

North Vancouver man claims police harassment

Winner of suit against WVPD threatens to sue Mounties

BY JANE SEYD, NORTH SHORE NEWS AUGUST 10, 2011

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A North Shore man who previously won a lawsuit against the West Vancouver police for being wrongfully arrested says he plans to sue the North Vancouver RCMP for what he alleges was a similar recent incident.

Don Sipes, 49, said he was walking back from his job as a janitor in Lower Lonsdale on the afternoon of July 29 and was crossing the street near the 7-Eleven on Chesterfield Avenue when a police officer doing patrols in the area ran over and told him he'd been jaywalking.

Sipes said the officer asked for his name. After he provided it, Sipes said the officer's demeanour changed dramatically.

"He flipped out," alleged Sipes. "He said 'I know exactly who you are, and I'm aware of your political views concerning the police, and if you give me any of your usual garbage today, you're going to jail.'"

In 2009, the West Vancouver Police Department was forced to pay Sipes an undisclosed sum of damages after a provincial court judge ruled he had been illegally arrested as he was walking down the street in January 2006.

In her decision, the judge criticized the police, saying Sipes was arrested "without any grounds at all."

Sipes said at the time he had been repeatedly harassed by West Vancouver police because of the way he looks.

Sipes said after hearing what he took to be a threat, he told the North Vancouver officer that he was going to walk away unless he was under arrest.

The officer then told Sipes he was under arrest — for obstructing a police officer.

Sipes said the officer later told him he could get off with only a warning if he would "co-operate and change your attitude."

"I basically insisted on being arrested at that point," said Sipes. "If he arrests me, he arrests me."

Sipes was taken to the RCMP detachment and released under a promise to appear.

Sipes said he doesn't yet know if Crown prosecutors will approve the charge. But either way, he said he's planning to sue the RCMP for false arrest. "I have to stick up for my rights," he said. "I'm so sick and tired of this."

Sipes said he doesn't go out of his way to antagonize the police. "I'm scared of the police," he said. "I try to avoid them."

"How many jaywalking tickets do you think they give out in North Vancouver in a year?" he asked.

"They don't like me," he said. "I have long hair."

In the previous West Vancouver incident, Sipes also won a police complaint he filed with then-police complaint commissioner Dirk Ryneveld determining that the West Vancouver officer who arrested Sipes had abused his authority — for which he received a verbal reprimand.

But Sipes said he has no plans to file a police complaint this time, because he thinks it's a waste of time.

Cpl. Richard De Jong, spokesman for the North Vancouver RCMP, confirmed that a "lone male" was observed jaywalking in Lower Lonsdale on the afternoon of July 29 and was "advised he could be charged with obstruction."

De Jong said he couldn't comment on further details on the incident because of privacy concerns.

He said police officers will often target jaywalking as part of special campaigns aimed at traffic violations. In those campaigns, he said, "They usually hand out a dozen tickets and warnings."

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