

REGARDING THE ACTIONS OF RCMP MEMBERS IN CONNECTION WITH THE INJURY OF A MALE NEAR NANOOSE BAY, BRITISH COLUMBIA ON SEPTEMBER 5, 2019

DECISION OF THE CHIEF CIVILIAN DIRECTOR OF THE INDEPENDENT INVESTIGATIONS OFFICE

Chief Civilian Director:

Ronald J. MacDonald, Q.C.

IIO File Number: Date of Release: 2019-166 April 2, 2020 HARDENNENNONNERBUNK

Introduction

In the early morning hours of September 5, 2019, RCMP members responded to a call about the Affected Person ('AP') in this case. AP was said to have sent text messages to a friend saying he was going to kill himself. Police officers located AP on a bridge, but as they approached him he jumped from the bridge with a rope tied around his neck. Officers were able to cut the rope in time to save AP's life and he was taken to hospital.

Because AP had suffered a serious injury in an incident involving the actions of police, the Independent Investigations Office ('IIO') was notified and commenced an investigation. The narrative that follows is based on the statements of AP and of four involved officers recorded in police Computer-Aided Dispatch ('CAD') and Police Records Information Management Environment ('PRIME') records.

<u>Narrative</u>

On September 5, 2019, AP had made a series of arrangements for his suicide. He had liquidated assets, made funeral arrangements and written suicide notes. At 2:36 a.m., he sent a text message to a friend to say he was about to kill himself, and went to a bridge south of Parksville, where he tied a rope around his neck and fastened the other end to the bridge railing.

Police were notified and several officers responded. Officer 1 went to AP's home and found it almost empty. There was a box with documents and instructions for AP's brother, and a typed suicide note. Officer 2 followed directions from Dispatch based on 'pings' of AP's cell phone and located AP's rental car near a suspension bridge in a forested area south of Parksville. Officer 2 searched the vehicle for clues as to AP's intentions or whereabouts, but found nothing.

Meanwhile, police had been able to make contact with AP on his cell phone. He told them he was going to hang himself, and said "I will bid you farewell."

Other officers arrived at Officer 2's location, including Officer 3 with his Police Service Dog ('PSD'). Officers 3 and 4 quietly tracked AP from the parked car to the bridge. Officer 3 reported finding that AP had placed two flashlights on the bridge deck and that they were shining back towards the police. He could not see if there was anyone on the bridge and walked quietly out onto the bridge deck. He then saw AP standing on the railing, beyond the lights, and saw AP immediately jump from the bridge. Officer 3 rushed forward and quickly cut the rope.

Officer 4 was already making his way down below the bridge. AP had fallen approximately twenty feet before being stopped short by the rope only about two feet above the rocks.

When the rope was cut he fell that further short distance onto the rocks, and his shoulder was injured by the fall. Officer 4 could see that the noose had pulled tight around AP's neck so that he could not breathe, and Officer 4, assisted by Officer 5, cut the noose to save AP from death or other serious injury.

On the bridge deck Officer 6 recorded finding two flashlights, a cell phone, a knife and another typed suicide note in a plastic bag. Officer 5 found a third identical note in AP's pants pocket.

AP was apprehended at the scene under the *Mental Health Act*. Paramedics were called, and AP was able to walk out to meet them accompanied by police officers. He was taken to hospital where he was found to have superficial injuries to his neck and a broken shoulder.

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 an incident resulting in serious harm or death.

The evidence collected does not provide grounds to consider any charges against any officer. On the contrary, it indicates that RCMP members fully met and indeed went beyond their duties to protect and save life. They acted swiftly and effectively, and their commendable actions were directly responsible for saving AP's life.

Accordingly, as the Chief Civilian Director of the IIO, I do not consider that there are reasonable grounds to believe 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.

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

April 2, 2020 Date of Release