



**IN THE MATTER OF THE SERIOUS INJURY OF A FEMALE  
FOLLOWING THE ATTEMPTED ARREST BY VANCOUVER POLICE IN  
THE CITY OF VANCOUVER, BRITISH COLUMBIA  
ON JANUARY 22, 2019**

**DECISION OF THE CHIEF CIVILIAN DIRECTOR  
OF THE INDEPENDENT INVESTIGATIONS OFFICE**

Chief Civilian Director:

Ronald J. MacDonald, Q.C.

IIO File Number:

2019 - 015

Date of Release:

May 10, 2019

---

THIS PAGE INTENTIONALLY LEFT BLANK

## Facts

On January 22, 2019, officers from the Vancouver Police Department (VPD) attended a residence in Vancouver to arrest an Affected Person (AP) in relation to an investigation. When no one answered the door, the officers left and obtained a warrant. A few hours later they returned and entered the residence. The residence was empty, and the window was open. Officers found AP lying on the ground a few floors below. Police stated AP suffered serious injuries which required surgery.

The Independent Investigations Office (IIO) was notified by the VPD and commenced its investigation as the injury to AP was within the definition of “*serious harm*” as defined in the *Police Act* and officers were present.

Evidence collected during the investigation included the following:

- 1) statement of AP;
- 2) statement of Civilian Witness;
- 3) PRIME (Police File) reports; and
- 4) CCTV footage from nearby.

PRIME entries indicate that VPD officers arrived at AP’s residence at 8:39 a.m. on January 22, 2019. The officers knocked on the door but had no response. Officers heard the deadbolt lock and movement within the suite.

As there was no response, officers left to obtain a warrant to gain entry and two officers remained outside of the suite. At approximately 11:20 a.m. the officers returned with the warrant, knocked on the door and announced they were there to arrest AP. At 11:24 a.m. a master key was used to enter, and animal control secured AP’s dogs. The officers followed and searched the suite. One of the officers saw AP outside of the window on the ledge.

During the interview with AP, she told the IIO that she was aware of the police presence at approximately 8:30 a.m., but she did not want to be arrested. She said she had no interaction with the officers. AP said that at 11:00 a.m. she was informed by a neighbour that the police were waiting for animal control to deal with her dogs.

AP told the IIO that although she was on the fourth floor of the building, she made a decision to climb out of the window to the floor below. While doing so, AP told the IIO she slipped and fell. She said she woke up and paramedics were attending to her.

A civilian witness was working in the building directly below the awning of the residence above. Following an alarm which made all employees exit the building, the civilian witness remained outside on his phone. Shortly after he heard a loud noise above him. He looked up and saw the silhouette of a person on the awning. Approximately two minutes later, he stated a police officer appeared and he pointed to the awning to inform another officer that a person was on the awning.

## **Conclusion**


The purpose of any IIO investigation is to determine whether an officer, through an action or inaction, may have committed any offence in relation to the incident that led to the injury to AP.

A police officer who is acting as required or authorized by law is, if they act on reasonable grounds, justified in doing what they are required or authorized to do.

Officers were in the lawful exercise of their duty in attempting to arrest AP. AP provided a statement to IIO investigators that she did not want to be arrested and made the decision to leave through the window. No officers were present inside the residence when AP got out through the window and landed on the awning, causing her serious injuries.

While there was sufficient connection between the actions of the officers and the injuries suffered by AP to give the IIO jurisdiction to investigate, it cannot be said that any improper or illegal act on the part of the officers was the cause of those injuries. The officers acted appropriately by seeking a warrant prior to the entry of AP's residence. The evidence collected does not provide grounds to consider any charges against any officer.

Accordingly, as the Chief Civilian Director of the IIO, I do not consider that any officer may have committed an offence under any enactment and therefore the matter will not be referred to Crown counsel for consideration of charges.

  
**Ronald J. MacDonald, Q.C.**  
**Chief Civilian Director**

May 10, 2019  
**Date of Release**