



NIJHAWAN
MCMILLAN
PETRUNIA
BARRISTERS

5162 Duke Street, Suite 200
Halifax, NS B3J 1N7

Mass Casualty Commission
1791 Barrington Street, Suite 310
Halifax, NS B3J 3K9

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VIA EMAIL

Dear Commissioners:

Re: Phase 1 Final Submissions on behalf of the National Police Federation

Please accept this letter as final submissions on behalf of the National Police Federation (“NPF”) in respect of the evidence presented to the Mass Casualty Commission (the “Commission”) during Phase 1.

The NPF is a union representing RCMP members below the rank of Inspector (“Members”), including approximately a hundred Members who were involved in the response to the mass casualty response and subsequent investigation. NPF Members who responded on April 18 and 19, 2020, include general duty and Emergency Response Team first responders and their supervisors; Members in the Emergency Medical Response Team and Police Dog Services; Risk Managers; Critical Incident Commanders and other Members involved in decision-making at the Command Post; General Investigative Service, Major Crime Unit, and Forensic Identification Service investigators; Tactical Troop members; family liaison officers, among others.

Among NPF’s Members are also Cst. Chad Morrison, who was shot by the perpetrator and survived, and Cst. Heidi Stevenson, who was murdered while attempting to stop the perpetrator.

The Commission’s mandate

The Commission’s Orders in Council “direct the Commissioners to inquire into and make findings on matters related to” the mass casualty, including “the response of police, including the Royal Canadian Mounted Police (RCMP) and municipal police forces”.¹ The

¹ Order in Council, PC 2020-822, (a)(ii) [OIC].

Commissioners are directed to examine issues including police response, policies, procedures and training as well as internal, inter-agency and public communications by police.²

NPF Member participation in Phase 1 proceedings

In addition to their service during the mass casualty event and subsequent police investigation in 2020, NPF Members have contributed to the Commission's work in many ways over the past year. Since July 2021, More than 40 NPF Members gave voluntary interviews to Commission investigators about their involvement, including many who did so from retirement, and several others provided written statements or access to previous interviews. In addition, the Commission has heard 15 days of evidence from 24 NPF Members in public hearings, on difficult topics.

In addition to first-person accounts from Members, the Commission has reviewed and considered their written notes and reports. The Commission has also benefited from the findings of thousands of hours of Members' investigative work into the perpetrator's background and actions on April 18-19, 2020. This information has now been entered into the public record, and integrated into the Commission's Foundational Documents.

The NPF submits that its Members have been open, transparent and credible in the evidence they have provided to the Commission. Their cooperation has made a material contribution in enabling the Commission to complete its difficult task. The evidence compiled in Phase 1 demonstrates that without exception, NPF Members acted in good faith and made best efforts to protect the public and ultimately to stop the perpetrator. They did so in the face of unprecedented tactical disadvantages and at significant personal risk.

Learning from Phase 1

The Commission has now explored, documented, and interrogated nearly every action of every Member who had a part in the police response to the mass casualty. Hindsight has allowed us to understand aspects of the events that were impossible for Members to discern while the events were unfolding. In some cases, the Commission's work has highlighted how individual actions shaped or changed the course of events. In other cases, we have seen how coincidence or chance meant life or death for both first responders and the public.

² OIC, (b)(ii), (iv)-(xi).

The fact-finding exercise the Commission conducted in Phase 1, including with respect to the police response, is meant to lay the foundation for the Commission's work in Phase 2 and Phase 3. In those later Phases, the Commission will explore why events happened as they did, and what recommendations can improve public safety in the future.

With that objective in mind, the NPF offers submissions on *what lens* the Commission should apply in reviewing the evidence from Phase 1, and *what themes* have emerged to inform its future work. The NPF asks the Commission to consider the following approach. First, seek to understand each individual action in the context of the system in which it occurred. Second, identify common themes across individual events that demonstrate broader issues, and avoid being distracted by incidents that are ultimately explained by chance or human error.

Seek to understand individual action in its organizational and systemic context

During a roundtable at public proceedings on June 1, 2022, the Commission heard from Dr. Bjørn Ivar Kruke, a Professor of Risk Management and Societal Safety at the University of Stavanger in Norway. Dr. Kruke's expert report,³ filed in evidence, provides a helpful and appropriate framework for the Commission to understand and process the vast evidentiary record presented to date about police response and practices.

It is inevitable that the Commission's careful examination of NPF Members' response will reveal individual mistakes or missteps, evident with the benefit of a comprehensive understanding of events. Rather than look for human error, Dr. Kruke urges us to consider what constrained or shaped individual actions or decisions, so we can learn lessons at an organizational and systemic level that will help guide a more effective response next time:⁴

Another and more promising way of understanding human error is that it is a symptom of wider problems within a system. Instead of looking for where individuals went wrong, examine how people's assessments and actions made sense at the time, given the circumstances that surrounded them. Thus, when conducting investigations following mass shooting events, it is imperative to look beyond specific actions by response personnel and seek a deeper understanding of what led them to make decisions during such a response. There may be relevant explanations at the organizational and systemic levels that could provide a richer understanding of specific actions/inactions at the field level.

³ Bjorn Ivar Kruke, *Police and First-Responder Decision-Making During Mass Casualty Events*, COMM0058374, P-001912 (the "Kruke Report").

⁴ Kruke Report, COMM0058374, P-001912, p. 56.

The Commission's focus should not be whether a different outcome would have been possible in this event. Instead, the Commission must focus on whether a better outcome can be achieved during a next event.

The lessons the Commission seeks must transcend the facts. Next time, there will not be a replica police cruiser, or a blueberry field road. The NPF urges the Commission not to be diverted in its work by the human tendency and temptation to place blame on individuals.

Lessons to be drawn from Members' successes and sacrifices

In seeking to identify common elements arising from the events explored in Phase 1, the Commission should not only look for things that could be improved, but also things that worked well (by accident or design) and should be repeated. As Dr. Kruke explains:⁵

Learning is not correlated with blame. ... it is the perpetrator and no one else who is to blame for the loss of precious human lives, for physical and mental harm. Learning is also not only about mistakes. Many scholars argue most of all for learning from mistakes. But learning from successes [is] also important. ... In other words, an important complementary strategy is to ask how and why things were managed well and then to try and ensure that they happen again.

The NPF submits that the professionalism, integrity and training of its Members has been demonstrated throughout the evidence before the Commission. Though the submissions that follow identify mostly the institutional and structural limitations that faced Members during their response to the mass casualty, the NPF urges the Commission not to overlook the positive aspects of our Members' response, against incredible odds.

The police response to the mass casualty shows both ordinary and extraordinary examples of police work, to situations both within and outside the scope of NPF Members' previous training. In particular, the NPF commends the Commission to recall the bravery of the IARD response by the initial contact team in a challenging and high-risk operational environment; Members' work to protect and evacuate the Blair and McCully children; the efforts of the Risk Managers to address an impossible influx of information; the collaboration and dedication of Members of the command team; the careful and strategic gathering of intelligence by investigative team Members; and the professionalism of the EMRT, ERT and PDS Members throughout, including the acuity and skill of Cst. Hubley and Cst. MacLeod in their identification of the perpetrator and in their use of force to stop the threat.

⁵ Kruke Report, COMM0058374, P-001912, p 56.

Finally, the Commission must remember the ultimate sacrifice made by Cst. Heidi Stevenson, who faced significant tactical disadvantages in her engagement with the perpetrator and still attempted to stop him. NPF's Members are part of Cst. Stevenson's RCMP family, and her loss continues to impact them deeply.

Consider organizational and systemic themes emerging from the evidence

The NPF suggests that the Commission's efforts to understand what happened during the mass casualty have revealed several recurring themes about the police response. These themes can be understood as relating to (a) police resources; (b) equipment and technology; and (c) training and best practices. Each of these areas is explored in detail below.

1. Police resources

The evidence heard by the Commission to date includes numerous examples where limited police resources played a role in operational decision-making or outcomes. This evidence highlights two distinct issues: staffing and resourcing. The first issue relates to whether the RCMP had a fully staffed complement based on the existing resources allocated to a particular region or role. The second relates to whether additional roles are necessary during a critical incident response to ensure that Members can safely carry out their duty to protect the public. Each of these issues is discussed in turn below.

A. Was there a fully staffed complement of police resources available?

i. *Detachments are staffed below their full complement*

General duty Members at Bible Hill detachment were the first responding officers to the 911 call of Jamie Blair on the night of April 18, 2020. Though the full complement for Bible Hill is six members, only four members were scheduled to work that night in Colchester County.⁶ There was no supervisor on duty because the RCMP had not backfilled for members on leave. Cst. Stuart Beselt took on the role as acting Corporal, and had to occupy a dual role as supervisor and responding member when the call came.⁷ The evidence before the Commission is that detachments regularly operated at the minimum complement.⁸ None of the detachment or district supervision roles is staffed on the weekend or after hours.⁹

⁶ Testimony of IARD Witness Panel, March 28, 2022, COMM0053615, p.11, lines 25-28.

⁷ *First Responder Actions in Portapique* Foundational Document, COMM0050894, P-000005, para 45.

⁸ Testimony of Sgt. Andy O'Brien, May 31, 2022, COMM0058858, p. 9, line 21 to p. 10, line 12.

⁹ Testimony of S/Sgt. Bruce Briers, May 25, 2022, COMM0058605, p. 13, lines 1-2.

During the mass casualty event, Members were not on duty and not formally on call overwhelmingly showed up to help as soon as they became aware of the incident. This included the Operations NCO for Bible Hill (Sgt. Andy O'Brien),¹⁰ the entire supervisory team for Colchester County (S/Sgt. Steve Halliday, S/Sgt. Al Carroll, S/Sgt. Addie Maccallum),¹¹ as well as some general duty Members who took the initiative to come in off shift (Cst. Nick Dorrington, Cst. Trent Lafferty, Cst. Rodney MacDonald).¹²

That Members showed up to help when not scheduled for work is both a positive reflection of their dedication to service, and a challenge for staffing and officer safety. When general duty dayshift Members responded to the call on the night of April 18, 2020, they did so knowing that their nightshift colleagues were short-staffed, and out of concern for public and officer safety. However, they placed themselves in additional danger by working double- or triple-shifts, and leaving no fresh resources for the next day. A fully staffed complement on both shifts, with available on-shift supervisors, would have mitigated these challenges.

ii. *Emergency Response Team is inadequately staffed*

The Emergency Response Team (ERT) is at the core of the RCMP response to an active shooter situation. At the time of the mass casualty, ERT was operating at staffing levels well below the recommended complement of eighteen full-time members,¹³ with only five full-time and eight part-time members.¹⁴

Every ERT Member in "H" Division responded immediately to the call on April 18, 2020, including those off duty. They did so even though the RCMP does not officially require part-time ERT members to respond immediately to a critical incident, and does not pay them to do so.¹⁵ Again, Members' response demonstrates their dedication to service above the boundaries of their paid duty. Public safety, however, cannot depend on individual action in this way. The RCMP must be properly resourced so that reliance on such individual initiative is not necessary.

¹⁰ *RCMP Command Post, Operational Communications Centre, and Command Decisions Foundational Document* ["*Command Decisions*"], May 13, 2022, COMM0057771, P-001461, para 74.

¹¹ *Command Decisions*, COMM0057771, P-001461, paras 24-26.

¹² Testimony of Cst. Nick Dorrington, June 20, 2022, p. 24, line 13 to p. 27, line 21.

¹³ Testimony of S/Sgt. Jeff West, May 18, 2022, COMM0058603, p. 81, lines 16-24; Testimony of Cpl. Tim Mills, May 16, 2022, COMM0058513, p. 68, lines 18-19.

¹⁴ *RCMP Emergency Response Team (ERT) Foundational Document*, May 13, 2022, COMM0057766, P-001370, para 34.

¹⁵ Testimony of Cpl. Mills, COMM0058513, p. 27, line 26 to p. 29 line 1.

At the time of the mass casualty, the Sergeant role on ERT was vacant. This meant that Cpl. Tim Mills was acting in a dual team lead and supervisor role, and he was unable to embed within the Command Post in a tactical operations role without further compromising the staffing level of his team.¹⁶ The Commission heard evidence about how an on-site tactical operations lead would have benefited the Command Post by improving information-sharing and collaborative decision-making.¹⁷

The deployment of part-time ERT members and support services for ERT also placed further strain on detachments, many of which were already working at minimum staffing levels. For example, Cpl. Calvin Byard, an on-call support member of ERT who drove the TAV on April 18-19, 2020, is released from his full-time duties as a shift supervisor in Enfield when required.¹⁸ As a result of his involvement as the TAV driver until the perpetrator was killed, there was no available shift supervisor working in Enfield overnight.

The understaffing of ERT in Nova Scotia created challenges for relief when the pursuit of the perpetrator continued into April 19, 2020. Without additional available ERT members to provide relief in "H" Division, the RCMP had to call in support from "J" Division (New Brunswick) to ensure that fresh resources would be available.¹⁹ In the end, "H" Division ERT had been actively engaged for more than 12 hours when the perpetrator was killed. The availability of a local second team would have enhanced RCMP support, and allowed the first team to rest, in the interests of officer and public safety.

iii. EMRT and PDS are inadequately staffed

Emergency Medical Response Team (EMRT) and Police Dog Services (PDS) are also key components of the critical incident package that faced staffing shortages on April 18-19, 2020.

In order to properly support ERT in critical incidents, and promote public safety, EMRT must be adequately staffed. The Commission has heard evidence that EMRT provides critical care to police officers and victims of crime in dangerous zones where civilian EHS cannot attend.²⁰ Only four out of six part-time EMRT positions were staffed at the time of the mass casualty.²¹

¹⁶ Testimony of Cpl. Mills, COMM0058513, p. 69, lines 12-19.

¹⁷ Testimony of S/Sgt. West, COMM0058603, p. 84, lines 12-15; Testimony of S/Sgt. Kevin Surette, May 18, 2022, COMM0058603, p. 85, lines 6-13.

¹⁸ ERT Foundational Document, COMM0057766, P-001370, para 55.

¹⁹ ERT Foundational Document, COMM0057766, P-001370, para 8.

²⁰ ERT Foundational Document, COMM0057766, P-001370, paras 40-42.

²¹ ERT Foundational Document, COMM0057766, P-001370, para 43.

As a result, only one team was available to support ERT and to attend to shooting victims within hot zones. The second team was needed to stand by for relief.²²

The Commission heard evidence that Cpl. Duane Ivany coordinates the program “off the side of his desk”, while working his regular job as a detachment team supervisor on general duty.²³ Without any full-time resources, the EMRT program depends on individual Members who provide services beyond their portfolio because of their passion and dedication to service. Instead, the RCMP should provide adequate resourcing to allow at least one full-time EMRT Member in a coordinator and operational role.

PDS resources were also strained. PDS Members are an important support service for ERT in a critical incident, allowing for tracking of suspects or other persons of interest. However, at any given time there are only two PDS Members on call for any events that arise in all of Nova Scotia,²⁴ and two additional resources were called in during the mass casualty from “J” Division. PDS Members continued to be needed to assist investigative teams to process and search crime scenes following the mass casualty, and because of limited resources, they quickly became overworked.²⁵

B. What additional roles can enhance public and officer safety and operational success?

The Commission’s Phase 1 work has raised important questions about whether the creation of additional dedicated roles within a critical incident response could improve communications and operational functioning. Given the existing stress on police resourcing outlined above, the NPF wishes to emphasize that additional roles cannot be created without resources for additional Members to do those jobs.

A number of witnesses have highlighted that having a dedicated resource within the Command Post to monitor radio traffic and dispatch logs could better ensure that key information is captured, investigated, and actioned as appropriate.²⁶ During the mass casualty, the Critical Incident Package did not include an OCC resource dedicated to feeding information from the radio or dispatch entries to the CIC,²⁷ or to ensuring that Members received regular updates on emerging information via radio and any other pertinent sources.

²² Testimony of Cpl. Duane Ivany, May 5, 2022, COMM0057389, p. 157, line 25 to p. 158, line 13.

²³ Testimony of Cpl. Ivany, COMM0057389, p. 148, lines 18-26.

²⁴ Transcript of Interview with Dion Sutton, COMM0043471, P-000186, p. 7, 26-28

²⁵ Transcript of Interview with Dion Sutton, COMM0043471, P-000186, p. 21-23.

²⁶ Testimony of S/Sgt. Addie Maccallum, June 8, 2022, COMM0058948, p. 191, lines 18-23.

²⁷ As is done in Toronto Police Services: Testimony of Kerry Murray-Bates, June 1, 2022, p. 36, lines 5-6, 12-13, p. 37, lines 16-17.

The Commission also heard evidence that, during the mass casualty, some Members missed important information shared over the radio because their attention was diverted to other tasks, such as driving at high speeds to respond to a call or pursue the perpetrator, interviewing witnesses, attending to members of the public, or liaising with colleagues and other agencies. Examples of missed broadcasts included Cst. Colford's transmission about another possible way out of Portapique,²⁸ Cst. Fahie's transmission about the push bar on the perpetrator's replica police cruiser,²⁹ and transmissions about the shooting of Andrew MacDonald.³⁰ Because Members did not hear this information when it was aired, it could not be investigated or actioned in a timely manner.³¹ The NPF submits that the Commission should consider ways to ensure that the capturing and sharing of intelligence is not limited to what can be contemporaneously heard by any individual Member.

Similarly, while the command team took the initiative of engaging Major Crime Unit investigators early,³² there was no investigator embedded in the Command Post assigned to support the critical incident response.³³ The evidence before the Commission supports the valuable role trained investigators can play in responding to a critical incident, such as the intelligence that Cst. Brown and Cst. Melanson obtained from Lisa Banfield, which allowed Members to confirm that the perpetrator was likely still driving a replica police cruiser.

At the time of the mass casualty, the critical incident package also did not include a dedicated communications professional to facilitate regular updates to the public. The Commission heard evidence that difficulties reaching Members at the Command Post who were actively engaged in the critical incident response contributed to delays in issuing public communications via social media.³⁴

The Commission also learned about the important role played by scribes, freeing Members' attention to focus on other tasks, and ensuring the completeness and accuracy of records of

²⁸ *Command Decisions*, COMM0057771, P-001461, para 101; Testimony of S/Sgt. Maccallum, COMM0058948, p. 225, lines 10-16; Testimony of S/Sgt. Halliday, COMM0058514, p. 80, lines 17-25.

²⁹ Testimony of Cst. Ian Fahie, 5 May 2022, COMM0057389, p. 114, lines 4-13.

³⁰ *Command Decisions*, COMM0057771, P-001461, para 307; Testimony of S/Sgt. Halliday, COMM0058514, p. 53, lines 26-28, p. 54, line 1; Testimony of S/Sgt. MacCallum, COMM0058948, p. 191, lines 2-28; Testimony of S/Sgt. Carroll, COMM0058601, p. 80, lines 16-28.

³¹ E.g., Testimony of S/Sgt. Bruce Briers, May 25, 2022, COMM0058605, p. 71, lines 21-24.

³² Testimony of S/Sgt. Halliday, COMM0058514, p. 50, lines 23-28, p. 51, lines 1-4.

³³ See e.g., Testimony of S/Sgt. West, COMM0058603, p. 56, lines 5-13.

³⁴ *RCMP Public Communications, April 18-19, 2020* ["Public Communications"], COMM0058836, P-002001, paras 91, 93-95.

decisions.³⁵ However, scribes are only assigned to the CIC during a critical incident, and not to other key Members in the command triangle or to the Risk Manager.³⁶

2. *Equipment and technology*

Police officers depend heavily on equipment and technology to discharge their duties, including communications tools, firearms and other weapons, vehicles, and other specialized assets. The Commission's work has revealed several examples of how a lack of appropriate equipment or technology limited Members' ability to respond, or changed the way they had to respond to unfolding events. The NPF sets out some of these examples below.

i. Radio communications

Police radios are an essential tool for communicating important information simultaneously to all Members. Members' effective use of the radio in the initial hours of the mass casualty allowed Members to gain situational awareness while responding at high speed to Jamie Blair's 911 call, enabled the perpetrator's identity to be confirmed and disseminated at an early stage, and facilitated the coordination of medical assistance to the MacDonalds.

Radio capacity was quickly overwhelmed during the mass casualty, however, particularly on the morning of April 19, 2020, when many additional users came on the air during the pursuit of the perpetrator. The limits of the radio communication system meant that, in some instances, Members who needed urgently to transmit were unable to do so. For example, Cst. Dave Melanson made eight attempts to access the air immediately before and after the shooting at the Onslow Fire Hall, which did not transmit.³⁷ CICs S/Sgt West and S/Sgt MacGillivray also both reported difficulties announcing their command over the radio.³⁸

³⁵ Testimony of Wallace Gossen, COMM0058945, June 1, 2022, p. 51, lines 1-2, p. 52, lines 2-25; Testimony of S/Sgt. Halliday, COMM0058514, p. 130, lines 17-22.

³⁶ Testimony of S/Sgt. Halliday, COMM0058514, p. 130, lines 17-22.

³⁷ Mass Casualty Commission – Investigations – Supplementary Report – Rejected Radio Transmissions – ONSLOW, COMM0056435, P-001128.

³⁸ *Command Decisions*, COMM0057771, P-001461, paras 241-42, 599.

ii. *Technology for situational awareness*

A recurring challenge on April 18 and 19, 2020, was the absence of technology to allow those directing police resources to monitor the location of all Members in real time.

The Commission learned that the only method of GPS location for Members on duty is associated with the Mobile Work Station (MWS) in their police vehicles. While this technology represented an improvement over what had been available during previous active shooter situations,³⁹ it had significant limitations. A Member is not visible to the OCC, Command Post or other Members if the Member's MWS is not functioning or not logged in, if the Member's vehicle does not have a MWS, or if the Member is outside their vehicle.⁴⁰ The inability to track the initial contact team while on foot in Portapique, for example, meant that it was too risky to send in a second team, given the risk of crossfire in the context of a dark, wooded and rural environment.⁴¹

Similarly, the command triangle had no ability to monitor the movements of ERT resources on the ground in Portapique.⁴² During the mass casualty, the GPS and live mapping technology that ERT had previously been using was unavailable.⁴³

None of the specialized vehicles belonging to ERT, EMRT or PDS, or the unmarked vehicles used by GIS and MCU investigators, are equipped with an MWS.⁴⁴ As a result, during the pursuit of the perpetrator on April 19, 2020, the OCC and Command Post could not see the location of a significant proportion of their resources. This made it impossible for them to coordinate a strategy for containing or cutting off the perpetrator, and impeded the CIC's overall command of resources.⁴⁵ Members also spent valuable time communicating by radio or phone with the Risk Manager and dispatchers to orient them to the location of calls.⁴⁶

The lack of a MWS in many vehicles limited Members' ability to receive text, images or mapping directions from the OCC. Other officers who did have a standard MWS in their vehicles nonetheless struggled with the limitations of that technology, which is not state of the art. While there are reasons that some specialized vehicles are not equipped with an

³⁹ MacNeil Report, COMM0050843, P-001629, p. 118, recommendation 7.8.

⁴⁰ E.g., Testimony of S/Sgt. Rehill, COMM0058857, p. 101, lines 20-28.

⁴¹ Testimony of S/Sgt. Rehill, COMM0058857, p. 101, lines 20-28; Testimony of Cst. Beselt, COMM0053615, p. 88, lines 10-13; Testimony of IARD Witness Panel, COMM0053615, p. 90, lines 18-28.

⁴² Testimony of Cpl. Tim Mills and Cpl. Trent Milton, COMM0058512, p. 69, lines 2-5, p. 70, lines 5-7.

⁴³ ERT Foundational Document, COMM0057766, P-001370, paras 45-46.

⁴⁴ Testimony of Cpl. Milton, COMM0058512, p. 49, lines 21-22.

⁴⁵ Testimony of S/Sgt. Kevin Surette, May 18, 2022, p. 122, lines 10-15.

⁴⁶ Testimony of Cpl. Tim Mills and Cpl. Trent Milton, COMM0058512, p. 50-51.

MWS, including physical limitations on space, more modern handheld technology, such as a tablet, could replace the functionality of an MWS in Members' vehicles. This investment would make a significant improvement to safety through situational awareness.

iii. Equipment for locating a suspect

General duty Members who responded to the events in Portapique did not have access to night vision,⁴⁷ hand-held thermal imaging (FLIR), or other technologies to assist in locating the perpetrator during the initial IARD response. The lack of these technologies also made it difficult to determine whether the perpetrator remained in the area overnight. This in turn limited the available information to the command team for decision-making.

iv. Vehicles and air support

Air support was not available in the Atlantic Region on April 18-19, 2020. The only air asset that Members were able to use was from the Department of Natural Resources. The NPF submits that access to an RCMP helicopter with night vision, thermal-imaging equipment, and possibly other technology, could have improved the RCMP's situational awareness in Portapique, and thereby increased public and officer safety.⁴⁸ In particular, the lack of air support hindered the ability of the RCMP to locate the suspect, and to safely evacuate residents from Portapique when the perpetrator's location was still unknown.⁴⁹

The Commission also heard that EMRT did not have a dedicated vehicle at the time of the mass casualty. Instead, EMRT Members were using an available Jeep, which they needed to stock with their medical supplies on an ad hoc basis, resulting in delays in deployment.⁵⁰ They were unable to carry carbine rifles because they had no way to safely store them.⁵¹ Had any of the perpetrator's victims required urgent critical care, additional police resources would have had to be diverted to provide cover to a civilian EHS vehicle. EMRT should have a dedicated, equipped vehicle stocked and ready for quick dispatch, able to transporting a non-ambulatory patient out of a hot zone, in the interests of public and officer safety.

v. Single vs. two-member units

⁴⁷ Testimony of Cst. Beselt, COMM0053615, p. 45, line 6.

⁴⁸ Testimony of S/Sgt. West, COMM0058283, p. 177.

⁴⁹ ERT Foundational Document, COMM0057766, P-001370, para 133; MCC Interview of S/Sgt Jeff West, COMM0035916, P-001442, p. 35.

⁵⁰ Testimony of Cpl. Ivany, COMM0057389, p 154, lines 2-26.

⁵¹ Testimony of Cpl. Ivany, COMM0057389, p 160, lines 9-12.

The Commission has heard that during the mass casualty, many general duty Members traveled alone in their police vehicles or fulfilled containment or security roles solo. In its forward-looking work, the Commission should examine whether evidence supports staffing for two-member units during a critical incident for operational and safety reasons, and whether current police resources allow for this model in a critical incident.

There are many examples in the evidence of Members who were limited in their response by the fact that they were traveling or working alone. Several Members described the challenges of driving at high speeds while also trying to operate their vehicle's MWS and process information broadcast on the radio for their own situational awareness. At the Onslow Fire Hall, a solo member faced the challenge of providing lethal overwatch, monitoring evolving events, and communicating effectively with the public – ultimately, this led to a dangerous situation for many individuals. While the perpetrator was active in Portapique, Cst. Colford struggled to obtain and process information from the MacDonalds while also providing lethal overwatch until a second member arrived to support her. Both of the Members who were shot by the perpetrator were working alone.

vi. Interoperability of communications technology across agencies

The evidence before the Commission demonstrates that RCMP Members and dispatchers provided regular updates to other districts and police agencies throughout the mass casualty through telephone calls and “be on the look out” alerts (BOLOs).⁵² These updates included the most recent information available to the RCMP on the suspect’s vehicles and last-known location.

The available technology however, limited the effectiveness of this interagency communication. While expert perspectives before the Commission have identified the CAD system as the most efficient way to share information during a critical incident, police agencies and other emergency services in Nova Scotia use different CAD systems, which are not interoperable.⁵³ RCMP Members and dispatchers instead needed to rely on the telephone to communicate between agencies, which was more time-consuming and less effective at disseminating information broadly and consistently across and within agencies.⁵⁴

⁵² *Truro Police Service Foundational Document*, paras 25, 27, 28, 33, 35, 37, 51-54, 61, 86, 95-97, 106, 117.

⁵³ Roundtable, June 23, 2022, COMM0059341, p. 49-50 (Cmdr. MacDonald, Todd Brown).

⁵⁴ Roundtable, June 23, 2022, COMM0059341, p. 49, lines 7-15 (Cmdr. MacDonald).

3. *Training and best practices*

The Commission is mandated to examine and assess the adequacy of RCMP policies, procedures and practices to respond to a critical incident such as this mass casualty event. Of course, paper policies are only as good as any particular Member's knowledge, understanding and ability to implement them, including by training. In this section, the NPF highlights several challenges faced by NPF Members for which policy, previous experience, and training did not adequately prepare them. As the Commission moves forward, it should consider how the next Members who are faced with responding to a critical incident may gain the benefit of these difficult lessons.

i. Training on mapping systems and protocols for leveraging local knowledge

The Commission heard evidence that inadequate familiarity with and access to the Pictometry mapping program among the Members of the command team may have negatively impacted their situational awareness in the early hours.⁵⁵ Though the containment response was primarily limited by a lack of police resources, described above, even once those resources arrived on scene, the Risk Manager and CIC did not have the necessary information from Pictometry to place resources most strategically.

Eyewitnesses from the community did not provide sufficient information to responding Members to overcome the lack of visibility of the blueberry field road as an egress point on available maps.⁵⁶ The NPF submits that it is not feasible for Members to be aware of all private roads or paths in rural Nova Scotia, or to rely on incidental local witnesses to inform the police response. The Commission should consider how other sources of local geographic knowledge information could be more systematically integrated into the critical incident response when Members are dealing with a rural area, including by building partnerships with other agencies for this purpose.

⁵⁵ Testimony of S/Sgt. Rehill, COMM0058857, p. 167, lines 25-28; Testimony of S/Sgt. Allan Carroll, May 26, 2022, COMM0058601, p. 45-47; Mass Casualty Commission – Transcript of Interview of S/Sgt. Allan Carroll, November 10, 2021, COMM0019386, p. 20; Testimony of Sgt. O'Brien, COMM0058858, p. 7, lines 10-12; Testimony of S/Sgt. Halliday, COMM0058514, p. 120, lines 18-27; Testimony of S/Sgt. MacCallum, COMM0058948, p. 164, line 13 to p. 165, line 7; *Supplementary Report regarding Analysis of Pictometry*, April 21, 2022, COMM0056422, P-001546, p. 12.

⁵⁶ 911 call of Allison Francis, COMM0002628, P-000030, at 32-33, lines 632-638; MCU Statement of Andrew MacDonald, COMM0002703, P-000031, lines 838-44; Statement of Harlan Rushton, 19 April 2020, COMM0006571, lines 404-61.

ii. *Public communications through social media*

During this event, a lack of clarity on the internal RCMP approval processes for social media communications led by the RCMP's Strategic Communications unit led to delays in releasing information on social media.⁵⁷

The NPF submits that social media remains an effective way to release information to the public during an active shooter situation, particularly when events take place outside of normal business hours when news media is less available.⁵⁸ During this mass casualty, information posted by the RCMP on social media was shared and reported widely by news media on various platforms, in the same manner as a more traditional news release.⁵⁹ Though not every member of the public will monitor the RCMP's social media, information shared on those platforms will still reach a broad public when amplified by mainstream media.

The Commission's work moving forward should focus on addressing any of the organizational or systemic factors that contributed to delays in the release of accurate and up-to-date information.

iii. *Public alerting*

The RCMP was not aware of the availability of the Alert Ready system to send a public cell phone alert during an active shooter situation until staff of the Nova Scotia Emergency Management Office (EMO) contacted RCMP Members on April 19, 2020 to offer its use.⁶⁰ Though the RCMP immediately accepted the EMO's offer of the use of this system, the perpetrator was killed before an alert could be actioned.

Following the mass casualty, the RCMP has taken steps to integrate the Alert Ready system into its public safety toolkit, to allow direct access and avoid delay. The RCMP became an authorized issuer of Alert Ready and implemented operations policies regarding its use.⁶¹

⁵⁷ Testimony of Lia Scanlan, June 8, 2022, COMM0058948, pp. 39-40.

⁵⁸ MacNeil Report (Unredacted Pages 103 to end), COMM0050843, P-001629, pp. 127, 128, 130.

⁵⁹ "H Strong II Social Media Analytics Portapique", COMM0048884, P-002034.

⁶⁰ *RCMP Public Communications, April 18-19, 2020*, COMM0058836, P-002001, paras 44, 126-129; Testimony of S/Sgt. Surette, COMM0058283, p. 123; Testimony of S/Sgt. Halliday, COMM0058514, pp. 110-111; Testimony of Sgt. O'Brien, May 31, 2022, COMM0058858, pp. 37-38; Testimony of Cpl. Jennifer Clarke, June 7, 2022, COMM0058970, pp. 56-57; Testimony of Lia Scanlan, COMM0058948, pp. 31-32.

⁶¹ *Alert Ready in Nova Scotia Foundational Document*, COMM0057390, P-001254, para 46; "EMO - Alerts Issues in Nova Scotia using Alert ready for 2020-04-18 to 2022-04-06", COMM0055658 [exhibit number not yet available]; "H Div – OM (Rewrite TOC) - ch 37.155 Assistance to General Public Serious Incident Alert",

The use of the Alert Ready system in an active shooter situation, however, is not without risk. The Commission's work moving forward should focus on ways in which policy and public education can mitigate these risks and inform best practices to guide Members who may need to use Alert Ready in the future.

iv. *Expanding training or protocols to include long range manhunts, rural shooters*

When the perpetrator re-emerged in a totally different location as an active shooter on the morning of April 19, 2020, and began a mobile, random killing-spree over a large geographic area, his behaviour did not align with any of the traditional models of critical incidents for which Members are trained to respond. Tactical approaches used for armed and barricaded suspects or for an active shooter in a known location, for example, proved inadequate to confront an active threat in a vehicle, whose location was not trackable.⁶² While NPF Members in command roles appropriately returned to the first principles of their critical-incident training to confront this novel threat,⁶³ the situation they faced was outside of anything contemplated by their training.

Similarly, the three Members who entered Portapique on foot to confront the active-shooter threat did so based their Immediate Action Rapid Deployment (IARD) training. While they responded skillfully and with professionalism, their training did not prepare them to "track armed suspects through the woods in the dark in rural areas".⁶⁴

The Commission should consider what adaptations to protocols or training could better prepare Members to respond to an active shooter situation which takes place in a rural setting, or which involves a suspect with long-range mobility while still active.

v. *Improving community policing and intelligence gathering*

Through the Commission's work, we have come to understand that there were many individuals from various communities and walks of life who had knowledge of the perpetrator's replica police cruiser, his possession of illegal firearms, and his history of erratic

December 10, 2020, COMM0043030; "RCMP Ops Manual Ch 16.5 Public Alerts", March 1, 2022, COMM0056447, P-001365.

⁶² Testimony of S/Sgt. Jeff West and S/Sgt. Kevin Surette, COMM0058283, p. 115, lines 21-28, p. 116, lines 1-6; p. 201, lines 1-9.

⁶³ Testimony of S/Sgt. Jeff West, COMM0058283, p. 117, lines 5-10.

⁶⁴ Testimony of S/Sgt. Steve Halliday, COMM0058514, p. 85, lines 7-25.

or violent behaviour.⁶⁵ Despite how well known this information was within his own circles, reports were not made to police by individuals with direct, current knowledge of the perpetrator's conduct.⁶⁶ In particular, there is no evidence that police had any prior knowledge of the perpetrator's replica police cruiser.

The NPF submits that an essential question for the Commission to consider in its forward-facing work is how to build community confidence in policing such that we improve the chances for early interventions by police where there is a risk of serious criminality.

Conclusion

The NPF looks forward to moving forward from the Commission's work in Phase 1, which was focused on understanding and exploring the individual actions of its Members. The NPF is eager to engage with the Commission in Phases 2 and 3 about how this framework of police resources, equipment and technology, and training and best practices, which make up the context or environment that our Members serve, impacts both officer safety and public safety. Most importantly, the NPF looks forward to recommendations that can improve working conditions for its Members, and to help them to keep our community safer.

Yours truly,

NIJHAWAN MCMILLAN PETRUNIA



Nasha Nijhawan



Kelly McMillan



Jaime Burnet

⁶⁵ *Police Paraphernalia* Foundational Document, COMM0055715, P-000808, paras 7, 58, 63, 203-204, 208; *Firearms* Foundational Document, COMM0059594, paras 1, 13, 27, 37, 38, 40; Testimony of Richard Ellison, April 11, 2022, COMM0054308, p. 41, lines 22-27.

⁶⁶ The Commission has heard no evidence of any report made to police about the perpetrator after 2013.