

IN THE MATTER OF THE INJURY OF A MAN IN AN INCIDENT INVOLVING MEMBERS OF THE VANCOUVER POLICE DEPARTMENT IN VANCOUVER, BRITISH COLUMBIA ON MARCH 29, 2025

DECISION OF THE CHIEF CIVILIAN DIRECTOR OF THE INDEPENDENT INVESTIGATIONS OFFICE

Chief Civilian Director:	Jessica Berglund
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INTRODUCTION

On the evening of March 29, 2025, Vancouver police received a 911 call about a suspicious vehicle at a parkade in the West End of Vancouver. When officers attended, the suspicious vehicle sped away, striking a police vehicle as it left. A few blocks away, it collided with civilian vehicles and the Affected Person ("AP"), who had been driving, was seriously injured.

Because of the connection between police actions and the AP's injuries, 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, three other civilian witnesses and 13 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 from the crash scene;
- data downloads from police vehicles;
- police motor vehicle incident report; and
- medical records.

The IIO does not require the provision of evidence by officers who are designated as subject officers on the basis of a belief that their actions may have caused death or serious harm. In this case, no officer was designated as a subject officer.

NARRATIVE

At 8:23 p.m. on March 29, 2025, Civilian Witness 1 ("CW1") called 911 to report a suspicious vehicle idling in a parkade at the corner of Denman Street and Nelson Street in Vancouver. CW1 said the vehicle, a Dodge Charger, had been there for more than four hours. He said there appeared to be five people in the car, and they were wearing black clothes and black surgical masks. In his role as parking attendant, CW1 had approached the Dodge earlier because the driver had not paid for parking. He said he had been offered cash through a partially opened window, which he had refused, and the vehicle

had then driven off. The next time he checked, however, the vehicle had returned and was once again sitting idling.

At 8:33 p.m., Witness Officer 1 ("WO1") and Witness Officer 2 ("WO2") went to the parkade. They were dressed in plain clothes and driving an unmarked police vehicle. WO1 parked near the parkade entrance while WO2 went on foot to take a look at the suspect vehicle. A few minutes later, WO2 radioed that the windows of the Dodge were tinted and it was difficult to see in, but that there were five occupants. He requested a marked police unit to conduct a traffic stop of the Dodge.

At about 8:40 p.m., Witness Officer 3 ("WO3") and Witness Officer 4 ("WO4") drove in to the parkade and pulled in behind the Dodge. These two officers were in uniform and driving a marked police vehicle. WO3 noticed that the licence plate on the Dodge Charger showed as registered to a Dodge Challenger. He turned on his police vehicle's emergency lights and "chirped" the siren. The officers then started to exit the police vehicle to approach the Dodge, but WO4 almost immediately radioed, "It's taking off on us."

WO2 said that as the Dodge accelerated out of the parkade, its tires squealing, WO1 attempted unsuccessfully to use her unmarked police vehicle to stop the Dodge by ramming it. WO2, who had been running towards the exit, following the Dodge, described the interaction with the police vehicle as follows:

> *[I saw WO1] … roll the vehicle towards the ramp and completely block the bottom where the sidewalk is. … I watched [the Dodge] not slow down and drive right into the front passenger side of the police vehicle and knock it out of the way.*

For her part, WO1 stated that she had "committed to ramming" the Dodge as she saw it coming towards her, and said she intended to "hit them hard enough to stop them, to disable the vehicle."

WO1 said the Dodge was able to push past her police vehicle, and sped away eastbound on Nelson Street, turning right on Bidwell Street. WO1 drove after it, but when she followed onto Bidwell, she and WO2 found they had lost sight of the Dodge.

Witness Officer 5, a supervisor, then announced over the radio that police were not to pursue. He directed instead that the Dodge be monitored by a police aircraft, that a Police Service Dog ("PSD") unit be alerted and that the on-duty police inspector be notified of the developing situation.

Witness Officer 6 ("WO6") and Witness Officer 7 ("WO7"), approaching along Comox Street with the aim of assisting at the scene, saw the Dodge pass on Bidwell Street at

high speed. WO6 later told the IIO that he did not pursue the vehicle for fear of creating a heightened risk to the public. The streets and sidewalks in that heavily-populated part of the city were busy at the time with both vehicular and pedestrian traffic.

A short distance away, however, the Dodge had driven onto Pendrell Street and then crossed Denman Street. Security camera video shows the Dodge colliding with a civilian vehicle traveling north on Denman Street. The Dodge then crashed into a parked vehicle on Pendrell Street. The first officers to arrive at the scene were WO6 and WO7. The Dodge had come to rest against a wall, and WO6 used his police vehicle to contact and pin it in place.

WO6 told IIO investigators that he saw two occupants in the Dodge, wearing black masks and “moving around a lot.” The AP, the driver, appeared to have blood on his face. Other police units quickly arrived and surrounded the Dodge.

Civilian Witness 2 (“CW2”), the front seat passenger in the Dodge, came out through the front passenger door, got down on the ground and was placed under arrest. It appeared that whatever other passengers previously occupied the rear seat had already fled before police arrival and there was no confirmation that there had originally been five people in the vehicle. Neither the AP nor CW2, while speaking with IIO investigators, mentioned any other passengers.

Several witness officers told the IIO that the AP was moving around continuously inside the Dodge, including apparently reaching into the back seat. He was being given commands to show his hands and come out of the car, but was not responsive to police, raising concerns both about his condition and his potential access to weapons. Several officers formed up in a group and approached the driver’s door, WO4 opening it to take control of the AP while other officers maintained “lethal overwatch” with their firearms.

In his written PRIME report, WO4 states that the AP remained non-compliant, and appeared to be reaching for something in the area of the centre console. WO4 wrote that, believing the AP could be accessing a weapon, WO4 deployed a Conducted Energy Weapon (“CEW” or “Taser”) against the AP. Witness Officer 8 (“WO8”) was also close to the driver’s door with his CEW drawn, and told IIO investigators that he was about to deploy it until he saw that WO4’s CEW was effective, and that officers were then able to pull the AP out of the car and get him under control. WO8 said the AP was taken down onto the ground, but was pulling away from police, and WO4 kicked him in the back to force him face-down for handcuffing.

The AP was transported to the hospital suffering from serious head injuries. He had not been wearing a seat belt at the time of the vehicle collisions.

Police found two handguns and a jerry can of gasoline inside the Dodge.

CW2 was interviewed by IIO investigators. He described the AP driving out of the parkade when police arrived and acknowledged that “we were going pretty fast.” He said he saw WO1’s police vehicle parked at the entrance, and that he thought it did not move. He recalled that the Dodge swerved away and struck a curb or wall but then continued onto the street. Although he stated that they were being chased by police before the crash, he also said that police were not behind them during the chase. He recalled officers coming to the crash scene, but added, “The whole time there was no police behind us when we were being chased.”

CW2 told the IIO that following the crash on Pendrell Street, he looked at the AP and saw that he was “shaking like having a seizure.” Witness officers also described the AP before being taken out of the Dodge as appearing to be going in and out of consciousness as he moved around in the car. The AP later told IIO investigators that he had no memory of the incident and knew only what he had been told by CW2.

The police Motor Vehicle Incident Report concludes that the only collision likely to have caused the injuries suffered by the AP was that between the Dodge and the parked car on Pendrell Street. The collision was captured in low-quality video from a nearby security camera, and the video evidence is consistent with the conclusion that the impact on the parked car was likely to have been the only event with sufficient force to seriously injure occupants of the Dodge. In particular, the contact between the Dodge and WO1’s unmarked police vehicle caused only relatively minor passing damage to each vehicle, and does not appear to have caused injury to anyone.

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.

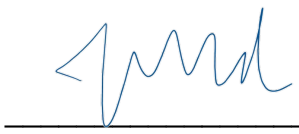
In a smaller number of cases, the evidence gathered may give the Chief Civilian Director ("CCD") reasonable grounds to believe that an officer may have committed an offence in connection with the incident. In such a case, the *Police Act* gives the CCD authority to refer the file to the BC Prosecution Service ("BCPS") for consideration of charges.

The manner in which police acted in this case was reasonable in the circumstances. The decision to investigate a reported suspicious vehicle was appropriate, given the information that the vehicle had been loitering for several hours with masked individuals sitting inside. WO3 and WO4 were acting in the lawful execution of their duty in approaching the Dodge to investigate, particularly after noticing that it was bearing the licence plate of a different car. When the Dodge left the parkade quickly, apparently attempting to evade police scrutiny, police properly chose simply to follow rather than pursue at high speed.

The action of WO1 in ramming the Dodge as it exited the parkade was an elevated use of force, though carried out in a controlled manner unlikely to cause injury. It was justified in the circumstances because the driver of the Dodge was arrestable and appeared likely to continue evasion on the busy city streets, creating serious risks to vehicle drivers and pedestrians in the area.

Police evidence, corroborated to some extent by CW2's description of the AP immediately after the crash, is that the AP was moving around erratically in the vehicle and not responding to police commands. In those circumstances, the use by WO4 of a CEW to incapacitate him before more safely going "hands on" does not amount to an unnecessary or excessive use of force. There is no evidence that either the CEW deployment or the level of force used by officers to control and arrest the AP was unjustified.

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 the BCPS for consideration of charges.



Jessica Berglund
Chief Civilian Director

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