



**IN THE MATTER OF THE INJURY OF A MAN
IN AN INCIDENT INVOLVING MEMBERS OF THE
VANCOUVER POLICE DEPARTMENT IN
VANCOUVER, BRITISH COLUMBIA
ON OCTOBER 21, 2024**

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

Chief Civilian Director:

Jessica Berglund

IIO File Number:

2025-026

Date of Release:

August 8, 2025

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INTRODUCTION

On January 9, 2025, the Affected Person (“AP”) contacted the IIO to report an incident that had happened several months earlier, on October 21, 2024, in which he had been seriously injured by Vancouver Police Department (“VPD”) officers. The Independent Investigations Office (“IIO”) 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, two paramedics and four witness police officers;
- police Computer-Aided Dispatch (“CAD”) and Police Records Information Management Environment (“PRIME”) records;
- video recordings from commercial premises and from a police body-worn camera; and
- medical records.

The IIO does not require officers whose actions are the subject of investigation to provide evidence. In this case, neither subject officer has given an account.

NARRATIVE

On the afternoon of October 21, 2024, the AP and a family member, Civilian Witness 1 (“CW1”) were inside a small restaurant they ran on Granville Street in Vancouver when they saw a man urinating outside on the patio. A restaurant customer, Civilian Witness 2 (“CW2”) got upset and went outside. CW2 ran after the man and pushed him down onto the sidewalk outside a neighbouring store.

Witness Officer 1 (“WO1”), who was in plain clothes, was driving past at the time in an unmarked police vehicle and saw the fight. WO1 later told the IIO that he saw CW2 on top of an unresisting man, punching him. When the two men stood up, WO1 said, he recognized the person being punched as someone with whom he had had previous dealings. WO1 said he considered, based on his observations and by taking a brief statement, that this individual was only guilty of a bylaw offence (a police officer cannot arrest a person for a violation of the bylaw), but that CW2 had committed the more serious offence of assault, and should be arrested.

As WO1 pulled over and exited his vehicle, CW2 stood up and started to step away. WO1 told him to stand where he was, as he was not free to go. Despite this, WO1 told the IIO,

he could see that CW2 continued to move away, so WO1 told other officers who were arriving at the scene to detain CW2.

Witness Officer 2 (“WO2”) recalled hearing WO1 say “grab that guy,” pointing at CW2, and seeing Subject Officer 1 (“SO1”) go “hands on” with CW2, who was belligerent and aggressive. WO2 went to assist SO1 as he tried to control CW2, who was “turtling” on the ground with his hands pulled in under him. As Witness Officer 3 (“WO3”) arrived in a police vehicle with Witness Officer 4 (“WO4”) and Subject Officer 2 (“SO2”), he also went to assist in the arrest of CW2.

Witness officers told IIO investigators that when an incident of this type occurs at a busy time in a downtown location such as Granville Street, there is a sense of urgency to resolve it quickly. This is because their experience is that a crowd will often start to form, individuals may try to interfere, and safety issues arise for the arrestee, the officers and the public.

WO4 told the IIO that she then saw a man (CW1) approaching the struggling officers as if he was going to intervene in CW2’s arrest. She said she told CW1 not to obstruct the police, but he kept moving forward. WO3 then stood up and assisted WO4 as she took hold of CW1 and placed him under arrest, in handcuffs. As this was happening, the AP approached one of the officers (SO1) who was trying to detain CW2.

What happened next was recorded on video from a nearby commercial location and a body-worn camera that SO2 was wearing. As the AP bent forward in the direction of the officers dealing with CW2, SO1 stood up, turning towards the AP, grabbing his arms and pushing him away. At the same time, SO2 was approaching the AP from behind, and deflected the AP’s backward movement with his upraised arms. The AP fell to the side, striking his head on a metal plate in the sidewalk.

The AP was knocked unconscious for approximately a minute, and officers attended to him as he regained consciousness, bleeding heavily, and tried to sit up. An ambulance was called, and the paramedics considered the AP’s head injury to be serious enough to take him to hospital. He was subsequently diagnosed with significant trauma, including an intracerebral hemorrhage and injuries causing permanently reduced hearing on one side.

The incident was initially reported to the IIO by CW2, but the injuries he had suffered in his arrest did not meet the level of serious harm as defined in the *Police Act*, so the IIO declined to carry out an investigation. It was not until the AP’s complaint in January 2025 that an investigation was commenced, based on the seriousness of the injuries suffered by the AP. The reason provided by VPD for not notifying the IIO at the time of the incident was that they understood the AP had only suffered a “minor” brain bleed, and “would be fine.”

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 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 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.

The responding officers encountered an assault in progress, in a busy area of downtown Vancouver, and a suspect (CW2) who had to be controlled and apprehended quickly. While the AP viewed CW2's arrest as inappropriate, it was appropriate from the police perspective, and the AP and CW1 were obstructing the officers in the execution of their lawful duty when they attempted to intervene.


While witness accounts of how the AP came to fall to the sidewalk and strike his head were unclear, IIO investigators, fortunately, had access to video evidence that was of great assistance. In particular, availability of a police body-worn camera recording made it possible to reconstruct the mechanics of the interaction between the AP and the subject officers.

When SO1 turned and pushed the AP away from the struggle with CW2, he used no more force than was reasonably necessary to prevent the AP from interfering further in the arrest. While it was unfortunate that SO2 was approaching at the same moment, so that the AP, as he stumbled backwards, collided with SO2, SO2 did not use any unnecessary or inappropriate force in fending the AP off. Likewise, it was also unfortunate that the AP

struck his head on a steel manhole cover when he fell, but this was not the result of any excessive or otherwise unlawful force used by either subject officer.

None of the officers at the scene, in the circumstances, thought the AP's head injury was sufficiently serious to warrant a notification to the IIO. Given that the AP experienced a period of unconsciousness and significant bleeding, and was transported from the scene by ambulance, it would have been reasonable to suspect that he had suffered serious head trauma. Officers are required by the *Police Act* to notify the IIO immediately in such circumstances. While this omission is concerning, it does not, in this case, amount to an offence.

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

August 8, 2025
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