



**IN THE MATTER OF THE INJURY OF A MALE WHILE BEING
APPREHENDED BY MEMBERS OF THE RCMP IN NORTH
VANCOUVER, BRITISH COLUMBIA ON JUNE 20, 2019**

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

Chief Civilian Director:

Ronald J. MacDonald, Q.C.

IIO File Number:

2019 - 114

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November 8, 2019

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Facts

On June 20, 2019, North Vancouver RCMP officers responded to the report of a man (the Affected Person or 'AP') with a knife in an apartment in North Vancouver. As officers arrived, AP was climbing out of a third-floor enclosed balcony through a broken window. AP fell to the ground, causing a fracture to his leg.

The Independent Investigations Office (IIO) was notified by RCMP of the incident. The IIO commenced its investigation as the injury to AP was within the definition of "serious harm" as defined in the *Police Act* and officers were present.

Evidence collected during the investigation included the following:

- 1) statement of AP;
- 2) statements from Civilian Witnesses;
- 3) statements from Witness Officers;
- 4) medical records; and
- 5) Police Records Information Management Environment (PRIME), recordings of 911 calls and police radio transmissions.

AP entered the residential building in North Vancouver through a ground floor apartment patio. AP made his way through the building, banging on apartment doors until he got to the third floor. A female (Civilian Witness 1, or 'CW1') on the third floor heard the disturbance and opened her door to the hallway. AP entered CW1's apartment, picked up a knife in the kitchen and claimed that someone had killed his son. CW1 called 911 and could be heard to ask AP to put down the knife. CW1 and another female fled to go to a friend's apartment on the same floor.

Other residents also called 911 to report a male entering apartments within the building.

When officers arrived, they observed AP climbing out of a third-floor enclosed balcony, through a broken window. Several officers remained outside of the building and civilian witnesses heard officers trying to communicate with AP and told him to go back inside and not to jump. Four officers entered the building and made their way up to the third floor.

Civilian witnesses described AP as attempting to get to the roof of the building but was unable to reach it. AP then tried to lower himself to the second-floor balcony. AP was seen hanging from the third-floor balcony before falling to ground level.

When AP landed, he suffered serious injuries and was transported to hospital by Emergency Health Services. He was scheduled to have surgery the following day.


Conclusion

The purpose of any IIO investigation is to determine whether there are reasonable grounds to believe that an officer, through an action or inaction, may have committed any offence in relation to the incident that led to injury of AP.

Information from radio broadcast verifies that time elapsed from officers first arrival to AP falling from the balcony is approximately one minute and 15 seconds. At that point officers had not yet entered the apartment that AP was reported to be in. On hearing that AP had fallen, officers entered the apartment and radio transmissions record "apartment clear."

Civilian witness statements corroborate evidence obtained from police. There is no evidence to suggest that AP sustained injuries through police actions. AP is making no allegations towards officers and states that he has no recollection of the evening.

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


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

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