



**IN THE MATTER OF THE DEATH OF A MAN
IN AN INCIDENT INVOLVING A MEMBER OF THE RCMP
IN PENTICTON, BRITISH COLUMBIA
ON OCTOBER 22, 2024**

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

Chief Civilian Director: Jessica Berglund

IIO File Number: 2024-247

Date of Release: April 25, 2025

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INTRODUCTION

On the afternoon of October 22, 2024, the Subject Officer (“SO”) responded to multiple 911 calls about the Affected Person (“AP”) acting erratically on the street and waving a knife around. The SO located the AP walking along the sidewalk and pulled his police vehicle over to the curb. When the SO exited his vehicle, the AP advanced towards the officer and a brief scuffle took place, with the AP seen to take a knife from inside his coat and repeatedly make slashing and stabbing motions towards the SO with the knife, wounding the officer in the hand when doing so. The SO attempted to retreat around his police vehicle but was followed by the AP, and at this point the SO drew his service pistol and discharged it at the AP, who was fatally wounded.

The Independent Investigations Office (“IIO”) was notified and carried out an investigation. The narrative that follows is based on evidence collected and analyzed during the investigation, including the following:

- statements from 23 civilian witnesses and six witness police officers;
- police Computer-Aided Dispatch (“CAD”) and Police Records Information Management Environment (“PRIME”) records;
- audio recordings of 911 calls and police radio transmissions;
- video recording from a police vehicle dash camera;
- civilian Closed-Circuit Television (“CCTV”), B.C. Transit and City of Penticton traffic camera video recordings;
- scene 3D scans;
- scene and officer photographs;
- forensic firearm examination and testing;
- B.C. Emergency Health Services report; and
- autopsy and toxicology reports.

The IIO does not require an officer whose actions are the subject of an investigation to give an account. In this case, the SO has not provided any evidence to IIO investigators.

NARRATIVE

At about 3:13 p.m. on October 22, 2024, police received several 911 calls reporting that a man (the AP) was walking along Government Street in Penticton carrying a knife, yelling and swearing.

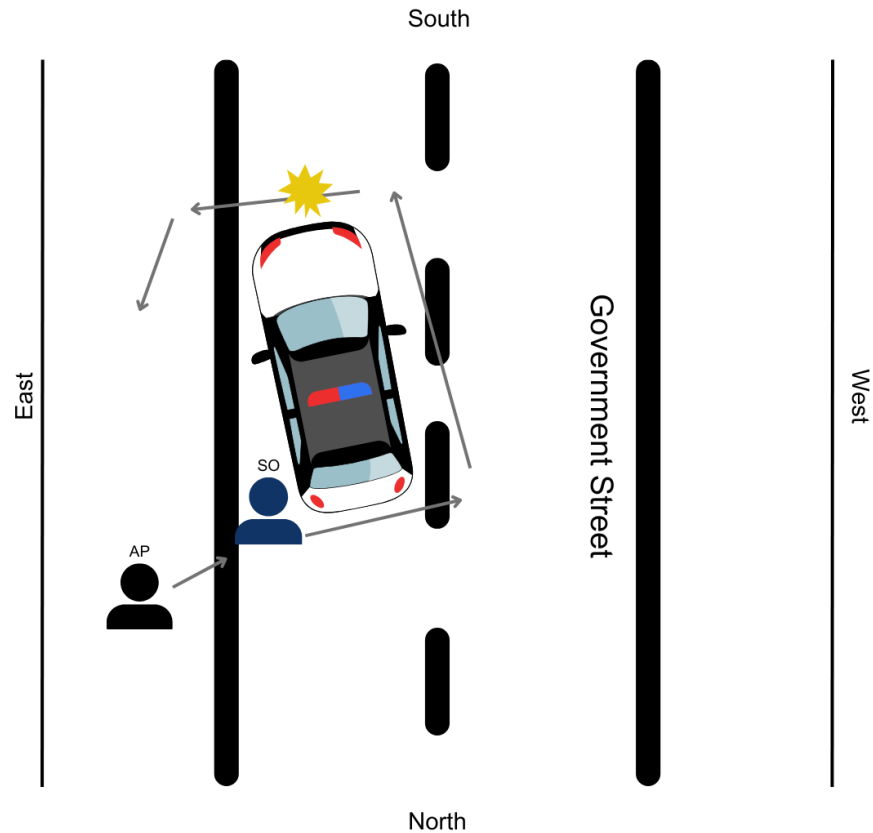
Civilian Witness 1 (“CW1”), one of the 911 callers, later told the IIO that the AP had the appearance of someone suffering from “some sort of hallucination.” CW1 said that the AP’s knife was in a sheath when she first saw it. Civilian Witness 2 (“CW2”) also described the AP carrying the knife in a sheath.

The Subject Officer (“SO”) responded to the calls, with Witness Officer 1 (“WO1”) and Witness Officer 2 (“WO2”) coming from farther away, so being a few minutes behind the SO. Witness Officer 3 (“WO3”) was in the area, and also began to look for the AP.

At about 3:25 p.m., the SO, who was driving south on Government Street in a marked police vehicle, spotted the AP, who matched the description provided by civilians in their 911 calls. The AP was walking southbound on the east sidewalk. The SO turned on his vehicle’s emergency lights and pulled to the east curb at an angle, slightly ahead of the AP.

The SO exited his vehicle and there was an almost immediate interaction between the SO and the AP. Several civilian witnesses described a “scuffle” in which the AP moved quickly towards the SO and appeared to push him away. Civilian witnesses then describe the AP advancing towards the SO with a raised knife. The SO retreated around his police vehicle with his hands raised defensively. Witnesses told the IIO that the officer was shouting commands such as “stop”, “back off” and “get down” as he drew his service pistol and pointed it towards the AP.

The SO, pursued by the AP, moved down the passenger side of his police vehicle and around in front of the hood. The vehicle was equipped with a Watchguard dash camera system, which recorded the SO walking quickly backwards across the front of the vehicle with the AP advancing on him aggressively, the knife in his right hand only inches from the officer. The video shows the SO discharging multiple rounds from his pistol at the AP’s upper body. Despite being struck visibly several times by bullets, the AP continues to pursue the officer out of the video frame, towards the sidewalk.



Note: Diagram is not to scale and provides a pictorial reference only. The grey arrows depict the direction the AP and SO travelled around the police vehicle, with a yellow icon reflecting where the shooting occurred.

Civilian witnesses described hearing several more gun shots after this, before the AP suddenly stopped and fell to the ground. Within the next minute, other officers arrived on scene. They secured the AP and immediately called for paramedics to attend to him. The AP was taken to the hospital but was declared deceased shortly after arrival there. The SO was treated in hospital for a wound to his left hand.

LEGAL ISSUES AND CONCLUSION

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 the majority of 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 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 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 will be on the degree of threat posed by each 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".

The SO was acting in the lawful execution of his duty when he stopped to investigate the AP in response to civilian concerns about his previous behaviour. There is no evidence of anything done by the SO to provoke what witnesses described as an almost immediate assault by the AP on the SO. That assault, which became a pursuit of the SO with a potentially deadly weapon at very close range, clearly presented a threat of death or grievous bodily harm to the SO. The SO's deployment of lethal force in response was justified and lawful.

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

April 25, 2025
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