



**IN THE MATTER OF THE DEATH OF A MAN
AND AN ASSOCIATED INVESTIGATION BY MEMBERS OF THE
RCMP AND THE NELSON POLICE SERVICE NEAR
NELSON, BRITISH COLUMBIA
ON JANUARY 19, 2025**

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

Chief Civilian Director:

Jessica Berglund

IIO File Number:

2025-099

Date of Release:

November 20, 2025

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INTRODUCTION

In the early morning hours of January 19, 2025, a motor vehicle being driven by the Affected Person (“AP”) left a highway near Nelson for unknown reasons and crashed down a steep, rocky embankment. The AP suffered fatal injuries. The AP was able to make a cell phone call, alerting family members who requested assistance from the police. Unfortunately, the AP was not able to provide his location and attempts by police to obtain a usable location by cell phone triangulation were not successful. Despite searches by multiple police officers and civilians, the AP was not located until several hours later that morning.

The Independent Investigations Office (“IIO”) was notified about the incident by way of a public complaint on April 14, 2025, and commenced an investigation. The narrative that follows is based on evidence collected and analyzed during the investigation, including the following:

- statements of five civilian witnesses and five 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;
- scene examination and photographs;
- cell phone records; and
- autopsy and toxicology reports.

NARRATIVE

At 1:39 a.m. on January 19, 2025, Civilian Witness 1 (“CW1”) called 911 to report that the Affected Person (“AP”) was missing, and that he may have been injured in a motor vehicle accident. CW1 had expected to be picked up from work in Nelson at about 11:35 p.m. the previous evening, but the AP had not arrived. Then, at about 1:00 a.m., CW1 reported, the AP had phoned her, saying he thought he had “flipped” his car and had hurt his back. He said he was cold, and did not know where he was. Civilian Witness 2 (“CW2”) and Civilian Witness 3 (“CW3”) began looking for the AP along the route he was presumed to have been driving, on rural roads and a section of Highway 3A south of the Kootenay River and west of Nelson.

Witness Officer 1 ("WO1"), an RCMP member, obtained background information on the AP from CW1 and tried calling the AP's cellphone at 2:06 and 2:07 a.m., without success. He requested multiple location "pings" of the AP's phone, with results ranging from "within Nelson city limits" to a location with a radius of 650 metres or greater centred on an intersection of rural roads south of the highway. WO1 also requested the assistance of the Nelson Police Department to search within its area of jurisdiction, and confirmed with the local taxi company that it had not picked up the AP.

WO1 searched for three hours along the roads the AP might have taken on his way from his home to meet CW1. Along Highway 3A, he drove at very low speed, eastbound in the westbound lane with his emergency lights flashing, looking for any indication of vehicle tire tracks leading off the road onto the high, steep embankment dropping to the river. At a gravel pullout area on the side of the highway known as the Grohman Narrows Pullout, the officer walked along the edge using his flashlight to look for tracks. He found no tracks, nor any sign of a vehicle down the embankment. As he walked, he met CW1 and Civilian Witness 4 ("CW4"), who were also walking along the side of the highway looking for signs the AP might have driven off the road. They told WO1 that they had not found any signs and had not been able to get any response from the AP's cell phone. WO1 spoke with CW3, who was in his vehicle, and also reported not having found any tracks. The civilians gave WO1 the name of a friend of the AP, Civilian Witness 5 ("CW5"), on the possibility that the AP might be at the friend's home. Nelson Police Department officers checked at that location and did not find the AP there.

At 4:12 a.m., WO1 phoned CW2 and provided updates on the search. A short time later, WO1 encountered CW2 and CW1 on the highway and advised CW2 that no better "ping" location could be obtained, because the AP's phone was now showing as being turned off or out of range. WO1 advised that, as the AP's possible route had now been searched multiple times by several officers and family members, family members should return home to see if the AP would show up there. The search would then be resumed by police day shift members at 7:00 a.m., in daylight.

WO1 continued working on the file until approximately 5:00 a.m., three hours after his shift was scheduled to end. He typed up a report for the day shift officers, and said he knew Witness Officer 2 ("WO2") would know to call out Search and Rescue ("SAR"), which WO1 felt had not been appropriate during the night:

4 total officers and [CW2 and CW3] with separate vehicles, along [with] [WO1] and [CW1] on foot, were enough to cover all the possible routes and roads that [the AP] could have taken, and with such a large radius of 650 meters in any direction, would not benefit SAR in the dark that would only drive the same roads that each searching member had already driven several times, as his vehicle was never located as a more precise starting point for SAR to begin at with a foot patrol or utilize any

drone or helicopter. [WO1] heard from [Witness Officer 3 (“WO3”)] over the radio that her and [Witness Officer 4 (“WO4”)] would continue searches throughout the night until the dayshift Nelson RCMP member was on shift.

Nelson Police Department officers WO3, WO4 and Witness Officer 5 (“WO5”) also searched extensively through the hours of darkness, their search covering all likely locations for the AP, including the routes potentially indicated by cell phone “pings.”

When RCMP member WO2 came on shift at 7:00 a.m., he took further investigative steps, including taking statements from the AP’s family members. At 8:45 a.m., he called for SAR assistance.

At about 9:30 a.m., though, he received information that CW3 had obtained a position for the AP through a tracking feature in a gaming app used by the AP and CW5. WO2 met CW3 at the Grohman Narrows Pullout, where WO5 also responded and taped off the area. With the daylight, faint tire impressions were found leading off the edge of the gravel area and over the edge of the embankment. Both WO1 and CW3 had searched the area on foot during the night, and neither had been able to see the tire tracks.

The AP’s vehicle was subsequently located a significant distance down the steep, rocky cliffside, obscured from view below rocky outcroppings. The AP was found inside the vehicle, deceased. Environment Canada records indicate that the air temperature during the night had been in the range of -8 to -10 degrees Celsius.

At autopsy, it was determined that the AP had suffered “catastrophic and non-survivable” injuries in the crash, and that they would have resulted in his death within a short time. The autopsy report noted no sign of hypothermia, and said that the nature of the AP’s injuries meant that he would not have survived long enough for hypothermia symptoms to begin.

ANALYSIS

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 goal 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 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.

It would not be reasonable in this case to conclude that any officer was negligent in responding to the calls about the missing AP. The evidence clearly establishes that the available members, both of the RCMP and the Nelson Police Department, searched diligently over an extended period, in darkness, without any means by which to narrow the search area significantly (until the gaming app feature was discovered, much later). The fact that an officer and a civilian searcher both examined the roadside at the exact location where the AP was subsequently found to have driven over the embankment, without noticing the faint tire tracks his vehicle left, establishes that the marks were not visible until daylight.

There is no evidence to indicate that SAR resources would have made any practical difference to the search efforts until daylight, so police cannot be faulted for deciding not to call for SAR until morning. It must also be noted that the conclusion stated in the AP’s autopsy report is that his injuries were not survivable and that earlier location of the crash site would not have offered a less tragic outcome.

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

November 20, 2025
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