



**IIO CONCLUDES INVESTIGATION OF MOTOR VEHICLE INCIDENT  
THAT TOOK PLACE IN THE CITY OF COQUITLAM, BRITISH  
COLUMBIA ON FEBRUARY 5, 2018**

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

Chief Civilian Director:

Ronald J. MacDonald, Q.C.

General Counsel:

Clinton J. Sadlemyer, Q.C.

IIO File Number:

2018 - 017

Date of Release:

March 5, 2018

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## **Facts**

Shortly after 8 p.m. on February 5, 2018, Officer 1, a member of the Port Mann Freeway Patrol observed a vehicle speeding and weaving in and out of traffic on the Port Mann Bridge. He conducted a traffic stop on Highway 1, westbound, a short distance from the bridge. Officer 1, who is the subject of this investigation, approached the vehicle. He informed the male driver [the Affected Person (AP)] that he would be impounding his vehicle, suspending his license and issuing three tickets as a result of AP's motor vehicle violations. The vehicle was also occupied by a female passenger.

Officer 1 then returned to his vehicle to complete paperwork related to the stop.

The civilian passenger later told police that AP was speeding and that he was upset that his car would be impounded and that his driver's license would be suspended. The passenger said she could see AP looking out the window at oncoming traffic and thought he was thinking about getting out of the vehicle. She tried to hold his arm to stop him and talk to him. She added that at one point she thought about honking the horn to get the attention of the officer hoping the officer may be able to keep AP safe.

Officer 1 was in his vehicle making preparations to have the vehicle impounded, when AP exited the vehicle, jumped over the concrete highway barrier and was quickly struck by an oncoming eastbound vehicle. Officer 1 immediately called for Emergency Health Services (EHS) and jumped onto the eastbound lane. He took steps to stop traffic to protect AP. He also provided assistance to AP while awaiting the arrival of EHS. AP was taken to hospital in critical, but not life-threatening, condition.

The incident was captured on Officer 1's dash cam, as was the audio of his interactions with AP, although it was difficult to hear what AP had to say. The audio demonstrates that Officer 1 was professional in his dealings with AP during the initial stop, and caring in his attempts to comfort AP while awaiting further assistance.

The Independent Investigations Office (IIO) was notified by the RCMP at 9:09 p.m. The IIO commenced its investigation as AP was injured during an interaction with police and his injuries met the established definition of serious harm. A determination was required of whether there were any wrongful actions or inactions on the part of the officer in connection with AP's injuries.

Evidence collected during the investigation included the following:

- 1) Statements from civilian witnesses;
- 2) Photographs of the scene;
- 3) Dash cam audio and video;
- 4) Police communication records (CAD/Prime);
- 5) AP medical information;

## **Relevant Legal Issues and Conclusion**

The purpose of any IIO investigation is to determine whether the officer, through an action or inaction, may have committed any offence in relation to the incident that led to AP's injuries.

More specifically, the issue to be considered in this case was whether Officer 1 may have committed an offence through action or inaction, in dealing with AP.

Officer 1 acted in the usual course of duty by stopping AP's vehicle for speeding and making preparations to have the vehicle impounded. Officer 1 was in the police cruiser at the time AP exited the vehicle, and could not have known AP was going to exit the vehicle and cross the median into oncoming traffic. Officer 1 also immediately called EHS services and proceeded to control the traffic at the scene to prevent further injury to AP prior to EHS arrival.

Following a review of all the evidence collected during the course of this investigation there is no evidence that the officer committed any offence in the course of this interaction with AP. Indeed, Officer 1 acted at some risk to himself when he took steps to stop traffic and protect AP as he lay injured on the roadway. He met all his duties as a police officer fully and completely.

Accordingly, as the Chief Civilian Director of the IIO, I do not consider that Officer 1 may have committed an offence under any enactment and therefore, the investigation is concluded.

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**Clinton J. Sadlemyer, Q.C.**  
**General Counsel**

March 5, 2018  
**Date of Release**

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

March 5, 2018  
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