



**IN THE MATTER OF THE DEATH OF A FEMALE
WHILE IN THE CUSTODY OF THE RCMP
IN THE CITY OF PRINCE GEORGE, BRITISH COLUMBIA
ON JULY 20, 2019**

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

Chief Civilian Director:

Ronald J. MacDonald, Q.C.

IIO File Number:

2019-124

Date of Release:

April 17, 2020

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Introduction

On the evening of July 19, 2019, the Affected Person ('AP') in this case was arrested by Prince George RCMP members for causing a disturbance. She was lodged in cells, and in the early hours of the next morning was found to be in medical distress. She was transported to hospital where she passed away later that morning. Because AP's death was the result of a condition that developed while she was in police custody, 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 of three civilian witnesses, two paramedics, two jail guards and five witness police officers;
- police Computer-Aided Dispatch ('CAD') and Police Records Information Management Environment ('PRIME') records;
- 911 call and police radio recordings;
- RCMP cell block video recordings;
- cell block guard and supervisor logs, and RCMP Prisoner Report;
- RCMP policies;
- scene and AP photographs;
- medical records; and
- autopsy photographs and summary.

Narrative

Shortly before 9:00 p.m. on July 19, 2019, Witness Officers 1 and 2 ('WO1' and 'WO2') responded to a call about a disturbance in a Prince George park. WO1 told IIO investigators that he found a noisy group of people consisting of two males and one female, with one male in particular shouting repeatedly. WO1 said he saw a garbage bag full of beer cans at the group's location, and WO2 said there were scattered empty and partially full beer cans and clothing. The male, Civilian Witness 1 ('CW1'), who was described as "grossly intoxicated," told the officers that the female (AP) was not acting like herself and had to "repent."

Both officers described AP as appearing to be under the influence of drugs and/or alcohol. She was not wearing shoes. She was described as having slurred speech and an odour of liquor, and her arms were "constantly twitching." CW1 told IIO investigators that he wanted police to take AP into custody for her own safety as she had taken some sort of "hard" drug at a "healing circle." The officers arrested both CW1 and AP, allowing the second male to leave as he was relatively sober and had a plan of care. WO2 said the plan for AP was to hold her in custody until she was sober enough to be released. AP was compliant, and there is no evidence that any force was used in the process of

handcuffing her, guiding her to WO2's police vehicle and transporting her to the RCMP detachment. There is no evidence that any force was used by police in the course of the arrest or the transport of AP to RCMP cells, and there were no visible injuries to AP.

AP arrived at the detachment just before 9:30 p.m., and was met and searched by a female officer, WO3. On cell block video, AP can be seen walking unsteadily into the booking area and complying with WO3's instructions as WO3 conducted a pat-down and wand search for drugs or weapons. WO3 described AP as appearing "high" but able to engage in fine motor tasks without assistance. She said AP was constantly moving and was sweating, apparently from the exertion. AP told WO3 that she had used "meth," but gave no other details. She was judged fit for incarceration. The RCMP Prisoner Report recorded signs of intoxication, but also noted that AP was "placid" and "responsive." No medical issue, other than consumption of drugs and alcohol, was noted.

AP was lodged in cells at 9:42 p.m. on July 19. Initially, she was placed in a cell alone, but another female detainee was then brought into the cell, and immediately lay down in the corner. AP can be seen on the cell video constantly moving around, either sitting on the floor or pacing, and repeatedly goes to the cell door, apparently shouting. The Guard Log notes AP as "yelling" during this period, but does not record what she was saying.

At one point, an officer is seen to enter the cell and appears to speak with the other detainee. Then, at 10:34 p.m., AP is moved to another cell where she is housed on her own. As she moves from one cell to the other, escorted by an officer, AP's deportment appears relatively normal. Once she is in the new cell, though, she continues to move around continually, sitting on a bench or pacing, or again going to the cell door and shouting.

From about 12:35 a.m. until about 3:44 a.m. on July 20, AP continues moving around erratically, but now mostly on the floor of the cell. The Guard Log contains several observations of AP during this period, describing her as moving around on the floor and yelling. Physical checks are made, as required, and all prisoners are noted as breathing.

At about 3:44 a.m., the cell video shows that AP is still lying on the floor, moving her arms and legs, but her movements have moderated somewhat. At 3:53 a.m., an officer (WO4) can be seen entering the cell and bending over AP.

WO4 told investigators that he had gone to the cell block with WO5 to check on a prisoner, and looked in on the other detainees as well. He said he noticed AP lying on the cell floor and believed she may be having a seizure. He entered the cell and tried to talk to AP, but she was unresponsive, moaning and occasionally screaming as if hallucinating. An ambulance was called for a female "OD'ing," and WO3 administered Naloxone to AP, who reacted violently to the drug, kicking and flailing.

The paramedics who attended shortly afterwards told IIO investigators that it was difficult to treat AP, or get her vital signs, because of her constant movement. While they were working on her, though, she became still and was found to have no pulse, so CPR was administered. At 4:12 a.m., Advanced Life Support personnel were on scene and AP was stabilized. She was transported to hospital at about 4:27 a.m.

No narcotics or drug paraphernalia were found in AP's cell or on her person, and there is no evidence that she consumed anything while in custody.

At 6:20 a.m., AP was declared deceased at the hospital. An autopsy was performed on July 29, 2019. There was no sign of trauma or disease, and the cause of death was reported as "methamphetamine toxicity."

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. More specifically, the issue to be considered in this case is whether any officer may have committed an offence involving negligence that contributed to AP's death.

On the evidence, AP had already consumed drugs and was heavily intoxicated by the time she was arrested. At that time, though, she presented as reasonably coherent and displaying no physical symptoms other than intoxication. It is not unreasonable for police to arrest an individual who is displaying behaviour consistent with consumption of intoxicating substances, as long as the individual is monitored adequately during their time in cells. The evidence in this case supports a conclusion that monitoring of AP was satisfactory. When her behaviour changed from the pattern of unfocused movements it had followed for several hours, to a posture consistent with seizure, officers very quickly responded and took all appropriate actions to get medical attention for her.

There is no evidence that any officer used inappropriate force on AP, or that any officer neglected his or her duty in caring for AP while she was in police custody.

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.



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

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