

SiRT

SERIOUS INCIDENT
RESPONSE TEAM

Summary of Investigation

SiRT File # 2018-017

Referral from

RCMP – Halifax District

May 31, 2018

Felix Cacchione

Director

July 31, 2018

On May 31, 2018 SiRT was advised of an incident involving a male and female employee from the Integrated Criminal Investigation Division. The investigation began that day and was concluded on June 28, 2018.

The incident involved an alleged threat made by a male member of the RCMP, the Subject Officer (SO), to a female civilian employee of Halifax Regional Police, the Affected Party (AP). The AP was interviewed on June 2, 2018 and provided an audio/video statement. The SO was interviewed on June 27, 2018 and provided a statement. Since no conflicting issues were present in the statements provided by both the AP and the SO and the video recording of the incident, two civilian witnesses present at the time of the alleged incident were not interviewed.

Facts

The AP and the SO began dating in November 2017. The AP allowed the use of one of her credit cards by the SO because of financial difficulties he was experiencing. The SO always repaid the AP for anything charged to that credit card.

On February 23, 2018 the AP and the SO had a social evening at the APs residence with two friends. Food and alcohol was consumed by all persons present. A verbal argument between the AP and the SO erupted because the SO had used the credit card to purchase health supplements for his friend, one of the persons present that evening. The amount charged to the credit card was repaid the day after the purchase was made. The argument was surreptitiously recorded by the AP.

The argument escalated and voices were raised. The AP said, “you are drunk, see what happens when you drink.” The SO acknowledged that he was drunk. The SO decided that he wanted to leave the residence and return his sister’s house that evening. At one point during the argument, while the SO’s friend was trying to calm him down and have him stay at the residence, the SO said to his friend, “well I’m not sleeping in the same room with her, I’ll fuckin kill her tonight.” The AP responded by saying “I just recorded that, would you like me to get your ass arrested.” The SO stayed the night at the residence and the couple continued to see each other intermittently for some time. The SO never assaulted the AP during their relationship.

In late May 2018 the SO lied to the AP about going out of town to visit his mother. The SO had, in fact, flown to the United States to visit another woman he had met online. The AP confronted the SO, when he returned, about his “dirty” little weekend. Shortly thereafter the AP spoke to her supervisor to get, in her words, “everything off my shoulders.” One of those things was what the SO said in her presence to his friend some three months earlier. The AP did not expect SiRT to become involved.

Relevant Legal Issues

A threat is a menace or denunciation that will happen to the recipient. Although a threat innocently made is not a threat, it is not material whether the person making the threat intended to carry it out. The person making the threat must intend that his or her words be taken seriously or intimidate the recipient. In deciding whether the intention that the words uttered be taken seriously, evidence of intoxication together with all the other circumstances in which the words were spoken must be considered.

Conclusion

The words spoken by the SO were said during a heated argument, in the presence of others, at a time when the SO was intoxicated. The words were directed to the SO's friend and not to the AP. The SO remained in the residence that evening and his relationship with the AP continued for several months. It was only after the AP discovered that the SO had lied to her that she disclosed to her supervisor the words uttered by the SO. The AP did not expect that SiRT would become involved or that criminal charges would be brought against the SO.

Therefore, in these circumstances, there are no grounds for the laying of a criminal charge against the SO.