

SiRT

SERIOUS INCIDENT
RESPONSE TEAM

Summary of Investigation

SiRT File # 2015-029

Referral from RCMP

September 3, 2015

Ronald J. MacDonald, QC
Director
February 1, 2017

Facts

In September of 2015 SiRT was contacted by the RCMP in relation to information they received which alleged that in 2011 a member of the RCMP had stolen a 10-kg quantity of cocaine from an exhibit locker. It was suggested the drugs were scheduled to be destroyed as they were not required as evidence in a court case. It was also alleged the cocaine was provided to other persons who sold it, resulting in the member receiving substantial proceeds from the sale.

It was clear the investigation required significant investigational resources. As a result, the investigation was carried out by numerous members of the RCMP from Nova Scotia, British Columbia, Alberta, Prince Edward Island and Newfoundland, under the independent oversight of the Director of SiRT. The RCMP devoted the substantial investigative resources needed to reach the conclusion of the investigation. The final investigative report was provided to the Director on November 3, 2016.

During the investigation, statements were obtained from 21 police witnesses and nine civilian witnesses. Other significant investigative steps were utilized throughout the investigation.

On August 4, 2016, Craig Robert Burnett, then a Staff Sergeant with the RCMP, was charged with four offences: Theft of cocaine from the RCMP, Breach of Trust, Trafficking in Cocaine, and Laundering Proceeds of Crime.

On February 3, 2017, two additional charges will be laid against Craig Robert Burnett, charging him with Obstructing a Police Officer and Fabricating Evidence.

Relevant Legal Issues:

A theft is committed when a person takes property which belongs to another person or other entity without consent. A breach of trust is committed when a public official, acting in his official capacity, breaches the standard of conduct required of him as a public official in a manner that is a marked departure from expected standards and for a purpose other than the public good. Trafficking in a substance is committed when a person either sells or assists in the selling of an illegal drug. Laundering proceeds of crime is committed when a person uses the proceeds of property derived from a designated offence, such as trafficking, with the intent of converting those proceeds. Obstructing a peace officer is committed when a person willfully does anything that obstructs a peace officer in their attempt to execute their duties. Fabricating evidence is committed when a person fabricates evidence with an intent to mislead and with the intent that it be used as evidence in a proposed judicial proceeding.

Where reasonable grounds exist to believe a criminal offence has been committed, the Director may charge the police officer. Any offence must be proven beyond a reasonable doubt before the accused can be found guilty.

Conclusion

This summary is being released in accordance with the provisions of the *Police Act* which requires a public summary of an investigation to be released within three months of the completion of an investigation. The charges against Craig Robert Burnett were previously the subject of a media release issued by SiRT on August 4, 2016. While this investigation led to the conclusion there were sufficient grounds to lay the above noted charges, as this matter is currently before the courts, in accordance with SiRT policy this report will not discuss the facts of that matter in any further detail. To do otherwise might compromise the fair trial interests of the accused.

The Serious Incident Response Team Regulations under the *Police Act* state that the Director may choose to provide a supplemental summary of the investigation at the conclusion of the prosecution.