

FORM 11

Decision of the Police Authority - Public Complaint[Sections 44(2)(7) and 53(7) of the *Police Act Regulations*]

1. Complainant: Scott Jewers
2. Member(s) complained of: Cst Jarius Lamphier & Cst Stephen Pope
3. Police Department: Halifax Regional Police (HRP 23-026)
4. Date complaint filed: March 23, 2023
5. Investigator: Detective Jonathan Jefferies
6. Description of alleged misconduct: 24(1)(a)- acting in a disorderly manner or in a manner that is reasonably likely to bring discredit on the reputation of the police department.
7. Summary of Investigation (type of evidence and information obtained, persons interviewed, etc.)
- Richard Scott Jewers- Complainant/Affected Party
 - Call History 2022-94187
 - Versadex Report 2022-94187
 - HRP Headquarters Video
 - Constable Stephen Pope- HRP Subject Officer
 - Constable Jarius Lamphier- HRP Subject Officer
 - Review of Investigator's report
8. An attempt was made to resolve this complaint informally but was not successful because the complainant was not receptive to this.
9. Disposition of complaint including reasons for no further action or penalty imposed

Background

On August 02nd, 2022, Scott Jewers attended the front entrance of the Halifax Regional Police headquarters located at 1975 Gottingen Street, Halifax, Nova Scotia. Jewers was insisting on speaking with Chief Dan Kinsella advising he had evidence that Halifax Regional Police had stolen his wallet in a conspiracy with JD Irving, and that Chief Kinsella was expecting him. Attending officers determined that Jewers was suffering a mental health episode and arrested him under the Involuntary Psychiatric Treatment Act, and he was transported to hospital for assessment in police custody.

Jewers was involuntarily committed to the hospital, and when released from custody he alleges the officer who removed his handcuffs degraded him by yelling at him, and also alleges police gave his property to another individual who was being treated at the hospital.

An informal Resolution was not accomplished in this matter as Jewers made it known in his communications with the investigator that the officer involved “*should be relieved of their duties at HRP immediately as to avoid liability issues*”, and that the officer “*They should absolutely be terminated with Cause.*”

Investigation

On March 23rd, 2023, Scott Jewers submitted a complaint to the police commission regarding his interactions with members of the Halifax Regional Police. The initial complaint contained details of Mr Jewers making conspiracist claims about retired HRP member Superintendent Jim Perrin who currently works at JD Irving having him fired, and HRP stealing his wallet. Jewers also made claims of the Nova Scotia Health Authority covering up torture, and about their handling of his property when he was involuntarily committed to hospital for assessment.

In his complaint Jewers stated that when he was arrested on August 02nd, 2022 by members of the Halifax Regional Police, officers whom he described as #1, 2, 3, and 4 did not mistreat him aside from his arrest. He stated that officer #5 who took his handcuffs off should be fired and reprimanded immediately. He stated that he did not want the officers punished except for officer #5.

The Complaints Commissioner, in accepting the complaint gave direction that the only officer to be investigated by professional standards would be the conduct of officer #5 who removed the handcuffs from Jewers.

This matter was assigned to Sgt Jonathan Jefferies of Professional Standards who was unable to reach Jewers by phone, therefore an email was sent to introduce himself and request further details on his complaint regarding officer #5, including a description of the officer. A few days later, Sgt Jefferies received a return email from Jewers which began by stating, that he, Sgt Jefferies, had been set up to fail by people. Jewers provided a detailed email regarding his claims of conspiracies against him by NSHA, RCMP, Police stalking him, Jim Perrin, media outlets, and being falsely arrested on August 02nd, 2022.

Jewers did provide additional details of his complaint against officer #5:

- He stated that while being assessed by the doctor, officer 5 walked into the room and called him by name and just stood there. He stated the officer then walked out of the room and sat down with officer 4. He stated that he felt it was not appropriate for the officers to be sitting outside the door.
- He then detailed that after the doctor advised him, he was being admitted, the doctor opened the door and he overheard the officers and doctor talking and laughing at him, and that “*officer 5 loved it*”. He states that the officer came over to him to remove the handcuffs and asked him “*do you have any questions for me?*” He states he looked in the officers’ eyes and shook his head no and softly said that this wasn’t right. He states that the officer then yelled in his face repeating the same question he had just asked him. He stated he answered no, and the officer removed the cuffs. Jewers states that he felt the officer degraded him as a human being with his comments.
- Jewers also stated in his email that he had a backpack when arrested and that when he was admitted to hospital it ended up in another patient’s custody. He claims that the patient, who also had been admitted to hospital, told him he was high on drugs and woke up hugging it, went through his wallet and was standing over him when he woke up.

Sgt Jefferies then received 27 lengthy emails from Jewers, in each email he copied several media outlets and advised it was for Sgt Jefferies “*extra motivation*”. He continued with his conspiracies of cover ups and advised he did not trust Sgt Jefferies or HRP.

Scott Jewers provided a link to a transcript that he says is from his meeting with the Psychologists at Mount Hope Hospital on August 05th, 2022. It is a partial transcript that includes a comment from the doctor advising him that he is making connections of things that are not connected and that it is a symptom of psychosis. The doctor advises him she is concerned for his wellbeing and is keeping him at the hospital and starting him on medication to deal with the psychosis. The doctor also advises him that they would force him to take medication if he refused due to her concern for him. The doctor also explains to Jewers that the reason the police brought him to the hospital was because they were concerned about him, and that it was not because of his behaviour, but what he was talking about. There is no mention from Jewers in this transcript of him mentioning inappropriate police conduct toward him or his backpack.

A review of the call history and General Occurrence for 22-94187 confirms details of what occurred on August 2nd, 2023, when Jewers attended the front door of HRP HQ. Remarks on the call noted below:

“Remarks COMP AT FRONT DOOR OF HQ, INSISTING ON SPEAKING TO CHIEF KINSELLA... CLAIMS HE HAS PROOF HRP STOLE HIS WALLET IN A CONSPIRACY WITH JD IRVING... NOT MAKING A LOT OF SENSE.. SAYS THE CHIEF SHOULD BE EXPECTING HIM.”

“Additional Remarks 08/02/2022 16:19:47 GT01D ONE IN CUSTODY DI01 857772”

“CLEARANCE INFORMATION

Remarks SUBJECT WAS FORMED TO HOSPITAL FOR A FEW DAYS. REPORT SUBMITTED. Final Case type MENTALLY ILL PERSON (SEC 38-1 / NSHA) Reporting officer1 883707- POPE, STEPHEN Reporting officer2 884210- LAMPHER, JAIRUS”

Officers who attended the call are identified as Cst Nick Fairbairn and Cst Sarah Robichaud. During their unusual conversation with Jewers who was uttering conspiracy type theories involving Chief of Police Dan Kinsella, Jewers advised that he wanted to perform a “citizens arrest” on him. Eventually the officers determined that he was suffering from a mental health crisis and arrested him under the Involuntary Patient Treatment Act (IPTA) and he was handcuffed and transported to the QEII Hospital for assessment. Security video from HQ was reviewed which captures the officers attending and speaking with Jewers, who possessed a backpack at the time. The arrest was noneventful without any notable resistance or use of force by the officers.

While at the hospital, Jewers custody was transferred several times between officers from day shift to night shift. At the time of his release, Jewers was in the custody of Cst Stephen Pope and Cst Jairus Lamphier. Both officers provided statements in response to this allegation. Cst Pope does not have any significant recollection of this event and had to be prompted by his partner to remember the interaction. Cst Pope suggests his lack of recall may be due to this event being such a non-descript interaction and he does not remember removing Jewers handcuffs or if Jewers possessed a backpack at the time.

Cst Lamphier does recall relieving the dayshift officer and he and his partner only had custody of Jewers for approximately 10 minutes before they were informed by hospital staff that they could leave as Jewers was being involuntarily “formed” by the doctor.

Cst Lamphier was not the officer who removed the handcuffs and does not remember any conversation between the officer removing the handcuffs and Jewers and specifically does not recall any yelling by the officer. He has no recollection and no concerns of any officer or himself treating Mr Jewers inappropriately or unprofessionally at the time.

Decision

Scott Jewers suggests that police or staff of the NSHA gave his backpack to another patient and that his property arrived at the Mount Hope facility before he arrived. I suggest that it is most likely that the original arresting officers turned his property over to hospital staff, and that is how it ended up at the facility. Also, there is no suggestion or allegation of any missing property.

In regard to his allegation of being mistreated, there is no doubt that Mr Jewers was suffering from a mental health crisis at the time. There is also no evidence to support Mr Jewers allegations that the officer who removed the handcuffs treated him disrespectfully in any manner. I cannot conclude that any officer committed a disciplinary default in this matter and therefore do not sustain any allegations against the officers.

Dated at Halifax this 7th day of July 2023.



**Inspector Ron Legere
Delegated Disciplinary Authority**

Complainant may initiate a review of a decision if unsatisfied by the Authorities decision by filing with the Police Complaints Commissioner a Notice of Review in Form 13 within 30 days of receipt of this decision (Form 13 enclosed). Pursuant to s. 72(2) and 73(5) of the *Police Act* and s. 38 of the Regulations.

A police officer may initiate a review of disciplinary action taken by filing with the Police Complaints Commissioner a Notice of Review in Form 13 within 30 days of receipt of this decision (Form 13 enclosed). Pursuant to s. 81 of the *Police Act* and s. 54(1) of the Regulations.

Distribution: Complainant, Member(s), Nova Scotia Police Complaints Commissioner