

SiRT

SERIOUS INCIDENT
RESPONSE TEAM

Summary of Investigation

SiRT File # 2024-013

Referral from

RCMP “H” Division

February 26, 2024

Erin E. Nauss
Director
October 25, 2024

MANDATE OF THE SiRT

The Serious Incident Response Team (“SiRT”) has a mandate to investigate all matters that involve death, serious injury, sexual assault, and intimate partner violence or other matters determined to be of a public interest to be investigated that may have arisen from the actions of any police officer in Nova Scotia and New Brunswick.

At the conclusion of every investigation, the SiRT Director must 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 outlines the reasons for that decision, which must include the information set out by regulation. Public summaries are drafted with the goal of adequate information to allow the public to understand the Director’s rationale and conclusions.

Mandate invoked: This investigation was authorized under Section 26I of *Police Act* due to the death of the Affected Party (“AP”).

INTRODUCTION

Police were seeking to arrest the AP related to intimate partner violence and violent offences alleged to have taken place on February 25, 2024. Further incidents of intimate partner violence were reported on February 26, 2024. Police located and pursued the AP’s vehicle. The AP entered a residential subdivision traveling at a high rate of speed, failed to negotiate a turn, and collided with a utility pole. He was pronounced dead at the scene.

Timeline: The SiRT commenced its investigation on February 26, 2024. The investigation concluded on September 4, 2024. There was some delay awaiting expert reports.

The decision summarized in this report is based on evidence collected and analyzed during the investigation, including, but not limited to, the following:

1. 911 calls
2. Subject Officer Summary
3. Witness Officer Notes, Reports and Statements (14)
4. Civilian Witness Statements (13)
5. Police Radio Transmissions
6. Application for Arrest Warrant
7. Video Footage from homes and businesses
8. In-car camera video footage
9. Cell Phone Analysis
10. Forensic Identification Reports
11. Collision Analyst Report
12. Collision Analyst Expert Report
13. Police Vehicle GPS Data
14. JEIN Person Summary/Court Records
15. Autopsy and Toxicology Report
16. RCMP Policies

INCIDENT SUMMARY

Information collected as part of the SiRT investigation provides clear evidence that the Affected Party (“AP”) had been involved in numerous violent offences related to incidents on February 25, 2024, and February 26, 2024, including incidents of intimate partner violence.

February 25, 2024

The AP was arrestable for multiple offences that took place on February 25, 2024, including assault, choking to overcome resistance, forcible confinement, and uttering threats. 911 calls were made indicating that he was in a rage, was high on drugs, and had left in a vehicle. A family member stated the AP was not in his right mind and was concerned for his safety and the safety of others. Other civilian witnesses and the AP’s domestic partner provided evidence to police which indicated the offences had taken place.

The RCMP made multiple attempts to arrest the AP but were not successful. Police contacted the AP by phone and he stated he was going to turn himself in to police, but this had not transpired. The AP was contacted by police on several occasions that same day and he stated he was going to attend the detachment, however he failed to do so.

The AP was on release conditions on an unrelated matter for assault with a weapon related to a previous domestic partner. Due to the seriousness of alleged offences and the risk posed to his partner, himself, and the public, police were preparing a warrant for the AP’s arrest. Witness Officer #1 (“WO1”) left a voicemail on the AP’s cell phone informing him there would be a warrant for his arrest.

February 26, 2024

On February 26, 2024, Halifax Regional Police responded to a call that the AP had assaulted his domestic partner at a downtown Halifax hotel and had uttered threats. There was clear evidence an assault had taken place. Police were provided information that the AP was impaired and although he was not seen with a firearm, he may have access to firearms.

Intimate Partner Violence

Subsection 9A(2) of the Serious Incident Response Team Regulations made under the *Police Act* states that if the Director is of the opinion that a person’s privacy interest in not having some or all of the information or evidence described in clauses (1)(d) or (f) published outweighs the public interest in having the information or evidence published, the Director may omit that information or evidence from this report and provide reasons for doing so. Due to the sensitive nature of intimate partner violence and the impact it has on those affected, this report will not specifically outline the evidence related to the intimate partner violence that took place on February 25 and 26,

2024. Intimate partner violence has been declared an epidemic in Nova Scotia. As part of a meaningful response to this issue, as SiRT Director I have determined that it is not in the public interest for specific evidence related to instances of intimate partner violence be published in this report. Furthermore, it is not relevant to the determination of whether a criminal charge is warranted related to the collision that resulted in the AP's death.

Serious Incident

The RCMP and WO1 were contacted to advise about the incident that day (February 26, 2024) as they had carriage of the file from the day before, and there was indication the AP may be traveling toward Tantallon. Police were able to determine the AP's location using information from social media. The AP continued to send threatening messages to his partner through social media. Police dispatch aired updates over police radio of the AP's location. RCMP traveled in that vicinity, looking for the AP and trying to determine the type of vehicle he was driving. There was some indication he may be heading to a residence on Glen Arbour Way. Police attended but he was not located there. The AP was ultimately tracked to the parking lot of Hatfield Farm, where police spotted the AP's parked vehicle and activated their emergency lights. The AP then left and traveled onto Hammonds Plains Road outbound. Police activated their sirens, and the AP turned onto a residential road, Glen Arbour Way. He was followed by three police vehicles. The AP's vehicle was traveling at a high rate of speed and failed to negotiate a turn and collided with a utility pole. He was pronounced dead at the scene. No firearms were located at the scene.

An autopsy was conducted on February 27, 2024. The cause of death was deemed to be "multiple blunt force trauma" and the manner "accident." Blood toxicology found the presence of alcohol and drugs, including cocaine.

The SiRT engaged the services of the Halifax Regional Police Forensic Identification unit, who attended the scene of the collision. They seized a number of items from the vehicle including 'dime bags', a used needle and syringe, and a 12-gauge shotgun shell. One of the dime bags was analyzed by Health Canada and determined to be cocaine.

GPS Data

The SiRT was able to retrieve GPS data for all police vehicles associated with this incident with the exception of one vehicle which arrived after the collision had occurred. The lead vehicle was driven by the Subject Officer ("SO") and the second vehicle was driven by WO1. The third vehicle was driven by Witness Officer #2 ("WO2") and was equipped with in-car camera.

Witness Officers

The SiRT investigation involved Witness Officer Notes, Reports and Statements from fourteen witness officers. For the purpose of this summary, I have focused on those that are most relevant.

WO1 was involved in the initial call on February 25, 2024. WO1 witnessed evidence of violence against the AP's intimate partner. He and another officer spoke to the AP and a family member multiple times, and the AP agreed to turn himself in. When this did not occur, he began drafting a warrant for the AP's arrest as he was of the opinion that the assault was serious and there was a public safety risk. WO1 stated he was aware of the guidelines related to Intimate Partner Violence. There was indication on February 25, 2024, that the AP had access to firearms. He was also aware of a charge against a previous partner involving the use of a weapon.

At approximately 6:30pm on February 26, 2024, WO1 received a call from dispatch that the AP had assaulted his intimate partner at a hotel in Halifax. He learned the AP may be going back to the Tantallon area. WO1 spoke to his Watch Commander, the SO, who was aware of the file. WO1 heard on the radio that the AP may be traveling to a residence on Glen Arbour Way. It was indicated that he may have a firearm and had threatened to kill himself. WO1 felt the situation was dangerous and recalled a witness stating the previous day that he was not himself and was using drugs. WO1 stated that they treat all situations like this file as if the person involved may have firearms. He stopped and loaded his carbine rifle and put on his hard body armour for protection. At this point police were not sure which type of vehicle the AP was driving. After multiple attempts to locate the AP and determine which vehicle he was driving, the Halifax Regional Police stated over the radio that the AP appeared to be at Hatfield Farm. WO1 followed the SO to the Hatfield Farm parking lot, saw the AP in a black truck and radioed to the other officers that it was the AP. WO1 activated his emergency lights, and the AP turned outbound on the Hammonds Plains Road.

WO1 turned around to follow and noted the SO was pursuing the AP's truck. They crested a hill. WO1 saw the SO turn onto Glen Arbour Way, so he followed. WO1 could not see the AP's truck, but assumed it was ahead of the SO. When he turned on to Glen Arbour Way, he saw the truck a distance away. He radioed the speed and traffic conditions. Once he turned a corner, he saw the AP's tail lights in a ditch.

WO1 and the SO exited their vehicles. WO1 took cover and went to the SO's vehicle with his carbine. He recalls at least one other member was on scene, and once the vehicle was cleared it was determined the AP was in the ditch. They contacted EHS who declared the AP deceased.

Witness Officer #2 ("WO2") was the third vehicle to enter Glen Arbour Way, behind WO1. He had been briefed earlier on February 26, 2024, about a high-risk intimate partner violence investigation and that WO1 had been actively searching for the AP. WO2 responded to the call

that came in regarding an assault at a downtown hotel and that the AP was possibly heading towards Hammonds Plains. WO2 was aware the AP was arrestable for intimate partner violence, choking to overcome, and uttering threats. Due to these factors, the repetitive nature of the offences and threats to harm himself or others, drug use, and the possibility of a firearm, WO2's risk assessment of the situation was high.

WO2 was aware of the SO, WO1, and at least three other police officers in the vicinity of Hammonds Plains Road searching for the AP. When he learned over police radio the vehicle was spotted, he did a U-turn on the Hammonds Plains Road and attempted to close the distance to this location. When he heard the AP had turned onto Glen Arbour Way he could see police vehicle lights in the distance, and then heard over radio the AP's vehicle had crashed off the road. WO2 arrived on scene approximately 8-10 seconds after this was radioed. WO2 noted that a high-risk takedown was undertaken by himself, the SO, WO1, and four other officers. They observed the AP was unresponsive and a police service dog was sent to check for signs of life. WO2 noted a power pole was suspended in mid air after being cut in half by the AP's vehicle.

Witness Officer #3 ("WO3") also responded to the incident on February 26, 2024. He was aware of the investigation from the previous day and that the AP had failed to turn himself in. He assisted in multiple attempts to locate the AP and determine which vehicle he was driving. When he heard on the radio the AP had turned onto Glen Arbour Way he approached, and then heard the vehicle had crashed. When he arrived on scene he saw a black truck in the ditch on the left-hand side of the road, and a power pole broken by the collision. WO3 took part in a high-risk takedown with his carbine rifle ready, until it was determined the AP was not a safety risk.

Civilian Witnesses

Thirteen civilian witnesses provided statements to the SiRT in the course of the investigation. I have focused on those which are relevant to the investigation of the collision.

Multiple civilian witnesses interviewed by the SiRT indicated that the AP was intoxicated and using drugs on February 26, 2024. It was also noted that he was threatening to kill himself and had made threats to harm others, including death threats. There was indication the AP may have access to firearms. The AP's cell phone was recovered at the scene and was downloaded to preserve any evidence. There are multiple videos on the phone from months earlier which depict the AP with firearms and discharging a firearm. A 12-gauge shotgun shell was found in the vehicle at the scene.

Civilian Witness #1 ("CW1") came forward to the SiRT after a news release was issued on April 10, 2024, seeking information from the driver of a black SUV who was captured on video and may have witnessed the incident. CW1 provided a statement to the SiRT that day. He stated he was on

Glen Arbour Way when a black truck went speeding by and passed him. He pulled over and then police cars passed. CW1 stated the truck was going so fast he did not see it approach in his rear-view mirror. He stated the police cars were 3-5 seconds behind the truck. The truck passed him in the lane where oncoming traffic could have been coming. CW1 stated that if there had been cars going in the other direction the AP would have hit them. CW1 was going the speed limit and could only say the AP was going faster. He stated the police cars were going fast but controlled, and they were not erratic.

Once he felt it was safe to do so, CW1 began driving, turned a corner and saw a truck in the trees and police officers. He estimated that from the time police passed him to the time he arrived at the scene it would have taken 10-15 seconds. He did not see the collision, but did not think that police would have been close enough to contact the truck.

Civilian Witness #2 (“CW2”) witnessed the pursuit on February 26, 2024. He was seated in his vehicle at a martial arts class at Willowbrae Academy on Glen Arbour Way and heard a vehicle approaching, traveling fast. He saw a black vehicle drive over a speed bump. It did not slow down for the speed bump and CW2 could not identify the vehicle as a truck because it was going too fast. He could hear the engine roaring and accelerating. He saw the vehicle “whip” around a corner, and shortly after that he heard sirens and then saw emergency lights. CW2 stated he saw the first police vehicle traveling at a high rate of speed but then slow down for the speed bump and pick back up. Not long after he heard a loud bang. He thought it sounded like a gunshot and he thought he saw a flash. It was approximately 5-10 seconds between seeing the black vehicle and the police cruiser. He stated “he certainly wasn’t on his ass, but he wasn’t so far away, he might have been able to get eyes on him on that road I think but would have lost him...”

Other civilian witnesses saw police in their initial search for the AP’s vehicle at various locations in the area. People witnessed the police driving quickly and turning at several places nearby.

On March 5, 2024, a family member of the AP provided a statement to the SiRT, which provided helpful background information related to the AP and the events leading up to the evening of February 26, 2024.

Subject Officer

Although not required by law, the Subject Officer (“SO”) involved in this incident provided a summary of events to the SiRT through his legal counsel.

On February 25, 2024, the SO was the Acting Watch Commander. He noted that at 6:46pm an update was provided over police radio that the AP was on the Hammonds Plains Road between two businesses. The SO was in the area and as other officers entered the vicinity, he instructed

them over police radio to put on hard body armour and to treat any stop of the vehicle as a high-risk take down. He noted that he had reviewed the arrest warrant application and was aware the AP was arrestable for numerous violent offences. He agreed the AP needed to be arrested as soon as possible. In deciding to instruct officers to put on hard body armour, he considered a number of factors, including the potential access to firearms, the violent assaults and threats made, the refusal to surrender himself to police and subsequent assault, the information that the AP was likely using cocaine and alcohol while operating a motor vehicle, his previous offence, and the threats to kill himself. The SO noted he perceived that the AP clearly demonstrated the capacity to inflict death or serious bodily harm and that he presented as a potentially imminent threat. He based this assessment on over 18 years of policing experience and noted that he perceived the threat risk to be this high in less than 10 incidents in his career.

Police tried to locate the AP at multiple locations. Witness Officer #4 (“WO4”) had been dispatched to look for him at a residence on Glen Arbour Way, as there was information he could be headed to a friend’s residence at the address. Finally, the SO learned the AP may be in the parking lot at Hatfield Farm. He pulled into the parking lot and the driver of a black truck (the AP) gave him a blank stare. The AP left the parking lot onto the Hammonds Plains Road at regular speed. The SO left the parking lot approximately 7-8 seconds after him. Within about 5-10 seconds he crested a hill and activated his police lights and siren. The SO estimated the AP was 15-20 vehicle lengths ahead him, traveling below the speed limit. The SO thought the vehicle would pull over, but it then passed another vehicle and accelerated to 85-95 km/hr, above the posted speed limit.

The SO saw WO1 behind him, and heard WO1 update dispatch that his speed was around 95km/hr. The black truck turned right onto Glen Arbour Way and the SO lost sight of the vehicle for several seconds. When the SO turned right onto Glen Arbour Way, he noted the black truck was further away in the distance and was approaching a “Y” section in the road, where the road separates. The SO noted this was the last time he observed the vehicle before arriving at the crash scene. The SO noted that it was evident to him at that moment that the driver was aware police were trying to pull him over and that he was not going to stop. The truck was clearly travelling too fast for the residential subdivision, which has multiple turns and speed bumps. Once the SO turned onto Glen Arbour Way and observed the increased distance from the truck, the SO noted he decided not to pursue the vehicle further due to the augmented speed and dangerous driving. Despite this being the SO’s recollection, the evidence collected in the investigation indicates the AP was still being pursued. He queried the license plate in the police database and confirmed the truck was registered to the AP.

The SO was aware that WO4 was located at an address on Glen Arbour Way. The SO determined the risk factors were still high, especially since the AP did not pull over and police were not aware of the risk level at the Glen Arbour Way residence. The SO kept his lights and sirens activated.

When the SO came through the Y section of road near the beginning of Glen Arbour Way he saw a single white firework above the trees further up the road. The SO continued and saw the AP's vehicle. There was a power pole that was snapped and the pole was bouncing up and down as if suspended by wires. The SO stopped 4-5 car lengths back due to the danger associated with live wires. He radioed for EHS and fire services.

The SO prepared to perform a high-risk take-down and exited his vehicle with his carbine as WO1 and WO2 approached from the opposite side of his vehicle. WO1 and WO2 also had carbines drawn. Commands were given to the AP to exit the vehicle and put his hands up. The SO noted Witness Officers #5 and #6 running towards the scene with their carbine and pistol drawn, respectively.

The Halifax Regional Police canine unit arrived and the SO and other officers approached the scene. Officers determined there were no other occupants in the vehicle and that the AP was deceased.

Collision Reconstruction

When specialized services like collision reconstruction are required, the SiRT engages the expertise of police agencies who are not the employer of a subject officer. In circumstances where this is not possible, the use of specialized services from the subject agency may be approved by the SiRT Director. At the time of the collision, all of the Halifax Regional Police collision analysts were ill, and as Director I approved the use of RCMP Collision Analyst and Reconstructionist Service ("CARS"). For transparency purposes, the SiRT engaged a civilian expert Senior Forensic Engineer and Collision Reconstructionist to review the RCMP CARS report. This expert was provided with all of the information that was available to CARS.

Crash data equipment software shows that the AP's vehicle speed ranged from 118km/hr to 149 km/hr in a 50 km/hr zone. In the five seconds before the collision to 0.5 seconds before the deployment of airbags, the engine throttle position was at 99% of full throttle. It is recorded that the driver safety belt was not buckled. The Airbag Control Module recorded two events: the first was a rollover and the second was a front and left event.

There was no evidence on any police vehicle involved to indicate contact or collision with another vehicle. The CARS report concluded that the AP's vehicle did not have any pre-existing mechanical defects or outstanding recalls which would have caused or contributed to the collision.

The report author noted that it was their opinion that the AP's vehicle was travelling 139 km/h 1.0 seconds before the collision and as high as 149 km/h 3 seconds before the collision. The report found that the critical curve velocity of the road was 90 km/h and the AP's vehicle was exceeding that critical curve velocity. This is illustrated by the following graphic from the CARS report:



The CARS report found that the AP was not wearing a seatbelt at the time of the collision. Finally, the report noted: “It is my opinion that the cause of the collision was the driver of Vehicle One failed to maintain their path of travel in the northeast-bound lane. The excessive speed of Vehicle One was a contributing factor both in the loss of control of the vehicle and the severity of the collision.”

The civilian Senior Forensic Engineer and Collision Reconstructionist expert noted that the crash data report from the AP's vehicle shows that it was travelling at speeds in excess of 140 kph in the moments leading up to the crash, in a 50 kph speed zone. He also noted the vehicle exited on the left side of the roadway which is a typical result of driving too fast in a curve. This independent expert agreed with the findings of the RCMP CARS report. GPS data shows that the highest speed reached by the SO's vehicle 100 km/hr.

Video Evidence

- In-car Camera Footage

WO2 was operating a police vehicle with an in-car video camera. The video was examined by the SiRT and it showed the SO was travelling East on Hammonds Plains Road when a black truck is followed by two police vehicles by several seconds. WO2 turned around in a parking lot and followed. When WO2 turned onto Glen Arbour Way, both police vehicles are in sight, however the truck is not. As he goes past the split in the roadway, 2 police vehicles are viewable, and much further ahead are taillights. When WO2 comes around the last corner, he passes a dark colored vehicle that is pulled over with their right signal light activated. Both police vehicles are still moving and the truck is in the ditch and has come to a complete stop. From the time WO1 turned around on Hammonds Plains Rd to the time he arrived on scene, it is less than 1 minute.

- Other Video

During the course of investigation, SiRT investigators canvassed several homes and businesses along Hammonds Plains Road and Glen Arbour Way. One video from the Hammonds Plains Road shows a police vehicle traveling east activate its emergency lights at 7:04:37pm. It shows a vehicle pull over and let a dark coloured truck pass by, and then three police cars pass by.

Another video from a residence on Glen Arbour Way shows the following:

At 07:05:01 PM Black truck enters the screen.

At 07:05:06 PM The first police vehicle enters the screen.

At 07:05:08 PM the second police vehicle enters the screen.

At 07:05:14 PM the third police vehicle enters the screen.

At 07:05:22 PM an unknown vehicle enters the screen.

At 07:05:27 PM a lightning type of event is noted.

At 07:05:37 PM a fourth police vehicle enters the screen.

At 07:05:43 PM a fifth police vehicle enters the screen.

At 07:06:01 PM a sixth police vehicle enters the screen.

At 07:06:14 PM the seventh police vehicle enters the screen.

At 07:06:55 PM the eight police vehicle enters the screen.

Other Evidence

The RCMP Intimate Partner Violence Policy notes that domestic relationship investigations are a high priority and require timely police response. They are risk-focused; with an emphasis on mitigating trauma and promoting safety of victims, offenders, families, and community. RCMP policy classifies these files as high priority. The policy references the ODARA, an Intimate Partner Violence Risk Assessment Tool. An assessment of the AP resulted in a high score and a high risk for recidivism.

RELEVANT LEGISLATION

Criminal Code:

Causing death by criminal negligence

220 Every person who by criminal negligence causes death to another person is guilty of an indictable offence and liable

(a) where a firearm is used in the commission of the offence, to imprisonment for life and to a minimum punishment of imprisonment for a term of four years; and

(b) in any other case, to imprisonment for life.

Dangerous operation

320.13 (1) Everyone commits an offence who operates a conveyance in a manner that, having regard to all of the circumstances, is dangerous to the public.

(2) Everyone commits an offence who operates a conveyance in a manner that, having regard to all of the circumstances, is dangerous to the public and, as a result, causes bodily harm to another person.

(3) Everyone commits an offence who operates a conveyance in a manner that, having regard to all of the circumstances, is dangerous to the public and, as a result, causes the death of another person.

LEGAL ISSUES & ANALYSIS

On February 25th and 26th, 2024, police had a legal duty to investigate and arrest AP based on reasonable and probable grounds that he had committed multiple violent offences contrary to the *Criminal Code*. The AP had scored high on the ODARA, an Intimate Partner Violence Risk Assessment Tool. Police had attempted on several occasions to have the AP present himself at the detachment; however, he did not attend. The focus of the SiRT investigation is to determine whether the conduct of the SO in relation to the AP's death warrants a criminal charge.

To be charged with criminal negligence causing death, conduct must be a marked and substantial departure from that of a reasonable person, which is an elevated standard. There must be a wanton

and reckless disregard for the lives and safety of others. Based on a review of the evidence gathered in the course of the investigation, I am satisfied that the SO conducted himself with due regard for the life and safety of the AP and others. Video and GPS evidence confirms police and civilian witness accounts that the SO and other officers pursued the AP's vehicle, but that they were a safe distance behind him. When the AP picked up speed in a residential subdivision, the SO's speed did not reach the dangerous levels of the AP. Based on the information available to the SO at the time, his actions fell within the expected behaviour of a police officer in that context. I cannot find there was a substantial and marked departure from what a reasonable person would do in the circumstances.

In the current situation, consideration must also be given to whether the actions of the SO amount to dangerous driving causing death contrary to section 320.13(3) of the *Criminal Code*. For this offence, more than a simple want of care must be shown. The offence is based, in part, on conduct that amounts to a marked departure from the level of care that a reasonable person would have in the circumstances. In this case, the issue is whether the SO operated his vehicle in a manner that was sufficiently egregious and that caused or contributed to the AP's death. In my review of the evidence, this is not the case.

I am satisfied that the SO was in the execution of his lawful duties when pursuing the AP for serious contraventions of the *Criminal Code* and the risks to himself, his partner, family, and others. There was a valid concern for public safety.

I am also satisfied that the SO conducted himself with due care and regard for public safety throughout his engagement with the AP's vehicle. The SO's rate of speed was considerably less than the AP. Although he did reach top speed of an approximately 100 km/h, that speed was short-lived. Furthermore, the evidence indicates that the SO had his emergency lights and siren activated, alerting nearby traffic of his presence.

Police encountered the AP parked at Hatfield Farms. Upon police activating their emergency lights, the AP made the decision to abscond from this location, knowing the police were looking to arrest him. Police followed the AP in a pursuit from Hatfield Farms onto Glen Arbour Way. The AP accelerated at high rate of speed.

Video surveillance from two separate locations show the distance and time between the AP's vehicle and two police vehicles. A third police vehicle behind the two pursuing police vehicles, captured the police vehicles on in-car camera. At 7:05:33, the AP's vehicle left the roadway, rolled to its left side, and eventually struck a utility pole. In-car camera shows the police vehicles were

still in motion at this time. Police performed a high-risk takedown and located the AP deceased. The AP was not wearing his seatbelt and had several intoxicating substances in his blood.

CONCLUSION

My review of the evidence indicates there are no reasonable grounds to believe the SO committed a criminal offence. This was a tragic situation and the SiRT team sends its sincere condolences to the AP's family.