



OFFICE OF THE
POLICE COMPLAINT COMMISSIONER

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NEWS RELEASE

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Public hearing into Abbotsford police use of force on Indigenous man stopped for jaywalking

Victoria – The Police Complaint Commissioner has called a public hearing into the conduct of two Abbotsford police officers related to their use of force in a January 2024 incident that ended with serious injuries to an unhoused Indigenous man.

On the evening of January 23rd, the man was walking with a shopping cart and carrying a large stick in an area of Abbotsford close to shelters and outreach services. The police officers say they stopped him for jaywalking and directed him to drop the stick. They also reported that the man refused to drop the stick and heard him state the officers were going to kill him. The incident escalated and one of the officers quickly deployed OC Spray to the man's face, drew his pistol on him, punched him multiple times in his face, and push-kicked him. According to police, the man responded with a punch to an officer's shoulder. After a foot pursuit, the man stopped and police confronted him. They used substantial force to subdue and arrest him, including punches, elbow and knee strikes to the head, face and elsewhere, and two contact cycles of a Conducted Energy Weapon (Taser).

The Indigenous man suffered significant injury to his face and head, and was transported to the hospital. Some of the use of force was captured on CCTV footage. Criminal charges were filed by police against the man but were later stayed by the BC Prosecution Service.

"To preserve public confidence in policing, there needs to be full accounting of why the members rapidly used substantial force options rather than stepping back and trying to calm and de-escalate the situation," said Prabhu Rajan, BC's Police Complaint Commissioner. "Their initial interaction with a marginalized and apparently fearful person quickly escalated in ways that seem excessive considering that the reason for the stop was a minor traffic matter.

Prabhu Rajan
Police Complaint Commissioner

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My goal in calling a public hearing is for an arms-length adjudicator to closely examine the rapid escalation in force and to provide additional guidance on crisis intervention and de-escalation techniques. These issues need to be examined in the context of historical and current concerns regarding police treatment of and use of force on Indigenous Peoples.”

The Commissioner has appointed David Pendleton, former Judge of the Provincial Court of British Columbia to preside as adjudicator in these proceedings. The public hearing will allow him to hear directly from witnesses, determine whether the officers committed misconduct, impose disciplinary or corrective measures as required, as well as make appropriate policy and practice recommendations. This offers the fastest and most efficient way to bring this serious matter to a full and final resolution.

The hearing will be open to the public and media, unless restrictions are imposed by the adjudicator. Hearing dates have not yet been determined but will begin at the earliest practicable date which will be posted to the OPCC website. Further details may be found in the Notice of Public Hearing which is available [here](#).

About the OPCC and Public Hearings:

- Prabhu Rajan is the Police Complaint Commissioner; he is a civilian, independent Officer of the Legislature overseeing complaints, investigations, and discipline involving municipal police in British Columbia.
- While the OPCC does not have a mandate to investigate or make determinations about police misconduct, it does act in the public interest to ensure allegations are fully investigated and fairly decided.
- As result of amendments to the *Police Act* in 2024, the Police Complaint Commissioner can arrange a public hearing on his own initiative at any time after he receives a final investigation report from police.
- Retired judges appointed under the *Police Act* are independent and operate at arm’s length from the OPCC. They are appointed to sit as the adjudicator and review the evidence, hear sworn or affirmed testimony, and arrive at a decision as to whether there is misconduct and, if necessary, determine the corrective and/or disciplinary measures to be imposed.
- The appointed retired judge can make recommendations to the chief constable or police board concerning any changes in policy or practice considers advisable.
- The Police Complaint Commissioner will appoint Commission Counsel to act on their behalf during public hearings. Independent public hearing counsel will present to the adjudicator the case relative to each allegation of misconduct against the member.

Note to media: The OPCC is unable to comment on this review while it is underway. For general queries related to the OPCC's role and processes, please contact:

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