



**IN THE MATTER OF THE DEATH OF A MALE  
IN KAMLOOPS, BRITISH COLUMBIA FOLLOWING THE RELEASE  
FROM RCMP CUSTODY ON OCTOBER 20, 2018**

**DECISION OF THE CHIEF CIVILIAN DIRECTOR  
OF THE INDEPENDENT INVESTIGATIONS OFFICE**

Chief Civilian Director:

Ronald J. MacDonald, Q.C.

IIO File Number:

2018 - 133

Date of Release:

November 1, 2018

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## **Facts**

At 11:24 a.m. on October 19, 2018, an Affected Person (AP) was arrested by RCMP officers in Kamloops for an alcohol related offence. AP was detained in cells until 8:08 p.m., when officers determined AP was fit for release.

At 1:37 a.m. on October 20, 2018, a motor vehicle incident was reported in Seymour Street, Kamloops. RCMP officers attended the scene and located an injured male, who was the earlier released AP.

AP was taken to hospital but did not survive his injuries sustained in the motor vehicle incident.

Due to the interaction with police officers prior to the AP's death, the Independent Investigations Office (IIO) was notified by the RCMP at 2:20 a.m. the same day and commenced its investigation.

Evidence collected during the investigation included the following:

- 1) Custody Closed-Circuit Television (CCTV);
- 2) A review of relevant police reports.

## **Conclusion**

The objective of the IIO investigation is to determine if an officer, through an action or inaction, may have committed any offence in relation to the incident that led to AP's death. Police have a duty to protect life. If an individual is released from custody in a condition where he is unable to care for himself and as a result is injured or killed, the actions of the police may constitute an offence.

In this case the IIO investigated to determine if the AP was fit for release from cells and whether the actions of officers contributed to the death.

The information from police indicated that AP was fit when he was released. A review of the CCTV showed AP as he was released from cells. His behaviour and actions captured by the CCTV show a person who appears coordinated and sober. The recording also shows AP talking to officers and walking away from the detachment in a coordinated manner. In addition, AP was dressed appropriately for weather conditions.

AP's release was nine hours after the arrest, which was ample time for the effects of intoxication to dissipate. In addition, the collision in which he was injured occurred almost five and a half hours later.

The evidence collected corroborates the evidence provided by police and confirms that AP was fit for release. As a result it is clear there is no causal link between the actions

of the officers and the death of the AP. Indeed, once AP was sober it was their duty to release him from custody.

Accordingly, as the Chief Civilian Director of the IIO, I do not consider that an officer may have committed an offence under any enactment and therefore the matter will not be referred to Crown counsel for consideration of charges.

A handwritten signature in blue ink that reads "Ronald J. MacDonald". The signature is written in a cursive style with a horizontal line underneath it.

**Ronald J. MacDonald, Q.C.**  
**Chief Civilian Director**

November 1, 2018

**Date of Release**