



**IN THE MATTER OF A HOSPITALIZATION AFTER AN INTERACTION WITH
THE BLOOD TRIBE POLICE SERVICE IN STAND OFF ON NOVEMBER 16, 2019**

**DECISION OF THE ASSISTANT EXECUTIVE DIRECTOR OF THE ALBERTA
SERIOUS INCIDENT RESPONSE TEAM**

Assistant Executive Director:

Matthew Block

ASIRT File Number:

2019-61(S)

Date of Release:

October 4, 2022

Introduction

On November 16, 2019, pursuant to section 46.1 of the *Police Act*, the Alberta Serious Incident Response Team (ASIRT) was directed to investigate the circumstances surrounding the admission of a female individual to hospital, hereinafter referred to as the affected person (AP), after an interaction with officers of the Blood Tribe Police Service (BTPS).

ASIRT's Investigation

ASIRT's investigation was comprehensive and thorough, conducted using current investigative protocols, and in accordance with the principles of Major Case Management. ASIRT interviewed all relevant civilian and police witnesses, obtained and reviewed all available relevant video evidence, and considered the medical records of AP.

Overview of the Circumstances Surrounding the Medical Issue with the Affected Person

On November 16, 2019, officers with BTPS received a complaint that AP was causing a disturbance at a residence on the Blood Tribe Reserve.

BTPS officers located AP, and arrested her without incident. AP was transported to the BTPS holding cells. While being processed for lodging into cells, AP ingested something. Efforts were made to have AP spit out what she had placed in her mouth. AP did not spit anything out. Medical services were requested to examine AP. Paramedics examined AP and did not find anything that suggested she was unable to be admitted into cells.

While in cells, staff monitored AP. At one point, it was noted that AP was not breathing. AP was provided emergency first aid by officers. EMS subsequently transported AP to hospital in critical condition. While initially AP was not expected to survive, she did.

AP's medical condition was diagnosed as a cardiac arrest brought on by consumption of controlled substances. Cocaine, amphetamine and methamphetamine were found in the AP's blood. After a period, AP was released from hospital.

INVESTIGATION

Interviews

CW1 was interviewed and provided the following information

Civilian witness #1 (CW1) had been in Fort Macleod and, in the early evening hours of November 15, 2019, she picked up AP. She was giving her a ride to Stand Off. During the drive, CW1 noted AP to have a very jittery leg, and displaying other signs that CW1 attributed to drug use. CW1 is aware of the signs of methamphetamine use, due to a previous experience with a family member and their own addiction to it. CW1 dropped off AP in Stand Off.

CW2 was interviewed and provided the following information

Civilian witness #2 (CW2) lives in Stand Off. CW2 stated that on November 15, 2019, late in the evening, AP was walking outside his residence. AP is related to CW2. AP asked CW2 to drive her to a different relative's place. CW2 drove AP there, but there was no one there, so CW2 drove AP back to his place.

Back at his residence, AP was trying to push her way into his house, pleading with him to drive her to another relative's house. CW2 said that AP then started to act oddly and was saying strange things, like "they're gonna shoot at us. Today's our day" and "the cops are gonna get it too, hide, they're after the cops too." With this, CW2 knew that AP was on something, and he told her to walk to an aunt's place. AP refused, and started to again act up and ask for a ride. CW2 decided that he needed the assistance of the police to deal with AP, so he called them.

CW2 said he had been around AP before when she was both sober and under the influence of drugs. CW2 had not seen AP like this before; it was very bad this time.

WO1 was interviewed and provided the following information

On November 16, 2019, witness officer #1 (WO1) was dispatched to a call for service respecting AP being an unwanted guest at a residence in Stand Off. He arrived at the location at the same time as witness officer #2 (WO2). WO1 observed AP to be intoxicated and agitated. AP was making some nonsensical statements such as missiles hitting Stand Off, and that Stand Off was going to be bulldozed. WO1 stated, while he is not an expert, he believed AP was suffering from some form of mental health issue.

WO1 stated that his assessment of AP's intoxicated state was not severe enough that required her to be detained for a period for public intoxication. WO2 agreed with this assessment. AP advised them that she had called for a ride, and wanted to go to her uncle's residence. With this, WO1 told WO2 that he was leaving the scene. WO1 started to drive towards the BTPS office. From an intersection near the office, WO1 saw WO2 still engaged with AP. WO1 decided to go back and check on WO2.

As he drove up, WO2 drove by him. WO1 decided he would once again leave too, but AP blocked his path. AP walked up to the driver's door, and grabbed onto the open window on the driver's side. WO1 told AP that he needed to go and to let go of the vehicle. AP did not comply, but instead wrapped her left arm around the driver's side mirror, preventing him from driving away. WO1 started to drive again, moving a couple of inches at a negligible speed. AP continued to hold on, refused to let go, and began to scream at WO1.

At this point, WO1 told AP through the window that she was under arrest for causing a disturbance. WO1 exited his police vehicle, handcuffed AP, and placed her in the rear of his car. WO1 also called for emergency medical services (EMS) to attend the scene and examine AP given her odd behavior and indications of drug use such as being fidgety and pulling at clothing. EMS arrived and had AP come inside their ambulance. After they assessed her, they asked if AP would be going to cells. WO1 answered in the affirmative. EMS then advised WO1 that, should he need them again to assess AP further, to contact them.

WO1 proceeded to transport AP to cells. Back at the police station, WO1 escorted AP to the cellblock area. WO2 followed along with them.

In the cellblock area, AP still fidgeted with her clothes, but removed her boots. WO2 then stated that AP was removing tissue from her bra. Another clothing item was removed, and WO1 had turned away to place it in a bag when he heard WO2 state "spit it out, spit it out, spit it out." WO1 turned back around and saw WO2 grab AP by the cheeks and force her down onto a bench. WO1 saw that AP had her jaws clenched tightly shut. WO2 once again repeated multiple times to "spit it out." They called for further assistance, and the acting sergeant attended the cell area.

The acting sergeant instructed them to reapply handcuffs to AP, which they did. WO2 then released his hold of AP, and she said that there was nothing in her mouth. WO1 felt that the manner in which AP spoke suggested she did still have something in her mouth. However, AP opened her mouth to allow officers to look inside it. While she did not open

her mouth very wide, he was able to see what appeared to be a white pasty substance on her tongue. A female dispatcher was called to the cell area to assist with searching AP.

WO1 had requested EMS to attend to assess AP. The paramedics arrived, but he left the area for a period to go to the dispatch room. When he returned to the cell area, AP was then in the female drunk tank.

WO2 was interviewed and provided the following information

On November 16, 2019, WO2 was dispatched to a call for service respecting AP being an unwanted guest at a residence in Stand Off. WO1 arrived before he did. WO2 relayed very similar information as WO1 in respect of their initial interactions with AP. After WO1 had driven away, he remained speaking to her through his open window. AP was saying some odd things, but she appeared capable of caring for herself. Additionally, he asked her about any health issues or drug use, and AP denied both.

AP advised WO2 that she was going to her aunt's residence. WO2 had spoken with her for 30-45 seconds. He had checked her on the police computer system and she did not have anything that he needed to enforce. When AP started to walk away, he took that opportunity to leave the scene. As he was leaving, WO1 was coming back his way.

A few minutes later, he heard WO1 stating over the radio that AP was hanging off his mirror and that he had arrested her, and he had requested that EMS attend. WO2 then returned to the scene.

EMS attended the location, and AP was subsequently placed in the ambulance. AP was being somewhat difficult in the ambulance, as she did not want to sit down to allow the paramedics to assess her. WO2 remained standing outside the ambulance. After a few minutes, AP wanted to leave. EMS were telling her they wanted to treat her, but she walked out of the ambulance. AP was then placed back in WO1's vehicle and transported to cells.

In cells, WO1 was preparing the lodging paperwork, so WO2 assisted by trying to get AP to remove certain pieces of clothing and accessories, like earrings and hair ties, along with her boots. At one point, he noticed that there was a piece of tissue sticking out of her tank top or bra. He told her that he needed her to remove the tissue. Instead, AP stuffed it back in, and then started to rip out little pieces. WO2 told her he needed her to remove the whole thing. Instead, AP turned around and he saw her put something in her mouth and start chewing. WO2 immediately ran to AP and grabbed her face with both hands in an

attempt to prevent her from swallowing something. He pushed her backwards and towards the ground, while he was doing this he was telling her to “spit it out.” AP did not spit anything out. It appeared that she had swallowed something. AP stuck her tongue out and there was a thick white substance on it. He released the hold on her face once he realized that AP had swallowed whatever she had placed in her mouth. EMS was called.

The same two EMS paramedics attended. AP did not want anything to do with the paramedics. AP was actively resisting efforts to have her assessed. They tried talking with her, but she would not respond to them or follow any of their directions. They tried to get some blood from her to test her sugar levels, but she kept pulling away. Eventually, with the assistance of another officer, they were able to get a sample. Once this was completed, the paramedics advised that they were clear, and walked out.

AP was brought to the female drunk tank and placed inside.

CW3 was interviewed and provided the following information

Civilian witness #3 (CW3) was a guard with the BTPS. He was told by the acting sergeant to keep a close eye on AP. They have to check every 15 minutes. Sometimes though, he checked every five minutes or so, but he did not write all those checks down. When he would check on AP, she seemed to be okay. AP was talking to herself, sitting up and standing. When he asked AP if she was okay, she responded by giving him the finger. CW3 watched AP all day and her actions remained consistent throughout. At the end of his shift, he briefed the replacing guard, civilian witness #4 (CW4). CW3 told CW4 that AP was on drugs. AP seemed fine when he left for the day.

CW4 was interviewed and provided the following information

CW4 was the nightshift guard and, when she started at 7:00 p.m., she was briefed by CW3 that AP was scheduled to be released at 10:30 p.m.

CW4 conducted checks every 15 minutes according to policy. CW4 observed that AP was laying on her back in the female drunk tank. Around 10:00 p.m., CW4 noted AP to be on her back, and that she was breathing regularly – “consistent.” Around 10:30 p.m., CW4 noted a change in AP’s breathing in that it seemed a bit inconsistent. After 15 minutes had passed, CW4 checked on AP again, and she noted that AP was no longer breathing. CW4 called for assistance. BTPS officers attended cells, began administering CPR, and

called EMS. CPR continued until EMS arrived. EMS dealt with AP thereafter, and ultimately transported her hospital.

Cell Video

ASIRT obtained video from the cellblock area of the BTPS. ASIRT's investigative report fully sets out the content of these videos. For the purposes of this decision, only the salient portions respecting AP's ingestion of something is set out.

AP is in the female holding cell where officers are removing her belongings. At one point, while the officers' attention was diverted, AP turned and appears to pull something from her bra and places this unknown item into her mouth. This causes the officers to react and appear to try to have AP remove the item from her mouth. WO2 is observed holding AP's jaw for some time before releasing her. WO1 requested a medic over the radio to check on AP.

Emergency medical services paramedics

ASIRT interviewed all four of the EMS personnel that interacted with AP the day of this incident. Aside from providing more information on the treatment they provided to AP, there was nothing else of value as it related to the actions of any officers with the BTPS.

AP was interviewed and provided the following information

AP was interviewed by ASIRT while she was still in hospital. AP stated that she did not have much of a memory of what occurred that resulted in her being in hospital. AP was not able to provide any information that was of value to the investigation.

Medical records

The medical records for AP stated that AP was found to have gone into a pulseless electrical activity cardiac arrest. They stated that this potentially involved an ingestion of substances, based on the collateral history. On admission, her toxicology tests showed positive for cocaine, amphetamine, methamphetamine, lidocaine, and ketamine, although medical staff likely administered the ketamine. AP left the hospital before full discharge arrangements could be made.

Conclusion

ASIRT was directed to investigate the circumstances surrounding the admission of a female individual to hospital, after an interaction with officers of the BTPS. No officers were designated as subject officers in this investigation.

In this case, it is clear that the only physical contact by police on AP was in the process of arresting her. That was only in placing handcuffs on her, when they tried to prevent AP from swallowing something, and when the officers were providing first aid to her. AP's usage of illicit drugs led to her medical issue while in the custody of the BTPS. Luckily, AP survived the incident.

There was no evidence that any officer of the BTPS did, or omitted to do something that was a duty of them to conduct. As such, there is no evidence that any offence had been committed. ASIRT's investigation having been completed and our mandate fulfilled, I have concluded our file.

Original signed

Matthew Block

Assistant Executive Director

October 4, 2022

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