

7. Re: Letter from Mr. W.J. Desmarais Dated November 6, 1972
Disorderly Conduct at 7150 Randolph Avenue

Appearing on the Agenda for the November 20, 1972 meeting of Council is a complaint from Mr. W.J. Desmarais concerning incidents of disorderly conduct at 7150 Randolph Avenue. Following is a reply dated November 16, 1972, from the Superintendent, Officer in Charge, Burnaby Detachment, R.C.M.P..

RECOMMENDATION:

THAT a copy of this report be sent to Mr. W.J. Desmarais.

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ROYAL CANADIAN MOUNTED POLICE

GENDARMERIE ROYALE DU CANADA

YOUR NO.
VOTRE N°

OUR NO.
NOTRE N°
Burnaby Detachment,
6355 Gilpin Street,
Burnaby 2, B.C.,
November 16, 1972.

The Municipal Manager,
Corporation of the District of Burnaby,
4949 Canada Way,
Burnaby 2, B.C.

Dear Sir:

Re: Complaint of Mr. W.J. Desmarais

This has reference to the letter of Mr. W.J. Desmarais, 7150 Randolph Avenue, Burnaby, B.C. to Municipal Council, dated the 6th November 1972, concerning disorderly conduct at 7111 Randolph Avenue. I will firstly report on the two episodes enumerated by Mr. Desmarais, and then try to answer the questions he poses.

Episode No. 1, 15th October 1972

Our records show a complaint of a noisy party at 7111 Randolph which was received from Mr. Desmarais at 1:08 A.M. on October 15th. Two marked police cars with one member in each responded to the call shortly thereafter, and one unmarked vehicle with a member in plain clothes provided cover. They estimated around 30 young people were in or around the house but did not see anyone breaking the law, except perhaps through noise created by the musical instruments. One of the policemen spoke to the tenant of 7111 Randolph and informed him of the complaint we had received. He was co-operative and agreed to keep order. The noise subsided and our members left. Extra patrols were called for and the party was apparently subsequently broken up by one of our members, but I have been unable to ascertain which one. One Traffic Violation Report was issued to one of the people who had attended the party.

On days following this, patrols were continued in the area and on October 28th, although no complaint was received, another party was found in progress. Again the tenant was cautioned about the noise; and although no excessive noise was noted, one youth was charged with a liquor offence and one with speeding.

Episode No. 2, 4th November 1972

A complaint of a noisy party at 7111 Randolph was received at 11:21 P.M. and one police car attended, whereupon

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MANAGER'S REPORT NO. 76

COUNCIL MEETING Nov. 20/72

7. Re: Letter from Mr. W.J. Desmarais Dated November 6, 1972 (cont'd)

our member spoke to the tenant. He was again co-operative and quelled the noise. No offences were observed and the party broke up voluntarily not long afterwards. Later, patrols noted refuse and beer bottles in front of the house, which was then quiet.

Dealing now with the other points raised by Mr. Desmarais, I think you will agree the foregoing indicates we have given prompt attention to complaints received and have appropriately dealt with any violations observed. Obviously, we cannot lay charges for any infractions not observed unless the complainant is willing to come forward and give evidence; but in each of these two incidents he did not wish to be contacted. As far as marijuana is concerned, "smell" is insufficient proof of an infraction of the Narcotic Control Act. We have two traffic complaints on file this year from Mr. Desmarais, dated the 25th April and the 11th August, both relating to vehicles using Randolph Avenue. In each case, our Traffic Section attended and traffic tickets were issued.

In respect to Mr. Desmarais' suggestion that mature policemen be used on weekend nights, shift scheduling does not allow for this but we do have a mixture of junior and senior men of all ranks on duty then. The list of service of the three members who attended Episode No. 1 complaint were 2 1/2 years, 4 years, and 2 1/3 years, so they were experienced. In any event, we often find younger members communicate better with youths.

We have been in touch with the Chief Inspector, Sanitation Department, on this matter and have also contacted the owner of 7111 Randolph. He had rented the house to the young tenant our member spoke to and who shares the accommodation with three other youths. The owner was apparently unaware of the situation on his property and will be taking immediate remedial action. I trust this and continued patrols by our members will have the desired effect.

In conclusion I can only say that complaints of noisy parties, and we have many of them from all over Burnaby, are a difficult problem to deal with. Our policy is normally to ask the resident of the property to co-operate and quieten things down voluntarily to avoid any ugly confrontation and allegations of police harassment. Usually this has the desired effect; but if it doesn't, our course of action is limited if the party is within the confines of a dwelling. However, we do take appropriate action outside if offences are observed.

Yours truly,



(W.G. Lambert) Supt.
Officer in Charge
Burnaby Detachment