



**IN THE MATTER OF THE INJURY OF A MAN
POSSIBLY CAUSED DURING HIS APPREHENSION
BY MEMBERS OF THE VANCOUVER POLICE DEPARTMENT
IN VANCOUVER, BRITISH COLUMBIA
ON APRIL 10, 2025**

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

Chief Civilian Director:

Jessica Berglund

IIO File Number:

2025-091

Date of Release:

January 22, 2026

INTRODUCTION

At 2:11 a.m. on April 10, 2025, staff at a fast food restaurant in Vancouver called 911, stating that a man (the Affected Person ("AP")) was inside the restaurant causing a disturbance, refusing to leave, breaking furniture and yelling. Several Vancouver Police Department ("VPD") officers responded to the call. The two subject officers were first to enter the store and immediately arrested the AP, taking him to the floor and placing him in handcuffs behind his back; the AP was then placed on his right side by police.

Following his arrest, the AP complained of pain in his left arm and chest pain. Emergency Health Services ("EHS") were requested to attend. EHS attended and examined the AP, who was then taken by ambulance to the hospital. The AP was found to have a moderately displaced spiral fracture of his left humerus.

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 three civilian witnesses including one paramedic, and six witness police officers;
- police Computer-Aided Dispatch ("CAD") and Police Records Information Management Environment ("PRIME") records;
- audio recordings of a 911 call and police radio transmissions;
- security camera video recordings from the scene of the incident;
- medical evidence.

The IIO does not require officers whose actions are the subject of an investigation to provide evidence. In this case, neither of the two subject officers has given any account. The AP has also declined to be interviewed by the IIO.

NARRATIVE

Civilian Witness 1 ("CW1") told IIO investigators that on the morning of the incident she was working a night shift at a fast food restaurant in Vancouver. She said she noticed that a man (the AP) had been sitting outside for two or three hours, talking to himself and shouting at passing customers. She said the AP, who she said seemed to be intoxicated, then came inside and started throwing tables and chairs around. Staff asked the AP

several times to leave, but he refused, so CW1 called 911 and asked for police to attend. CW1 said officers attended and took the AP away, but she did not see the entire interaction.

CW1's co-worker, Civilian Witness 2 ("CW2"), said that several officers entered the restaurant, and one of them asked the AP to leave, but he refused. The officer, she said, "pulled" the AP out, and CW2 said the police dealt with the situation "very perfectly, a very good job."

Video recordings from the restaurant security cameras show the following sequence of events:

- Initially, the AP can be seen leaning on a table a short distance inside the door. There are chairs tipped over near him.
- Subject Officer 1 ("SO1") and Subject Officer 2 ("SO2") arrive outside, accompanied by Witness Officer 1 ("WO1").
- SO1, closely followed by the other two officers, enters the restaurant, goes behind the AP and takes hold of him by his jacket in the area of his shoulders.
- SO1 takes the AP down to the floor in a controlled manner, on his right side.
- As the witness officers enter and stand around the AP, SO2 takes the AP's lower left arm to apply a handcuff. SO1 is at the AP's right side and appears to bring the AP's right arm around for the handcuffing to be completed.
- The AP lies on the floor on his side for a short time, as SO1 moves some upended furniture aside.
- SO1 pulls on the AP's upper left arm to turn him towards the officer, apparently using a low level of force, and it appears SO1 talks with the AP.
- SO2 then pulls the AP into a sitting position by tugging at his jacket.
- With SO1 at his left side and SO2 at his right, the two subject officers lift the AP into a standing position, and he is taken out of the restaurant.

Witness Officer 1 ("WO1") told the IIO that he did not see any action by either of the subject officers that could have injured the AP, and said the AP did not complain of any pain. WO1 said that while the AP was sitting outside in the police van, someone said the AP's arm might be broken, so WO1 told the AP to lean on him if he needed.

Witness Officer 2 (“WO2”) said that when the AP was taken out to the police van, he was crying and saying his arm felt as if it was broken. WO2 said he did not have any further dealing with the AP that night, but was aware that an ambulance had been called for him.

Witness Officer 3 (“WO3”) told investigators he did not see how the AP was taken to the floor by the subject officers, and did not hear the AP complain of pain or injury. Earlier the same night, though, WO3 had responded to a call from staff at a nearby hotel, asking that police remove the AP from the premises. WO3 said that the AP had been lying on the floor and refusing to get up. When WO3 had taken hold of the AP’s left arm to help him up, the officer said, the AP had yelled in pain, saying he had hurt his shoulder. The AP had then been able to get up without assistance from WO3 and had left, walking in the direction of the fast food restaurant that subsequently became the scene of the police incident that is the subject of this report.

A paramedic, Civilian Witness 3 (“CW3”), who transported the AP to hospital from the scene, later told the IIO that officers told him they had grabbed the AP’s left arm to escort him away from the restaurant and his left arm had felt like “jelly.” WO3 said he applied a temporary splint to the arm, and said the AP told him he had injured the arm “months ago” but had not had it treated, preferring to “self-medicate”.

The AP was found to have a moderately displaced spiral fracture of his left humerus. It was treated by the application of a splint and did not require surgery.

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 goal 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.

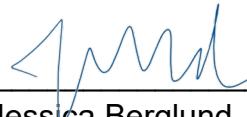
In a smaller number of cases, the evidence gathered may give the Chief Civilian Director (“CCD”) reasonable grounds to believe that an officer has committed an offence in

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 CCD 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 involved officers were acting in the lawful execution of their duty when they responded to the request for assistance from restaurant staff to remove an unwanted individual. Nothing in the available evidence suggests that any unnecessary or excessive force was used in taking him into custody, and in fact the evidence as a whole appears to show that the AP's injury was pre-existing at the time of this incident.

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

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