



**IN THE MATTER OF THE SERIOUS HARM OF TWO MEN IN A MOTOR  
VEHICLE INCIDENT INVOLVING A MEMBER OF THE  
RCMP IN  
DUNCAN, BRITISH COLUMBIA  
ON APRIL 10, 2025**

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

Chief Civilian Director:

Jessica Berglund

IIO File Number:

2025-092

Date of Release:

August 15, 2025

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## **Introduction**

In the early morning hours of April 10, 2025, an off-duty police officer was travelling to work when they struck two pedestrians who were jaywalking across the Trans-Canada Highway. The pedestrians (Affected Person 1 and Affected Person 2, “AP1” and “AP2”) suffered multiple broken bones and other internal injuries and were transported to hospital for treatment.

Because the injuries occurred as a result of the actions of an officer, 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:

- statement from AP1;
- information from AP2;
- statements of six civilian witnesses;
- statement of one witness officer;
- police Computer-Aided Dispatch (“CAD”);
- Police Records Information Management Environment (“PRIME”) records;
- 9-1-1 call from the SO;
- medical records;
- CCTV from nearby businesses;
- scene examination and photographs;
- examination of SO’s vehicle; and
- APs’ medical records.

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 did not provide any evidence to the IIO.

## **Narrative**

On April 10, 2025 at approximately 5:50 a.m., an off-duty officer (the Subject Officer or “SO”), was travelling on the Trans-Canada Highway near the Tim Hortons on their way to work in Duncan. It was dark outside, and the weather conditions were clear and dry. There was light traffic on the highway and the SO was travelling northbound. The speed limit in the area was 50 kilometres per hour.

Affected Person 1 (“AP1”) said that he was leaving the Tim Hortons and crossed the highway to look for an object that he had lost previously. AP1 said that he had used drugs and could not recall if he had given any thought to whether any vehicle was coming prior

to crossing the highway. Affected Person 2 (“AP2”) believed that the SO was speeding and did not know what the cause of the collision was.

CCTV footage from a nearby business captured the incident from a distance. The APs are seen on the video crossing the street from the east side of the highway near the Tim Hortons, travelling west. The APs appear as dark shapes. The highway has four lanes, two lanes travelling north and two lanes south with a treed boulevard in between. The SO was in the second lane closest to the concrete boulevard. The SO’s vehicle struck both APs as they crossed into the second lane, hitting them.

The CCTV footage showed that it was very dark in that area and the vehicle’s brake lights did not appear to illuminate prior to the crash. The SO stayed on scene and called 911:

Ambulance operator: *Tell me exactly what happened...*

SO: *Ok, I was driving northbound on the highway and two people walked in front of me and both of them got hit by my car.*

Witness Officer 1 (“WO1”) was first at the scene of the collision. WO1 spoke to the SO, who told WO1 that the pedestrians had “just come out of nowhere.” WO1 observed the SO and said that he had no concerns that they were impaired by drugs or alcohol and did not find evidence that suggested the SO was distracted while driving. WO1 noted that this particular location was a “black hole” due to the lack of street lighting, and an area that has been the site of collisions with pedestrians in the past. Both APs were wearing dark clothing. There is a posted sign indicating that pedestrians should not cross the highway at the location:



*Sign on boulevard of Trans-Canada Highway near the collision site*

Civilian Witness 1 (“CW1”) said that he was travelling behind the SO’s vehicle. CW1 said that he was catching up to the SO’s vehicle when, suddenly, he saw the SO’s brake lights come on, and he witnessed a man fall to the passenger side of the vehicle. CW1 estimated the SO to be travelling between 55-60 kilometres per hour.

Civilian Witness 2 (“CW2”) was interviewed and gave a similar account to CW1, except that he did not observe the SO’s brake lights until after the collision occurred.

The scene of the incident was examined and photographed. The SO’s vehicle was examined and searched.

Emergency Health Services transported the APs to hospital. AP1 suffered multiple hematomas, an injury to his spleen, a laceration to his forehead, and a fractured left fibula. AP2 had critical internal injuries and a fractured spine.

### **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 (“AP”) 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 most 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 Persons came to suffer harm. Such reports are intended to enhance public confidence in the police and in the justice system 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.

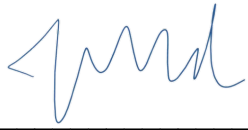
The issue to be considered in this case is whether the SO may have committed a driving offence by striking the pedestrians and causing them serious harm.

CCTV recordings provided objective evidence of how the collision occurred. The APs were not crossing at a crosswalk. Instead, there was a sign indicating that pedestrians should not be jaywalking across the highway near where the collision occurred. WO1 indicated that this area is particularly dangerous for pedestrians, and evidence from WO1 was that this section of the Trans-Canada Highway was very dark due to the lack of street lighting.

It was not reasonably foreseeable that two pedestrians would suddenly appear in the middle of the highway in the early hours of the morning. In addition to a driver not anticipating these pedestrians, the poor lighting and the APs' dark clothing made it exceptionally difficult to see them. The fact that the SO's brake lights were not apparent until after the collision provided an indicator that the SO did not see the APs at all.

Civilian witnesses described the SO as travelling close to the speed limit. There is nothing in the evidence collected that suggested the SO was driving in a way that would appear to be dangerous or without proper care and attention. The SO was driving as any other reasonable driver would. It is unfortunate that the collision occurred, and that the APs were injured.

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.



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Jessica Berglund  
Chief Civilian Director

August 15, 2025  
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