



PUBLIC REPORT OF THE  
CHIEF CIVILIAN DIRECTOR

Investigation into the injury of an adult male  
involving the RCMP on March 8, 2013  
in Prince George, British Columbia.

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## **INTRODUCTION**

The Independent Investigations Office (IIO) is responsible for conducting investigations into all officer-related incidents which result in death or “serious harm” (as defined in Part 11 of the Police Act) within the province of British Columbia. As the Chief Civilian Director of the IIO (CCD), I am required to review all investigations upon their conclusion, in order to determine whether I “consider that an officer may have committed an offence under any enactment, including an enactment of Canada or another province.” (See s.38.11 of the Police Act). If I conclude that an officer may have committed an offence, I am required to report the matter to Crown counsel. If I do not make a report to Crown counsel, I am permitted by s.38.121 of the Police Act to publicly report the reasoning underlying my decision.

In my public report, I may include a summary of circumstances that led to the IIO asserting jurisdiction; a description of the resources that the IIO deployed; a statement indicating that the IIO, after concluding the investigation, has reported the matter to Crown counsel; or a summary of the results of the investigation if the matter has not been reported to Crown.

I am only permitted to disclose personal information about an officer, an affected person, a witness, or any other person who may have been involved if the public interest in disclosure outweighs the privacy interests of the person. Prior to disclosing any personal information, I am required, if practicable, to notify the person to whom the information relates, and further, notify and consider any comments provided by the Information and Privacy Commissioner (s.38.121(5) of the Police Act).

This is a decision made concerning injuries sustained by an adult male on March 13, 2013 in the city of Prince George, while being chased by a member of the RCMP. I have reviewed the investigative material and do not consider that any officer may have committed an offence. This investigation will be closed by Public Report and no report to Crown will be made.

To date, the identity of the 27 year old male affected person has not been previously disclosed and therefore, will not be in my report. Further, I find no reason to disclose the identities of any involved officers or witnesses that were interviewed.

## **NOTIFICATION AND IIO JURISDICTION**

The incident occurred just after midnight on March 8, 2013. The IIO was notified of the affected person’s injuries at 7:30 a.m. and asserted jurisdiction.

## **INVESTIGATIVE FACTS**

At 12:05 a.m., on March 8, 2013, the RCMP in Prince George received a call about a male causing a disturbance at an apartment building. The call was dispatched to the subject officer at 12:07 a.m., who was working in uniform and was driving a marked police vehicle.

The officer arrived at the scene at approximately 12:13 a.m., in time to see the male suspect run from the apartment building. The officer and a civilian witness chased after the male. The officer issued several verbal commands for the male to stop and identified himself as a police officer. The male did not comply with the officer's commands and continued to run. As he and the others reached a ravine at the rear of the apartment building, the male jumped and fell to the bottom of a ravine.

Radio dispatch records reflect the subject officer reporting in at 12:16 a.m., "I am out on foot behind this apartment building...the guy decided to take a great big leap off the hill here."

The male sustained serious but not life threatening injuries and was admitted to hospital. He was subsequently arrested for outstanding warrants.

### **The Subject Officer**

The subject officer provided a voluntary statement and was interviewed by IIO investigators. He reported he was dispatched to a call of a male banging on the doors of an apartment building. When he arrived at the scene, he observed two males standing out front. As he was exiting the marked police vehicle, he saw the male running eastbound along the front of the building. He started running after the male saying "stop, police." His intent was to try to identify who the male was and to talk to him with respect to the disturbance complaint.

The male ran around the building and stumbled over a slightly raised concrete pad. The officer got to within a distance where he felt he could grab the male however saw the nearby embankment. He stated "I brought my hand back. I never actually touched him at all because I didn't want to get dragged down the embankment with him. Because he was in full flight in run and he jumped off the embankment ... he didn't run like he was trying to keep running on solid ground, he jumped."

### **Civilian Witnesses**

IIO investigators interviewed a civilian witness who observed the entirety of the interaction between the officer and the male.

The witness advised that he heard banging coming from outside of his bedroom window. He went downstairs in the apartment building to see what was happening and saw the male "banging on the door and trying to open the door." Police were called in response to the complaint of a disturbance and as the officer was getting out of his vehicle, he observed the male ducking underneath a railing and running along the front of the building. He told the officer that the male was running and heard the officer say "stop, RCMP, stop." He saw the officer follow the male; CW 1 also followed. He recalled the male lost his shoes while running. At the rear of the building, when he and the officer were about five feet behind the male, CW 1 observed the male going over a steep hill and stated "he kind of leapt off."

## **The Affected Person**

IIO investigators met with and interviewed the male affected person. He was asked what happened to him and responded “don’t know, blacked out.” The male did recall drinking with friends and then waking up in the hospital with his injuries. He had no recall of being at the apartment building, seeing the officer or falling down the ravine.

## **ISSUES AND ANALYSIS**

The general issue in any IIO investigation is whether or not there is evidence that a police officer may have committed an offence under any enactment. In this specific case, there was no use of force by the subject officer. As such, even though it could be found that the officer’s action in attempting to detain the affected person resulted in an injury, there are no relevant Criminal Code provisions that would be applicable in this case.

The subject officer provided a voluntary statement to the IIO. His account of the circumstances was consistent with what was recorded through the radio communications and the physical evidence at the scene, namely the location of the affected person and his injuries. Information obtained from an independent, credible civilian witness corroborated the subject officer’s information. The affected person himself was not able to provide any new or contrary information.

The facts of this case appear to be undisputed. The officer responded to a call for service and attempted to detain the male. The male fled, jumped down a steep embankment and sustained injuries. In this case, I conclude that there was no use of force and no police action other than the officer’s verbal command to “stop.”

## **CONCLUSION AND THE DECISION OF THE CCD**

Since I cannot conclude that the subject officer may have committed any offence in this case, the IIO file will be closed with no report to Crown counsel.

I have directed that notice of my public report be provided to the RCMP and the Commission for Public Complaints against the RCMP as each may have an interest in this investigation and my findings in that regard. I have further directed that my report be posted to the Independent Investigations Office public website in order to ensure transparency through public reporting.

Submitted this 15<sup>th</sup> day of May, 2013 by

Richard A. Rosenthal  
Chief Civilian Director  
Independent Investigations Office of BC