

Lawyer says police may have overstepped authority before shooting of officer

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The lawyer for a man accused of shooting a police officer in eastern Ontario is raising questions about the way police handled the events on the night of the shooting in June.

At the time, Rodney Wayne King — who had been convicted of firearms offences several years earlier — was refusing to leave the house he had owned for years, after it had been sold for non-payment of taxes.

King's lawyer, Raj Napal, said police may have overstepped their authority on the night of June 1 at the farmhouse in Jasper, near Smiths Falls, about 75 kilometres southwest of Ottawa.

Surrendered after standoff

King, 52, surrendered to police after a 15-hour standoff that took place after Ontario Provincial Police Const. Chris Trower was shot and seriously wounded in the upper body.

King was subsequently charged with the attempted murder of two police officers.

Just before the shooting, Trower and four other police officers had come to the house with Richard Seguin, who had bought the property three months earlier. Seguin, who is from Ottawa, meant to take the house over from King, as allowed by a court order.

Napal said a civil hearing in court had made clear what the order did and did not allow. During the case, lawyers for the police argued that police should not become involved in a civil matter.

"There was a court order that empowered the sheriff to take possession of the premises from Mr. King," Napal said outside King's bail hearing Wednesday. "But [it] did not entitle the police ... to take Mr. King away from the premises."

Napal questioned whether keeping the peace was all police did during the incident in which King was pepper-sprayed and Trower was shot inside the house.

"Were the police keeping the peace there?" Napal asked. "Did they go further than that?"

Trower, 27, is still recovering from the shooting.

King has pleaded not guilty and has suggested in court that the shooting was accidental.

King said Canadian law didn't apply to him

According to friends, including Scott Brennan, King bred chickens and goats and worked on carpentry projects on the farm he once shared with his wife.

Police knew King from domestic disputes while he was married and from incidents after his marriage ended in 1999.

About that time, King began declaring that Canadian law no longer applied to him, according to court documents from an earlier case.

He made his own licence plates and wrote his own driving certificate, said the documents related to a trial that took place after King shot himself in the leg in 2000.

Following that incident, police searched King's home, where they found rifles, handguns and illegal ammunition. King was convicted of several weapons offences.

After Trower's shooting, a psychiatrist diagnosed King with a mental illness manifested by symptoms that included paranoid delusions.

Friend warned police King didn't want to leave

King's longtime home was auctioned in March after he failed to pay years' worth of property taxes worth thousands of dollars.

But King refused to leave court documents say



Rodney King's lawyer, Raj Napal, says a court order did not allow police to remove his client from the house he once owned. (CBC)



Rodney King suggested the shooting of Const. Chris Trower was an accident, not an attempted murder. (CBC)

King refused to leave, court documents say.

He had sent a promissory note to tax authorities that said he would pay back the taxes in the future and said he believed he had the right to stay.

The new owner, Seguin, asked a civil court judge to order police to remove him.

Brennan said he warned police about King's reluctance to leave two weeks before the shooting took place.

"When the OPP detectives asked me about Rod King, I definitely told them he didn't want to leave his home," said Brennan, who also warned King that police might be coming to evict him.

In response to Seguin's motion, lawyers for the police argued that police should not involve themselves in a civil matter and they filed an affidavit the size of a department store catalogue to back up their arguments.

The judge agreed and dismissed the new owner's motion.

Two days later, on June 1, five police officers accompanied Seguin to the home, but the details of how the shooting and the standoff unfolded from there remain to be determined in court.

King's bail hearing is set to continue in the second week of November.

- This story is now closed to commenting.



King was a longtime owner of the house, but it was auctioned off in March because he owed years' worth of property taxes. (CBC)



King's friend, Scott Brennan, said he warned police that King didn't want to leave and he warned King that police were coming. (CBC)