

FIRST NATIONS LEADERSHIP COUNCIL

News Release

July 31, 2024

Mixed Verdict in Dale Culver Case: A Call for Indigenous Justice and Accountability

(Lheidli T'enneh Territory, Prince George, BC) – On July 25, 2024, at the Prince George Courthouse, Judge Adrian Brooks announced a mixed verdict in the tragic death of Dale Culver, a member of the Wet'suwet'en and Gitksan Nations. Constable Arthur Dalman was found guilty of obstructing justice, and co-accused Sergeant Bayani (Jon) Eusebio Cruz was acquitted. The First Nations Leadership Council (FNLC) stands with Dale Culver's family and the respective communities who have been struggling for justice and answers for his violent death.

Dale Culver, 35, died in police custody on July 18, 2017, after being violently apprehended and pepper sprayed for riding a bike without a helmet. As he was held in custody, he soon began having difficulty breathing and died shortly. Following years of investigation and legal proceedings, the obstruction charge against Constable Dalman carries a potential prison term of up to 10 years.

The judge's ruling follows bystander Kenneth Moe's testimony in June 2024, where he revealed that officers pressured him to delete video footage, he took of the events following Culver's death. Moe testified he felt "violated" when the officers threatened him with confiscation of his cell phone and obstruction charges if he did not comply. His testimony highlighted officers' attempts to suppress evidence in the investigation of Culver's death, drawing attention to misconduct within the RCMP.

Grand Chief Stewart Phillip, UBCIC President, stated, "The violence of the police starkly highlights systemic racism within the system. First Nations people have lost faith in the justice system, and it's time to stop the cycle. The disproportionate injustices faced by First Nations people and communities are evident in the statistics. Who do we turn to in times of need when we must protect ourselves from so-called officers for justice?"

According to Ron MacDonald, Former Chief Civilian Director of the Independent Investigation Office (IIO), less than half of the recommended charges against police officers have been approved by the prosecution service in the past five years. In the case of manslaughter, charges were recommended for Constables Paul Ste-Marie and Jean Francois Monette. In contrast, obstruction of justice charges were recommended for Constable Clarence MacDonald and Cruz and Dalman. However, on April 5, 2024, the manslaughter charges against Ste-Marie and Monette were stayed, and a month later, MacDonald's obstruction charges were also stayed.



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“The IIO was formed to ‘independently’ examine police officers’ actions and, where necessary, recommend charges. They recommended charges here. First Nations people cannot be faulted for a complete lack of faith in, or support for, the existing Justice System. The silence of BC Attorney General Niki Sharma and BC Solicitor General Mike Farnworth is deeply troubling and we call on them to work with First Nations to fix a broken system,” stated Hugh Braker, First Nations Summit Political Executive. “Furthermore, we contend this court ruling is not only misguided and erroneous but perpetuates a deeply troubling pattern. The justice system, and law enforcement in this Province have a well-documented history of violence and discrimination against Indigenous Peoples. This decision reinforces and legitimizes the systemic racism and oppression that has long plagued First Nation communities.”

The continued stall in charges and Cruz’s acquittal have highlighted the ongoing systemic issues within the RCMP and the broader justice system. Indigenous leaders and communities are calling for justice reform to protect racialized people’s lives—and to end systemic racism within the justice system.

Regional Chief Teegee said, "I fully support the family's fight for justice for Dale Culver. I am disheartened by how the legal process has unfolded during seven years of waiting. Given the handling of this case and the tendency of the police to protect their own, there is no confidence or trust in the judicial system. We are still grappling with a system that is designed to maintain power and control and is deeply rooted in colonialism, discrimination and injustice. Consequently, we see acquittals such as Sargent Cruz’s decision and charges which are stayed. First Nations are calling for a Justice Overhaul and continue to advocate for the collaborative development of a National First Nations Justice Strategy and its implementation to address the systemic violence against racialized people in Canada for comprehensive justice reform.”

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The First Nations Leadership Council is comprised of the political executives of the BC Assembly of First Nations (BCAFN), First Nations Summit (FNS), and the Union of BC Indian Chiefs (UBCIC).

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