

VIA FAX - 613-960-6147

January 16, 2018

Guy Bujold
Interim Vice-chairperson and Acting Chairperson
Civilian Review and Complaints Commission for the RCMP

Page 1/4

Dear Mr. Bujold,

Re: Complaint regarding the police-involved death of Dale Culver

I am writing on behalf of the BC Civil Liberties Association (BCCLA) to initiate a complaint under the *Royal Canadian Mounted Police Act* against the relevant members of the Prince George detachment of the RCMP in relation to the death of a 35-year-old Indigenous man, Dale Culver, that occurred after he was arrested late on or about July 18, 2017 on or about the 1000 block of Central Street West in Prince George, BC. We also complain about allegations that RCMP members instructed witnesses to delete video cellphone evidence of the incident after the fact.

The Incident

According to media reports, Mr. Culver was approached by an RCMP officer responding to a call about someone allegedly casing cars in a parking lot, and more officers arrived once a distress call was put in. Cellphone footage and photos apparently

related to the incident appear to show a large number of officers pinning a subject to the ground. According to the RCMP and IIO, the officers also used pepper spray on Mr. Culver before putting him in a police vehicle. According to an RCMP statement, Mr. Culver appeared to have trouble breathing. He was apparently taken out of the police car after an ambulance arrived, but he immediately collapsed and was pronounced dead shortly thereafter in a hospital.

Page 2/4

The BCCLA is aware of reports from eyewitnesses that state that Mr. Culver was taken forcibly to the ground by RCMP members immediately after exiting a liquor store, apparently unprovoked.

The BCCLA is very concerned about any police-involved death. It is unclear to the BCCLA what circumstances existed to necessitate the use of force on Mr. Culver. However, the BCCLA is concerned that the RCMP officers' conduct towards Mr. Culver, including possibly punching him while on the ground, and their use of OC spray (oleoresin capsicum, or "pepper spray"), constituted excessive force. The BCCLA is concerned that members of the RCMP may not have acted appropriately following the use of OC spray, including by possibly failing to assist him after the incident, failing to provide immediate medical attention, and/or failing to follow procedures.

We understand that the Coroner's office determined that there was swelling of Mr. Culver's brain, and has retained Mr. Culver's brain after the autopsy that it conducted. We understand that witnesses may have observed Mr. Culver being beaten. We question whether use of force by the police may have caused injury to Mr. Culver. While we are not aware of all of the

facts surrounding Mr. Culver's death, we question whether whatever force intervention was applied to Mr. Culver was excessive under the circumstances.

After the incident

Page 3/4

The BCCLA has learned of troubling allegations that RCMP members told witnesses to delete cellphone video that they had taken. The BCCLA is deeply concerned at this allegation that, if true, would constitute not only serious misconduct but would potentially give rise to criminal liability. If these allegations are true it would be evidence of an intention on the part of RCMP members concerned to hide the truth of what happened in this incident. This would provide a strong basis on which to question the accuracy of certain RCMP members' statements to investigators and notes, as well as RCMP public statements.

In addition, this tragic incident, as it has been described, gives rise to a question as to whether RCMP members' actions may have been affected by explicit or implicit racial bias, given Mr. Culver's status as an Indigenous person. We understand that the call to police about a suspect potentially "casing out" vehicles may have been received several hours prior to the police interaction with Mr. Culver that resulted in his death. Regardless, we question on what information or basis the member or members of the RCMP began their interaction or questioning of Mr. Culver, and/or a request to identify himself, in the first place.

The BCCLA takes the position that a transparent and independent investigation is warranted in this case, in the public interest.

To maintain and enhance the public's confidence in the RCMP, we request that your office either take carriage of the investigation of this complaint, or monitor this investigation as closely as possible to the extent of your statutory authority.

I look forward to your response.

Yours sincerely,

Page 4/4

A handwritten signature in black ink, appearing to be 'JP', with a long horizontal line extending to the right.

Josh Paterson
Executive Director