



Serious Incident Response Team

Civilian Director's Report
SIRT-NL File No. 2025-0040

Stephen Ring
Director
July 27, 2026

Introduction

On November 26, 2025, the Serious Incident Response Team of Newfoundland and Labrador (SIRT-NL) received a complaint from a member of the public alleging that a member of the Royal Newfoundland Constabulary (RNC) committed perjury while giving testimony before the RNC Public Complaints Commission on October 22, 2024. The allegation arises from testimony given by the Subject Officer about the detention of the Affected Person under the **Mental Health Care and Treatment Act** (MHTCA) on April 7, 2015.

Mandate

SIRT-NL is a civilian-led oversight agency that conducts investigations into serious incidents. Serious incidents include matters 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 the allegation involved potential perjury by an RNC officer, it fell within SIRT-NL's mandate as a matter of significant interest. As such, I directed a SIRT-NL investigation into this matter.

The strategy for the investigation was a traditional one; focusing on interviewing the Affected Person, witnesses, and obtaining any corroborating and/or refuting evidence that was available.

Terminology

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

- “Affected Person” or “AP” for the individual who alleged that a RNC officer committed perjury.
- “Subject Officer” or “SO” for the police officer who is the subject of this investigation.
- “Witness Officer #” or “WO#” for any police officer who provided relevant information.
- “Witness #” or “W#” for any civilian who provided relevant information.

Investigation

The SIRT-NL investigation began on November 26, 2025, and concluded on June 25, 2026.

During the investigation, SIRT-NL took the following steps:

- Collected and reviewed:
 - Copy of RNC investigative files which included statements from W1, WO1, WO2, WO3, and WO4 related to the circumstances surrounding the interaction with AP

- Notes and reports of SO, WO1, WO2, WO3, and WO4
- Obtained audio recorded statements from:
 - AP and WO1

Overview

This report addresses whether there are reasonable grounds to believe that the Subject Officer committed perjury and/or obstruction of justice in testimony given before the RNC Public Complaints Commission on October 22, 2024, pursuant to sections 129 and 131 of the **Criminal Code**.

The Affected Person (AP)

The following summary reflects information received from AP's: RNC Public Complaints Commission testimony in October 2024, written complaint to SIRT-NL in December 2025, and interview with a SIRT-NL investigator on March 11, 2026.

AP alleged that SO provided false and misleading testimony about the circumstances of his April 7, 2015 detention, particularly by claiming that a lengthy period of discussion and behavioural assessment occurred prior to the decision to detain him. AP stated that SO immediately advised him upon entry into his house that a doctor wanted to see him and that he would be taken to hospital. AP maintains that any subsequent interaction consisted primarily of him questioning police authority. In his interview with the SIRT-NL investigator, AP acknowledged that SO had been at his residence speaking with him for over 20 minutes and then another 10 minutes at his residence was spent with him gathering his belongings.

AP further alleged that SO fabricated or exaggerated descriptions of his behaviour, including claims that he was yelling, erratic, or exhibiting signs of a mental health crisis, which AP denied. AP stated that he was calm but assertive, challenging the legality of the police action and defending his rights, and that he did not engage in behaviours later attributed to him.

AP contended that the narrative of him being in crisis emerged only after the fact, particularly in later reports and testimony, and this was used to justify his detention which he said was effectively predetermined rather than based on actual observations. AP emphasized that police did not provide clear documentation or lawful authority at the time for the detention, and that he ultimately complied with direction as he was under pressure in a tense situation which included the presence of his pregnant partner and SO standing in the doorway with his hand resting on his service weapon.

AP characterized SO's evidence as a retrospective and embellished, alleging that it improperly attributed the decision to detain to observed behaviour rather than a predetermined decision.

Civilian Witness

Witness 1 (W1)

W1 was contacted on several occasions but ultimately did not provide an interview. The following summary was drawn from a prior RNC investigative interview.

W1 was AP's fiancée at the time of the interaction with members of the RNC. W1 described the interaction as a tense but controlled encounter in which multiple officers attended the residence and engaged primarily with AP while she remained present and involved in questioning their authority. She stated that AP was initially calm, friendly, and cooperative, offering the officers coffee and attempting to explain his actions and views while also asserting his rights and challenging the legality of the police presence. W1 recalled that both she and AP questioned the officers about their authority and requested documentation, and that officers maintained a calm but firm approach, speaking in a measured, negotiation-style tone and indicating that AP would need to attend hospital. She described AP as trying to remain calm and peaceful, though the situation itself was emotionally charged, and she was distressed given her pregnancy. She estimated that police were present for a relatively short period (approximately 15 minutes) before AP agreed to go with them, which she characterized as a decision made to avoid escalating an already tense situation.

Witness Officers

Witness Officer 1 (WO1)

On March 27, 2026, the SIRT-NL investigator obtained an audio recorded statement from WO1. The following summary is drawn from WO1's SIRT-NL interview and prior RNC investigative interviews:

WO1 attended AP's residence in a supporting role, positioned slightly behind SO and focused primarily on officer safety, which limited his ability to continuously observe or hear the full interaction. SO led the engagement and spoke extensively with AP over a period estimated at roughly 30 minutes to an hour. WO1 characterized SO's approach as calm, negotiation-focused, and aimed at gaining cooperation without resorting to the use of force. WO1 described AP's demeanour as variable, at times calm and conversational and at other times more animated, although he could not hear all of AP's statements and often inferred context from SO's responses. WO1 did not recall AP being formally told he was under arrest and stated that AP ultimately went to the hospital voluntarily. WO1 confirmed that AP was taking photos or recordings during the interaction and that the overall encounter concluded without physical confrontation with AP accompanying police for medical assessment.

Witness Officer 2 (WO2)

WO2, a retired RNC officer, declined to provide an interview. The following summary is drawn from WO2's prior RNC investigative interviews and his testimony at a RNC Public Complaints Commission hearing.

WO2 described a prolonged and engaged interaction between SO and AP at the residence, during which time WO2 took a largely observational role while SO conducted the conversation. WO2 testified that AP presented as agitated, emotionally elevated, and at times irrational, speaking quickly and expressing strong views about political issues, while fluctuating between heightened emotion and periods of relative calm. WO2 indicated that SO spoke with AP in a calm, respectful, and negotiation-focused manner, attempting to de-escalate the situation and build rapport over a period he estimated varied from approximately 20 minutes to 45 minutes. During his RNC Public Complaints Commission testimony WO2 did not recall the precise details of the dialogue due to the passage of time but maintained that AP was “ramped up” on arrival and cycled through emotional highs and lows during the interaction. WO2 further testified that AP was ultimately not physically restrained or handcuffed, and left without resistance.

Witness Officer 3 (WO3)

The following summary is drawn from WO3’s previous RNC investigative interview and police notes:

WO3 reported that he attended the residence with other officers but remained primarily in the police vehicle and had no direct engagement with AP during the initial contact. From his observations, officers spent approximately 15 to 20 minutes at the doorway speaking with AP before departing the residence with AP and his partner for transport to hospital. WO3 noted that AP was not physically restrained or handcuffed and that the interaction did not involve any use of force. During transport and at the hospital, WO3 observed that AP had numerous questions about the legality of his detention and made comments expressing distrust of police and government actions.

Witness Officer 4 (WO4)

The following summary is drawn from WO4’s previous RNC investigative interview and police report.

WO4 described being the investigating officer in relation to Twitter posts made by AP and initiated contact by telephone to request that he attend the detachment. WO4 reported that during this call AP became increasingly confrontational, agitated, and prone to speaking at length about political grievances, including references to government actions and historical events. WO4 indicated that AP refused to attend the RNC detachment voluntarily, interpreted her request as intimidation, and accused her of threatening to send armed officers to his residence. Based on both the content and tone of the conversation, WO4 developed concerns about AP’s mental state. WO4’s relayed these concerns within the RNC, contributing to internal discussions that led to the decision to have officers, including SO, attend AP’s residence to assess his wellbeing.

Subject Officer

SO declined to provide an interview. Following is a summary of SO's account of the incident taken from his notes, reports and testimony at the RNC Public Complaints Commission.

SO attended AP's residence on April 7, 2015, in his capacity as a trained negotiator to assess concerns arising from AP's social media activity and potential mental health concerns. Upon arrival, SO made contact at the door, was invited inside, and engaged AP in a sustained interaction. In both his report and subsequent testimony, SO maintained that a meaningful period of discussion occurred prior to any decision to detain, during which time he attempted to build rapport, de-escalate the situation, and assess AP's condition. SO documented and testified that AP presented as being agitated, emotionally elevated, and erratic at times: raising his voice, gesturing, moving about, and expressing intense political grievances, while also referencing stress, lack of sleep, and other personal factors. Based upon these observations, SO concluded AP was experiencing a mental health crisis requiring medical assessment. SO testified that the decision to detain under the MCHTA was made after a period of observation and engagement.

SO's notes from April 7, 2015, are brief and primarily record that AP was detained and cautioned, while his more detailed account of observations and reasoning appears in his April 8 report and was later reflected in his sworn testimony.

Timeline

The available objective and witness evidence indicates that police were at AP's residence for approximately 30-40 minutes, with some variation depending on the source:

- **GPS / AVL data:** approximately 15:04 to 15:43 (39 minutes)
- **Supervisory notes:** From 15:03 to 15:34 (31 minutes)
- **Twitter posts:** suggest approximately 35 minutes elapsed between initial and later stages of the encounter
- **WO1:** approximately 30 minutes to 1 hour
- **WO2:** approximately 20 to 45 minutes
- **WO3:** approximately 15 to 20 minutes
- **W1:** approximately 15 minutes

While individual estimates vary, the objective and witness evidence collectively supports a duration in the range of approximately 30 to 40 minutes.

Issue and Conclusion

On November 26, 2025, SIRT-NL received a complaint from AP alleging that SO committed perjury during his testimony before the RNC Public Complaints Commission on October 22, 2024. This allegation arises from evidence given by SO about his role in the detention of AP under the **Mental Health Care and Treatment Act** on April 7, 2015.

AP alleges that SO falsely testified that there was a lengthy period of assessment and discussion prior to the decision to detain, whereas AP maintains that SO immediately told him that a doctor wanted to see him and that he would be taken to hospital. Any subsequent discussion consisted primarily of AP challenging the legality of the police action and requesting documentation.

AP further alleges that SO fabricated or exaggerated descriptions of his behaviour, including claims that he was erratic, emotionally unstable, or physically demonstrative (such as yelling or exhibiting unusual conduct), which AP unequivocally denies. AP maintains that he was calm but assertive, questioning police authority and defending his rights, and that any portrayal of him as being in crisis was inaccurate and introduced after the fact by SO to support the legality of the apprehension. AP is of the view that SO's testimony improperly attributes the basis for detention to observed behaviour and a considered assessment, while this decision was predetermined, unsupported by actual observations, and later rationalized through an embellished narrative presented in reports and sworn evidence.

SIRT-NL's investigation focused on whether there are reasonable grounds to believe that SO obstructed justice in giving testimony or knowingly provided false testimony under oath with the intent to mislead. The investigation reviewed contemporaneous police notes and reports, prior RNC investigative materials, and testimony given during multiple proceedings. SIRT-NL also obtained statements from AP and a witness officer.

SO declined to provide an interview but consented to the use of previously authored reports and notes. SO's April 7, 2015, notebook entry related to the incident is brief, captures only basic identifiers (address, names, and reference to MCHTA), and contains no record of his observations, reasoning, or grounds for detention. In contrast, SO's April 8, 2015, continuation report provides a detailed narrative, including his observations of AP's behaviour (agitation, erratic conduct, stress indicators), his interaction with AP, and a clear explanation that he formed the decision to detain under the MHCTA based on those observations at the residence. The substantive basis for detention appears in the later account and is absent from contemporaneous notes.

The witness evidence collected and reviewed during the investigation presents a consistent account that a period of dialogue occurred between SO and AP prior to his transport to hospital, although there are differences in emphasis and characterization. In his interview with SIRT-NL, AP acknowledged that there was discussion and that he was agitated, speaking rapidly, and forcefully arguing his position, while maintaining that certain behaviours described by SO did not occur. During an interview with the RNC associated with a previous investigation, a civilian witness described a tense but controlled interaction in which both she and AP engaged officers in

discussion, with police maintaining a calm demeanor and insisting that AP attend hospital. Witness officers consistently described AP's behaviour as variably agitated, animated, or emotionally elevated, with fluctuations in demeanor, and indicated that SO led a sustained conversation aimed at de-escalation and obtaining AP's cooperation without resorting to the use of force. The witness evidence supports that an extended interaction involving discussion and observable agitation occurred, though witnesses describe the precise nature and degree of AP's behaviour differently.

The passage of time presents a significant evidentiary barrier to establishing perjury or obstruction of justice, particularly in circumstances such as here where the investigation occurs approximately eleven years after the underlying events. Perjury requires proof that a witness knowingly made a false statement on a material point, rather than being mistaken or experiencing a lapse in memory. As the temporal gap increases, the distinction between deliberate falsehood and imperfect recollection becomes progressively more difficult to establish.

Courts recognize that memory degrades over time and that discrepancies, omissions, or evolving accounts are not, in themselves, indicative of dishonesty. In the absence of a clear, contemporaneous record contradicting a later account, it is difficult to prove that any inaccuracy was knowingly false at the time it was given, rather than the result of memory decay, reinterpretation, or reliance on subsequent information.

Based upon the evidence available, the threshold for perjury is not met. While there are differences between AP's account and that of the SO, the broader evidentiary record including witness officer statements, civilian evidence, and objective timing information supports that a period of discussion occurred and that AP displayed a degree of agitation or heightened emotional state during the interaction. These findings are consistent with aspects of SO's testimony, even if there are differences in emphasis or specific details. It is important to note that perjury requires proof not merely of inaccuracy, but that the witness knowingly made a false statement with the intent to mislead. In this situation, the evidence does not establish that any divergence in SO's account rises above the level of differing recollection or interpretation, particularly given the significant passage of time between the events and the testimony. In addition, it appears that any difference in AP's and SO's account would not have been material to the RNC Public Complaints Commission's decision.

For similar reasons, the allegation of obstruction of justice is also not supported. To constitute obstruction in this context, it would be necessary to demonstrate that SO willfully provided false or misleading evidence in a manner that interfered with the adjudicative process. The investigation found that the core elements of SO's testimony were corroborated by independent evidence, and that no clear or compelling proof exists to show deliberate fabrication or an intention to mislead the RNC Public Complaints Commission. Absent such proof, any inconsistencies in the evidence are more appropriately characterized as variations in perception and memory rather than conduct capable of grounding criminal liability.

Concluding, while AP raises substantive concerns regarding the accuracy of SO's testimony, the totality of the evidence does not establish that SO knowingly provided false evidence or that his

testimony obstructed the course of justice. The evidentiary record supports the conclusion that the differences between the accounts reflect contested recollections rather than criminal wrongdoing, and therefore neither the perjury nor obstruction allegations meet the requisite evidentiary standard.

SIRT-NL will now conclude this file.

Final Report prepared by:

Stephen Ring, Director

Serious Incident Response Team - Newfoundland and Labrador

July 27, 2026

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