



**IN THE MATTER OF THE INJURY OF A WOMAN
WHILE BEING ARRESTED BY MEMBERS OF THE
RCMP IN
THE DISTRICT OF VANDERHOOF, BRITISH COLUMBIA
ON NOVEMBER 27, 2023**

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

Chief Civilian Director: Jessica Berglund

IIO File Number: 2024-021

Date of Release: October 15, 2025

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Introduction

On the evening of November 27, 2023, Vanderhoof RCMP officers responded to a call reporting an unwanted person in a residence. Officers attended the area and arrested the Affected Person (“AP”). They transported her to a hospital, and then took her to cells within the RCMP detachment. The AP suffered a fracture to her lower leg as a result of her arrest that evening.

The Independent Investigations Office (“IIO”) was notified of this incident by a community member several months after it occurred. The RCMP initially determined that the injury was not serious enough to fall under the IIO’s jurisdiction and consequently did not report it to the IIO.

The narrative that follows is based on evidence collected and analyzed during the investigation, including the following:

- the AP’s statement;
- statements of three witness police officers;
- Police Computer-Aided Dispatch (“CAD”);
- Police Records Information Management Environment (“PRIME”) records;
- police radio to radio transmissions;
- 911 calls;
- medical records;
- police policy and standards; and
- CCTV video from cells.

The IIO does not compel officers who are the subject of an investigation to submit their notes and reports. In this case, the Subject Officer declined to provide any account to the IIO.

Narrative

On November 27, 2023 at 5:34 p.m., the RCMP received a call reporting that there was an unwanted person in a residence (the Affected Person or “AP”). It was reported that the AP was breaching her conditions not to be at the residence.

Three officers responded to the call from the Vanderhoof detachment, Witness Officer 1 (“WO 1”), Witness Officer 2 (“WO 2”), and the Subject Officer (“SO”). WO1 first located the AP on the street nearby the detachment. WO2 and the SO arrived shortly after. WO2

was familiar with the AP because he had arrested her a few days earlier and was aware of her conditions. At 5:40 p.m., WO1 broadcasted over the radio: “we’ve got our female here.”

Officers told the AP that she was under arrest and WO1 and WO2 grabbed her arms. Both officers told the AP to stop resisting and to put her hands behind her back. WO1 said that the AP was “pulling away” from the officers and “doing everything she could to avoid being taken into custody.” In contrast, the AP told IIO investigators that she was not resisting, just crying and making a lot of noise.

WO1 directed her to the ground. When interviewed by IIO investigators, WO1 stated specifically that the AP was not thrown to the ground but placed there. The AP landed on her front, and the officers tried to place handcuffs on her. WO1 said the AP was resisting and that he saw her trying to kick out towards them when she was on her front. WO2 described that the AP got one of her hands free from officers and tucked it under her body. WO2 said that the AP was kicking him as they tried to put her into handcuffs.

The AP said the officers threw her to the ground and bashed her head three times. The AP said she felt the SO place their knee on the back of the AP’s leg and then heard it snap. WO2 said he saw the SO assist by grabbing the AP’s ankles so that the AP would stop kicking WO2. WO2 told the IIO he did not see what the AP alleged. The officers placed the AP in handcuffs. Approximately fifteen minutes later, WO1 updated over the radio that the AP was in custody.

The AP felt that she was mistreated by the officers during the entire arrest process. The AP described: “it was like they were punishing me for making a lot of noise and screaming that they were hurting me.” The AP said that the officers were trying to make her walk on her broken leg, treating her roughly and generally not taking her concerns regarding her injury seriously. The AP said that the handcuffs were too tight, and the officers were squeezing her arms too hard.

When interviewed by IIO investigators, the witness officers were not sure when the AP’s injury occurred, as they did not see or hear the AP’s leg break. WO2 described it as a “freak accident.” WO2 said there was no force that he could think of that would have caused the injury. WO2 also said that there was no intention on the part of any of the officers to hurt the AP.

Officers took the AP to hospital for medical treatment because she was complaining of leg pain. Medical records showed that the AP suffered a lower left leg fracture. The medical records did not offer an explanation as to the mechanism of how the injury occurred. The AP was required to wear a protective cast for six weeks and continues to have issues with the injury.

Efforts were made by IIO investigators to locate video or civilian witnesses that may have witnessed the arrest, but none were located.

Analysis

The Independent Investigations Office of British Columbia is mandated to investigate any incident that occurs in the province in which an Affected Person has died or suffered serious physical harm and there appears to be a connection to the actions (or sometimes inaction) of police. The aim is to provide assurance to the public that when the investigation is complete, they can trust the IIO's conclusions, because the investigation was conducted by an independent, unbiased, civilian-led agency.

In most cases, those conclusions are presented in a public report such as this one, which completes the IIO's mandate by explaining to the public what happened in the incident and how the Affected Person came to suffer harm. Such reports are generally intended to enhance public confidence in the police and in the justice system as a whole through a transparent and impartial evaluation of the incident and the police role in it.

In a smaller number of cases, the evidence gathered may give the Chief Civilian Director ("CCD") reasonable grounds to believe that an officer has committed an offence in connection with the incident. In such a case, the *Police Act* gives the CCD authority to refer the file to Crown counsel for consideration of charges.

A police officer must be acting in the lawful execution of their duties when they arrest or detain someone. In this case, officers had received a call that the AP was in breach of her conditions not to be inside a residence. Officers needed to take action to respond to the situation, and they encountered the AP who they were familiar with and arrested her.

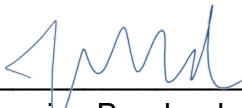
The AP's leg was broken during the incident, and it was alleged that it was due to the SO's use of force. In a case such as this one, one of the avenues of the IIO investigation is gathering evidence about the use of force. This evidence is then analyzed by applying legal tests such as necessity, proportionality and reasonableness to reach conclusions as to whether officers' actions were lawful or not.

It was reasonable for the officers to use some force to arrest the AP and put her into handcuffs, including grabbing her and moving her to the ground. Although the AP said she was being compliant with the officers, both officers interviewed by the IIO said that the AP was not, and there are no other independent civilian witnesses or video of the incident to provide any additional evidence. Both WO1 and WO2 said the AP kicked at them. Neither WO1 nor WO2 knew that the AP's leg had been broken until later, and

WO2 was clear that there was no intention on the part of any of the officers to hurt the AP.

Officers are permitted by law to use force to put someone into handcuffs, as long as the force used is necessary, reasonable and proportionate. I have determined that there is not sufficient evidence to suggest that the level of force used by the SO was excessive in this case. It is unfortunate that the AP was injured during the arrest process.

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

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