

SiRT

SERIOUS INCIDENT
RESPONSE TEAM

Summary of Investigation

SiRT File # 2018-001

Referral from

Halifax Regional Police

January 13, 2018

John L. Scott
Interim Director
March 12, 2018

Facts:

On January 13, 2018, SiRT received a request from the Halifax Regional Police to investigate injuries suffered by a male, the Affected Party (AP), as a result of a fall from a third floor balcony at an apartment located on Evans Avenue in Halifax. The investigation was completed on February 7, 2018.

At approximately 10:00 pm on January 12, 2018, Halifax Regional Police Officers responded to a disturbance call on Evans Avenue. The call was from a tenant in the building who indicated a male (AP) in the building was threatening her boyfriend with a piece of wood. The attending officers, Officer 1, Officer 2 and Officer 3 became the Subject Officers in this investigation.

Upon their arrival, they spoke to the building superintendent who informed them the male (AP) the police were looking for was in a third floor apartment by himself. The superintendent informed police the AP is the ex-boyfriend of the female tenant who lives in the apartment AP is in. The female tenant was contacted by text message by one of the attending officers, Officer 1, and permission to enter and remove the AP was given by her to the officers.

The three officers went to the third floor apartment with the superintendent seeking to get the AP to leave the building. After knocking on the door and indicating who they were and what their purpose was, they were met with no verbal response from within the apartment. The superintendent supplied his pass key to open the door, but entry still could not be made because of the chain lock. When the superintendent provided a small grinder, the officers were able to break the chain lock and entry was gained.

Upon entry, the three officers noted there was no one inside the apartment, but the balcony door was open. When the officers went out onto the balcony, they observed the AP on the ground below with a pool of blood near his head. The officers immediately went to attend to the AP to provide medical assistance. EHS were called to the scene. The officers noted from their observations of the AP, signs of impairment by alcohol. The AP was on a Probation Order not to consume alcohol and a breach of probation charge was eventually laid.

At the hospital the AP was treated for injuries to his neck, back and head area. When SiRT met with the AP he declined to give a formal written statement, but did verbally indicate that police did not touch him in any way. He admitted his injuries occurred when he slipped as he was going over the balcony to avoid being removed from the apartment by the police.

It should also be noted that Officer 1, Officer 2 and Officer 3, the three subject officers all cooperated with the SiRT investigation by way of their notes and reports.

Relevant Legal Issues and Conclusions:

There are no legal issues arising from these circumstances, the responding officers obtained the appropriate authority to enter the apartment and remove AP.

AP's injuries resulted from him accidentally falling off the third floor balcony to the ground below. His decision was made in an effort to evade the police and there were no interactions with officers 1, 2, or 3 giving rise to any injury. Therefore, there are no grounds for any charges.