

07-01-2010 Canada - Michael Potvin RCMP LEO – Boat Accident

Documents offer details on Yukon Mountie's death

<http://www.cbc.ca/news/canada/north/documents-offer-details-on-yukon-mountie-s-death-1.1141098>

May 01, 2012

No life jackets, a one-of-a-kind boat and too much water contributed to Const. Potvin's death

No life jackets, a one-of-a-kind boat and too much water contributed to the death of RCMP Const. Michael Potvin are some of the details contained in arguments filed by Canada's Attorney General with the Yukon coroner's office.

The documents were filed to prevent the coroner's office from holding an inquest into the July 2010 drowning.

The documents say Potvin and RCMP Cpl. Brent Chapman were testing a flat-bottom boat on the Stewart River. Modifications meant it was heavier than most and had a high-walled transom, or back end, making it the only one of its kind in Canada. RCMP have since gotten rid of the boat.

The two men were having problems with the engine when a wave of water came into the boat and led to it capsizing.

Neither officer had a life vest on. Potvin tried to swim to shore and didn't make it. Chapman held onto the boat until he was rescued.

The attorney general said multiple investigations have been carried out by the RCMP, transportation officials, independent prosecutors and Human Resources and Skills Development Canada.

Documents argue the coroner's role is to determine the cause of death, which they say has been identified as drowning. In a statement on its website, the RCMP



Michael Potvin



New documents offer details on why RCMP Const. Michael Potvin's boat capsized near Mayo, Yukon. (CBC)

argues against a coroner's inquest. The attorney general said an inquest would only look at matters beyond the coroner's jurisdiction.

Territorial court judge Karen Ruddy has been named as the coroner who will hear the case this month.

The inquest has been postponed until the question of jurisdiction is determined. Yukon RCMP has made changes since Potvin's death.

Yukon chief superintendent Peter Clark said they're following recommendations from the other investigations.

Those include more maintenance and inspections, working with local people to learn about water hazards, more training on vessels and equipment as well as making sure officers use equipment supplied to them, such as life vests.

"They involve not only training and equipment upgrades, but constantly refreshing the members as they move from one community to the other, and new members come and go from the territory too. So this really is a way of doing business which we're working to entrench into our practices and standards," said Clark.

Clark added that while the changes are specific to the RCMP, he said he thinks all Yukoners can learn from them.

Inquest into RCMP drowning death begins

<http://www.cbc.ca/news/canada/north/inquest-into-rcmp-drowning-death-begins-1.1256119>

Oct 29, 2012

Witness says she saw constable swimming for shore from capsized boat

The coroner's inquest into the death of RCMP Constable Michael Potvin opened today in Whitehorse with testimony from an eyewitness.

Potvin drowned in the Stewart River at Mayo in mid-July, 2010, when the RCMP boat he was in capsized.

Mayo resident Joanne Buyck told the inquest she was in a cafe near a boat launch in the community when the incident occurred.

She says a local man called for help and her son ran to the riverbank.

Buyck followed a short time later.

She says she saw Potvin swimming for shore and another officer hanging onto the boat.

In the meantime, a group of local men were putting a boat in the water.

Buyck says Potvin was swimming well and she thought he was going to make it when suddenly his head and arms shot straight up and he disappeared.

Buyck says she went back to the cafe and called Whitehorse RCMP.

Another witness, David Lucas, said Potvin yelled to others to help his partner, who was still clinging to the boat, before Potvin disappeared into the water.

The inquest continues.

Problems with Yukon RCMP boat before drowning

<http://www.cbc.ca/news/canada/north/problems-with-yukon-rcmp-boat-before-drowning-1.1181274>
Oct 30, 2012

Inquest hears no rules, no training to operate boat that capsized
A coroner's inquest has heard that before Yukon RCMP Const. Michael Potvin drowned, there were problems with the police boat that capsized, throwing him and another officer into the Stewart River at Mayo.

Const. Andreas Seidemann testified he used the boat approximately 10 times for fishing and hunting trips in the year before Potvin's death in July 2010. On one trip, he said the boat's motor stalled and waves started coming over the back. He said it was a close call.

Seidemann said he never wrote a report on the incident, but told his supervisors about it and even mentioned it to Potvin.

He said he did not know of any rules for using RCMP boats and was never certified to use them. He also never wore a life jacket while in the boat and did not know he was required to so.

Those details first came out last spring, when the federal government went to court in a **failed attempt to block the inquest**.

Witnesses to the fatal incident said Potvin tried to swim to shore as Cpl. Brent Chapman clung to the overturned boat.

They said Potvin was swimming strongly, and urged them to help Chapman before he slid below the surface. His body was found two weeks later, almost 60 kilometers downstream.

Commanding officer testifies how RCMP boat sank

<http://www.cbc.ca/news/canada/north/commanding-officer-testifies-how-rcmp-boat-sank-1.1181271>
Nov 02, 2012

Corporal clung to capsized boat while constable drowned swimming to shore

An inquest in Whitehorse has heard from the RCMP officer who survived the capsizing that led to the death of Const. Michael Potvin in the Stewart River at Mayo in July 2010.

Cpl. Brent Chapman was in the police boat with Potvin when it capsized. Chapman had just transferred to Mayo at the time of the incident. He was taking over the detachment after a long career on the Prairies. He said one of his first priorities was to fix up the RCMP boat which he described as dirty and old-looking.



Chapman said he had heard concerns about a faulty motor on the boat and water coming over its stern into the boat so he decided to do test runs on the Stewart River close to Mayo. He invited Const. Mike Potvin to come along.

The first run only lasted a kilometre before the boat apparently ran out of gas. Chapman said they used a small auxiliary motor to return to Mayo to refill the tanks.

But shortly after they returned to the water the motor stalled again. Chapman said he restarted it four or five times then stopped, because water coming over the back was flooding the boat.

He started the auxiliary motor but it then died as well.

After a short time drifting, the now-swamped boat rolled over and both men went into the water. Chapman said he stayed with the boat while Potvin tried to swim for shore. It was some time before he found out the constable didn't make it.

There was a tense exchange between Chapman and Potvin's father, who is representing the family at the inquest.

Mark Potvin questioned Chapman's judgment during the incident. He wanted to know why the officers steered the swamped boat towards the launch area instead of the closest point of land.

Chapman said he assumed the boat would continue floating upright.

He also told Chapman as commanding officer he had a duty to take care of Michael that day and asked if he did that.

Chapman replied "The short answer is `no.'"

Expert says too much weight in boat's stern

Alex Brydon, an expert on boat design, testified that the patrol boat should have stayed upright even when full of water.

Brydon said investigators filled the boat with water to see if it actually would stay upright. In a video played at the inquest, it was not even close to being full when it rolled over.

He said there was too much weight in the stern: the outboard motor on the boat was too heavy and the addition of an auxiliary motor, just weeks before Potvin's death, made the situation much worse. Holes had been cut in the motorwell that let water coming over the stern flow freely into the main section of the boat. Also, the bilge pump that would have pumped out water was not working and a tiny piece of wood was found partially blocking the fuel line filter.

Brydon said when Chapman went to the back to run the auxiliary, the stern sank even further. Brydon said it's a mystery how the piece of wood came to block the filter. He suspects somebody had earlier used a twig to clean it out.

Sgt. Blake Ward, an RCMP marine investigator, told the inquest that modifications made to the Mayo police boat over the years were improper and not professionally done.

He said he found evidence of changes to the stern that included the holes in the motorwell. Ward also said the partial blockage in the fuel line filter would have repeatedly stalled the motor.

He also commented on a photo of the boat in the water. Ward said because of the holes in the motorwell, the stern was low, and let water flow directly into the boat. Ward said the current in the Stewart River would have been difficult for Const. Michael Potvin to swim through on the day he drowned. Ward told the jury the current in that section of the river was probably about 10 km/h.

Potvin was wearing boots and his duty belt with gun when he drowned. He was not wearing a personal flotation device.

Yukon RCMP officer's drowning death ruled accidental

<http://www.cbc.ca/news/canada/north/yukon-rcmp-officer-s-drowning-death-ruled-accidental-1.1207153>

Nov 07, 201

Jury makes 10 recommendations including safety spot checks at RCMP detachments

A coroner's jury in Yukon has ruled the drowning death of RCMP Const. Michael Potvin was accidental.

Potvin, 26, from Osgoode, Ont., drowned in 2010 when the Mayo police boat capsized in the Stewart River.

RCMP Const. Michael Potvin drowned in the Stewart River at Mayo, Yukon, in 2010 when the boat he was in capsized. (RCMP) The jury returned the verdict and 10 recommendations Tuesday night after about five hours of deliberations. Coroner's juries cannot assign fault or blame, their job is to find ways to prevent a similar event from happening again.



The recommendations include that random spot checks be done at RCMP detachments to ensure new safety rules are followed and that RCMP detachments hold weekly safety meetings. Most of the other recommendations are aimed at improved safety practices.

One also calls for Mayo residents Jimmy Simon, Jeremy Germaine and Ben Moses to be recognized for quick action to try to save the two RCMP officers whose boat had capsized. Cpl. Brent Chapman survived the incident.

Chapman testified at the inquest he had just taken over the Mayo detachment at the time and **had heard concerns about a faulty motor on the police boat and water coming over its stern into the boat.** He decided to do test runs on the Stewart River close to Mayo and invited Potvin to come along.

Potvin had been stationed in Mayo for less than a year, having graduated from the RCMP depot in 2009.

While on the water, the motor stalled again. Chapman said he restarted it four or five times then stopped, because water coming over the back was flooding the boat. He started the auxiliary motor but it died as well.

After a short time drifting, the now-swamped boat rolled over and both men went into the water. Chapman said he stayed with the boat while Potvin tried to swim for shore.

A witness testified Potvin was swimming well and she thought he was going to make it to shore when suddenly his head and arms shot straight up and he disappeared. Another witness said Potvin yelled to others to help Chapman before he disappeared into the water.

The RCMP and the Potvin family were both parties at this inquest.

The RCMP acknowledged problems at the Mayo detachment played a role in Potvin's death, but wanted it stressed that the personal flotation device that had been provided to him would have enabled him to survive the capsizing of the boat.

Chief Supt. Peter Clark, head of the RCMP in Yukon, said he welcomes the jury's recommendations.

He said the RCMP will study the recommendations aimed at improving the force's water safety program. He said some may overlap with changes already made within the RCMP, but they're welcome nonetheless.

"The recommendations made by the jury yesterday are wise and helpful, and I believe they will contribute to improved police safety and across Canada," he said.

There have been questions about whether the RCMP faced any legal repercussions for what happened. The inquest had heard that the federal prosecution service had reviewed the investigation and decided no criminal charges should be laid.

Clark said the federal agency that oversees on-the-job safety also investigated. He said it gave the RCMP a number of recommendations and directions but did not charge them with any violations.

Michael Potvin's father Mark Potvin said he was satisfied with the verdict but he would have preferred an outside police force had conducted the investigation into his son's death.

He said nobody in the RCMP meant for his son to die but he blames a combination of laziness and stupidity for what happened. He said his son made a mistake in not wearing a lifejacket that day but the RCMP should have done more to make sure all of its officers wore them.

"I'm not going to sit here and try to argue Michael was somehow exempt from wearing a lifejacket," said Mark Potvin.

"He should have been wearing his lifejacket. Where my problem is, is he had supervisors. He had a supervisor right there in the boat with him who didn't make sure he was wearing it."



A memorial to RCMP Const. Michael Potvin, 26, who drowned in July 2010, was unveiled last year in Mayo, Yukon. (CBC file)

Mark Potvin represented the family at the inquest, and read a letter from his son's widow Allison to the jury before it began its deliberations. She told them both the RCMP and the people of Mayo stood by her when Michael died and continue to support her. Her wish was that instead of pointing fingers, people find forgiveness.

See coroner's recommendations below.

RECOMMENDATIONS

CST. MICHAEL POTVIN INQUEST

October 29, 2012 – November 6, 2012

1. Directed to Royal Canadian Mounted Police

- a. Develop and implement a self-audit program to be completed yearly and reviewed by the M Division Water Transport Coordinator.
- b. (Directed to RCMP and/or Transport Canada) Random spot checks should be performed in each detachment to monitor the self-inspection program.
- c. Steps should be taken to ensure supervisors are aware of their roles and responsibilities in reporting hazardous occurrence investigations to ensure due diligence.
- d. Repairs and maintenance should be performed by qualified journeymen red seal or equivalent technician.
- e. All specialized equipment, safety gear and required documents should remain with ATV's, snow mobiles and vessels throughout its service. Review documents if assets transferred. Assets not proprietary to detachment.
- f. Create partnership with existing agencies to develop an intergovernmental working group i.e. DFO, Canadian Rangers, Energy Mines & Resources, Search and Rescue, etc. to facilitate communications.
- g. Conduct and document a weekly safety meeting at a minimum. Acknowledged and signed by all attending members.
- h. Create a change of command checklist for incoming senior NCO. Departing NCO should complete an exit report to ensure due diligence.
- i. The accident condition report written by Mr. Alex Brydon be distributed in its entirety to Transport Canada and all relevant organizations which share an interest in small vessel safety and operation.

2. Directed to Office of the Commissionaire (Commissioner of Yukon, Hon. Doug Phillips)

- j. The three Mayo citizens, Jeremy Germaine, Jimmy Simon and Benny Moses be publically recognized for their valiant efforts in the rescue.