

SiRT

SERIOUS INCIDENT
RESPONSE TEAM

Summary of Investigation

SiRT File # 2022-036

Halifax Regional Police

August 27th, 2022

Alonzo Wright, KC

Director

August 18, 2023

INTRODUCTION

On August 27th, 2022, the Nova Scotia Serious Incident Response Team (SiRT) received a referral from Halifax Regional Police of a fatal police shooting in Dartmouth, NS. The Affected Party (AP) pointed a firearm at Civilian witness 1 (CW1) after the AP refused to pay CW1 for being driven to their residence. CW1 called 911 and multiple HRP members responded.

When members arrived, the AP came to the front of the residence but did not speak with police officers. Officers used de-escalation tactics and gave verbal commands to the AP. The AP did not follow the directions or commands and went back into the residence.

Moments later the AP returned with a shotgun and pointed it at the officers. The officers continued with verbal commands to “Drop it” but the AP did not comply.

The AP posed a threat to the police and the public therefore the Subject Officer (SO) discharged one round from a carbine which struck the AP causing the AP’s death. As a result, SiRT commenced an investigation into the matter on August 27, 2022. The investigation was completed on June 1, 2023.

SiRT’s mandate is to investigate all matters that involve death, serious injury, or other matters of significant public interest that may have arisen from the actions of any police officer in Nova Scotia.

At the conclusion of every investigation, SiRT will determine whether criminal charges should result from the actions of the police officer. If no charges are warranted the Director will issue a public summary of the investigation which will outline the reasons for that decision.

The narrative that follows is based on evidence collected and analyzed during the investigation, including the following:

1. Civilian Witness Statements
2. Subject Officer’s Statement
3. Witness Officers Statements
4. Police Incident Reports
5. Police Notes
6. Photographs
7. Use of Force Manual
8. 911 call

NARRATIVE

On August 27th, 2022, the AP went to a pub in Dartmouth, NS. The AP was a frequent customer of this pub. The AP had a few drinks and then requested that the bartender call the AP a taxi. The taxi was operated by CW1. The AP entered the taxi and provided the address of the destination that was a short distance away. During the ride CW1 noted that the AP appeared to be intoxicated and had trouble speaking. The AP was calling CW1 names and tensions were high. CW1 pulled to the side of the road and asked the AP to stop calling CW1 names. When CW1 reached the AP's residence the AP refused to pay the fare and exited the taxi.

To document the address, CW1 got out of the vehicle to view the civic number. CW1 was not far from the vehicle when the AP who was inside the residence, picked up a shotgun and pointed it at CW1 and yelled something. CW1 could not make out what the AP was saying. CW1 immediately left the AP's residence and a short distance away CW1 called 911.

Witness Officer 1 (WO1) met CW1 to get a statement about what took place. While CW1 and WO1 were talking, WO1 radioed dispatch what happened and asked to send other officers.

Several officers arrived at the AP's residence. The officers were in uniform with marked police cars and lights flashing. Other officers were in Emergency Response Team (ERT) gear with "police" located on the front and back.

WO2 and SO arrived in full tactical gear. They began to approach the residence when they saw the AP and WO2 announced several times "**Halifax police, show us your hands, police, come out with your hands up.**" The police units had their police lights on and were clearly visible.

At this point the AP returned to the residence without speaking to the officers. Seconds later the AP returned with a long gun in their possession. The AP raised the long gun in what appeared to be a ready position to fire in the direction of the officers. WO2 yelled to the AP "Show us your hands" and "Drop the weapon." The AP maintained a shooting position and did not respond to the commands. Fearing the AP was about to cause death or harm to the officers, the SO fired one shot that struck the AP. The AP fell out of sight of the officers.

Once the area was determined to be safe, the AP was discovered deceased in the residence. The autopsy concluded the cause of death was a single gunshot wound.

EVIDENCE

This was a lengthy and complex investigation that involved several officers and civilian witnesses. This report will only address the information that is relevant and pertinent. Duplicity of information will not be repeated for the purposes of this report.

Civilian Witness 1

CW1 met with the SiRT investigator and provided a detailed statement. CW1 is a professional taxi driver. On August 27, 2022, CW1 was working in the Dartmouth area when they received a call for transport at a local pub and eatery. When CW1 attended the establishment, the AP exited the pub and got in the back passenger side of the vehicle. CW1 stated the AP was slurring their words, had a strong smell of alcohol and appeared to be intoxicated.

CW1 stated the AP was complaining about lights on CW1's car dashboard. The AP called CW1 names that were offensive so CW1 pulled the vehicle over and asked the AP to stop calling them names or exit the vehicle.

CW1 stated they continued to drive the AP to the residence. Once at the residence CW1 advised the AP of the cost. CW1 stated the AP refused to pay the fare when the AP said "you think you're going to get paid now? Here's your fare". CW1 stated after that the AP left the vehicle without paying.

CW1 exited the vehicle to get the address so it could be documented that someone from that address didn't pay. At that point CW1 stated that the AP went in the residence and picked up what appeared to be a shotgun and pointed it at CW1. CW1 ran back to the vehicle and left the area. Once away from the AP's residence, CW1 called 911.

A short time after placing the 911 call, CW1 met with WO1. CW1 stated that they explained the situation to WO1 and provided a description of the AP.

Civilian Witness 2

CW2 provided a statement to the SiRT investigator. CW2 was at the pub and eatery that the AP attended on August 27, 2022. CW2 stated that they knew the AP as the AP would attend the establishment every so often. CW2 stated that the AP sat in their usual spot and ordered drinks. CW2 also stated that they could tell that the AP had already had "a couple of drinks". CW2 stated that the AP did not stay long. Before they left, the AP asked CW2 to call for a car to transport them to their residence. CW2 made the call.

Civilian Witness 3

CW3 was interviewed by SiRT for the purpose of this investigation. CW3 stated that they had contact with the AP on August 27, 2022. CW3 stated that they were also at the pub when the AP arrived. CW3 stated the AP had a few drinks but left a short while later.

Civilian Witness 4

CW4 provided a statement to the SiRT investigator. CW4 stated that they lived in the vicinity of the AP. On August 27, 2022, CW4 stated they heard several sirens in the area. When they looked out their window, they saw several police vehicles and officers with tactical gear. A short time later CW4 stated they heard the words “hands up, come out of the house or something like that”. CW4 stated the next word they heard was “gun” and then a few seconds later they heard a “bang”.

Witness Officer 1

WO1 met with the SiRT investigator and provided a statement and their notes regarding this matter. WO1 met with CW1 and obtained details about the incident. All information the WO1 gathered matched the information CW1 provided to the SiRT investigator.

Witness Officer 2

WO2 provided a statement and their notes to the SiRT investigator. WO2 stated that they were one of the first to arrive on scene. WO2 said that after assessing the situation the decision was made to request the assistance of more officers and the Police K9. WO2 stated that they and other officers put on body armour out of concern for their safety. WO2 was present when SO arrived on scene also with body armour.

WO2 stated the location they were at did not allow them to access the AP’s residence. So WO2 and other officers including the SO proceeded towards the residence of the AP. On approach WO2 observed a person believed to be the AP just inside the residence. The AP then exited the door of the residence. WO2 stated that clear and loud police commands were given to the AP... “Halifax police, show us your hands, police, come out with your hands up”. WO2 stated that the AP did not respond to the commands. The AP turned back and entered the vestibule of the residence. The AP then bent over and appeared to pick something up. WO2 stated that when they next observed the AP, the AP was standing in the doorway with a long gun in hand. WO2 stated that the AP was given verbal commands to, “Drop it.” WO2 stated that WO3 yelled “Gun pointing at us.” Then WO2 stated the SO “engaged” the AP with a “single round”.

Witness Officer 3

WO3 provided a statement and their notes to the SiRT investigator. WO3 stated that they were dispatched to the scene on August 27, 2022. When WO3 arrived, they were in full police uniform

and proceeded to meet with several officers including the SO at the foot of the AP's driveway. WO3 stated it was dark, but the lights were on at the AP's residence. WO3 and other officers started to move towards the residence in a slow and controlled manner. WO3 stated that the SO was among these officers. WO3 stated that they had their sidearm out but pointed at the ground. When officers approached, the AP opened the front door of the residence. WO3 stated that one of the officers yelled commands "show me your hands it is the Halifax Police." The AP did not respond but stood on the front step outside the doorway.

WO3 stated that commands were still being called out when the AP turned and went back inside the residence shutting the door. WO3 observed the male moving inside the doorway through a window. The AP was leaning over as if picking something up. A short time later the AP opened the front door holding what looked like a long gun pointed at the ground. WO3 stated that they yelled that the AP had a gun as did other officers. Another officer yelled commands to the AP to drop the weapon. WO3 got low behind a truck hood for cover taking aim at the AP through the windshield.

WO3 stated that the AP ignored all commands and raised the long gun up in a firing position. WO3 said that they heard a member yell that the AP is pointing the gun at them. WO3 stated that they then heard one shot ring out. The AP made a sound and then moved back into the residence and the door closed. WO3 stated that they were uncertain who had fired the shot.

Witness Officer 4

WO4 provided their notes and a statement to the SiRT investigator. They stated that they attended the AP's residence because of a weapons call. They were in full police uniform when they arrived. WO4 met the SO as well as WO2 and WO3.

WO4 stated that there appeared to be lights on in the residence. The decision was made to walk close to the residence to try and locate the AP. As WO4 was walking towards the residence they could see the AP on the porch area of the residence. The AP moved around briefly before moving out of sight.

WO4 stated that as the officers moved towards the residence the AP came back to the door and opened it. WO2 yelled to the AP they were the police and ordered the AP to show their hands and come out of the house. WO4 stated that the AP ignored commands and went back in the house.

Next, WO4 stated that the AP came back out of the house holding a single barrel shot gun. The gun was pointed to the ground. The AP was 50-75 feet from the officers when the AP began raising the gun towards the officers. WO4 observed the barrel of the gun being raised upward and pointed directly at their position.

WO4 stated that repeated commands were given to the AP to “drop the gun” but the AP ignored commands. WO4 stated that they heard a single shot from the right of their position. The AP made a sound and then went back inside the residence closing the door.

Witness Officer 5

WO5 provided a statement and their notes to the SiRT investigator. WO5 stated that they arrived on scene in full police uniform. WO5 said WO4 and the SO met to formulate a plan to approach the AP’s residence.

WO5 was present as the officers moved forward to the AP’s residence. WO5 stated that as officers moved towards the residence, they could see the AP exit the residence empty handed. WO5 stated the Police Service Dog (K9) was barking, and police commands were voiced to the AP. However, the AP turned and went back inside without saying a word to the officers.

WO5 stated that they could see the AP through the window in the door. The AP was moving around and appeared to be picking something up. The AP then exited the residence with a shotgun in hand. WO5 stated that the AP then raised and pointed the shotgun in the direction of the officers.

WO5 stated that they drew their firearm and pointed it at the AP. WO5 stated that they were going to shoot the AP but didn’t, as they felt they were too far away to be accurate with a pistol. They feared that someone else might have been struck.

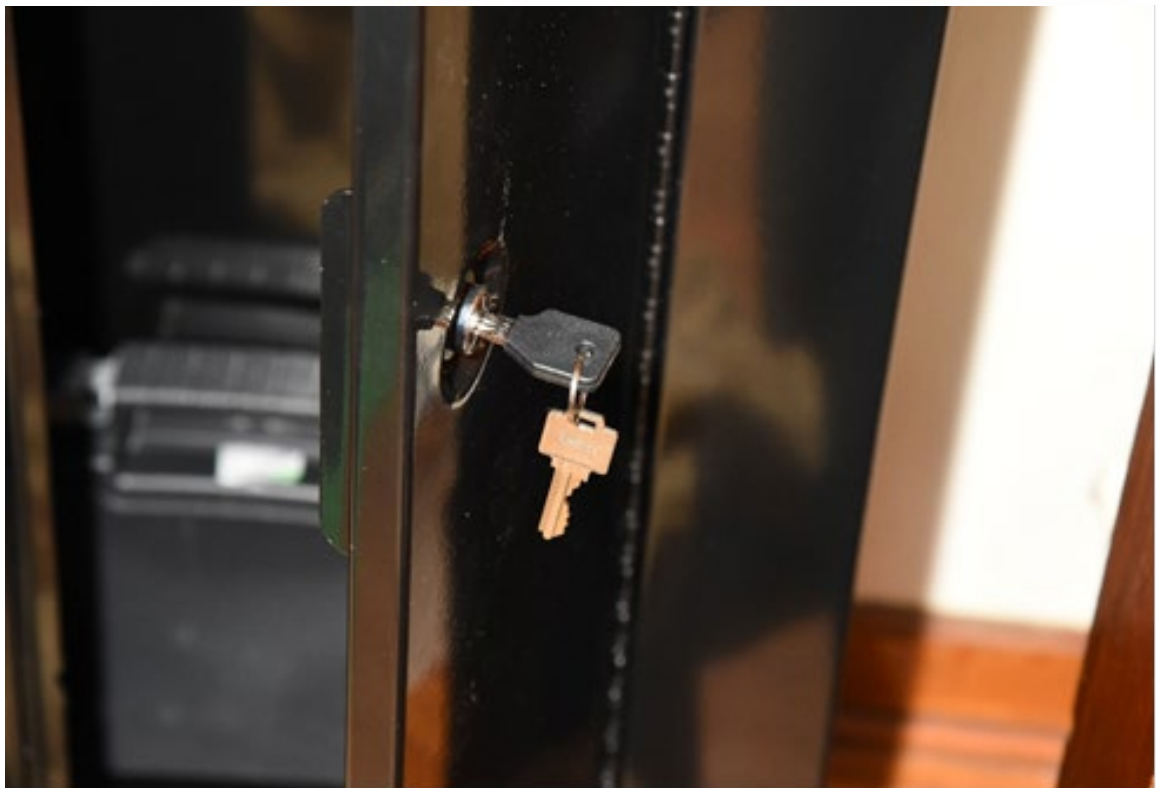
WO5 stated that they called to the SO and WO3 and yelled “The AP is pointing a gun at us...” WO5 stated that they heard a loud single shot to their left where the SO was located.

WO5 stated that they broadcast over the radio of shots fired, suspect down, still has the firearm and is inside the residence. WO5 stated that they held containment waiting for further resources to arrive.

Witness Officer 6

WO6 provided their notes and a statement to the SiRT investigator. WO6 stated that they attended the AP’s residence and took photos of the scene. During this time WO6 stated that they photographed two weapons. One was a shotgun that had a trigger lock on and was located near the AP. WO6 stated this weapon was not loaded. The other weapon was a pellet rifle that was in the corner of the residence.

WO6 stated there was also a gun safe that was open with the key in the lock. This locker had ammunition inside.



Open Gun Safe with ammunition inside

Autopsy Report

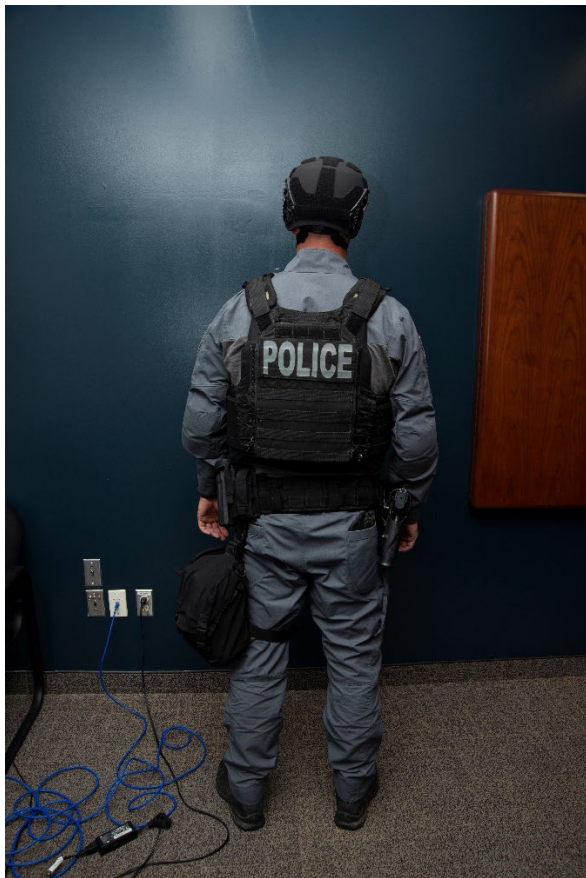
An autopsy was completed by the Medical Examiners office. The results indicated that the AP died of a single gun shot wound. It was a single projectile.

The AP's blood alcohol concentration was of a significant amount.

Subject Officer

The SO provided a statement and their notes to the SiRT investigator. The following is a synopsis of what the SO stated.

- On August 27, 2022, SO was working nightshift as Halifax Regional Police Officer.



Officer dressed in soft and hard body armour.

- SO was dressed in police uniform with soft and hard body armour and clear police markings.
- At 8:34 pm there was a call for service for a weapons call in Dartmouth.
- SO requested WO2,3,4 and 5 to attend as well and advised members to put on their hard body armour and to deploy the available carbine rifles.
- When the SO arrived WO5 was also getting out of their patrol vehicle directly in front of the SO.
- Before leaving the police vehicle, the SO accessed the carbine rifle. The rifle was loaded with a round chambered.
- While walking towards the AP's residence the SO noted that there were residents out of their houses as it was a summer night. At some point SO did ask dispatch to send additional units to assist in keeping the public away from the scene.

- As the SO approached, they saw another marked patrol vehicle parked just west of the end of a driveway by a white house, facing east.
- The SO says that WO4 pointed out the AP's residence that was situated about 45 meters from their location.
- It was dark outside, and the street was illuminated with artificial lighting.
- Due to the distance and the lighting conditions, they couldn't see 100% what was going on.
- All the windows in the residence were lit up from the inside - all the lights were on. On the left side of the house, there was a small porch area with a metal door with a window in it that attached to a deck that looked like the entrance/exit to the house. The porch also had a light on.
- The SO confirmed the K9 was present and ready to be deployed as a less lethal option.
- At this point, the SO's concern was that there was an armed suspect in the house, but they didn't have any information about how many people were in the house or who the armed suspect was. They also did not have good visibility on whether the suspect was inside the building or could be outside, and containment was not properly set.
- The SO advised the others that they needed to move further up the driveway to gather more information and set containment.
- While moving towards the residence they could see a silhouette on the porch area. SO said there's someone at the door. One of the other members may have said the same thing as well.
- WO5 and the SO advanced on foot side-by-side towards the home and the porch area. At this point the AP was inside the porch area of the home. The AP came out of the house, opened the door, and walked on the step.
- WO2 did the voice commands, and announced, "Police, show me your hands." They both had their C8s and lights on.
- The AP appeared to be unarmed at this stage. The SO believed that the AP could see officers and officers did identify them as uniformed police officers. The SO also believed that the AP could see the police vehicles parked on the roadway given how many police vehicles that were present.
- At this point, the SO says that they were focused on lethal cover of this person until they could determine they weren't a threat. WO2 continued to give voice commands and identify them as police, but the AP went back inside the residence.
- The AP appeared to clearly reach for something close to the door and came back out into the light.
- The SO could see a long-barreled rifle and was sure it was a firearm.

- WO5 continues to give voice commands to the AP with no response from the AP.
- The AP brought the rifle out onto the doorstep and leveled the rifle to a firing position, pointing the weapon directly towards the SO and WO5. At that time, the SO believed that the AP was going to shoot and kill the SO and WO5. The SO heard WO4 say, "guy's pointing a gun at us".
- The SO stated that they identified the AP as an immediate threat, with the intention of killing either the SO or other officers. The SO took aim, took the rifle off safe, and fired a single round.

LAW

Section 25 of the Criminal Code of Canada deals with protection of persons acting under authority it allows a peace officer, acting on reasonable grounds, to use as much force as is necessary to enforce or administer the law. This section also states that a peace officer is not justified in using force that is intended or is likely to cause death or grievous bodily harm.

Criminal Code

Section 25(1)

Everyone who is required or authorized by law to do anything in the administration or enforcement of the law

- (a) as a private person,
- (b) as a peace officer or public officer,
- (c) in aid of a peace officer or public officer, or
- (d) by virtue of his office,

is, if he acts on reasonable grounds, justified in doing what he is required or authorized to do and in using as much force as is necessary for that purpose.

Section 25(3)

a person is not justified for the purposes of subsection (1) in using force that is intended or is likely to cause death or grievous bodily harm unless the person believes on reasonable grounds that it is necessary for the self-preservation of the person or the preservation of any one under that person's protection from death or grievous bodily harm.

Section 25(4)

specifies that a police officer, "and every person lawfully assisting" him or her, is "justified in using force that is intended or is likely to cause death or grievous bodily harm to a person to be arrested", if:

- a) The peace officer is proceeding lawfully to arrest, with or without warrant, the person to be arrested;
- b) The offense for which the person is to be arrested is one for which that person may be arrested without warrant;
- c) The person to be arrested takes flight to avoid arrest;
- d) The peace officer or other person using the force believes on reasonable grounds that the force is necessary for the purpose of protecting the peace officer, the person lawfully assisting the peace officer or any other person from imminent or future death or grievous bodily harm; and
- e) The flight cannot be prevented by reasonable means in a less violent manner.

Section 26

Everyone who is authorized by law to use force is criminally responsible for any excess thereof according to the nature and quality of the act that constitutes the excess.”

86 (1) Every person commits an offence who, without lawful excuse, uses, carries, handles, ships, transports or stores a firearm, a prohibited weapon, a restricted weapon, a prohibited device or any ammunition or prohibited ammunition in a careless manner or without reasonable precautions for the safety of other persons.

Punishment

(3) Every person who commits an offence under subsection (1) or (2)

(a) is guilty of an indictable offence and liable to imprisonment

- **(i)** in the case of a first offence, for a term not exceeding two years, and
- **(ii)** in the case of a second or subsequent offence, for a term not exceeding five years; or

(b) is guilty of an offence punishable on summary conviction.

- R.S., 1985, c. C-46, s. 86
- 1991, c. 40, s. 3
- 1995, c. 39, s. 139

Pointing a firearm

87 (1) Every person commits an offence who, without lawful excuse, points a firearm at another person, whether the firearm is loaded or unloaded.

Punishment

(2) Every person who commits an offence under subsection (1)

- (a) is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years; or
- (b) is guilty of an offence punishable on summary conviction.

- R.S., 1985, c. C-46, s. 87
- 1995, c. 39, s. 139

Possession of weapon for dangerous purpose

88 (1) Every person commits an offence who carries or possesses a weapon, an imitation of a weapon, a prohibited device or any ammunition or prohibited ammunition for a purpose dangerous to the public peace or for the purpose of committing an offence.

Punishment

- (2) Every person who commits an offence under subsection (1)
 - (a) is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years; or
 - (b) is guilty of an offence punishable on summary conviction.

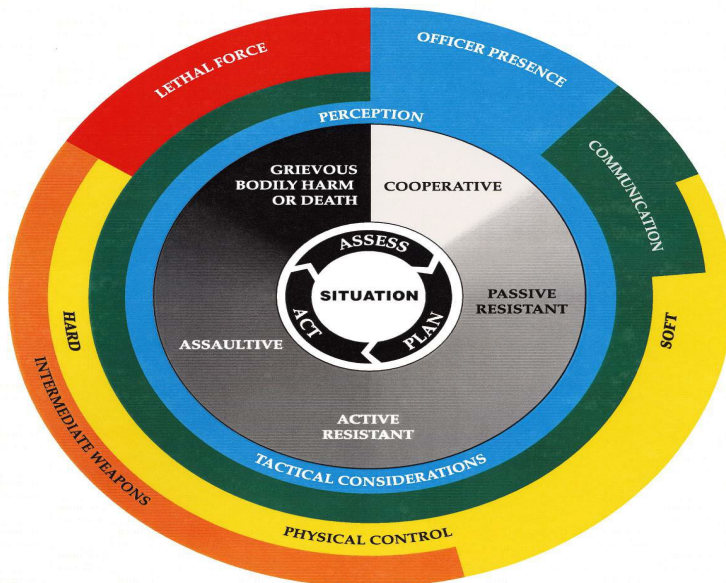
- R.S., 1985, c. C-46, s. 88
- 1995, c. 39, s. 139

Use Of Force

National Use of Force Framework

The National Use of Force Framework was developed to assist in the training of officers and as a reference when making decisions and explaining their actions with respect to a use of force. The model does not justify an officer's actions. The National Use of Force Framework represents the

National Use of Force Framework



The officer continuously assess the situation and acts in a reasonable manner to ensure officer and public safety.

process by which an officer assesses, plans, and responds to situations that threaten public and officer safety. The assessment process begins in the centre of the graphic with the SITUATION confronting the officer. From there, the assessment process moves outward and addresses the subject's behaviour and the officers Perceptions and Tactical Considerations. Based on the officer's assessment of the conditions represented by these inner circles, the officer selects from the use of force options contained within the model's outer circle. After the officer chooses a response option the officer must continue to Assess-Plan and Act to

determine if his or her actions are appropriate and/or effective or if a new strategy should be selected. The whole process should be seen as dynamic and constantly evolving until the SITUATION is brought under control. Authority to use force separates law enforcement officials from other members of society and the reasonable use of force is central to every officer's duty. The National Use of Force Framework guides the officer in that duty.

ANALYSIS

On August 27th, 2022, at approximately 8:33 pm, CW1 called 911 to report that they had been threatened at gun point. CW1 worked for taxi company and was summoned to pick up the AP from a local pub. Once inside the vehicle, CW1 determined that the AP was intoxicated. Soon after getting into the vehicle, the AP and CW1 got into a dispute that almost ended the ride to the AP's residence.

At the AP's residence CW1 asked for funds to pay for the transportation. The AP did not pay CW1 for the ride and simply left and went inside their residence. CW1 could not see the civic address on the house so they exited the vehicle to have a better look. CW1 could see the AP moving around in the residence. A short while later the AP came out of the residence and pointed a shotgun at CW1. CW1 quickly got back into the vehicle and left the area. When safely away CW1 called 911 to report what had just taken place.

CW1 met with WO1 a short distance away from the AP's residence. CW1 provided a detailed statement to WO1 about what the AP had done. WO1 relayed what CW1 told them to police dispatch center. Officers were sent to the AP's residence as a result of a weapons complaint. Several officers responded to the call including the SO who was on shift at the time. While on route, the SO requested other members to attend because it was a high-risk weapons call. The SO also advised via the police radio for all officers to wear their hard body armour and deploy available carbine rifles.

Once at the AP's residence, the SO met with WO2,3,4, and 5 to formulate a plan of action to move towards the AP's residence. All officers were in police uniform with police lights flashing from vehicles.

At that time the officers did not know how many people were inside the residence. As well, they did not have good visibility on the residence to determine if the AP was inside the house or in the driveway. The decision was made to move closer to the residence.

WO3 advised officers there was someone at the door. WO5 and the SO advanced on foot side-by-side towards the porch area. The AP was inside the porch and came out and stood on the step.

WO2 gave commands, and announced, "Police, show me your hands." The AP appeared to be unarmed and officers believed the AP could see them. They identified themselves as uniformed police officers and the AP could see the police vehicles parked on the roadway.

WO2 continued with voice commands and to identify them as police. The AP went back inside the residence and appeared to reach for something close to the door and came back out onto the steps into the light. The SO saw a firearm that was a long-barreled rifle. WO2 continued to give verbal commands to the AP without getting a response. The AP had a shotgun and pointed it directly towards the SO and WO5.

The SO believed the AP would shoot and kill the SO or another officer. The SO identified the immediate threat to their safety and other officers of death or grievous bodily harm. The SO aimed the carbine rifle at the AP and fired a single shot.

The shotgun the AP pointed at the officers was recovered and examined. The lab test fired the semi automatic 12-gauge shotgun. The gun functioned correctly and is a firearm in accordance with Section 2 of the Criminal Code. Section 2 states it is a barrelled weapon from which a projectile can be discharged and that is capable of causing serious bodily injury or death. When the AP pointed the shotgun at the officers the trigger lock was on the gun. This would not be in clear view due to lighting and distance the officers were from the AP.

An autopsy by the Medical Examiners office indicated the AP died of a single gun shot wound. It was a single projectile.

Based on the investigation and evidence, the AP pointed a shotgun at officers from the front porch of their residence. The AP presented a significant threat to the officers to cause death and/or grievous bodily harm.

Officers communicated loudly and clearly with the AP to follow their instructions including that the AP show officers their hands and to drop the shot gun. These communications were given throughout the interaction, but the AP did not comply. The officers believed the threat posed by the AP was real to officers and to the public.

While officers were equipped and had access to other less lethal intervention weapons, those less lethal weapons would not have been appropriate in the circumstances given the level of threat the AP presented.

When I reviewed the Use of Force policy, it is clear that the force used in this situation, while tragic, was necessary to protect the lives of the officers and the lives of the public. In this case the officers had reasonable grounds to arrest the AP for multiple weapon offences, which included pointing a firearm at a member of the public and the police. The decision by the SO was made under one of the most intense pressure situations. In this situation, with the evidence reviewed, the SO made the correct decision.

CONCLUSION

The Serious Incident Response Team has been given the task of investigating any incident that occurs in the province in which an AP suffered serious injuries or death as a result of an interaction with a police force. The aim is to provide assurance to the public that when the investigation is complete, they can trust the SiRT's conclusions, because the investigation was conducted by an independent, unbiased, civilian-led agency.

In many cases, those conclusions are presented in a public report such as this one, which completes the SiRT's mandate by explaining to the public, as best we can, what happened in the incident and how the AP came to suffer harm if such harm occurred. Such reports are generally

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 Director 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 Director authority to lay charges and refer the file to the Public Prosecution Service.

The purpose of this investigation was to determine whether the SO committed any offence by discharging his firearm at the AP and causing the AP's death. Based on the overwhelming evidence, I conclude that the SO was acting in the course of their duties as a peace officer when officers responded to a weapons call at the AP's residence. The nature of the call involved a firearm being pointed at a member of the public in a highly populated residential area. I am satisfied that section 25 of the Criminal Code has been met.

The action taken by SO was appropriate as they and others believed their lives were in imminent danger of death or grievous bodily harm as a result of the AP's actions.

We will never fully understand why the AP acted in this way and my condolences go out to the AP's family. However, the force used by SO was necessary to protect the lives of innocent residents in a populated neighbourhood.

There is no evidence that shows that there are any grounds to consider any charges against the SO in this matter. I now consider the matter closed.