



**CRCC Final Report – Colten Boushie
Key Facts and Evidence Overlooked in CRCC Report**

March 21, 2021

Below are examples where information and testimony from RCMP Members, summarized below, was overlooked in the CRCC's report and/or findings:

Boushie Group's Intentions:

The report accepts as fact that the Boushie group were out enjoying a day of swimming and drinking, and later "interacting" with others' vehicles, leading up to the tragic encounter at the Stanley farm. One group member provided sworn testimony at trial to being "hammered drunk". In fact, group members' initial interviews and later media comments and testimony at trial both convey significant inconsistencies with this premise of socially and legally acceptable behaviour and motivations.

Individuals in the Boushie group contradicted themselves and each other on several occasions, including statements of admitted attempted theft of at least one other vehicle on the Stanley property, as well as possession of a firearm in their own vehicle. A witness from a neighbouring farm testified the Boushie party had trespassed on their property and attempted to steal their vehicles prior to departing for the Stanley property. This included attempting to break a vehicle window using a rifle, which broke the stock of the firearm (later found by police and placed in evidence).

Notifying Boushie Family of Colten's Death:

The CRCC report unconditionally accepts the Boushie family's assertion of discrimination in the officers' conduct related to the notification of Mr. Boushie's mother, Ms. Baptiste, of his death and a later conversation outside of a funeral hall.

The report of events and *prima facie* finding of discrimination on this occasion solely reflects the Boushie family's interpretation of the interaction, and even considers "social, historical and legal context" including "long-standing colonial assertions, stereotypes, and the troubled history of police and Indigenous peoples' relations".

The Commission outright discards the records and reports of seven attending officers who indicated they both felt and demonstrated compassion and respect toward Ms. Baptiste on the loss of her son.

Conversation outside the funeral hall:

Days after notifying Ms. Baptiste of her son's death, after trying unsuccessfully to reach her to provide an update, police asked a neighbour if they would approach Ms. Baptiste at the funeral hall to ask if she was willing to come out to speak with them and, if she was not, the officers would leave. The officers waited outside the funeral hall and she came out and spoke with them voluntarily. Notably missing from



the CRCC report is that our Members observed no animosity from the family about attending outside the wake.

As the CRCC points out, wakes in First Nations tradition are held for multiple days following the passing of a band member. In Saskatchewan, and other provinces, it is common for Members to reach out to a victim's family to speak with them during this time, with prior permission.

Inexplicably, the CRCC states that our Member's version of events is not as reliable as the version provided by the Boushie family, yet at no point in their report does the CRCC indicate they do not believe our Members.

Finally, it is clear that the CRCC relied more heavily on Ms. Baptiste's version – demonstrating a bias against our Members' accounts, despite their handwritten notes made contemporaneously and a written report.

Witnesses Ability to Participate in Interviews

The Commission claimed that, put simply, witnesses were not fit to participate in interviews because of severe hangovers, lack of sleep, and being held in cells. The three witnesses were offered food, water, and sleep to give them an opportunity to sober up and rest from the previous day. (One of the four witnesses left the scene, engaged legal counsel, and then appeared at the detachment late on the second day for an interview.)

At the same time, the Commission acknowledges that officers lawfully arrested and held the witnesses to the shooting as part of the investigation, as these witnesses were also suspects in attempted vehicle theft.

After 16-plus hours of rest, the officers explained the situation to all four witnesses individually, confirmed with them that they understood, and confirmed that they were willing and able to participate in an interview. The witnesses were asked if they understood they were asked to give witness statements and each of gave verbal affirmations that they did.

Witnesses gave varying information — including the presence of a gun in their vehicle — and some indicated they couldn't remember details because they were too intoxicated at that time.

The one witness who left the scene and had an opportunity to rest, eat and sober-up independently, admitted in testimony at trial that he lied in the initial interview. At trial and under oath, he admitted that their intention was to steal and that the gun was his, although he had indicated the gun belonged to another member of the party in the earlier interview.

The issue of various individuals' ability or fitness to participate was only raised weeks later.

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Crime Scene Visit and Investigation Timing

The Commission criticized Major Crimes Unit officers for not attending the scene soon enough to view the area and meet with on-scene officers and at a time deemed “opportune”. This “opportune” time as per the CRCC was 3:30 a.m. when the scene was pitch black dark. The officers did not yet have authorization to enter the crime scene and could only view it from 100m down a road that was lined with trees and had no line of sight to the scene of the shooting.

Additionally, the officers on scene at that time were providing security duties, from a different detachment, did not attend the initial call and had extremely limited knowledge of the investigation.

The Commission also criticized the officers for taking time to lodge and rest for three hours, after attending the initial response and investigation, arresting and transporting Mr. Stanley, arresting and transporting the three witnesses, notifying Mr. Boushie’s next of kin, searching for the missing witness, and removing Mr. Boushie’s body. The witnesses were still too intoxicated to be interviewed at this time. There was literally nothing that could be done at 4 am, and the officers had been awake and on duty for nearly 24 hours and faced critical investigative steps in the morning including interviews with all witnesses and the suspect.