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Twelve concerning things we learned about the RCMP C-IRG during the first week of the abuse of process hearing

Brent Patterson

January 20th 2024

An abuse of process application was heard in a courtroom in Smithers, British Columbia this past week that alleges the Royal Canadian Mounted Police (RCMP) Community-Industry Response Group (C-IRG) used excessive force and violated the Charter rights of Indigenous land defenders resisting the construction of the Coastal GasLink fracked gas pipeline on Wet'suwet'en territory.

Land defenders Sleydo' (Wet'suwet'en), Shaylynn Sampson (Gitxsan) and Corey Jocko (Mohawk) were arrested by C-IRG officers on November 19, 2021.

1. **“Lethal-force overwatch”** Sergeant Ryan Arnold of the Emergency Response Team (ERT) testified: “We were

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there to provide lethal-force overwatch for the tac team to go hands-on with people who need to be arrested.”

2. **No negotiator** Sergeant Arnold also testified that while ERT teams normally include a negotiator, he wasn’t aware of one on site that day. C-IRG Silver Commander Superintendent James Elliott testified: “There was not going to be any negotiation.”
3. **“Orcs”** While Superintendent Elliott testified that C-IRG officers would have had special training on Indigenous cultural sensitivity, an officer could be heard in an audio recording saying: “They all had the fuckin’ paint like, are you an orc?” This refers to the red handprints that honour missing and murdered Indigenous women.
4. **“Mohawk symbology”** Superintendent Elliott testified that Mohawk flags (the Warrior/Unity flag), patches and stickers heightened his risk assessment of the situation. Defence lawyer Frances Mahon told the court that the Haudenosaunee word for warrior is Rotisken’rakéhte, meaning “he carries the burden of peace.” Despite his Indigenous cultural sensitivity training, Elliott admitted he was not aware of that context.
5. **Assumption of buried weapons** Superintendent Elliott also testified: “I remember one post that I was provided at the time that said something about hiding weapons under the snow, in the forest.” Mahon told the court the social media post referred to the Haudenosaunee great law of peace, in which five warring nations bury their weapons under a pine tree to unite. Elliott admitted he may have misunderstood the post.
6. **Officer wanted to shoot at a security camera** While C-IRG officers are apparently highly trained, Corporal Sebastien Pilote sought permission to fire his weapon

to disable a security camera on the exterior of the tiny house where the land defenders were located. He was instructed instead to disable the camera by cutting its cable.

7. **Officer suggested using police dog** Defence lawyer Quinn Candler read a transcript from a radio transmission in which Corporal Pilote also suggested sending a police dog into the tiny house. Pilote said over the police radio that day: “We’re going to have to go in. We can use the dog or we can use people.”
8. **Use of chainsaw** While heavily armed with various weapons, C-IRG officers were not equipped with basic “breaching” devices to get past the locked door of the tiny house. Instead, they used axes, a sledgehammer and a chainsaw they found on the site. An officer joked that it was like the scene in the horror film *The Shining* in which a character breaks through a door and says: “Here’s Johnny.”
9. **Launcher aimed at defenders** Bronze Commander Inspector Glen Fishbook of the ERT testified it would have been common practice to shoot gas canisters into the tiny house to force the land defenders out. He then said: “Ultimately, with Superintendent Elliott, I decided not to because of the optics.” Once the door was broken down, Corporal Pilote pointed a 40mm projectile launcher at the land defenders.
10. **Use of company lawyer** While the RCMP presumably has its own legal counsel, Bronze Sub-Commander Staff Sergeant Sascha Baldinger testified he called the law firm that secured the injunction for Coastal GasLink to determine if a warrant was needed to enter the tiny house where the land defenders were staying.

Disturbing testimony is also coming to light with respect to the arrest of Indigenous land defenders the previous day, November 18, 2021:

11. **“Ogre-looking dude”** An officer can be heard in an audio recording saying: “That big fuckin’ ogre-looking dude, he’s actually like, autistic.”
12. **“Beat the shit out of him”** An officer also says: “Then the fucking guys just beat the shit out of him and then he started crying. I felt bad for him. Apparently the sergeant grabbed his balls and twisted. I guess he was on the ground and everyone was just grabbing limbs. He didn’t have a limb to grab, so he’s like, just grab his balls, like, ‘You done now? You done resisting?’”

The abuse of process hearing will resume June 17–21 in Smithers.

Just prior to that, March 9 will mark the one-year anniversary of the Civilian Review and Complaints Commission (CRCC) systemic investigation of the C-IRG and April 17 will mark the 42nd anniversary of the signing of the Canadian Charter of Rights and Freedoms.

Further reading:

Abuse of process hearing for Wet’suwet’en leader, blockade members to resume in June (CBC News, January 19, 2024)
<https://thetyee.ca/News/2024/01/17/RCMP-Actions-Wetsuweten-Territory/> (The Tyee, January 17, 2024)
Audio Reveals RCMP Officers Laughed about Beating a Land Defender
Caught on tape: RCMP officers laugh about brutal arrests (Dogwood, January 18, 2024)
<https://twitter.com/AbolishCirc>