



**IN THE MATTER OF THE INJURY OF A MAN
WHILE BEING APPREHENDED BY MEMBERS OF THE RCMP
IN THE CITY OF KELOWNA, BRITISH COLUMBIA
ON AUGUST 1, 2020**

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

Chief Civilian Director:

Jessica Berglund

IIO File Number:

2020-188

Date of Release:

October 10, 2025

THIS PAGE INTENTIONALLY LEFT BLANK

The release of this public report was delayed pending the conclusion of concurrent court proceedings. The decision in this matter was initially reported on [October 13, 2021](#).

INTRODUCTION

On the evening of August 1, 2020, police responded to a report of an allegedly stolen “e-bike” (electric-assist bicycle). The Affected Person (“AP”) was located riding the stolen bike and was pursued by police. As he was riding along a pedestrian/cycling trail, the AP encountered the Subject Officer (“SO”), a police dog handler with a Police Service Dog (“PSD”) and collided with the dog. In the course of being restrained by the SO, the AP was bitten by the PSD and suffered a wound that penetrated a femoral artery. Attending officers quickly controlled the bleeding and the AP was transported to hospital. Because of the serious nature of the AP’s injury, the Independent Investigations Office (“IIO”) was notified and commenced an investigation. The narrative that follows is based on evidence collected and analyzed during the investigation, including the following:

- statements of the AP, one other civilian witness, two paramedics and nine involved police officers;
- police Computer-Aided Dispatch (“CAD”) and Police Records Information Management Environment (“PRIME”) records;
- Watchguard dash camera video recordings from police vehicles;
- audio recordings of police radio transmissions;
- Closed-Circuit Television (“CCTV”) video recordings from commercial premises;
- maps and scene photographs;
- forensic scene and exhibit examinations;
- RCMP training standards and records;
- medical evidence with respect to both the AP and the PSD.

The IIO does not compel officers whose actions are the subject of an investigation to submit their notes, reports and data. In this case, the SO did not provide any evidence to the IIO.

NARRATIVE

The Affected Person (“AP”) told IIO investigators that on the evening of August 1, 2020,

Somebody stole my friend’s e-bike. I saw it and I took it back. They complained to the police, and the police followed me. Then I got into an altercation with ... there was a cop dog ... then the police officer started punching me in the head, and then he told his dog to attack me. His dog started biting on my leg, and he wouldn’t stop, and the police kept telling

the dog to keep attacking me, and saying “good boy, good boy, bite harder.” More cops showed up, and they were just watching me, laughing, and they continued doing this for a really long time until the ambulance showed up.

The AP said he knew he was being followed by a police vehicle as he rode the e-bike but said he had experienced “problems with the police in the past,” so did not want to stop. The AP explained further that when he encountered the police dog he ran into it because he could not stop in time. He said he “slammed” on the bike’s brakes, but the bike did not stop because he was not an experienced e-bike rider. At another point in his interview, the AP also stated that he had been told the e-bike had no brakes.

The AP said he knew the SO was ordering him to stop, but said he tried to swerve around him and the PSD, hoping to “start pedaling again if I got around the dog.” He said he was traveling fast at the time of the collision, which caused him to fly off the bike. He said the dog “latched onto” his leg when he hit the ground, and said that the SO, angry at the AP having hit the PSD, punched him repeatedly in the head, and told the dog to “attack” again after AP was handcuffed.

When other officers arrived, the AP alleged, they stood around laughing at and humiliating him and ignoring his pleas for water. He had no recollection of receiving any medical aid from the officers.

Witness Officer 1 (“WO1”) told IIO investigators that at about 10:00 p.m. on August 1, 2020, she was stopped at a red light in a marked police vehicle when she was flagged down by an apparently frantic civilian who reported that someone had just stolen his e-bike, gave a description of the suspect, and pointed in the direction in which the suspect had left. WO1 said she drove in that direction and quickly spotted the AP riding the e-bike. WO1 came up behind the bike and turned on her emergency lights, but the AP sped up. What followed was a relatively low speed pursuit (at about 25 to 40 km/h) as the AP, looking back repeatedly at the police vehicle, zig-zagged for three to four kilometres through business and gas station parking lots before reaching a local pedestrian and cycling trail and riding away along it. By this time, WO1 had alerted other officers who were coming to contain the area and assist in the AP’s apprehension.

The SO was already at the next exit along the trail with his PSD, having responded to WO1’s calls. Close to a well-lit intersection where the trail crosses a street, the SO saw the AP riding along the trail in his direction at full speed and ordered him to stop. The trail at that point is approximately five metres wide, divided into two lanes, and with lane division poles where it meets the intersecting street. The AP did not stop but swerved from the right lane into the left and collided directly with the PSD, falling from the bike near a concrete barrier at the side of the trail.

Witness Officer 2 (“WO2”), who was following the AP along the trail in an unmarked police vehicle without its emergency lights activated, described the collision this way:

This guy didn't slow down, didn't stop. He didn't even make like an evasive attempt to avoid this police dog and this police dog member standing on the trail. He hit them at fairly high speeds for a bike ... and he smoked them. It shocked me ... I was expecting him to jump off the trail or swerve and avoid them or something that would be a little more reasonable. The trail is one way each direction. He was ... on the right side of that trail and he just kinda glided over to the left where [SO and the PSD] were across the way ... and smoked them.

WO2 said that the collision caused the AP, the SO and the PSD, all three, to go “ass over tea kettle.” He said that as he got out of his police vehicle he saw the SO using his body weight to hold the AP down. Then he saw the PSD get up, shake itself, and go for the AP like a “target lock.” WO2’s impression was that the dog thought its handler was in trouble.

Once the AP was in handcuffs, WO2 said, he focussed on helping the SO and the PSD, which appeared to be badly injured. Meanwhile, WO2’s partner, Witness Officer 3 (“WO3”), attended to the AP. The SO quickly took his dog to his police vehicle to drive to veterinary care.

WO3 gave a similar account of the incident as WO2 and said he did not see the SO use any force against the AP, such as punches or other strikes, other than holding him down on the ground. When the SO saw that the PSD was biting the AP, said WO3, he gave the “out” command, but had to repeat it two or three times before the dog released its bite. WO3 then moved in to handcuff the AP. Immediately noticing what appeared to be arterial bleeding from the AP’s leg, WO3 quickly applied a tourniquet without stopping to put on protective gloves. Because the first tourniquet failed to stop the bleeding, WO3 obtained and applied a second. He then placed the AP in the recovery position and, concerned about the possibility of positional asphyxia, removed the handcuffs.

An urgent call was made for first responders, who arrived “Code 3” (using emergency lights and siren) and the AP was transported to hospital. An attending paramedic told IIO investigators that, judging from the severity of the puncture wounds in the AP’s thigh and the amount of bleeding, quick action by police officers in applying tourniquets probably saved the AP’s life.

The PSD was transported to a veterinary hospital, where the dog was found not to be significantly injured. The dog had a large amount of blood on its body, but the blood appears to have been the AP’s.

The taking by the AP of the e-bike was recorded on CCTV. Civilian Witness 1 (“CW1”) is seen arriving at a convenience store on the bike and leaning it against the wall outside. While CW1 is in the store, the AP can be seen to walk past then walk back, peering in through the glass door, and then to take the bike. A few seconds later, CW1 goes to the door and then hurries out of sight, in the direction in which the AP has just ridden away.

Watchguard dash camera video from Witness Officer 4’s (“WO4”) police vehicle captured events as WO4 arrived on scene, very shortly after the AP’s collision with the PSD. At this point, the SO can be seen leading the PSD away from AP, who is lying on the ground close to the concrete barrier and being attended to on the ground by WO3. No use of force is apparent. Within a few seconds, other officers are hurrying to fetch and apply tourniquets to the AP. After about 12 minutes, firefighters and paramedics arrive.

ANALYSIS

The purpose of any IIO investigation is to determine whether there are reasonable grounds to believe that an officer, through an action or inaction, may have committed any offence in relation to an incident resulting in serious harm or death. More specifically, the issue to be considered in this case is whether the SO may have committed an offence by deploying his police dog in a manner that was unjustified or that amounted to excessive force in the circumstances, or by using any other unnecessary or excessive force against the AP.

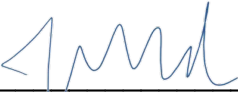
The involved officers were responding to a report that the AP had stolen an e-bike. As noted earlier, the AP stated that he did not steal the bike but, rather, was recovering property that had previously been stolen from a friend. The CCTV recording, and the behaviour of the AP and CW1 that it shows, appears to be more consistent with a theft than a recovery, but either way the police were presented with a credible allegation of theft, and therefore with reasonable and probable grounds to arrest the AP. His failure to stop when pursued by WO1 could only have enhanced and solidified those grounds.

As set out above, the AP’s further account is that during the arrest the PSD was deliberately set on him more than once, and that the SO also punched him repeatedly in the head, apparently angry because the AP had ridden into the dog. The AP’s explanations for why he did not stop for WO1 to explain that he was legitimately recovering stolen property rather than having committed a theft, and for why he failed again to pull over when the SO and the PSD blocked his path and he was ordered to stop, are unconvincing. The reliability of the AP’s account is also undermined by his allegation that attending officers did not provide medical first aid but rather stood around mocking him. In addition, his contention that he was unfamiliar with how to control the e-bike and thus unable to slow to avoid a collision is inconsistent with the evidence that he was able to zig-zag through businesses for about three to four kilometres to avoid WO1.

A more credible explanation of the events in this case is that the AP tried to ride around the SO and his PSD but instead collided with the dog through a miscalculation, or through the dog's willingness to block his path with its body. The dog was thrown aside by the force of the collision but then recovered and jumped in when it saw its handler struggling to control the AP on the ground. There is no reliable evidence to establish whether the SO directed the PSD to bite at this point, or whether it did so on its own initiative. Based on the evidence of WO2 and WO3, at least, it appears the SO removed the dog from the AP as soon as he was able to do so. The medical evidence does not support the AP's allegation that there were multiple bites, and the video evidence suggests that as backup officers were arriving, the SO was more concerned with caring for his PSD and its possible injuries than with the AP.

Police video and testimonial evidence shows that, not only were attending officers not standing around the AP mocking him they were rushing to provide life-saving first aid to him, and on the evidence may well have saved his life by their quick and appropriate actions. On the evidence as a whole, and in particular on the reliable evidence, the AP's injury was caused by the PSD without any direct involvement of, or direction from the SO. There is no reliable evidence of any further application of force, and no reliable evidence of an unjustified assault upon the AP by any officer. Indeed, the AP's medical records provide no evidence of any injury beyond the dog bites.

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



Jessica Berglund
Chief Civilian Director

October 10, 2025
Date of Release