



**IN THE MATTER OF INJURIES TO SEVERAL PEOPLE
RESULTING FROM A VEHICLE COLLISION
AFTER AN ATTEMPTED TRAFFIC STOP
BY A MEMBER OF THE RCMP IN
COQUITLAM, BRITISH COLUMBIA
ON DECEMBER 27, 2020**

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

Chief Civilian Director:

Jessica Berglund

IIO File Number:

2020-319

Date of Release:

February 7, 2025

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The decision in this matter was initially reported on [February 23, 2021](#), with notification that a public report would be released upon the conclusion of the concurrent court proceedings.

INTRODUCTION

On the morning of December 27, 2020, the Subject Officer (“SO”) attempted to pull over a speeding vehicle on Highway 1. The vehicle—a Dodge Charger—did not stop, and just as the SO was discontinuing the attempted traffic stop, the Dodge was involved in a serious collision with a second vehicle that contained two adults and three children. The occupants suffered a range of injuries, some very serious. 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 eight civilian witnesses, four paramedics and three witness police officers;
- police Computer-Aided Dispatch (“CAD”) and Police Records Information Management Environment (“PRIME”) records;
- Watchguard dash camera video footage from the SO’s police vehicle;
- data download from the SO’s vehicle data recorder;
- video recordings from a Coast Mountain transit bus;
- RCMP policies and training records;
- ICBC records; and
- medical evidence.

The IIO does not compel officers who are the subject of an investigation to submit their notes, reports and data. In this case, the SO declined to provide any account to the IIO.

NARRATIVE

Just before 9:00 a.m. on December 27, 2020, the SO was standing beside his police vehicle conducting speed checks on passing traffic. He had parked facing east in a protected area between the eastbound and westbound lanes of Highway 1 near Government Street. His vehicle’s Watchguard dash camera system was turned on and was recording. In addition to recording events occurring in front of the police vehicle, the Watchguard system also overlays onto the video information such as date and time, GPS data in the form of position coordinates and vehicle speed, and symbols showing activation of the vehicle’s emergency lights, siren, brakes and radio microphone. When the emergency lights are activated, the system also records audio.

The IIO's analysis of the SO's actions and any connection between those actions and the collision involving the Dodge Charger is based principally on video from the SO's Watchguard system; data from the SO's police vehicle data recorder; video from a passing Coast Mountain bus; and civilian eyewitness accounts.

Watchguard Video

- From its initial stationary position to the left of a central concrete barrier, the SO's police vehicle is seen to start to move forward at a time recorded as 08:59:33.
- At 08:59:36 the Dodge Charger is seen passing in the leftmost (HOV) eastbound lane on Highway 1. The SO had already activated his vehicle's emergency lights and siren before the Dodge passed.
- About two seconds after the Dodge passes the SO, the brake lights on the Dodge can be seen to illuminate momentarily.
- At 08:59:44, the brake lights on the Dodge again illuminate briefly and at 08:59:47 the Dodge drives diagonally across the traffic lanes from the HOV lane into the rightmost lane. At this point, the SO's speed is indicated as 123 km/h.
- For several seconds, the SO continues to follow in the centre lane, at speeds up to 153 km/h, without apparently gaining on the Dodge.
- At 09:00:00 the Dodge can again be seen to brake as it approaches a highway maintenance truck parked on the right shoulder with amber lights flashing.
- Two seconds later, the Dodge passes the maintenance truck and takes the Brunette exit from the highway, still clearly travelling at a very high speed. At this point, the distance between the Dodge and the SO appears to have increased, despite the fact that the SO is driving at 148 km/h.
- At 09:00:10, as the SO takes the exit, his Watchguard system indicates that he has turned off his siren, leaving just the emergency lights activated.
- At 09:00:14, SO can be heard on the radio starting to report a "fail to stop," and then immediately saying, "Ah, he's crashed." At the intersection ahead with Brunette Avenue, the Dodge can be seen briefly airborne after an apparent collision. At the time of the collision, the traffic light at the intersection can be seen to be transitioning from green through amber.

GPS data from the SO's Police Vehicle

Data from the SO's police vehicle shows it starting to move at 08:59:34. Its recorded speed increases to a high of 151.9 km/h at 08:59:57. Then at 08:59:58 the vehicle's speed is seen to start to decrease. At 09:00:14 the speed shows as 103.5 km/h. By 09:00:25, the speed has dropped to 51.5 km/h, and at 09:00:47 the vehicle shows as stationary.

Coast Mountain Bus Video

A Coast Mountain transit bus was approaching eastbound on Brunette Avenue and its forward-facing video camera recorded the Dodge driving up the freeway ramp at high speed and becoming airborne, rolling a number of times before coming to rest in a bush area to the south of Brunette.

There is an audio track on the bus video, and at the time of the collision there is no sound of a police siren. No police emergency lights can be seen until approximately 19 seconds after the collision, when the SO's police vehicle can be seen entering the intersection and coming to a stop. Its emergency lights are activated but its siren is not.

Civilian Eyewitness Accounts

Several civilian witnesses gave accounts of what they saw at or around the intersection where the collision occurred. All agreed that the Dodge Charger was travelling at a very high speed and that there was no police vehicle immediately behind it. Several other witnesses observed the Dodge speeding eastbound on the Highway, followed by the SO's police vehicle. The SO was described variously as driving more slowly than the Dodge; as driving at a speed that was "not excessive;" as driving "under control;" and as having "backed off" when the Dodge took the freeway exit.

LEGAL ISSUES AND CONCLUSION

The Independent Investigations Office of British Columbia is mandated to investigate any incident that occurs in the province in which an Affected Person has died or suffered serious physical harm and there appears to be a connection to the actions (or sometimes inaction) of police. The aim is to provide assurance to the public that when the investigation is complete, they can trust the IIO's conclusions, because the investigation was conducted by an independent, unbiased, civilian-led agency.

In the majority of cases, those conclusions are presented in a public report such as this one, which completes the IIO's mandate by explaining to the public what happened in the incident and how the Affected Person came to suffer harm. Such reports are generally intended to enhance public confidence in the police and in the justice system as a whole through a transparent and impartial evaluation of the incident and the police role in it.

In a smaller number of cases, the evidence gathered may give the Chief Civilian Director ("CCD") reasonable grounds to believe that an officer has committed an offence in connection with the incident. In such a case, the *Police Act* gives the CCD authority to refer the file to Crown counsel for consideration of charges.

In a case such as this one, involving potentially unlawful driving behaviour by an officer, one aspect of the IIO investigation will be the gathering of evidence about potential justifications for that behaviour. The CCD will then apply legal tests to the evidence to determine whether there are reasonable grounds to consider that the officer may have committed an offence, under either criminal law or a provincial statute.

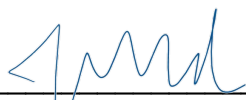
The SO was acting lawfully, in execution of his duty, when he activated his emergency lights and siren to pull over the speeding Dodge. That the driver of the Dodge was driving well in excess of the speed limit is clear from the Watchguard video, as well as from civilian witness statements. The SO also drove his police vehicle at speeds in excess of the speed limit, but only for a very short time, and on a highway where the video shows very little traffic was present at that time.

Legislation and police policy permit an officer to exceed the speed limit for enumerated legitimate purposes, as long as that speeding does not create undue risk to the public. One of those legitimate purposes is “closing the distance” between the officer’s police vehicle and a suspect vehicle. The attempt to “close the distance” and pull over the suspect, though, must be discontinued as soon as it is clear that the suspect is not going to stop. In this case, the driver of the Dodge braked a number of times, and also pulled across the traffic lanes into the curb lane. Those actions could reasonably have been interpreted as signalling an intention to stop, justifying a somewhat longer period during which the SO could reasonably have followed the Dodge at an elevated speed.

Once the Dodge had taken the exit from the highway, and was not slowing, the evidence shows that the SO slowed down significantly and turned off his siren, clearly discontinuing his attempt to pull the Dodge over, as was proper in the circumstances. Unfortunately, just as he was doing that, the collision occurred, some distance ahead.

There is no doubt that the tragic collision, and the very serious injuries that resulted, were solely caused by the driver of the Dodge Charger. No blame lies with the SO, who carried out his duties in accordance with both law and policy.

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.



Jessica Berglund
Chief Civilian Director

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