

Woman awarded \$1.1m in damages after cop found at fault in accident

By Keith Fraser, The Province February 13, 2009

A woman has been awarded \$1.1 million in damages arising from an accident in which a Langley RCMP officer was found entirely to blame.

Since the October 2002 accident that left Erin Towson severely injured, Const. Manuel Pizarro has been ordered to resign from the force after pleading guilty to defrauding ICBC in an unrelated incident.

Towson, 31, was a passenger in a vehicle being driven by her then-boyfriend when it was struck by a police cruiser being driven by Pizarro in a Langley intersection. He was responding to a call and had shut his siren off before driving through a red light without stopping and smashing into Towson's vehicle.

B.C. Supreme Court Justice Victoria Gray has found Pizarro was solely negligent but ruled that the Ministry of Public Safety and Solicitor-General should be held vicariously liable and pay the damages.

In November 2005 Pizarro was ordered to resign after he crashed his motorcycle, but did not have the proper insurance. He waited several months, upgraded his insurance and made a claim, reporting an incorrect date for the crash.

Pizarro has appealed his dismissal and has been suspended without pay since January 2008. RCMP Const. Annie Linteau couldn't say when a decision will be made on the appeal.

The judge found Towson suffered a traumatic brain injury, resulting in problems with concentration and memory, sensitivity to noise, anxiety and fatigue. She has chronic pain in her neck, shoulder and arm and is presently not able to work.

The judge awarded her \$1,186,425, including \$185,000 for pain and suffering, \$66,075 for past wage loss, \$725,000 for lost future earnings, \$76,000 for cost of future care, special damages of \$10,000 and \$120,150 for management fees.

"What I've been through for the past six years, no monetary amount makes what I've gone through even remotely worth it," said Towson. "It's ruined my life . . . My beef . . . was that this entire time [Pizarro] never took ownership for his actions."

Her lawyer, Michael Maryn, said it's "very unfortunate" that the Police Act precludes Pizarro from being held monetarily responsible.