

SiRT

SERIOUS INCIDENT
RESPONSE TEAM

Summary of Investigation

SiRT File # 2022-045

Halifax District RCMP

November 25, 2022

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Director

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INTRODUCTION

On November 25, 2022, Halifax District RCMP received a call about a male who was in distress and having a mental health crisis. Police responded and interacted with the Affected Party (AP). The police attempted to convince the AP to voluntarily attend the hospital with EHS. The AP refused, ran down the hall in the residence and jumped out a second-floor bedroom window. This action resulted in the AP sustaining serious injuries. SiRT commenced an investigation into the matter that day and completed it on March 27, 2023.

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(s). 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. Police Incident reports
3. Police notes
4. Photographs
5. 911 call

NARRATIVE

On November 25th, 2022, at 1:56 am, Civilian Witness one (CW1) called 911 for assistance at their residence in the Halifax Regional Municipality. CW1 stated that their adult son, the AP, was having a mental health crisis and required medical intervention. When police arrived, they were made aware that the AP had consumed several pills and was self harming.

CW1 told the officers that the AP was having a difficult time dealing with family issues and was feeling overwhelmed. CW1 also stated, that the AP was having trouble coping and was self medicating.

As Witness Officer 1(WO1) entered the residence and spoke with the AP it was clear that the AP was in crisis and required professional help. WO1 spoke to the AP about going to the hospital for help, but the AP refused. The Mobile Mental Health Crisis Unit (MMHCU) was engaged and spoke to the AP on the phone. The MMHCU was unable to make an assessment due to the

AP's high level of crisis but did advise the police that the AP needed to be seen by a medical professional.

EHS attended the scene approximately 45 minutes after WO1 arrived. EHS performed an assessment and decided the AP needed to be seen by a doctor due to their self-inflicted injuries and mental health crisis. The AP refused to go with EHS for medial assistance.

At this point WO1 was concerned and called for backup due to the AP's uncooperative behaviour and comments that if anyone touched the AP, the situation would get worse.

A short while later WO2 and WO3 arrived on scene. WO1 continued to converse with the AP in the hopes of convincing the AP to leave with EHS. All efforts were unsuccessful to have the AP voluntarily go to the hospital.

While WO1 and WO2 were speaking to the AP, the AP started to walk backwards away from WO1 and WO2. The AP then stated "You will have to chase me, I'll go into the woods, ". At that point AP turned and ran down the hallway into a bedroom, ripped a screen off the window and climbed out.

WO1 ran down the hall to the bedroom and saw AP's body three-quarters of the way out the window. WO1 attempted to grab AP, but the AP jumped out the second story window and landed on the grass. The AP suffered serious injures as a result of jumping from the window.

WO3 was outside in the back area of the residence when they heard what sounded like a commotion. WO3 wasn't sure where the commotion was coming from. When WO3 looked up they observed a hand come out from one of the second story windows. WO3 then watched the AP come out, stand on the windowsill, and then jump. WO3 watched the AP land on the sloped ground. Unsure what was taking place, WO3 placed the AP in hand chuffs.

EHS who were still on scene, assessed the AP's medical condition. The AP was placed on a stretcher and the handcuffs were removed. The AP was then transported to hospital for medical care.

There was no physical interaction between the police and the AP prior to the AP jumping from the window. The AP was not under arrest or in police custody at any time during this incident. The AP refused to speak to investigators for the purpose of this investigation.

Civilian Witness 1

CW1 stated that the AP was their adult child who lived in their own residence a short distance away. On November 25, 2022, CW1 spoke with the AP who stated that they were going to take some medication and get some rest. CW1 stated that later that day they could hear noise at the

front door of the residence. When CW1 opened the door, the AP was standing there and appeared to be “out of it”. The AP was dishevelled and missing their cellular phone. CW1 assisted the AP into the residence. Concerned for the AP, CW1 made inquiries as to what was taking place. At that point CW1 observed clear signs that the AP was having a mental health crisis and required medical intervention. CW1 placed an emergency call to 911 for assistance.

CW1 stated WO1 was the first to arrive at the residence. CW1 described WO1 as “very helpful” throughout the situation, CW1 stated WO1 talked to the AP about the situation and attempted to assure the AP that WO1 was there to assist the AP. CW1 says that WO1 called an ambulance shortly after arrival but CW1 felt it took a long time before they arrived. CW1 stated that the WO1 tried to explain to the AP that medical assistance would be best for the AP at this time.

When the ambulance arrived, CW1 states that the AP willingly went out to be assessed. However, when the AP was advised that they would need to go to the hospital, the AP went back into the residence. Once back in the residence CW1 stated that WO1 attempted to explain to the AP why they needed to attend at the hospital. At this point CW1 stated that the AP started to become agitated and was refusing to go to the hospital. CW1 stated that WO1 said that the police were not going to fight with the AP, that they were there to help and would wait until the AP was ready to leave. At this point CW1 stated that the AP went to the back room of the second story residence. CW1 and WO1 were standing close to one another. No officers approached or chased after the AP. CW1 stated that they could hear beads moving on the curtain and the window opening. At this point CW1 says that WO1 went to the bedroom the AP had just gone into. WO1 tried to prevent AP from jumping out of the window but was too late. CW1 heard the AP hit the ground.

CW1 stated that when everyone realized what the AP had done, they all rushed outside to help. By the time CW1 was downstairs and with the AP, the AP was handcuffed. However, when the ambulance attendants placed the AP on the stretcher, the handcuffs were removed.

CW1 stated that WO1 was very helpful. CW1 explained that the AP was having a difficult time coping with family and life issues.

Witness Officer 1

WO1 was dispatched to the residence of CW1 on November 25, 2022, to assist with a person in distress. Once on scene WO1 spoke to CW1 who was the person who made the 911 call. WO1 was told by CW1 that the AP was inside the residence and was having a mental health crisis. CW1 also stated that the AP had minor self-inflicted injuries.

WO1 went into the residence and spoke with the AP at length. The AP explained that they were having problems and wanted it all to end. Hearing this, WO1 contacted the MMHCU and EHS. WO1 stated that the AP spoke to the MMHCU on the phone, and they advised the AP they

should be taken to the hospital for further assessment. When the AP was advised that they would be taken to hospital, the AP became upset. The AP stated that they were not in need of medical assistance and were not going to the hospital. At this point WO1 called for assistance as the AP was become very agitated.

WO2 and WO3 arrived as WO1 was attempting to convince the AP that medial intervention was in their best interest. At that point the AP began to walk away from WO1, stating that officers “would have to chase...” the AP. The AP then turned and ran into a bedroom on the second floor of the two-story residence. WO1 did not give chase. WO1 heard what sounded like screen being ripped and a window opening, When WO1 entered the room, the AP was three-quarters of the way out of the window. WO1 attempted to grab the AP to prevent the AP from falling out of the window. The AP jumped out the window and WO1 could see that the AP landed on the ground below. WO1 then ran down the stairs and to the back of the residence. The AP was in pain and unable to move. WO1 stated that EHS placed the AP on a stretcher and transported the AP to hospital. WO1 followed the ambulance to the hospital and advised medical staff of the AP’s physical and mental issues.

Witness Officer 2

WO2 attended the residence of CW1 to offer assistance. When WO2 arrived, the AP was in communication with the MMHCU via telephone. WO2 remained outside the residence. WO2 could hear ripping and walked to the back of the two-story residence. When WO2 got to the back of the residence they could see the AP coming out of a second story window. The AP stood there for a second and then jumped. The distance from the window to the ground was approximately five meters.

As the AP jumped from the second story window, the AP’s left foot caught the screen and made the AP twist in the air. The twisting resulted in the AP landing on their side when they hit the ground. The AP suffered serious injuries and was having difficulty breathing. The AP was handcuffed, but not placed under arrest. The handcuffs were quickly removed once the AP was placed on the stretcher to be transported to hospital.

WITNESS OFFICER 3

WO3 attend the residence to assist WO1. When WO3 arrived, the AP was in communication with the MMHCU. After the AP stopped communicating with the MMHCU, the AP went back into the residence. WO3 went in as well. The AP became agitated about going to the hospital. The AP stated that the police would have to “chase” the AP in order for the AP to be taken to hospital. The AP then went into a bedroom on the second floor of the residence. WO3 could hear a tearing noise coming from the bedroom. WO1 who had gone into the bedroom after the AP advised WO3 that the AP had jumped out the window. WO3 did not witness AP jump from the

window. WO3 then ran outside to the back of the residence to find the AP laying on their side in pain. WO3 says that the distance from the window to the ground is approximately five meters. WO3 states that at no time did he or any of the other officers chase the AP or place the AP under arrest.

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 suffering a serious injury 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 identify a Subject Officer(s) (SOs) and to determine if there were reasonable grounds to believe that a SO committed any wrongdoing that led to the AP suffering serious bodily harm.

The evidence gathered in the course of this investigation demonstrated that the AP, regrettably, was in the midst of a mental health crisis when they jumped out of a second story window at the residence of CW1. This crisis took the AP to the residence of CW1 for help in the early morning hours of November 25, 2022. Soon after CW1 saw the AP at their door they called 911 for help as CW1 knew that AP was suffering a mental health crisis.

When the first officer arrived and spoke with the AP, the officer recognized that the AP was in need of the services of the MMHCU. The evidence is clear that the officer's main concern was the well being of the AP. I find as a fact that none of the officers who attended CW1's residence or interacted with the AP did anything that could identify any one of them as a SO or contributing to the AP's decision to enter the second story bedroom, tore the screen and jump out the window.

The injuries the AP sustained were a direct result of the AP's decision to jump out of the window and not by the actions of the officers. Therefore, no criminal charges are warranted against any of the officers.