

SiRT

SERIOUS INCIDENT
RESPONSE TEAM

Summary of Investigation

SiRT File # 2022-039

Referral from

New Glasgow Regional Police

September 29, 2022

Alonzo Wright, KC
Director
March 8, 2023

INTRODUCTION

On September 20, 2022, the Subject Officer ('SO') was contact by an acquaintance about a disturbing post on social media. The post alleged that the SO had participated in a sexual assault on the Affected Party ('AP') in 1994-1996. The AP was 4 or 5 years old at the time of the alleged sexual assault.

On September 29, 2022, the Serious Incident Response Team (SiRT) was contacted by the New Glasgow Regional Police about the allegation. SiRT commenced an investigation into the matter that day and completed it on December 20, 2022.

SiRT's mandate is to investigate all matters that involve death, serious injury, sexual assault and domestic violence 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 or not criminal charges should result from the actions of the police officer. 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. Statements
2. Social media post
3. Conversation with witnesses
4. Emails

NARRATIVE

On September 20, 2022, the AP created a Facebook page titled "Sexual assault victims NG against NGPD". In the post she claimed that as a child she had been sexually assaulted by a New Glasgow Police Officer. The AP identified the SO as the individual that had committed the sexual assault on her. The AP stated that the sexual assault occurred while attending a child's play group in the basement of a church. The AP stated that the nature of the sexual assault was full vaginal intercourse. The post went on to encourage others to come forward for monetary gains.

The post was seen by an acquaintance of SO. Sometime later this individual brought the allegations to the attention of the SO. The SO immediately brought what he had learned to the attention of his commanding officers.

The investigator determined that the AP alleges that the assaults occurred when she was approximately 4 or 5 years of age. This would be in the time frame of between 1994-1996. During that period the family of the AP resided in a community located just outside the town of Stellarton, Nova Scotia. The AP had frequent contact with a young neighbour who was approximately the same age. The AP stated that the young boy's mother Civilian Witness 4 ('CW4') drove the AP to the church where the assaults occurred. The AP could not specifically remember the denomination but believed the church CW4 took her to was a Jehovah Witness denomination.

The AP stated that neither of her parents ever attended this church. The AP described the church as being close to the New Glasgow waterfront and was at one time a laundry mat. The AP stated that there was a 'play group' that took place in the basement of the church. She stated that the children were encouraged to hug and be nice to the adults. The AP said that at nap time that the children were put on blue mats for their naps. It was at this time that "Men would have sex with the children". After sexual intercourse with one man, "one of the adults would clean the children's genitals before they were handed onto the next man". She alleges these assaults occurred on more than one occasion.

The AP could not provide any information on any of the other children in the play group, nor could the AP provide the names of any of the other men who participated in the sexual assault on the children. However, the AP recalls a specific incident where she woke to a large man on top of her and having sex with her, she identified that man as the SO.

The AP stated she was harassed by the SO to the point her parents filed a complaint with New Glasgow Police.

The AP's parents, Civilian Witness 1 and 2 ('CW1 and CW2'), were married and raising the AP jointly during the time frame of 1994-1996. This marriage later dissolved but the two maintained contact on issues related to their children.

As word of the Facebook post spread in the community, the AP's parents, and the AP's sibling, contacted New Glasgow Police Department. All wanted to provide what they felt was important information on the investigation of the allegation made by the AP.

WITNESS EVIDENCE

Civilian Witness 1

Civilian Witness 1 (CW1) is the mother of the AP. She heard about the allegation involving her daughter from a resident in the community. She was shown the social media post that the AP had written and recalls that the post stated the following:

1. That the assault happened to her daughter at a young age.
2. That it happened in a play group with other children and that the SO had sexually assaulted her during a nap.
3. That the post said two other men had also sexually assaulted the AP.
4. That everyone else should step forward and make the SO pay and don't miss out on the cash.

After reading the social media post, CW1 became distraught. CW1 called the SO and apologized to him as she felt that the allegations made by her daughter were false. To justify her grounds for believing that the allegations were false, CW1 provided the following in her statement to the SiRT investigator:

1. She is of the opinion it could not have happened as she always knew where her children were as she was a stay-at-home mother.
2. That her children were raised in a different faith.
3. The family never attended Jehovah Witness Church during 1994-1996.
4. That the preschool her daughter did attend was (run by) two ladies of a different faith.
5. That she would walk her daughter back and forth every day, so she knew everyone that was there.
6. That CW4 did not take the AP to church.
7. That she cannot remember a time when CW4 ever drove the AP anywhere.
8. That the SO was not a member of her church between 1994 and 1996.
9. That the AP has never mentioned the SO's name to her.
10. She has never filed a complaint against the SO.
11. That her daughter has addictions problems and severe mental health problems.
12. That the AP had told her that she had extorted money from people in the past by going onto pedophile sites and con people. Once the AP found out the identity of the person, she would threaten to expose them unless they paid her a certain amount of money.
13. That her daughter is known to the police.
14. That the AP had made false allegations of sexual assault in the past.

15. CW1 is to the point that she does not know what to believe from the AP anymore and is fearful of the AP.

Civilian Witness 2

CW2 is the father of the AP and was made aware of the allegations by his ex-wife, the AP's mother. CW2 was interviewed and believes that the allegations are false. CW2 stated that his daughter has a severe problem with the use of non-prescribed medications. The AP has sought treatment at a rehabilitation facility in the past. That the AP also has been dealing with mental health issues from a very young age that has resulted in hospitalization in the past.

CW2 stated that the family did not attend church on a regular basis. However, if they did attend church, it would not have been a Jehovah Witness Church. CW2 also stated that CW4 never took the AP to church.

CW2 stated that he has never spoken to the AP about the allegation. However, given what he knows of the AP's past behavior, he believes the things the AP says cannot be relied upon to be true.

Finally, CW2 says he has never met the SO nor has he ever filed a complaint against the SO for harassing the AP.

Civilian Witness 3

CW3 is the younger sister of the AP and has not had any contact with the AP in several years. CW3 was contacted after a community member viewed what the AP had posted on social media. CW3 does not know the SO personally, but knows he is a police officer in the community and has been so for many years.

CW3 stated that she is aware of the allegations but believes that the allegations are false. The reason CW3 believes that the allegations here are false, is due to past allegations of a similar nature made by the AP that were false. CW3 stated that sometime ago the AP had told people that CW3 and the AP were both sexually assaulted by a party know to them. CW3 stated this was a lie told by the AP.

CW3 also mentioned that the AP had posted on social media that her son was seriously ill. When CW3 and CW1 attended the hospital, the AP was very late to attend. When the AP did attend it was obvious that the AP was "strung out". CW3 has yet to confirm that the AP's son was seriously ill at that time.

Further, in 2015 or 2016, when CW3 was in high school, CW3, CW2, and the AP were outside when a man walked past. The AP started calling the man a molester for no apparent reason. The

AP was in her mid-20's at the time. Her father said to the AP, "that's not true, and you know that's not true".

CW3 stated that her family did not attend church on a regular basis. However, if they hey did attend it was a different church. They have never attended a Jehovah Witness Church.

CW3 stated that the AP has a history of mental health issues and was hospitalized for mental health treatment.

CW3, as well as CW1, and CW2 came forward to provide information on this investigation on their own free will.

Civilian Witness 4

CW4 is the individual that the AP has stated drove the AP to the Jehovah Witness Church where the sexual assault took place. CW4 was interviewed via the telephone based on her availability.

CW4 stated that she is familiar with the AP as she is a former neighbour of the AP and her family. CW4 stated that her son and the AP are approximately the same age and played together in the neighbourhood during the period of 1994-1996. After the AP and her family moved from the neighbourhood there has been no contact between the two families.

CW4 stated that she has no recollection of driving the AP anywhere and she does not recall driving the AP at anytime between 1994-1996. Further that she is of a different faith and between 1994-1996 her church was located on other side of town.

LEGAL ISSUES AND CONCLUSION

The Serious Incident Response Team has been given the task of investigating any incident that occurs in the province in which an AP has alleged sexual assault 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 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 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 Public Prosecution Service.

The purpose of this investigation was to determine if there are reasonable grounds to believe that the AP was sexually assaulted when she was between 4 and 5 years old by the SO.

The evidence gathered in the course of this investigation demonstrated that the SO was a police officer during the time in question. However, but for the evidence of the AP, there is no evidence that would support a connection between the SO and the AP or the AP's family. Further, the investigation supports that the SO had arrested the AP several times well after 1996.

The investigation has seen many witnesses voluntarily present themselves for questioning. CW1, 2, and 3 are all key to this investigation. All have the ability to provide the investigation with firsthand eyewitness testimony that would help to support the allegation of the AP, however, none of these witnesses can assist the investigation in supporting the AP. In fact, the evidence presented by these witnesses cast serious concerns on the character and motives of the AP.

However, it is the evidence of CW4 that I find the most compelling. It is not lost on me that all families have their complexities. There may have been some animosity that could have tainted CW1, 2, and 3 from providing a clear and cogent set of facts to the investigator, however, CW4 would clearly have no personal attachment to the AP. CW4 was clearly a true independent witness. CW4 should have been able to provide convincing supportive evidence. However, this was not the case. In fact, the evidence presented by CW4 was contrary to the evidence submitted by the AP.

There is no evidence to support a criminal charge of sexual assault on the SO's part. I find that the AP lacks credibility in the evidence presented to the investigator. I am also concerned that the sole motive for the AP actions is for one of financial gain.

Accordingly, as the Director of the SiRT, I do not consider that there are reasonable grounds to believe that an offence has been committed by the SO. Therefore, no criminal charges are warranted.