



## Serious Incident Response Team

Civilian Director's Report  
SIRT-NL File No. 2022-0041

Michael NR King  
Director  
December 12, 2022

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## Introduction

On August 11, 2022, the Royal Newfoundland Constabulary (RNC) notified the Serious Incident Response Team (SIRT-NL) of a report of an incident involving an off-duty Royal Canadian Mounted Police (RCMP) officer. On August 5, 2022, a 27-year-old female (the “affected person”) reported to the RNC that she was drugged while attending a bar on George Street on August 4, 2022. When the RNC investigator discovered a member of the RCMP was identified as a suspect, the RNC advised SIRT-NL.

## Mandate

SIRT-NL is a civilian led oversight agency that conducts its own investigations into serious incidents. Serious incidents within this context are those involving serious injury, death, sexual offence, domestic violence or any matter of significant public interest arising from the actions of a police officer in Newfoundland and Labrador. As this is a matter of significant public interest, I directed a SIRT-NL investigation into the incident.

The offence under investigation is “administering a noxious thing” contrary to Section 245(1) of the Criminal Code of Canada.

## Terminology

I have made the following substitutions to protect the privacy of those involved:

- “Affected person” or “AP” for the spouse of the subject officer who is alleging the criminal conduct;
- “Subject officer” or “SO” for the police officer who is the subject of the allegations and this investigation;
- “Witness #” or “W#” for any other civilian who provided relevant information.

## Investigation

The SIRT-NL investigation began on August 12, 2022 and concluded on November 29, 2022.

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During the SIRT-NL investigation, the following steps were taken:

- SIRT-NL collected and reviewed all preliminary investigative material from the RNC.
- The SIRT-NL investigator interviewed the affected person.
- Statements were obtained from four civilian witnesses, including the affected person's fiancé (Witness 1) and three individuals (Witness 2, Witness 3 and Witness 4) who worked at the bar where the incident allegedly occurred.
- The investigator obtained and reviewed the following material:
  - CCTV footage from the bar that was provided to AP by Witness 2;
  - George Street CCTV footage;
  - Notes and screenshots from the affected person;
  - AP's medical records for August 4, 2022; and
  - Handwritten notes taken by Witness 2 when reviewing the CCTV footage from the bar.

## Civilian Witnesses

As noted above, investigators took statements from several individuals. For the purpose of this report, I will focus on the statements of particular relevance.

### The Affected Person (AP)

On August 21, 2022, the SIRT-NL investigator interviewed the affected person. In summary, AP stated:

On August 4, 2022, AP and her fiancé, W1, met friends at a bar in downtown, St. John's. This was during the George Street Festival. They arrived around 9:30pm and sat on the deck. AP was drinking red wine and was having a good time. At around 1:30am, AP and W1 went inside the bar as their friends had left. At this point, her memory is spotty. AP was standing at the bar and is not sure where W1 was; however, she thinks he was behind her and may have been talking to someone.

A man introduced himself to AP and stated he was a police officer (the subject officer). AP thinks she and SO chatted for approximately 20 minutes. He was being flirty, but seemed harmless to her. She was in a good mood and having a good time. SO bought her a drink, which she thinks was a shot. She remembers being handed the drink but does not remember drinking it.

After W1 kept coming over to check on AP, SO eventually left. The shot SO bought for her was the last thing AP drank.

AP left the bar as W1 was paying the tab. She has no memory of leaving. She woke up on the ground, outside. Her back was up against the deck railings and security personnel were there. AP was convulsing and could not move. She kept going in and out of consciousness and remembers being scared.

AP was taken to the hospital in an ambulance. She woke up, in the waiting room, three or four hours later. She waited approximately another hour and wanted to go home as she had a puppy at home and it was 6:00am at this point. No tests were done. She was very upset with her treatment at the hospital.

AP contacted the bar two days later. She spoke with a staff member, who promised AP she would get the surveillance video. AP never received the video as it was deleted.

AP located SO by doing online searches. She said he seemed nice. He was giving her a lot of attention but was not aggressive. She does not remember much about their conversation, even though they were talking for about a half hour.

## **Witness 2 (W2)**

Witness 2 provided an audio-recorded interview to the SIRT-NL investigator on November 15, 2022. In her interview, she advised the following:

Based on the information provided to her by AP, W2 reviewed the video footage from the relevant times. She made handwritten notes from when she viewed the video, which she provided to the investigator.

From viewing the CCTV, W2 observed the following:

- At 2:13, AP comes into the bar from outside. She sits at the bar and finishes her drink. AP is sitting next to a male in a plaid shirt (SO), talking to him;
- AP's fiancé is in the bar with her, but he is mingling in the crowd. He keeps a close eye on her but giving her space to socialize;
- At 2:21:13, the male wearing the plaid shirt orders two shots. The bartender pours the shots, which sit on the bar (W2 looked at this portion of the video several times to ensure nothing happened to the drinks);
- At 2:23:29, AP and the male each drink a shot;
- At 2:26:53, AP orders a glass of white wine from the bartender;

- At 2:31:02, the male wearing the plaid shirt leaves. AP gets up and is mingling in the bar with her fiancé;
- At 2:48:51, AP leaves. She stumbles out of the bar. Her fiancé remains inside. AP is on the front step, holding onto the metal bar. She is by herself. She goes around to the front of the patio such that she is out of view of the camera;
- At 2:49:53, security approaches;
- At 2:50:05, AP's fiancé looks outside but does not go out immediately. He does go out at some point later.
- By 3:19, AP is put into an ambulance.

W2 gathered that AP was inside the bar a total of 36 minutes after coming from the outside bar. AP had a fifth of a Caesar, a shot and about a third of a glass of wine. W2 assumed that, because AP was inside for 36 minutes, if anything had happened to her drink, it would have been within that half hour. She carefully reviewed the video and watched it several times. W2 did not see anyone touch or do anything to AP's drinks.

## Forensic Evidence

There was no forensic evidence collected in this investigation. Although AP went to hospital, via ambulance, she left the hospital, after waiting several hours, without seeing a doctor. No blood was drawn.

## Issue and Conclusion

The issue for my consideration is whether there are grounds to believe the subject officer committed a criminal offence.

The affected person names the subject officer as a suspect because he was an unfamiliar person with whom she chatted, who was flirtatious with her, and who bought her a drink. She lost consciousness shortly after consuming this drink. Beyond that, there is no evidence to suggest the subject officer administered any substance in any of AP's drinks. According to the bar staff member who viewed the video footage and carefully watched, on video, AP's drink during the time AP was inside the bar, neither SO, nor anyone else touched AP's drink. Unfortunately, because the video was deleted before the investigation began, SIRT-NL investigators were not able to view the video firsthand. Having said that, there is no reason to question the credibility of the staff member nor is there any evidence to contradict her statement.

In addition to this, there is no evidence of what substance AP had consumed as, unfortunately, the appropriate tests were not conducted when she was brought to the hospital after the incident.

In summary, beyond SO's presence, there is no evidence he administered a substance in any of AP's drinks. Accordingly, as the civilian director of SIRT-NL, I do not consider there are reasonable grounds to believe the subject officer committed a criminal offence under s. 245(1) of the Criminal Code. Accordingly, no charge will be laid.

This file is now concluded.

**Final Report prepared by:**

Michael NR King, Director  
Serious Incident Response Team - Newfoundland and Labrador  
December 12, 2022  
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