



**IN THE MATTER OF THE INJURY OF A MAN
WHILE BEING APPREHENDED BY MEMBERS OF THE RCMP
IN GRAND FORKS, BRITISH COLUMBIA
ON AUGUST 13, 2023**

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

Chief Civilian Director: Jessica Berglund

IIO File Number: 2023-243

Date of Release: July 10, 2026

The release of this public report was delayed pending the conclusion of a concurrent police investigation. The decision on this matter was initially reported on [September 11, 2024](#).

INTRODUCTION

On August 13, 2023, police, including Emergency Response Team (“ERT”) members, arrested the Affected Person (“AP”) at a rural home near Grand Forks. In the course of the incident, the AP discharged a firearm and then came out of the home carrying the firearm. He was shot and wounded by the Subject Officer (“SO”).

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 two civilian witnesses, a B.C. Conservation Officer and 17 witness police officers;
- police Computer-Aided Dispatch (“CAD”) and Police Records Information Management Environment (“PRIME”) records;
- audio recordings of police radio transmissions;
- copies of text exchanges between ERT and Crisis Negotiation Team members;
- scene and firearm examinations; and
- medical evidence.

The IIO does not require officers who are the subject of an investigation to provide evidence. In this case, the SO has not given any account to the IIO. Investigators asked for a statement from the AP, but he declined.

NARRATIVE

IIO investigators collected a substantial body of evidence in the course of this investigation, including accounts from civilian and police witnesses and physical evidence. The account that follows is the result of detailed analysis of that evidence, but is provided here in summary form only, to protect the confidentiality of ERT tactics.

At about 10:30 a.m. on August 13, 2023, two Grand Forks RCMP members responded to a report that the AP was at a rural property to the west of town, in possession of a truck that had been stolen in Alberta two days earlier. On their way to the property, the officers were informed that the AP had fled in the stolen truck from tribal police in Alberta and had then failed to stop twice for RCMP members attempting to pull him over.

At 10:44 a.m., there was a radio broadcast from the officers at the home, saying that the AP was refusing to come out and had barricaded himself inside the house. At about 11:30 a.m., the officers reported that civilian witnesses had alerted them to the presence in the home of “quite a lot of weaponry” and that they had heard the sound of a firearm being “racked.” Officers saw the AP through a window, holding a shotgun or rifle, and heard him yelling that he was not coming out and that police should get off the property.

Shortly after this, ERT members were called, and arrived at the scene during the period up to about 1:30 p.m. There was no cellular service at the location, so police crisis negotiators were not able to speak with the AP by cell phone. Instead, officers made repeated call-outs to the AP using a loudhailer.

At about 4:30 p.m., police inserted gas into the home, intending to force the AP to come out and surrender. At about the same time, the AP fired a shotgun out through a window, and then emerged onto a patio at the rear of the house, holding a double-barrelled shotgun in both hands in a manner described by one officer as “in a hunting position ... like he was ready to use it.”

A witness officer tasked with arresting the AP if he came out told the IIO that he raised a pepper ball launcher, ready to deploy non-lethal force against the AP if necessary, but then saw the AP turn towards him with a long gun in his hands in a “tactical position.” The officer dropped the launcher and raised his rifle. He was preparing to shoot at the AP when he heard two shots from the SO, the second of which caused the AP to drop out of view.

The SO fired two rounds from his police carbine. The first was deflected and missed the AP. The second struck the AP in the neck and seriously injured him. As soon as they judged it safe to approach the AP, officers moved in and gave him medical first aid. Shortly after 5:00 p.m., paramedics were at the scene and the AP was transported to hospital. The injury to his spine was found to be inoperable, and has rendered him a quadriplegic.

A search of the home by IIO investigators determined the front door of the home had been barricaded, and that a hole in an exterior window with the glass protruding outward was consistent with a projectile having been fired from inside the home through the window. Examination of the double-barrelled shotgun that the AP had been holding showed one

live shell in one chamber and a spent (previously fired) shotgun shell in the second chamber.

ANALYSIS

The Independent Investigations Office (“IIO”) 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 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.

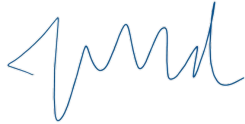
In a smaller number of cases, the evidence gathered may give the Chief Civilian Director (“CCD”) reasonable grounds to believe that an officer has committed an offence in connection with the incident. In such a case, the *Police Act* gives the CCD authority to refer the file to the BC Prosecution Service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

In a case such as this one, involving the use of lethal force by an officer, 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 the officer’s actions were lawful. The specific focus will be on the degree of threat posed by the Affected Person and whether, in the words of the *Criminal Code*, it gave reasonable grounds for the officer to believe lethal force was “necessary for the self-preservation of [the officer] or the preservation of any one under [the officer’s] protection from death or grievous bodily harm.”

The responding officers here were acting in the lawful execution of their duty in attempting to place the AP under arrest for theft and flight from police. His continued refusal to cooperate and aggressive actions justified the escalation of the police response by deployment of ERT members. The AP’s possession of a firearm, in the circumstances, created a reasonable apprehension of risk to the officers outside the home, which was heightened significantly when he fired his weapon out through a window.

When the AP came out of the house, still carrying the gun, it was reasonable for the SO to fear imminent harm both to himself and to other officers within range, and the SO's use of potentially lethal force against the AP 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 the BCPS for consideration of charges.



Jessica Berglund
Chief Civilian Director

July 10, 2026

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