



**IN THE MATTER OF THE DEATH OF A FEMALE
AND THE INJURY OF A MALE
IN THE COURSE OF AN ATTEMPTED TRAFFIC STOP
BY MEMBERS OF THE RCMP
IN SICAMOUS, BRITISH COLUMBIA
ON MAY 20, 2021**

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

Chief Civilian Director:

Ronald J. MacDonald, K.C.

IIO File Number:

2021-126

Date of Release:

November 7, 2022

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The release of this public report was delayed pending the conclusion of concurrent criminal court proceedings. The decision in this matter was initially reported on [November 18, 2021](#).

INTRODUCTION

On May 20, 2021, an RCMP member attempted unsuccessfully to pull over a speeding Honda Civic at Canoe, just east of Salmon Arm. The Honda sped away eastward on Highway 1, and the officer discontinued the attempt. Alerted by radio, RCMP members set up a roadblock at the east end of the Bruhn Bridge close to Sicamous. A police vehicle was stationed facing east in the westbound lane, and as the Honda approached, the Subject Officer ('SO') laid a spike belt across the eastbound lane. When the Honda reached the roadblock, it did not stop or slow down, but instead swerved partially around the spike belt onto the highway shoulder. It then skidded out of control across the highway and rolled down an embankment into a gravel parking area approximately ten metres below. Affected Person 1 ('AP1'), who was driving the Honda, was seriously injured in the crash. His female passenger AP2 was killed.

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 four civilian witnesses, one First Responder and three witness police officers;
- police Computer-Aided Dispatch ('CAD') and Police Records Information Management Environment ('PRIME') records;
- police vehicle Watchguard dash camera video recordings;
- a Commercial Vehicle Safety and Enforcement ('CVSE') inspection report;
- RCMP spike belt use policies;
- Sicamous Fire Department Incident Report;
- B.C. Emergency Health Services report;
- pathologist's report; 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, neither SO nor AP1 have provided any account to the IIO.

NARRATIVE

Witness Officer 1 ('WO1') told the IIO that at 4:16 p.m. on May 20, 2021, he observed a grey Honda Civic being driven aggressively and dangerously eastbound from Salmon Arm towards Sicamous on Highway 1. WO1 said he saw the Honda (subsequently determined to be driven by AP1) driving at extremely high speeds, passing on double solid yellow lines, attempting to overtake a semi-trailer truck on a blind bend and passing another on the inside, "on the shoulder... in the ditch, it was the craziest thing I have ever seen". WO1 activated his police vehicle's emergency equipment and attempted to pull the Honda over, but it did not stop. WO1 later told the IIO that even traveling at 140 km/h, he had not been able to close the distance with the fleeing Honda. WO1 said he turned off his emergency lights and slowed down to normal highway speed. A number of civilian drivers contacted and interviewed by IIO investigators also recalled witnessing AP1's reckless driving. One witness, speaking to RCMP investigators, described AP1 as "driving like a maniac".

At Sicamous, SO, WO2 and WO3 heard WO1's radio broadcasts, and were concerned that a dangerous driver was fast approaching the town, and that the public would be endangered. SO, the senior member of the three, organized a roadblock at the east end of the R.W. Bruhn Bridge, on the western approach to Sicamous. Meanwhile, WO3 drove west along the highway in an unmarked police vehicle to act as a lookout for the approaching Honda.

The placement of the roadblock approximated one of the sites listed in Sicamous RCMP's supplementary policies (authored by SO) as recommended for the use of spike belts. The bridge, with just two lanes of vehicular traffic, and railings and concrete barriers on each side, provides a measure of physical protection to officers while also tending to slow traffic approaching the roadblock. In addition, a driver such as AP approaching from the west would have a clear view of a roadblock located at the east end of the bridge when he is still approximately three hundred metres from it.

The Sicamous supplementary policy also specifies the recommended placement of police vehicles at the roadblock, but SO and WO2 did not place their police vehicles as contemplated by the policy. Recommended placement of a blocking police vehicle, according to the policy, is in the same lane and facing in the same direction as the oncoming suspect vehicle, but turned 45 degrees towards the centre line. The spike belt is then to be deployed across the free lane as the suspect vehicle approaches, to prevent it from changing lanes to bypass the blocking police vehicle. In this case, SO parked on the north shoulder, facing west, just to the east of WO2's vehicle. WO2 placed his vehicle at the end of the bridge in the westbound lane, facing east (he had already placed cones to halt westbound traffic some distance from the bridge). SO placed the spike strip pack

on the south shoulder and took up a position by the rear corner of his parked police vehicle ready to deploy the strip.

The two officers were notified by WO3 when the Honda passed WO3's position, and very shortly after that the Honda came into view, traveling at high speed across the bridge. SO pulled the cord attached to one end of the spike strip, deploying the spikes across most of the eastbound lane. As it exited the bridge, the Honda swerved onto the south shoulder, passenger side wheels in the soft dirt and driver side tires running over the spike strip. AP lost control of the car and it skidded across the highway, rolling down an embankment on the north side of the highway and coming to rest in a parking area approximately ten metres below.

The screen shot below is taken from the Watchguard dash camera video system in WO2's police vehicle. On the left is SO's vehicle. SO has retreated behind it at this point, pulling the cord that extends the spike strip, which can be seen partially across the eastbound lane. The Honda can be seen swerving back from the shoulder onto the pavement with its driver side tires impacted by the spikes.



Both Affected Persons were extracted unconscious from the wrecked Honda. Paramedics attempted to resuscitate AP2, but she was declared deceased at the scene. AP1 was airlifted to hospital, where he was diagnosed with cerebrovascular trauma, a pneumothorax, spinal injuries and an injury to his left arm requiring stitches. A toxicology screen was positive for amphetamines/methamphetamines and marijuana.

It was subsequently determined that the Honda had been reported stolen, and a number of different licence plates were found in and around the vehicle. It was mechanically inspected and an improvised repair to the brake system was noted that would have negatively impacted braking performance. Both driver side tires were found to have spikes from the police spike belt embedded in them. The hollow spikes are intended to

produce a relatively slow deflation of the affected tire(s), so that if the Honda had not gone out of control and crashed, the driver side tires would likely have been running flat within approximately one kilometre. It is unlikely that picking up the spikes, in itself, would have caused the Honda to crash.

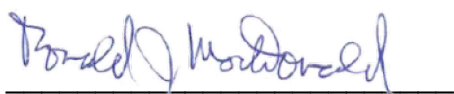
LEGAL ISSUES AND CONCLUSION

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 SO committed any offence through his deployment of the spike belt against the vehicle driven by AP1.

The deployment of a spike belt in front of a speeding vehicle is inherently risky, as was clearly demonstrated in this case. Because of the risk of serious harm that it creates, it should only be resorted to when that risk is balanced by the risk posed to the public by the speeding driver himself. In this case, the reports that SO was receiving of AP1's extremely dangerous behaviour quite reasonably raised concerns that the public in the town of Sicamous would be in significant danger if AP1 were allowed to proceed into and through the town. That being so, the use of a partial highway barricade and spike belt deployment was justified, since the risk it created was less than the risk created by AP1.

The manner in which the barricade was set up by SO and WO2 may not have been exactly consistent with local RCMP policy recommendations, but it cannot be said to have been improper, or to have contributed in any way to the harms suffered by the two Affected Persons. The location chosen made it easy for a driver like AP1, approaching from the west, to see the police vehicles in the road ahead, and provided ample time to bring a vehicle to a safe stop before impacting the spike strip. AP1, though, chose not to stop, and instead made the unfortunate decision to swerve onto the soft, sandy shoulder, where the loss of traction evidently caused a dramatic loss of control and the resulting crash, together with AP1's injuries and the loss of AP2's life. It was AP1 who was the author of all that misfortune, not SO, nor any other officer.

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, K.C.
Chief Civilian Director

November 7, 2022

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