



**IN THE MATTER OF THE INJURY OF A FEMALE  
IN AN INCIDENT INVOLVING MEMBERS OF THE RCMP  
IN KAMLOOPS, BRITISH COLUMBIA  
ON FEBRUARY 4-5, 2023**

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

Chief Civilian Director:

Ronald J. MacDonald, KC

IIO File Number:

2023-029

Date of Release:

October 26, 2023

---

THIS PAGE INTENTIONALLY LEFT BLANK

## **INTRODUCTION**

During the night of February 4 to 5, 2023, the Affected Person ('AP') was arrested by Kamloops RCMP members after police received a complaint that she had assaulted her boyfriend in his apartment. AP was found to be highly intoxicated and was lodged in a 'drunk tank' cell at the RCMP detachment. The next morning, she was complaining about a sore arm, and received medical attention. She was found to have a broken wrist. 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 AP, two other civilian witnesses and three witness police officers;
- police Computer-Aided Dispatch ('CAD') and Police Records Information Management Environment ('PRIME') records;
- audio recordings of 911 calls and police radio transmissions;
- Closed-Circuit Television ('CCTV') video recordings from the arrest scene and from the RCMP detachment; and
- medical evidence.

## **NARRATIVE**

Shortly before midnight on February 4, 2023, police received 911 calls from residents at an apartment building in Kamloops. Callers reported concerns that there appeared to be a domestic altercation occurring in the apartment of AP's boyfriend. At about the same time, the boyfriend called 911 saying that AP had assaulted him.

When officers arrived, AP had already left the apartment. They subsequently found her sitting on a bench outside the building, about fifteen minutes after she had gone outside. CCTV recordings from the building area were obtained, but do not cover AP's actions during most of that time because she had walked off the property. They do show light snow cover on the ground at the time.

AP was clearly heavily intoxicated and was verbally uncooperative with police, but was not physically resistant. She was arrested for mischief and causing a disturbance and was transported to cells to sober up overnight. The arrest was recorded on building CCTV video. There is no evidence that any overt force was used in the course of the arrest, or at the RCMP detachment, other than the need for officers to push and pull AP to some extent to get her to sit in the back of the police car.

The officer who removed AP's hoody before placing her in a cell later told the IIO that she noticed a bruise on the outside of AP's right forearm consistent with her having struck something with the arm. The officer said it was not possible to question AP about the bruise because of her intoxication, and said that AP did not complain about any pain or injury or request medical attention.

In the morning, after several hours in the cell, AP had sobered, and complained about pain in her arm. The bruise on her arm was photographed. AP was then released from custody, and police transported her to hospital. Her right wrist was found to be fractured, and was repaired surgically.

Interviewed subsequently about the incident, AP had essentially no memory of it due to having consumed a large quantity of alcohol, and did not know what had caused the injury, though she guessed it might have occurred during handcuffing. Her boyfriend, who had previously been convicted for assaulting AP, has declined to be interviewed by the IIO.

IIO investigators interviewed the orthopedic surgeon who had operated on AP's arm. He told the investigators that in his opinion, the injury was most likely caused by a fall or a high energy impact. It was not consistent with the wrist having been pushed, pulled or twisted during handcuffing. The fracture pattern, he said, appeared to be a "flexion injury", where the back of the hand struck a hard surface, rather than the palm.

AP's entire stay in the RCMP detachment was recorded on CCTV video. There was no occasion when AP fell, or any other incident that could potentially have caused the injury.

## **LEGAL ISSUES AND CONCLUSION**

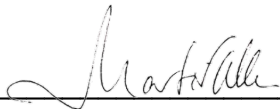
The Independent Investigations Office of British Columbia has been given the task of investigating any incident that occurs in the province in which an Affected Person has died or suffered serious physical harm and there appears to be a connection to the actions (or sometimes inaction) of police. The 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 this case, AP was found to be suffering from an injury that appears to have been caused at some point before she arrived at the RCMP detachment. There is no evidence of any event during her arrest or transport consistent with a fall or a forceful striking of the back of her wrist against a hard surface. It is possible that the injury occurred during the altercation in the apartment or during the time between AP leaving the apartment and being discovered outside by the police, but the evidence gives no reason to believe it was caused by an 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.



---

Martin Allen, General Counsel,  
for Ronald J. MacDonald, KC  
Chief Civilian Director

October 26, 2023  
Date of Release