



**IN THE MATTER OF THE DEATH OF A MAN
AFTER BEING IN THE CUSTODY OF THE RCMP
IN PARKSVILLE, BRITISH COLUMBIA
ON JULY 18 TO 19, 2023**

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

Chief Civilian Director:

Jessica Berglund

IIO File Number:

2023-206

Date of Release:

February 11, 2025

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This report details situations that may be distressing to some readers. If you are in crisis, help is available:

- Call 310-6789 to be connected to the crisis centre nearest you (no area code required)
- Crisis Services Canada: crisisservicescanada.ca
- British Columbia: crisislines.bc.ca
- Vancouver and surrounding areas: crisiscentre.bc.ca
- Vancouver Island: vicrisis.ca
- VictimLinkBC: 1-800-563-0808

INTRODUCTION

On the evening of July 18, 2023, the Affected Person (“AP”) was arrested in Parksville for mischief after being reported as having knocked over a musician’s equipment at an open-air market. The AP appeared to be under the influence of a substance or substances, and alleged he had been assaulted the previous night.

When he was due to be released on the morning of July 19, the AP still appeared to be intoxicated, so police called for an ambulance. The AP was diagnosed with a serious brain injury, and on July 22, he died in hospital.

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 seven civilian witnesses (including two jail guards) and two witness police officers;
- police Computer-Aided Dispatch (“CAD”) and Police Records Information Management Environment (“PRIME”) records;
- RCMP detachment documentation and cell block video recordings;
- 911 call records; and
- medical documents and pathology report.

NARRATIVE

The following narrative has been compiled from the evidence of civilian and police witnesses, video of the AP's time in police custody and other corroborative documentary evidence, as summarized above.

The AP came to the attention of civilians at a street market on the evening of July 18, 2023. He appeared to be in distress and possibly intoxicated, and was asking for someone to call the police. The AP said he had been assaulted the night before, and had a black eye and dried blood on his nose and hands. Another witness told IIO investigators that at one point she saw the AP trip and fall, hitting the back of his head on the ground. However, when a civilian witness called for an ambulance, the AP stumbled away.

B.C. Emergency Health Services passed the call on to Oceanside RCMP, noting that the ambulance had been cancelled as the AP had left the scene. A short time later, police received a complaint from gas station staff that a man (possibly the AP) was causing a disturbance. The responding officer was told that the AP had kicked over the equipment of a band playing at the market, and a witness told the officer that the AP had been punched and kicked by "other homeless people." The AP, apparently intoxicated but not showing any signs of serious injury, was arrested for mischief without any significant use of force being reported by civilian witnesses. A civilian witness heard the arresting officer, before he closed the door of the police vehicle, ask the AP, "Are you okay? Do you need anything?"

The AP was booked into cells at 8:00 p.m., and the jail documentation indicates that he appeared to be under the influence of alcohol and/or drugs, and was to be released without charge when sober. He was noted as having a swollen eye.

During the night, the AP moved around purposefully at 10 to 15-minute intervals in the cell. He was checked on periodically by the jail guards. At about 4:00 a.m., the AP suffered a bout of incontinence and took off his pants. Shortly after 8:00 a.m., an officer took the AP from the cell, assisted him with a shower and gave him clean clothes. The AP appeared calm, but still intoxicated, so police called for paramedics to attend to check on him.

The AP was transported to hospital "routine" (i.e., with no emergency lights or siren). Upon further examination, he was found to be suffering from a brain injury and was transferred to a hospital in Vancouver, where he died on the morning of July 22, 2023. His autopsy report indicated that the cause of death was "complications of ruptured intracranial aneurysm with blunt force trauma a significant contributing factor."

LEGAL ISSUES AND CONCLUSION

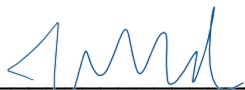
The Independent Investigations Office of British Columbia is mandated to investigate any incident that occurs in the province in which an Affected Person has died or suffered serious physical harm and there appears to be a connection to the actions (or sometimes inaction) of police. The aim is to provide 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.

There is no evidence that any unjustified action or inaction on the part of any officer contributed in any way to the AP's death. He was arrested in public in view of civilian eyewitness, none of whom observed any use of force against him. When he was booked into cells, he did not complain of any injury, and appeared to be suffering only from some minor facial injuries attributable to an alleged assault on an earlier occasion. He was properly monitored during his detention by experienced guards and the police response (summoning medical assistance) when he still appeared to be impaired in the morning was appropriate. The evidence is that the AP was treated appropriately and respectfully by police throughout his interactions with them.

Accordingly, as 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 the matter will not be referred to Crown counsel for consideration of charges.



Jessica Berglund
Chief Civilian Director

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