



**IN THE MATTER OF THE INJURY OF A MAN
WHILE BEING APPREHENDED BY MEMBERS OF THE
VANCOUVER POLICE DEPARTMENT IN
VANCOUVER, BRITISH COLUMBIA
ON JULY 24, 2024**

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

Chief Civilian Director:

Jessica Berglund

IIO File Number:

2024-195

Date of Release:

July 17, 2025

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INTRODUCTION

On the evening of July 24, 2024, the Affected Person (“AP”) was arrested by Vancouver police officers after a complaint that he had broken into another apartment in the building where he lived. The AP resisted the arrest, and during a struggle with officers, suffered a fractured arm. 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, two civilian witnesses and two witness police officers;
- police Computer-Aided Dispatch (“CAD”) and Police Records Information Management Environment (“PRIME”) records;
- audio recordings of telephonic and police radio communications;
- video recording from a civilian’s cell phone;
- publicly available technical information about a doorbell camera system; and
- medical evidence, including information from a physician familiar with the AP’s case.

NARRATIVE

At 11:35 p.m. on July 24, 2024, Vancouver police received a complaint from a resident of an apartment building in South Vancouver, reporting that a neighbour’s apartment had been broken into. Responding officers observed physical evidence of the break-in and were directed by witnesses to the apartment of the Affected Person (“AP”), the alleged perpetrator.

Officers knocked, and the AP came to his door. When the AP acknowledged his involvement in the break-in, the Subject Officer (“SO”) directed him to step out into the hallway, which he did, and then told him he was under arrest. Witness Officer 1 (“WO1”) later told IIO investigators that at this point, the AP started backing away with his back against the wall. WO1 said he heard the SO repeatedly telling the AP to put his hands behind his back, but that the AP was not cooperating. WO1 said that as a result, the two officers engaged in a struggle with the AP that caused them to move down the hallway, “bouncing off the walls.” WO1 said he was focussed on trying to control the AP’s left arm, and the SO was holding the AP’s right arm.

Witness Officer 2 (“WO2”) described the AP as adopting a “fighting stance” with his fists up in front of his face. WO2 echoed WO1’s description of the struggle down the hallway and said that he brought it to an end by dropping to the floor and wrapping his arms around the AP’s legs, which brought the AP down in what WO2 described as a “controlled” manner.

The aftermath of the struggle was captured on cell phone video by a civilian witness, but the recording did not show the relevant part of the AP’s interaction with police. The AP told the IIO that the interaction had been recorded on his doorbell camera, and that police had subsequently deleted that video. Investigators researched technical aspects of the camera software system and concluded that there was no reliable evidence that police could have accessed the system or deleted video from it.

Once at the police station, a jail nurse briefly examined the AP and noted that his right elbow appeared to have been sprained. Police released the AP from the station without booking him into cells. An ambulance had been called for the AP, but he chose not to wait for it. After going home, though, he felt growing discomfort and went to the hospital, where he was subsequently diagnosed with a fracture at the tip of his right radius bone.

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.

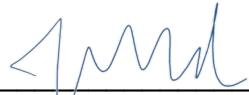
In a case such as this one, involving the use of force by officers, IIO investigators collect evidence with respect to potential justifications for that use of force. The IIO then analyzes

this evidence using legal tests such as necessity, proportionality and reasonableness to reach conclusions as to whether officers' actions were lawful, or whether an officer may have committed the offence of assault.

At the AP's front door, the attending officers had a credible allegation that the AP had committed a break-in, which was confirmed in their conversation with the AP. That information provided reasonable grounds to arrest him, and to use reasonably necessary force in doing so.

The evidence does not establish that any of the three officers who restrained the AP in the hallway in order to effect the arrest used any more force than was necessary for that purpose.

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 Crown counsel for consideration of charges.



Jessica Berglund
Chief Civilian Director

July 17, 2025

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