

## No charges for using RCMP Taser on B.C. boy, but police refuse to explain why

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PRINCE GEORGE, B.C. - The RCMP officers who stunned an 11-year-old boy with a Taser in northeastern British Columbia won't face charges, but the outside police force that conducted the investigation won't reveal the most basic details about what happened.

The child was shocked with the stun gun in April after several Mounties responded to a stabbing at a group home in Prince George.

The case renewed controversy about Taser use in B.C., which recently held an exhaustive public inquiry into the weapons, and raised questions about why trained police officers would need to use the weapon on a child. The boy is believed to be the youngest person ever to be stunned with a police Taser in Canada.

But an outside investigation by the West Vancouver Police Department has done little to address the controversy, other than to conclude the officers involved didn't break the law.

"My team spent much of this spring and summer interviewing witnesses, collecting and analysing evidence and consulting with those in the legal profession as well as subject matter experts in topics like police use of force," West Vancouver police Chief Peter Lepine wrote in a brief letter released Thursday.

"We have concluded that the actions of the officers involved did not violate the Criminal Code of Canada and we are not recommending charges."

An RCMP officer with 18 months on the force was placed on administrative leave after the incident. No one from the RCMP was available Thursday to discuss the case or the status of that officer.

Few details about the confrontation have ever been released. Police have never said whether the boy was armed or if he was attacking or threatening the officers at the time.

West Vancouver police spokesman Insp. Fred Harding declined to fill in the blanks on Thursday. Harding noted the Commission for Public Complaints Against the RCMP and B.C.'s children's watchdog have launched their own reviews, and he said releasing more information could jeopardize those investigations.

Harding would only say that the investigation concluded the use of the Taser was appropriate "based on the totality of the circumstances," while refusing to offer any details about what those circumstances were.

Still, Harding said the public can have confidence in the investigation's findings.

"There's got to be accountability on police, and there's got to be accountability on the part of the officers that were there, and from everything that I understand about this investigation, they've addressed their accountability," said Harding.

"The accountability to the public comes from the fact that West Vancouver Police Department has done a thorough investigation."

A report released last year by the Commission for Public Complaints Against the RCMP identified 194 cases between

2002 and 2009 in which the force deployed Tasers on subjects aged 13 to 17, including two 13-year-olds. None were as young as 11.

The same report said RCMP Taser deployments against youth were more common in B.C. than in any other province.

Micheal Vonn of the B.C. Civil Liberties Association said the case is a perfect example of why the police shouldn't be investigating police.

"When we're using Tasers on someone at this age, we have to ask ourselves a number of questions, including, what kind of extraordinary circumstances could justify such a thing?" Vonn said in an interview.

"That is very difficult to envision. I'm not saying it couldn't happen, but we need the circumstances."

The B.C. government is currently setting up an independent body to investigate serious allegations involving police, and the RCMP have said they will call in the provincial body in cases involving its officers. The Independent Investigations Office has been searching for its civilian director and the office is expected to be open by the end of the year.

Such an independent body was a key recommendation from the public inquiry into the death of Robert Dziekanski.

Dziekanski died in Vancouver's airport in October 2007, when he was confronted by four RCMP officers and stunned multiple times with a Taser.

After a two-part public inquiry, commissioner Thomas Braidwood concluded Tasers can be fatal in rare circumstances, and he identified several factors that would increase that risk.

Among those most at risk, Braidwood wrote in one of his reports, were people with pre-existing heart conditions and children because of their smaller size.

The parents of the 11-year-boy stunned in Prince George have said he suffers from bipolar disorder and a heart condition.

B.C.'s children's watchdog announced her own investigation, specifically looking at the boy's care in the government-run group home.

Children's representative Mary-Ellen Turpel Lafond has said her investigation will examine whether staff at the Prince George facility and other group homes are adequately trained and properly regulated.

Solicitor General Shirley Bond said she doesn't know details of the investigation but has received assurances from West Vancouver police that it was thorough.

"I think everyone recognizes that this particular circumstance raised a great deal of concern, certainly there was a very strong reaction across the province," she said.

"The process that's in place today in British Columbia sees this as the investigative process, and the West Vancouver police department have done the job that was requested of them."

— By James Keller in Vancouver

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