



**IN THE MATTER OF THE INJURY OF A WOMAN
WHILE BEING APPREHENDED BY MEMBERS OF THE RCMP
IN PARKSVILLE, BRITISH COLUMBIA
ON MARCH 24, 2025**

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

Chief Civilian Director:

Jessica Berglund

IIO File Number:

2025-085

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INTRODUCTION

On the evening of March 24, 2025, RCMP members went to a Parksville motel to conduct a wellness check on the Affected Person (“AP”). The AP resisted officers’ attempts to enter her room at the motel and threw a white ceramic mug at them. During her arrest, the AP was knocked down to the floor, striking her face. On April 3, 2025, RCMP received documentation indicating that the AP had suffered injuries meeting the “serious harm” threshold that triggers an investigation by the Independent Investigations Office (“IIO”), so the 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, one civilian witness, one paramedic and three 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;
- scene examination and photographs; and
- medical evidence.

The IIO does not require officers whose actions are the subject of an investigation to provide evidence. In this case, the Subject Officer (“SO”) did not agree to be interviewed, but investigators reviewed accounts he had produced before the IIO was notified about the incident, including the Report to Crown Counsel drafted for a concurrent proceeding against the AP.

NARRATIVE

At 6:56 p.m. on March 24, 2025, Oceanside RCMP in Parksville received a 911 call asking police to check on the wellbeing of the Affected Person (“AP”). The AP was reported as having “mental health issues” and was said not to be taking her medication. She was also said to have threatened the caller with a small kitchen knife. Officers patrolled the area, looking for the AP in places she was known to frequent, but did not find her.

At 8:39 p.m., police were advised by Dispatch that there had been a dropped 911 call from a motel room that was registered to the AP. Dispatch had called back to the motel and had been informed by the manager that the AP had told him that it was “okay” now.

At 8:43 p.m., the AP called 911 again, saying she was scared because she was getting calls from unknown numbers (the police were trying to contact her to see if she really was okay). The AP stated that she did not want police to attend.

Having identified that it was the AP who had called 911, officers who were looking for her went to the motel. WO1 said they decided it should be a “multi-member response” because of information from the original caller that the AP was not taking her medication and could be violent, especially if she was consuming alcohol. WO1 said she waited briefly in the motel parking lot until she was joined by WO2 and the Subject Officer (“SO”).

At 8:47 p.m., the officers began knocking at the AP’s door. WO2 told investigators the AP refused to let them in, and WO1 said the officers could hear the AP “screaming, yelling” inside the room but could not see inside because the drapes were closed, so they did not know if anyone else was present. She asked the motel manager for a key to the AP’s room, which he brought to her.

Inside the room, at 8:50 p.m., the AP called 911 for a third time. On the recording of the call, she can be heard saying that there was someone at her door, trying to get in. “If it’s a police officer,” she said, “he’s not welcome here.” Shortly after this, a male voice says, “Put the cup down right now,” followed by the sound of something shattering and then sounds of movement, thuds and a loud crash. After the loud crash, there is a moment of silence before sounds of movement and a male voice is heard saying, “Terrible idea. Get up, get up,” followed by a female voice repeatedly saying, “That’s enough.”

WO1 described the officers’ concern for the AP and their decision to go in to check on her. WO1 said they spent “a few minutes” trying to talk to the AP through the door.

We just wanted to have a face-to-face and see if everything we've been told was correct and what state [the AP] was in and was she arrestable. Like maybe she's just angry and maybe we'll have a conversation and just say, no, ... I just want some time and space. We don't know. And that's what we're going through. We just needed to have a conversation with her. We needed to, because it's a check well-being and because of all the circumstances of a check well-being, we just need to have a face-to-face with her. We felt better when we had the door open because at least now we've got eyes on her. And you've got to think about that for officers' safety in particular if there's other potential weapons there.

That last concern, WO1 said, was particularly important given that the AP was alleged to have pulled a knife and uttered threats earlier, to the 911 caller.

The AP, said WO1, would not open the door for the officers:

And [the AP] just yelled at us. And like I say, it got amped up from her. She was inside yelling, carrying on. And I was like, “we just want you to come out and talk to us. That’s all. Just present yourself to the door. Just talk to us. We’re just concerned about you. We’ve got to check well-being”. … And she didn’t care that she’d been reported or that there was a check well-being or anything like that. And she just was not going to come to the door.

WO1 said that after unlocking the door, they found it was barricaded and had to force it open. WO1 said the AP was standing a short distance from the door with something in her hand. As WO1 “pulled back,” she heard one of her colleagues say, “Don’t throw that.” She said she then saw a mug “fly” out through the door, hitting WO2 before smashing on the ground. WO1 said the SO quickly entered the room, saying, “You’re under arrest for assault”:

And he went to go around behind her, one hand on the shoulder, and to take the one arm. And just then, I watched his body twist … And I watched his feet go out from under him. And he went down, she went down, she did not put the other arm out at all, she just went. The face down was hard. It was a horrible sound. He made a horrible sound when he hit with all his gear on. All I could smell was white wine. He got up to continue to try to get control of her because she was struggling to get the one arm.

WO2 described the interaction in these words:

[The SO] said, “Drop it, don’t do it.” And no sooner had he said that, she launched the cup out the door and I tried to get out of the way, but it hit me on the wrist. [The SO] quickly went in, she was under arrest, they both fell, the floor was covered in wine. [The AP] fell, no hands out, right onto her face, and he landed on her back.

In the SO’s written PRIME report which describes his actions in response to the thrown cup, he states:

[The SO] stepped into the room and reached for [the AP’s] arm but slipped on the wine which had spilled on the floor. Both [the SO] and [the AP] fell to the ground. The contact was accidental, and no use of force was being attempted at that moment. [The SO] got up, gained control of [the AP’s] right arm and applied the handcuff. [The AP] was uncooperative and continued to resist arrest on the ground. [WO2] gained control of [the AP’s] left arm and applied the handcuff.

The floor of the motel room was vinyl over concrete, and the AP landed on it face-down, in a manner described by WO2 as “like a tree with no branches.” When the officers raised her up and sat her in a chair, they noted a cut on her face, and blood. WO1 said the AP

accused them of having knocked out her teeth, but WO1 said she checked the AP's mouth and did not see any damage to her teeth. WO1 said the AP did not complain of pain:

She just started talking, talking, talking, talking, talking, never complained about being in any kind of pain. We got on the radio right away and called EHS ... And we just waited for an ambulance, and [the AP] just never stopped.

In his written report, the SO stated that the AP did complain to him that she thought her left ear drum had been ruptured.

There was a 1.5 litre bottle of white wine on a side table, mostly empty, and a small knife left on a dresser by the door. WO1 described the floor and the SO as being "covered" in spilled wine. She said she assumed the mug had been full of wine. WO1 said the AP's behaviour was consistent with someone "in a highly intoxicated state."

Police accompanied the AP to the hospital and released her there on an Undertaking to Appear for the charge of assaulting WO2. In a later statement to the IIO, the AP said:

I felt very on guard when [the officers] were at the door and I grabbed a mug because I actually like, it just like was a reaction that like, I was going to have an issue with them. Like I felt like it was already a start off that way from like the way that they were like aggressive at the door. So, I grabbed a mug and then when I opened the door, I threw it out the door.

In the AP's recollection of what followed, the mug did not hit anyone, the three officers entered the room after she opened the door and she spoke with them for 10 to 15 minutes. The AP said she was having "issues" with WO1, who she said was "just like not nice to deal with." After the 10 or 15-minute period, the AP said, WO1 didn't like that the AP was talking back to her and told the SO to "bring me down." The AP said the SO grabbed her from behind and took her down to the floor, face-down. The AP said that no one slipped, because there was no wine on the floor, and the floor was carpeted. The AP did acknowledge that she had barricaded the door and that she had thrown the coffee mug.

The AP was found to have suffered an auditory canal fracture, a mandibular fracture, a small laceration on her chin and lacerations to her external auditory canal.

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 an officer, the 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 the officer's actions were lawful, or whether an officer may have committed the offence of assault.

In the AP's account, she was taken to the floor by the SO about 10 or 15 minutes after the officers entered her room, for no reason other than that WO1 didn't like that she was talking back to them. That account is inconsistent with the audio recording of the AP's final 911 call, which is consistent with the police account of a thrown mug and an immediate response by the SO. The police version of events is also consistent with photos taken shortly after the incident, showing the smooth vinyl floor in the motel room, still showing traces of a clear liquid consistent with white wine.

In the circumstances, the evidence does not lead to a conclusion that the SO used unnecessary or excessive force against the AP. There were grounds for the wellness check the officers were attempting, and when the AP threw a mug out the door, grounds to arrest her for assault. Based on the totality of the evidence, the AP's fall to the floor and injury was not a deliberate and unreasonable application of force, but an accident.

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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