

Canada: RCMP tried to suppress video of fatal tasing of Dziekanski

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20 June 2009

Had Vancouver International Airport authorities and the police had their way, the video recording that documents the police murder of Robert Dziekanski would never have become public knowledge.

A construction worker and former miner, 40-year-old Robert Dziekanski was tasered to death by four Royal Canadian Mounted Police (RCMP) officers on October 14, 2007, little more than ten hours after immigrating to Canada so as to join his mother in Kamloops, British Columbia.

Even with the video, taken by bystander Paul Pritchard, and statements from numerous eyewitness contradicting police claims that Dziekanski was dangerously violent and that they tried to assist him after they had rendered him unconscious, the BC government announced last December that no criminal charges will be laid against any of the four officers.

Pritchard was ordered by a security guard to stop filming the RCMP attack on Dziekanski, which began literally seconds after the police came upon the unilingual Polish immigrant. Pritchard refused to comply, retorting that that he had just returned from a job in China and had every right to do what he was doing in Canada.

Later the security guard pointed Pritchard out to RCMP investigators. They persuaded a reluctant Pritchard to hand his camera over to them on the understanding that it would be returned intact within 48 hours.

Pritchard did indeed receive his camera back within the promised time-frame. However, the camera had a new memory card with copies of all his photos and videos except for the footage of the tasing of Dziekanski. When Pritchard complained, he was told that the footage might be needed for a criminal investigation, in which case it could take up to two and a half years before it was returned.

Rightly fearing a police cover-up, Pritchard filed a lawsuit, which ended up before the BC Supreme Court. Only then did the RCMP back down, returning the recording to Pritchard at the beginning of November 2007.

Since then the video recording has been seen on television and widely viewed on the Internet.

The glaring discrepancies between the RCMP story and the gruesome unprovoked attack shown on the video fanned the already widespread public criticism of the RCMP and of the manner in which police forces across North America are using

tasers.

In an attempt to mollify the public outrage, the Liberal provincial government set up an inquiry under retired British Columbia Court of Appeal Judge Thomas Braidwood to provide a complete record of the circumstances under which Robert Dziekanski died and investigate and make recommendations about the use of tasers in British Columbia. (See “Canada: Cover-up of RCMP murder of immigrant worker unravels”)

On the basis of the video and the testimony at the Braidwood Inquiry, it is possible to establish the events that led to Dziekanski’s death with a high degree of certainty.

The evidence that the four RCMP officers acted recklessly and with criminally negligent disregard for Dziekanski’s life both during and after their taser attack is incontrovertible.

It is important to stress that while Dziekanski’s behaviour was erratic, it was not perceived by the bystanders as being threatening. The video clearly shows a woman, Sima Ashrafinia, attempting to communicate with Dziekanski. He is brandishing a collapsible table but Ashrafinia shows no signs of fear as she tries snippets of several languages, including sign language, to communicate with the unilingual Polish worker.

Dziekanski retreats into the International Reception Lounge (IRL). We see him through the glass wall throwing some computer equipment to the floor, followed by the collapsible table. He picks up another piece of equipment. Bystanders shout, “No, no!” Dziekanski hears them, calms down and replaces the equipment. A minute later, police enter the building and Dziekanski calls out, “Policija! Policija!” It is impossible to be sure, but it certainly sounds as if he is calling to the police for help.

Constable Bentley is the first into the IRL. Speaking in a friendly voice, he asks, “Hi, how are you, sir? How's it going, bud?” Constable Millington follows him in and demands to see Dziekanski’s passport. Dziekanski reaches for his suitcase, into which he has put his documents. Corporal Robinson enters through the door at that moment, sees Dziekanski’s movement and yells, “No. Stop!” Dziekanski throws up his arms in a gesture that the officers will all claim to have interpreted as “combative.” Dziekanski is clearly upset by the conflicting commands but, with his hands at shoulder height, palms turned outwards, he looks anything but combative.

Corporal Robinson gestures sternly towards the counter by the glass wall. Far from ignoring his commands (as the police will later claim), Dziekanski turns and walks obediently towards the

counter. The four officers move in rapidly behind him, surrounding him in a semi-circle. Their movement startles Dziekanski, who grabs a stapler off the counter and spins round, adopting a defensive posture with his hands in front of his chest.

Constable Millington reacts by pulling out his taser and removing the safety catch. Dziekanski sees the taser and cries out in Polish. The literal translation provided to the Inquiry is, "Leave me alone. Leave me alone! Did you become stupid? Why?" Without any kind of warning, Millington discharges the taser. It is not clear whether Corporal Robinson gives an order or whether Constable Millington acts on his own initiative.

Less than thirty seconds have elapsed since the arrival of the police.

Dziekanski screams in pain, staggers for a few steps, then falls to the floor, still screaming. A second later we hear the crack of a second taser discharge. Before the inquiry, Constable Millington will claim he "recycled" (re-fired) the taser because the first discharge did not bring Dziekanski to the floor. He will be unable to reconcile this claim with the evidence of the video and the taser's internal recorder.

Dziekanski continues to scream while writhing on the floor. The officers will testify that they interpret the flailing of Dziekanski's body as "non-compliance"—as attempts to lash out at them, not the reflex reactions of a body subjected to repeated electric shocks.

Corporal Robinson orders another discharge: "Hit him again!" Millington complies but hears a "clacking" sound, which he says suggested to him that the wired probes are no longer making contact and Dziekanski is not feeling the full impact of the taser. As the other officers move in on the writhing Dziekanski, Millington puts the taser into "stun" mode and applies it to Dziekanski's back.

In "probe" mode, the taser is designed to be used at a distance to disrupt the target's muscle control, causing him to collapse to the floor. In "stun" mode, the taser is meant to be used at close quarters to induce "pain compliance." In other words, you hurt the target really badly until he does what you want.

Three officers are trying to get Dziekanski's hands behind his back, so they can handcuff him. They are apparently oblivious to the fact that another officer is simultaneously attempting to induce "pain compliance." The taser's internal recorder will show that Millington cycles the taser twice in stun mode, making a total of five discharges in all, meaning that Dziekanski has received around 30 seconds of intense high-voltage electrical shocks.

Finally, Constable Rundel succeeds in getting the handcuffs on. Dziekanski writhes for another five to ten seconds, then lapses into unconsciousness. The officers relax. Their job is done.

Medical attention

After Dziekanski became unconscious, Constable Bentley used his radio to call for an ambulance, specifying that this was a routine call. Shortly afterwards Bentley noticed that the skin around Dziekanski's ears was turning blue. He used his radio

again to upgrade the call to a "Code 3." Although skin turning blue is a symptom of suffocation, none of the officers performed CPR or even bothered checking whether Dziekanski was still able to breathe.

In response to the "Code 3" upgrade, the Richmond Fire Brigade was automatically dispatched to support the paramedics, with both fire crew and ambulance using lights and sirens. However, the closest trained responders were Vancouver Airport's own Emergency Response Services (ERS) located at the airport itself. The airport's Operations Centre was notified that a "Code 3" emergency had been reported. Standard procedure dictated that the Operations Centre should immediately notify ERS.

According to evidence presented to the Inquiry, Airport Response Coordinator Bob Ginter had already made his way to the International Reception Lounge when he was informed by the Operations Centre that they were about to dispatch ERS. Ginter told the Operations Centre that there was no need for ERS because the RCMP had the situation under control and, judging by their behaviour, there did not appear to be any kind of medical emergency. He said he believed it would be better to keep ERS in reserve in case they were needed elsewhere in the airport!

At the Inquiry, Ginter was asked if he was curious why the emergency had been upgraded to a "Code 3." Ginter replied, "I was—I don't know if curious is the right word, but it seemed strange to me given the circumstances, the calm nature of the scene, the people going about their business, no sense of any indication of medical distress by anyone on scene."

As ERS was not dispatched, Richmond Fire Brigade was the first to arrive on the scene. Fire Captain Kirby Graeme instantly realized the seriousness of the situation and asked the RCMP to remove the handcuffs from Dziekanski's wrists, so the firefighters could turn him onto his back and attempt to resuscitate him.

Constable Millington refused, explaining that Dziekanski had been violent and he could not risk removing the handcuffs.

Graeme ordered his firefighters to do an assessment as best they could. A minute and a half later, BC Ambulance arrived and took control of the scene. They repeated the request to have the handcuffs removed and this time the RCMP complied.

Paramedics and fire fighters worked for half an hour before Dziekanski was pronounced dead.



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