



BC ASSEMBLY OF FIRST NATIONS

1004 Landooz Road
Prince George, BC V2K 5S3
Website: www.bcafn.ca

BCAFN ANNUAL GENERAL MEETING
October 8, 9 & 10, 2024
Hybrid - In person & online via Zoom

Resolution 31/2024

SUBJECT: SUPPORT FOR AN INDEPENDENT INQUIRY INTO THE DEATH OF DALE CULVER

Moved BY: CHIEF LYNDIA PRICE, ULKATCHO FIRST NATION

SECONDED BY: HEATHER NOOSKI, PROXY, NEE TAHI BUHN

DECISION: CARRIED

WHEREAS:

- A. Dale Culver, a member of the Wet'suwet'en and Gitksan Nations, died in Prince George RCMP custody on July 18, 2017, after being violently apprehended and pepper sprayed for riding a bike without a helmet. While being held in custody, he began having trouble breathing and died shortly after.
- B. In 2020, the B.C. Independent Investigations Office found there were grounds to believe an officer may have committed an offence in Culver's death and sent a report to the B.C. Prosecution Service asking for charges.
- C. On February 1, 2023, Constable Paul Ste-Marie and Constable Jean Francois Monette were charged with manslaughter, however these charges were stayed one year later.
- D. An April 2024 article by the Vancouver Sun explains a disagreement in Culver's cause of death, creating difficulty in the sentencing of the officers.
- E. On July 25, 2024, Constable Arthur Dalman was found guilty of obstructing justice in the death of Culver, and co-accused Sergeant Bayani (Jon) Eusebio Cruz was acquitted. This demonstrates

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the lack of accountability of the existing justice system, as no person was held responsible for the death of Dale Culver.

- F. The deeply colonial and racist judicial system failed to protect Dale Culver and has favoured the rights of law enforcement officers over a victim of police insightful violence. The judicial process in this case has been deeply disturbing and highlights the clear inequalities of First Nations people navigating the justice system. Canada continues to fail to provide adequate and effective policing to First Nations people and continues to criminalize and profile First Nations people under the law. The Prince George RCMP failed to be culturally responsive to Culver, and have failed
- G. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration), which the government of Canada has adopted without qualification, and, has alongside the government of BC committed to implementing, affirms:

Article 7: 1. Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person. 2. Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group;

Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision-making institutions;

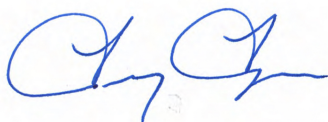
Article 40: Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.

Article 43: The rights recognized herein constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.

- H. The historical and ongoing systemic discrimination perpetrated through Canada's justice system targets and disproportionately impact Indigenous peoples. First Nations communities have been subject to decades of discrimination, violence, racism and bias within Canada's justice system, and there continues to be denial and suppression of First Nations jurisdiction in the areas of justice, community safety and policing.

THEREFORE BE IT RESOLVED THAT:

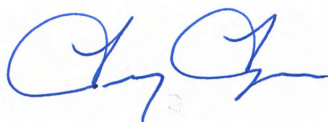
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1. The BCAFN Chiefs-In-Assembly call on the B.C. provincial government hold an independent inquiry into the death of Dale Culver, similar to the Davies Commission Inquiry into the Death of Frank Paul. This independent inquiry must include a non-partisan review of the Prince George RCMP, the B.C. Corner's Service, the B.C. Independent Investigations Office and B.C. Prosecution Service; and
2. The BCAFN Chiefs-In-Assembly support Dale Culver's family to bring a civil case before the RCMP and will work with partners to ensure meaningful resources are identified to support the family in their search for justice.

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