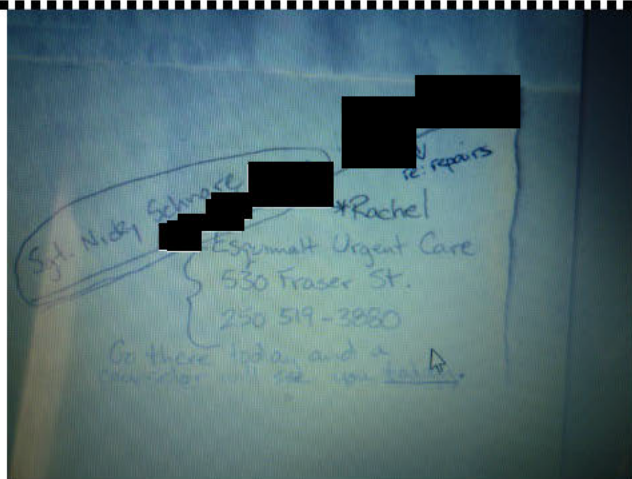
OPCC emails regarding costs:

From: Hans Hwang [REDACTED]
Sent: Fri 2022-01-21 9:18 AM
To: [REDACTED] Cc:Katie Lee
Subject: Police Complaint OPCC 2021-20541 . . . we take your complaint seriously and we want to facilitate resolution. **Recovering costs was the one of the outcomes we were able to achieve out of the Complaint Resolution process. And we are still open to discuss the damage cost reimbursement at any time.** I listened and sympathized with your concerns resulted from the incident; I took it upon myself to continue conversation with you and Sergeant Katie Lee who is handling this complaint.

From: Hans Hwang [REDACTED]
Sent: February 22, 2022 4:15 PM
To: [REDACTED]
Subject: Police complaint OPCC 2021-20541 Please be advised that under the Police Act, an investigator is required to provide the OPCC with a progress report which lists investigative steps taken for the filing period. I thank you for responding to me by an email of February 17. **I would like to advise you that the Victoria Police Department is willing to assist with the reimbursement that you are claiming.** I have spoken with Sgt. Lane Douglas-Hunt regarding your concerns you described in the email. I will be still communicating with you and Sgt. Douglas-Hunt to ensure proper complaint resolution steps and investigative steps take place.

From: Hans Hwang
Sent: February 24, 2022 8:47 AM 5
To: 'Sue'
Subject: RE: Police complaint OPCC 2021-20541 I would like to emphasize that even though the complaint is now at the investigation stage, **we look to continue discussion to provide you with the reimbursement.** As the investigation progresses, we will want to see fulsome information and evidence regarding the conduct of the officers who involved in the incident.

Based on the investigation, it will be determined whether the misconduct is substantiated; if so, what disciplinary measure should be followed.



She left this note when leaving "re: repairs"

The physiotherapist taped my shoulder to pull it back into position. The acupuncturist taped a herbal patch on my shoulder to help heal.



Bruises on hands appeared Sept 2, 2021



A few window damages caused by prying a rebar into the frame . .pictures taken Sept. 1, 2021



Damages to the metal front door





The windows have a hook (top right) and roll out handle (lower left) which lock the window. The window has a screen, (white frame). The window can only be opened from inside by releasing the hook and rolling the window open with the handle.

Contradictions: The police claimed they opened the window wide enough to put his hand in, **impossible, it is always latched and a roll-out style**. If they had, the screen would have been damaged, it was not. The rebar would not have been sticking out of the frame, it would have fallen if the window was opened any distance. She announced they removed the rebar before leaving. There is no pillar the police claim that blocks the window from opening. The large windows on ground level are always locked closed.

Thank you