



**IN THE MATTER OF THE INJURY OF A MAN
WHILE BEING APPREHENDED BY MEMBERS OF THE RCMP
IN TSAY KEH DENE, BRITISH COLUMBIA
ON APRIL 9, 2024**

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

Chief Civilian Director:

Jessica Berglund

IIO File Number:

2024-082

Date of Release:

August 6, 2026

The release of this public report was delayed pending the conclusion of a concurrent police investigation. The decision on this matter was initially reported on [February 6, 2025](#).

INTRODUCTION

On the evening of April 9, 2024, RCMP received a 911 call reporting that the Affected Person (“AP”), an Indigenous man, had shot two family members on the traditional lands of Tsay Keh Dene. When they arrived at the scene, responding officers saw the AP running between two homes with a rifle, and subsequently located two persons deceased in the home from which he had come. The AP entered a second residence and barricaded himself inside. Emergency Response Team (“ERT”) members were called to the scene. Subsequently, the AP emerged, carrying the firearm, and was shot and seriously injured by police.

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 12 civilian witnesses and 17 witness police officers;
- police Computer-Aided Dispatch (“CAD”) and Police Records Information Management Environment (“PRIME”) records;
- audio recordings of a 911 call, police radio transmissions and police negotiations attempts;
- a video recording from a civilian cell phone;
- scene photographs;
- firearms analysis; and
- medical evidence.

NARRATIVE

At 10:04 p.m. on April 9, 2024, Civilian Witness 1 (“CW1”) called 911 to report that the Affected Person (“AP”) had shot two family members at their home. CW1 had fled and was now in a trailer that was the home of a relative, Civilian Witness 2 (“CW2”). CW2 told IIO investigators that after the 911 call, she, in the company of CW1 and two other

individuals, Civilian Witness 3 (“CW3”) and Civilian Witness 4 (“CW4”), remained in the trailer with the lights off and the doors locked.

CW1 later told IIO investigators that CW4 was asleep on the couch at this point, and CW4 told the IIO that he did not witness any relevant part of the incident. CW2 told investigators that about an hour after the 911 call, the AP came to the trailer carrying a rifle and was banging and kicking at the door, demanding to be let in. CW2 said she refused, and the banging stopped. Later, though, she said, someone opened the door and allowed the AP to enter. CW2 said she hid from him in the bedroom.

Witness Officer 1 (“WO1”) and Witness Officer 2 (“WO2”) were the first officers to respond to the 911 call, which had been relayed through police dispatch at 10:06 p.m. WO1 told the IIO that he and WO2 were equipped with hard body armour, carbines and pistols. He said he drove to the scene in an unmarked police vehicle while WO2 drove a marked vehicle. Neither officer activated their emergency lights or siren.

WO1 said that when he arrived, he saw an unidentified man (the AP) running from the home where the shots had reportedly been fired to a trailer across the street. WO1 said the AP was yelling and waving a rifle around. WO1 described the area as being very dark, with the only illumination coming from a porch light.

WO1 said that WO2 appeared to recognize the AP, calling out to him by name. WO1 said he told the AP he was under arrest, but the AP responded that he did not know why the police were there and told them to leave him alone. WO1 said he pointed his carbine at the AP and ordered him to drop the rifle. He said the AP continued to yell and wave the rifle, but it did not appear that he was attempting to aim the weapon at any one thing. WO1 said that for several minutes, he attempted to de-escalate the situation, but the AP refused to cooperate, apparently trying to get into the trailer through the front door before moving to a second door, where he was able to enter. WO1 said he was now worried about the possibility of a hostage situation inside the trailer.

At interview, WO1 was asked why he did not fire his carbine at the AP during this interaction. He replied that he was not initially sure that the AP was the suspect, and was also concerned that shooting at the AP might endanger any occupants of the trailer behind the AP. Further, he said, he was at an approximate range of 150 feet from the AP, taking cover behind the engine block of his police vehicle; he was only trained with his pistol to 75 feet, and his Conducted Energy Weapon (“CEW” or “Taser”) was ineffective beyond about 25 feet, so he did not have any other reliable force option available to him.

WO1 said that he then saw an individual (CW1) leave the trailer through a window. He said CW1 shouted to the officers that they should have shot the AP. CW1 then fled from the scene.

WO1 asked WO2 to check the residence where the shooting had occurred, and when he returned, WO2 reported that he had found two deceased persons there. WO1 said he now considered the situation as an armed barricade, and provided radio updates, asking that the Emergency Response Team (“ERT”) be called. WO1 said that the AP repeatedly came to the door of the trailer, moving the rifle around in front of himself and demanding that the police leave. WO2 moved a little closer and started to use a loudhailer, attempting unsuccessfully to de-escalate the situation and have the AP talk with the officers.

Witness Officer 3 (“WO3”) and Witness Officer 4 (“WO4”) were next to arrive, approximately 50 minutes behind the first officers, having travelled about 75 km from the Kwadacha Nation (Fort Ware). They positioned their police vehicles behind the trailer with their headlights directed towards it, while WO1 and WO2 positioned their vehicles in a similar manner facing the trailer’s front. WO2 continued calling to the AP to come out without his firearm, but the AP refused, telling police instead to come into the trailer.

WO2 described the AP standing at the door of the trailer making threatening gestures with the rifle. Like WO1, WO2 explained that he did not discharge his carbine at the AP for fear it might injure one of the trailer’s occupants.

Over the next hour, after multiple loudhailer callouts from police, CW2, CW3 and CW4 exited the trailer. CW2 told the officers that the AP did not have a weapon, and attempted repeatedly to go back inside the trailer, but was prevented from doing so by the police. CW3 also wanted to go back into the trailer and said that the AP was unarmed. When police refused to let him, he went to a neighbouring residence. CW4 denied that the AP was in the trailer and claimed not to know why the police were there.

At 10:41 p.m., Witness Officer 5 (“WO5”) was attached to the police response as part of the Crisis Negotiation Team. She met with Witness Officer 6 (“WO6”) in the Operations Room in Prince George and it was decided that she would serve as the primary negotiator, with Witness Officer 7 (“WO7”) acting as the team’s assistant and Witness Officer 8 (“WO8”) keeping notes. The team discussed whether they should drive to the incident scene, which would involve a drive of several hours with no cell service. A decision was made to communicate with the AP, if possible, by telephone rather than driving to the scene.

At 12:01 a.m., and again at 12:21 a.m., WO5 spoke with the AP briefly through the landline in the trailer. She said the AP admitted to the shootings, and said he sounded intoxicated and paranoid. Unfortunately, during the second call, the AP apparently walked away from the phone without disconnecting, which made it impossible for over three hours for the crisis team to call back, despite loudhailer calls from officers outside the trailer asking the AP to hang up the phone.

At 1:05 a.m., Civilian Witness 5 (“CW5”) broke through the police containment and entered the trailer, yelling at the AP. CW5 exited the trailer after about half an hour, unharmed and was arrested. CW5 later told IIO investigators that she had no memory of the episode.

At 3:41 a.m., WO5 was able to connect again by phone with the AP. She directed the AP to come out of the trailer with empty hands, but he refused. WO5 told the IIO that she began to have concerns that the AP was contemplating harming himself, as he told her that his family would be better off without him. The AP asked when the ERT would be arriving and stated an intention to poison himself. WO5 asked the officers at the scene to arrange for CW2 to record a message to the AP, asking him to surrender peacefully.

At 4:58 a.m., CW2’s message was played to the AP over the phone. The AP stated that he would come out of the trailer, but would have the gun with him, and said he did not want to go to prison. WO5 told the AP that if he came out with no weapon, he would not be harmed. At the end of the call, WO5 told the IIO, she was left with the impression that the AP was saying goodbye to her, which worried her.

WO5’s telephone conversations with the AP were recorded and subsequently reviewed by IIO investigators, confirming the accounts of the calls provided by police witnesses.

Between approximately 5:00 and 5:30 a.m., RCMP ERT members were arriving and preparing their equipment at the scene. Witness Officer 9 (“WO9”) was the ERT “chemical element lead” on the team, meaning he would be responsible for any deployment of chemical munitions (non-lethal irritating gas) against the barricaded AP. WO9 later told the IIO he was concerned that there would soon be daylight, making officers outside the trailer more vulnerable to potential rifle fire from inside, and also making it more likely that neighbouring residents would start coming out of their homes. He said a plan was developed to force the AP out of the trailer by inserting gas through a window. The plan was quickly put into action, with gas being inserted into and under the trailer by WO9, Witness Officer 10 (“WO10”) and Witness Officer 11 (“WO11”).

Two ERT sniper teams had set up facing the trailer. Witness Officer 12 (“WO12”) was paired with Witness Officer 13 (“WO13”). WO12 told the IIO that he heard WO13 launching a gas canister through one of the trailer’s windows.

Shortly after the gas insertion, Witness Officer 14 (“WO14”) told the IIO that he saw the AP running from the front door of the trailer, carrying a rifle by his side, parallel to the ground. WO14 was looking through the scope attached to his “less lethal” 40 mm projectile launcher. WO14 said he broadcast his observation by radio, wondering why no officer was taking any action to stop the AP. As he fired his weapon, though, he heard several “bangs.” WO14 said he could not tell if these sounds came from police firearms

or the AP's rifle but said the AP did not fall to the ground, so he stood up and switched to his police carbine. At that point, he said, he saw that the AP was now lying on the ground. The rifle was on the ground about a metre from the AP, within his reach. Other ERT members approached, removed the rifle and placed the AP in handcuffs.

WO12 told the IIO that he saw a silhouette moving away from the trailer but could not see if the person was carrying a gun. WO12 said he saw muzzle flashes and heard rounds passing him and then heard other members shouting at the AP to "get away from the gun."

WO13 said that by the time he had transitioned from his 40 mm launcher to his carbine, he saw that the AP was already running down the front steps from the trailer. WO13 said he heard someone yell something about a gun, but from his position could not see if the AP had a gun. He said he heard three or four gunshots and saw the AP fall to the ground.

Witness Officer 17 ("WO17") stated that he heard by radio that the AP had left the trailer and then heard gunshots before seeing the AP rolling on the ground, yelling in pain, with a rifle a few feet from him.

Witness Officer 18 ("WO18") told the IIO he heard another officer say, "Gun, gun," and could see that the AP was carrying a rifle in his right hand. WO18 then heard several shots and, a few seconds later, the AP fell and dropped the rifle.

Witness Officer 15 ("WO15") said he saw the AP exit the trailer, but another officer then blocked his view. WO15 heard gunshots and then, he said, as he repositioned, he saw the AP lying on the ground with the rifle three to four feet from his head. After the AP was secured, WO15 said, he went over to Subject Officer 1 ("SO1") and asked him if he was alright. WO15 said he asked SO1 if he had fired his carbine and SO1 said that he had, once.

WO4 told investigators that he saw the AP leave the trailer carrying a firearm, heard officers shouting at the AP, and then heard gunshots. He said the AP stopped briefly and then fell to the ground, the rifle still within his reach.

WO1 said he initially saw the AP on the steps and then lost sight of him. He said that from his position he heard ERT members shouting for the AP to drop the gun, heard the AP shout something in response, and then heard gunshots.

Other witness officers gave similar accounts.

The AP received emergency first aid treatment from officers at the scene and was transported to hospital, where he was treated for three gunshot wounds, two of which

appeared to have been caused by a single bullet, which penetrated the AP's arm before continuing to enter his body.

The firearm the AP had been carrying was identified as a .22-calibre semi-automatic rifle, and when made safe at the scene by WO10, it was found to have a live round in the chamber.

Forensic analysis of the scene and of police firearms indicated that SO1 and Subject Officer 2 ("SO2") had fired one round each from their police carbines.

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 the BC Prosecution Service for consideration of charges.

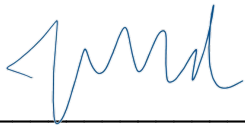
In a case such as this one, involving the use of potentially lethal force by officers, evidence is gathered about potential justifications for that use of force. The CCD then applies legal tests such as necessity, proportionality and reasonableness to reach conclusions as to whether officers' actions were lawful. The specific focus is on the degree of threat posed by the Affected Person and whether, in the words of the *Criminal Code*, it gave reasonable grounds for the officers to believe lethal force was "necessary for the self-preservation of [the officers] or the preservation of any one under [the officers'] protection from death or grievous bodily harm."

In this case, police made ongoing efforts to de-escalate and bring the incident to a peaceful conclusion. Unfortunately, the AP did not cooperate and permit himself to be taken into custody without violence. The application of non-lethal gas into the trailer was

an appropriate step, given the continued refusal and the fact that it was becoming light out, making the police more visible to the AP and exposing them to the risk that he might fire his rifle at them from a window.

The threat posed to officers when the AP emerged from the trailer holding the rifle was evident. He was believed to have used the rifle, only a few hours earlier, to kill two family members, and had refused over an extended period to surrender to police. He had also made statements suggesting he had no intention to survive the stand-off. It would not have been reasonable to permit the AP to decrease the distance between himself and the officers to increase the chance of the CEW being effective. Even though he was not directly aiming his rifle at an officer when he was shot, the weapon posed an imminent threat of grievous bodily harm or death to all the attending officers. There is no evidence that any further force was used against the AP once he was immobilized and the gun was removed from his reach.

Accordingly, as 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 the matter will not be referred to the BC Prosecution Service for consideration of charges.



Jessica Berglund
Chief Civilian Director

August 6, 2026
Date of Release