



**IN THE MATTER OF THE INJURY OF A MALE
IN CONNECTION WITH AN ATTEMPTED TRAFFIC STOP
BY A MEMBER OF THE RCMP IN
THE CITY OF KAMLOOPS, BRITISH COLUMBIA
ON MAY 18, 2019**

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

Chief Civilian Director:

Ronald J. MacDonald, Q.C.

IIO File Number:

2019-096

Date of Release:

December 11, 2019

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Introduction

On the evening of May 18, 2019, an RCMP member in Kamloops attempted to pull over a speeding motorcyclist. The motorcyclist sped away and the officer turned off his emergency lights and did not pursue. A short distance later, the motorcyclist lost control of the motorcycle and crashed, suffering serious injuries. Because of the connection with police action, the Independent Investigations Office (IIO) was notified and commenced an investigation.

The narrative that follows is based on evidence collected and analyzed during the investigation, including the following:

- statements from five civilian witnesses;
- photographs taken by civilian witnesses at the scene;
- notes of eight police officers;
- police Computer-Aided Dispatch (“CAD”) and Police Records Information Management Environment (“PRIME”) records;
- police vehicle dash camera video recordings; and
- medical evidence.

Narrative

At 8:41 p.m. on May 18, 2019, the Affected Person (“AP”) in this case was seen by Officer 1 speeding in the opposite direction on Highway 1 in Kamloops. Officer 1 turned his police vehicle, activated his emergency lights and caught up to AP. AP pulled the motorcycle over to the right-hand shoulder of the highway. However, as Officer 1 pulled in behind him, AP accelerated away rapidly down the highway. Officer 1 advised dispatch and did not pursue, but proceeded after AP at a normal speed, emergency lights turned off. These events were all recorded by Officer 1’s dash camera.

A short distance along the highway and less than a minute later, civilian witnesses and a police witness officer (Officer 2) saw AP weaving through traffic on the motorcycle. He was seen to accelerate while looking over his shoulder, strike the median and crash. He was thrown from the motorcycle and slid for some distance along the pavement before standing up. About 30 to 45 seconds later, Officer 1 was seen approaching. He re-activated his emergency lights and pulled up to the accident scene.

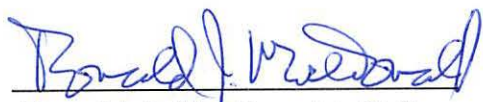
AP was taken to hospital where he was diagnosed with a broken ankle. The motorcycle he was driving was found to have been stolen.

Legal Issues and 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 AP's injury. More specifically, the issue to be considered in this case is whether Officer 1 may have driven in a dangerous manner, causing AP to crash and suffer injury.

The evidence collected does not provide grounds to consider any charges against any officer. Officer 1 was justified in his initial attempt to stop AP for speeding, and the stop was carried out in a reasonable manner. When AP chose to pull back into traffic and speed away, Officer 1 also responded appropriately by declining to pursue. It is clear that he was a significant distance behind AP at the time of the accident with his emergency equipment turned off, and was neither speeding nor pursuing. The accident was entirely caused by AP's actions.

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.



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

December 11, 2019

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