



## Summary of Investigation

SiRT File # 2025-0092

Referral from

Miramichi Police Force

August 4, 2025

Erin E. Nauss  
Director  
July 7, 2026

## **SiRT MANDATE**

The Serious Incident Response Team (“SiRT”) has a mandate to investigate all matters that involve death, serious injury, sexual assault, intimate partner violence or other matters determined to be of a public interest to be investigated that may have arisen from the actions of any police officer in Nova Scotia and New Brunswick. This mandate encompasses incidents that occur on or off-duty, to avoid the real or perceived bias of police investigating police.

At the conclusion of every investigation, the SiRT Director must determine if criminal charges should result from the actions of the police officer. If no charges are warranted the Director will issue a public summary of the investigation which outlines

the reasons for that decision, which must include the information set out by regulation. Public summaries are drafted with the goal of adequate information to allow the public to understand the Director’s rationale and conclusions.

**Mandate invoked:** This investigation was authorized under Section 24.6 of the New Brunswick *Police Act* due to the death the Affected Party.

**Timeline & delays:** The SiRT investigation started on August 4, 2025, and concluded on April 10, 2026.

**Terminology:** This summary uses the following language in accordance with regulations made under the *Police Act* and to protect the privacy of those involved:

**“Affected Party/AP”:** means the person who died or was seriously injured in relation to a serious incident.

**“Civilian Witness/CW”:** means any non-police individual who is a witness to, was present at or has material information related to a serious incident.

**“Witness Officer/WO”:** means any officer who is a witness to, was present at or has material information related to a serious incident.

**“Subject Officer/SO”:** means the officer who is the subject of an investigation or whose actions may have resulted in a serious incident.

## **INVESTIGATION SUMMARY**

On August 4, 2025, the Miramichi Police Force contacted SiRT regarding the death of an adult male (the “Affected Party/AP”) that occurred while he was in police custody. The AP had been arrested by Miramichi Police Force officers and placed in cells overnight.

Upon receiving notification of the AP’s death, SiRT attended and took control of the scene. Several investigative steps were taken during the course of the investigation, including, but not limited to, obtaining records from the police agency, video footage of police cells and body worn camera footage, witness statements, and attending an autopsy and obtaining/reviewing the relevant medical reports.

SiRT’s jurisdiction is limited to investigations of police officers. As the SiRT Director, I have reviewed all evidence to determine whether the actions or inactions of the police officers contributed to the death of the AP. Consideration was given to the relevant sections of the *Criminal Code*, specifically sections 215, 219 and 220, which are outlined below:

### **Duty of persons to provide necessities**

215(1) Every one is under a legal duty

...

- (c) to provide necessities of life to a person under his charge if that person
  - (i) is unable, by reason of detention, age, illness, mental disorder or other cause, to withdraw himself from that charge, and
  - (ii) is unable to provide himself with necessities of life.

### **Offence**

(2) Every person commits an offence who, being under a legal duty within the mean of subsection (1), fails without lawful excuse to perform that duty, if

...

- (b) with respect to a duty imposed by paragraph 1(c), the failure of the person to whom the duty is owed, or causes or is likely to cause the health of that person to be injured permanently.

### **Criminal Negligence**

219 (1) Every one is criminally negligent who

- (a) in doing anything, or
  - (b) in omitting to do anything that it is his duty to do,
- shows wanton or reckless disregard for the lives or safety of other persons.

**Definition of duty**

(2) For the purposes of this section, duty means a duty imposed by law.

**Causing death by criminal negligence**

220 Every person who by criminal negligence causes death to another person is guilty of an indictable offence and liable

(a) where a firearm is used in the commission of the offence, to imprisonment for life and to a minimum punishment of imprisonment for a term of four years; and

(b) in any other case, to imprisonment for life

Under the New Brunswick *Police Act*, SiRT has jurisdiction to investigate members of a police force. Upon review of the evidence, I am satisfied that the actions or inactions of police officers did not contribute to the death of the AP and were not criminal in nature.

I have identified concerns with the actions of other persons who SiRT does not have jurisdiction to investigate. As a result, I have forwarded the file to the RCMP for further investigation. Since that investigation is ongoing, and to protect the integrity of that investigation and any subsequent criminal process, this report does not outline the specific facts and evidence considered as part of SiRT's investigation. Depending on the outcome of the RCMP investigation, SiRT may issue a supplemental report at a later date. This report is being issued now as subsection 13(1) of the Serious Incident Investigations, made under the *Police Act*, requires this be completed within three months after the conclusion of an investigation.

**CONCLUSION**

After a careful review of the evidence and the law, I have determined that there are no reasonable grounds to lay a charge against any member of the Miramichi Police Force related to the death of the AP.