

ASIRT DECISION

**IN THE MATTER OF AN EDMONTON POLICE
SHOOTING ON JUNE 9, 2024**

Acting Executive Director: Matthew Block

File No.: 2024-0036(N)

Date of Release: April 9, 2026

Introduction

On June 9, 2024, pursuant to s. 46.1 of the *Police Act*, the Director of Law Enforcement directed the Alberta Serious Incident Response Team (ASIRT) to investigate the Edmonton Police Service (EPS) shooting of the affected person (AP). Two officers were designated as subject officers (subject officers #1 and #2, SO1 and SO2), with notice to each. ASIRT's investigation is now complete.

ASIRT's Investigation

ASIRT's investigation was comprehensive and thorough, conducted using current investigative protocols, and in accordance with the principles of major case management.

ASIRT attempted to interview AP, but as is his right he refused to provide a statement or consent to the release of his medical records;

ASIRT investigators interviewed the following civilian witnesses:

Civilian witness #1 (CW1) – person who called 911 to report that AP had assaulted him;

Civilian witness #2 (CW2) – a resident in the group home who observed certain aspects of the incident;

Civilian witness #3 (CW3) – a neighbour of the group home who heard aspects of the incident;

Civilian witness #4 (CW4) – a neighbour of the group home who heard aspects of the incident;
and

Civilian witness #5 (CW5) – a resident of the group home who denied hearing or seeing anything relating to the incident.

ASIRT investigators interviewed the following witness police officers:

Witness officer #1 (WO1) – a supervisor who attended the scene following the shooting of AP;

Witness officer #2 (WO2) – a patrol officer who attended the scene after the shooting and assisted in providing first aid to AP and went in the ambulance with AP to the hospital;

Witness officer #3 (WO3) – a patrol officer who attended the scene after the shooting and assisted in providing first aid; and

Witness officer #4 (WO4) – an officer who was at a residence nearby and heard yelling followed by what she believed to be gun shots.

ASIRT investigators obtained reports from the following witness police officers:

Witness officer #5 (WO5) – a patrol officer who attended the scene after the shooting and assisted in clearing the group home;

Witness officer #6 (WO6) – a patrol officer who attended the scene after the shooting and assisted in checking neighbouring residences for damage;

Witness officer #7 (WO7) – a patrol officer who attended the scene after the shooting and assisted with first aid to AP and conducting door-to-door inquiries and scene containment;

Witness officer #8 (WO8) – a patrol officer who attended the scene after the shooting and assisted with first aid to AP and with scene containment;

Witness officer #9 (WO9) – a patrol officer who attended the scene after the shooting and assisted with conducting door-to-door inquiries;

Witness officer #10 (WO10) – a patrol officer who attended the scene after the shooting and assisted with first aid to AP and with scene containment; and

Witness officer #11 (WO11) - a patrol officer who attended the scene after the shooting and assisted in clearing the group home.

ASIRT investigators obtained notes and reports from the subject officers:

SO1 – a patrol officer that attended the 911 call with his partner SO2, and subsequently shot at AP; and

SO2 – a patrol officer that attended the 911 call with his partner SO1, and subsequently shot at AP.

ASIRT investigators obtained doorbell camera security video from CW4.

Circumstances Surrounding the Incident

On June 4, 2024, CW1, a resident of a group home in Edmonton called 911 to report that he had been assaulted by a roommate, AP. The subject officers arrived on scene at approximately 4:45 a.m. Moments after the subject officers arrived, AP exited the group home and crossed the street, walking towards where the officers were. AP was holding a flashlight in one hand and a steak knife in the other. SO1 was behind SO2 as they walked backwards away from their police vehicle. SO2 was telling AP to drop the knife, but he did not comply. AP yelled at the officers as he walked with his arm and knife extended towards them. SO2 deployed a conducted energy weapon (CEW) on AP, but it had no effect. Fearing their lives were in danger of an imminent attack, both officers fired their pistols at AP, and he fell onto the sidewalk. The officers handcuffed AP and began first aid until back-up officers took over, and EMS subsequently arrived and transported AP to the hospital with gunshot wounds. He was treated there and survived.

Affected Person (AP)

As is his right, AP declined to speak with ASIRT investigators and did not authorize the release of his medical records. Consequently, AP's account of the incident, as well as the precise nature and extent of his injuries, remains unknown.

AP's Injuries

As previously noted, AP did not provide consent for investigators to access his medical records so the precise nature and extent of his injuries, remains unknown. However, during WO7's first aid of AP he reported seeing a couple gunshot wounds to AP's left chest and an exit wound on his back. He also noted another wound on AP's lower back with an apparent bullet partially protruding from his skin. He also observed a wound to AP's left bicep area. These were treated by officers on scene until EMS arrived and took over care of AP.

Civilian Witness #1 (CW1)

CW1 provided an audio and video-recorded statement to ASIRT investigators, during which he relayed the following information.

He lived at a group home, along with three other males: AP, CW2, and CW5. He had lived with AP for

several years between two group homes run by the same agency. He did not know AP well because AP was not very talkative. They only exchanged a few words occasionally. AP's issues had gotten worse since COVID, and he seemed more obsessive-compulsive. He would often pace loudly in the house and was no longer doing his chores.

He had never seen AP become physically violent, although lately AP would sometimes look at him like he wanted to kill him. He had heard from other residents that AP liked to play with knives, but he had never seen this for himself.

On June 9, 2024, at about 3:30 a.m., he was awoken by AP sneezing and coughing in the living room, with the TV on. He exited his bedroom and confronted AP because he was upset. He loudly asked AP what he was doing and told AP that he had woken him up. He had previously spoken to AP in this manner, and AP had never gotten angry or violent. But on this occasion, AP became angry and yelled repeatedly, "You can't talk to me like that!" AP got off the couch and walked towards him. He backed up to his bedroom and told AP to "Back off." AP continued to repeat loudly, "You can't talk to me like that!" AP struck him three to five times with his left fist on the right side of his face, while pushing him with his right hand.

CW5 then came downstairs, and AP began yelling at him. CW1 then pushed AP away and closed his bedroom door, locking it. AP banged on his door while continuing to yell at him. He told AP that he was calling the police. He called 911 on his cell phone and asked for ambulance and police. The 911 operator told him to stay in his room.

From his window, he saw the police arrive in their marked police cruiser and park on the opposite side of the street. The two male officers got out of the police cruiser. They were wearing police uniforms. He saw AP exit out the front door of their house and walk through the fenced front yard towards the street. AP was carrying a flashlight in his right hand. He then saw that AP was holding a steak knife in his left hand, down by his side. AP continued yelling at the police, "You can't talk to me like that!" It was like AP was stuck in a loop. AP walked across the street towards the officers. AP approached the two police officers, who were at the back of their police cruiser, and raised his left arm so that the knife blade pointed towards them. CW1 could see this clearly as this encounter was only about 50 feet away from his bedroom window.

The officers backed up on the west sidewalk while AP walked towards them. The officers repeatedly yelled at AP, "Put down the knife, drop it, put it down!" The officer closest to AP yelled, "Stop or I'll tase you!" The second officer was behind this first officer. AP continued approaching the officers.

The first officer tased him. From the rustling of AP's clothing, he could tell that the Taser darts hit AP in the upper body. At this point, AP was about six feet away from the officers. This first Taser discharge had no effect on AP, who continued walking towards the officers. The officers continued saying, "Get down, stop, drop your knife!" When AP was about four to five feet from the officers, the first officer tased him again but it still had no effect on AP, who continued walking towards the officers. The first officer then dropped his Taser to the ground, drew his pistol, and continued backing up.

The officers, who were backing up on the west sidewalk, continued telling AP to stop but he kept walking towards them. He looked away from the window after the second tasing. He then heard three gunshots in rapid succession. He did not see the officers firing their guns as he had moved away from the window. He waited in his room until police came to get him.

Civilian Witness #2 (CW2)

CW2 provided an audio and video-recorded statement to ASIRT investigators, in which he relayed the following information.

He was residing with AP and CW1 in a group home. He was sleeping when he woke up to the sounds of fighting between the two. He later got up and looked out of his window and observed AP on the sidewalk in front of the house. AP was facing the police officers, who were also on the sidewalk and facing AP. Their police vehicle was parked in front of the house.

AP had his right arm extended in front of his body pointed at the police officers. The police were saying, "Drop the knife, drop the knife!" AP was saying, "You can't talk to me like that." He couldn't see what was in AP's hand. AP was walking towards the police officers, and the police officers were walking backwards. CW2 could no longer see AP as he walked behind a tree. During the time that CW2 could not see AP, a police officer fired his handgun three times. The officers then approached AP who was lying on the ground. He heard a police officer call on his radio "shots fired, shots fired!" Other police officers then came to the scene.

Civilian Witness #3 (CW3)

CW3 provided an audio-recorded statement to ASIRT investigators, in which she relayed the following information.

The officer-involved shooting happened right in front of her house. On June 9, 2024, she woke up at about 5:00 a.m. to three distinct male voices who were talking really loudly and quickly. The voices were saying repeatedly, "You do not talk to me like that" and "No, you don't talk to me like that." The tone was argumentative and abrasive. It was back and forth between them.

She went back to bed and about 30 seconds later, she heard multiple gunshots coming from the front of her house. The gunshots were in rapid succession. She did not know exactly how many gunshots there had been but there were several.

She ran out the front door into her yard as quickly as possible and looked over the fence. There were two police officers standing side-by-side on the sidewalk in front of her house. The officers were on their radios calling for assistance. There was a male on the sidewalk with blood around his torso. She did not see anything, such as weapons, around him. The officers immediately started first aid by cutting off the male's clothes. She saw an officer unwrap something from a package and put it on the male's torso. The paramedics showed up a short time later.

Civilian Witness #4 (CW4)

CW4 provided an audio-recorded statement to ASIRT investigators, in which he relayed the following information.

At around 4:50 a.m., he woke up to a policeman saying, "Drop the knife!" at least four or five times, followed by three shots, and a final "Drop the knife!" He went downstairs to get a better view and saw police cars coming down 92 Street. He only heard the voice of one police officer, which was very loud. He went to check his doorbell camera, where he could see the first police car arriving at the incident and an individual leaving a house and walking north on 93 Street. He provided a copy of this video to investigators.

Witness Officer #1 (WO1)

An audio and video-recorded statement was obtained from WO1 by ASIRT investigators. His statement included the following information.

He was the supervisor of SO1 and SO2. He heard SO2 radio broadcast that shots had been fired. He attended the scene and saw AP laying on his back with bullet wounds to his chest. Both subject officers were doing first aid on AP. SO1 told him that AP refused to drop a knife and, after the shooting, SO1 kicked the knife away from AP. There was a CEW on the ground near the police vehicle which was about 10 metres from AP.

Subject Officers

Subject officers, like all individuals under criminal investigation, have the constitutional right to remain silent. They are not obligated to participate in an ASIRT interview or to provide any information. In this case, however, the subject officers provided their notes and report for use in the investigation.

Subject Officer #1 (SO1)

Materials provided by SO1 included the following information:

On June 9, 2024, he was working with SO2. Both were in full EPS uniforms assigned to a marked police vehicle. At 4:40 a.m., they were dispatched to a complaint of an assault at an unsupervised adult group home. CW1, a resident of the group home, reported that he was awoken by another resident, AP, who subsequently punched him in the face.

At 4:45 a.m., they arrived and parked in front of the group home. SO2 got out of the driver's side while he remained on the passenger side talking on the phone. A few moments later, SO2 was banging on the driver's side window. He looked over at SO2 who appeared concerned. He then saw AP holding a steak knife in his right hand with arm extended pointing forward walking towards SO2. He got out from the passenger's seat, drew his service pistol, and went to the back passenger side of their police vehicle. SO2 was now behind the vehicle too and was holding a CEW. SO2 repeatedly loudly said to AP, "Drop the knife!" He believed that SO2's life was in danger. SO1 pointed his pistol at AP and told SO2 to "tase" AP. SO2 deployed the CEW on AP with no effect. He told SO2 to take his pistol out. SO2 unholstered his firearm and walked backwards while SO1 gave loud clear directions to AP to "Drop the knife!" AP did not comply and kept advancing on them while still clenching the knife in his right hand.

SO1 believed that AP posed a lethal threat to both himself and SO2. He decided that should AP continue to advance on them with the knife, he would need to shoot AP to protect them both. As a result, SO1 drew an imaginary line on the sidewalk approximately 10-15 feet from where he was standing. He thought to himself that if AP crossed this line while still receiving clear verbal direction to drop the knife, he would then shoot AP to protect them.

As AP crossed this imaginary line while still holding the knife, SO1 told SO2 to "shoot him" so as not to startle SO2 when he himself fired his gun. SO1 then fired two rounds at AP. After firing these rounds, AP stopped advancing towards them but continued to brandish the knife while standing and staring at them. SO1 believed AP still presented as a lethal threat towards them, so he fired one more round at AP. This round caused AP to collapse to the ground.

SO2 then radioed that shots had been fired. They took a moment to compose themselves and devise an arrest plan. They then executed that plan and were able to secure AP in handcuffs. AP was rolled onto his back, and they started first aid. He observed a gunshot wound to AP's chest. He was in the process

of getting a chest wound seal out to apply to AP's wound when other officers arrived to assist. They took over the care of AP and applied the chest wound seal to AP.

WO1 then separated SO1 and SO2. SO1 advised WO1 that they had not yet checked on the safety of the reporter, CW1. SO1 was then transported back to police headquarters.

Subject Officer #2 (SO2)

A review the materials provided by SO2 included the following information.

On the date of the incident, he was working in uniform with SO1 in a marked police vehicle when they were dispatched to an assault complaint at a group home. At 4:45 a.m., they arrived near the group home. He exited the vehicle and spoke by phone with the complainant, CW1. CW1 recounted that he was afraid of AP, a resident of the group home who had assaulted him. He was on the phone with CW1 when AP came out of the front door of the group home. AP was carrying a flashlight in his left hand. AP was walking towards him and yelling. He knocked on the police vehicle window for SO1 to get out of the vehicle.

At this point, he saw AP holding a knife in his right hand. He directed AP to drop the knife, but AP kept walking towards him. SO2 walked backwards to create distance from the advancing AP. He could not make out what AP was yelling.

He took his CEW out of its holster, turned it on, and pointed at AP. He told AP that he would be tased. AP had a blank facial expression and stare while continuing to walk towards him. He shouted, "Taser, Taser, Taser" before deploying the CEW at AP. The CEW prongs appeared to have contacted the left lower leg and left lower torso of AP. However, the deployment was ineffective, as AP continued to walk towards him. He radioed that the CEW deployment was ineffective, dropped the CEW to the ground and took out his service pistol.

He told AP to drop the knife, or he would be shot. He estimated the distance between himself and AP to be six to seven feet. AP continued to advance for five to seven seconds holding the knife near his right torso. Believing AP was about to attack, he discharged his service firearm two to three times towards the torso area. AP dropped to the ground.

He radioed, "Shots fired, shots fired!" SO1 covered SO2 while he moved towards AP to handcuff him. He saw the knife on the ground and pushed it away from AP's position. He then placed handcuffs on AP. Once secured, he and SO1 began first aid on AP. Very shortly after saying that shots had been fired, other officers began to arrive at their location. WO1 directed that other officers take over providing first aid to AP. He was subsequently transported to the headquarters building.

Video Evidence

CW4's residence was equipped with a doorbell camera. While the area of interest was mostly covered by trees, the movement of people and other features such as AP's flashlight are visible in the video. The times listed below are from the camera and appear to have been a few minutes earlier than the actual time. This video captured the following:

- At 4:35:44 a.m., a marked police vehicle drove southbound on 93 ST, stopping at the right edge of the camera view.
- At 4:38:00 a.m., SO2 exited the driver's side and moved to the back of the vehicle.
- At 4:38:33 a.m., AP came out of the door of the residence holding a lit flashlight (Figure 1).

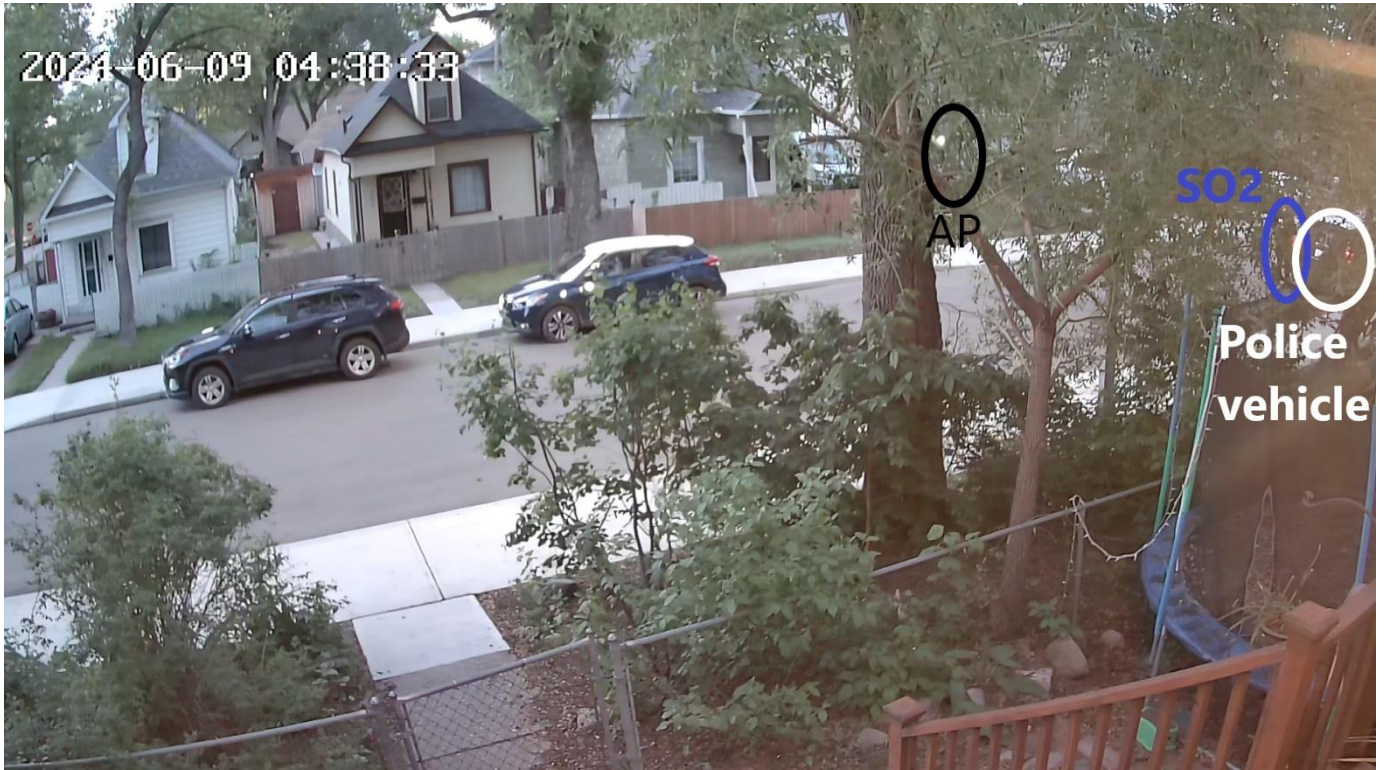


Figure 1 - CCTV showing the AP coming out of the residence.

- At approximately 4:38:34 a.m., AP moved from across the street, down the driveway, and across the street towards SO2. Though the view was obstructed by the trees, SO2 appeared to be backing up around the back of the police vehicle as the AP approached at a brisk pace with an

arm holding the flashlight outstretched towards S02 (Figure 2).

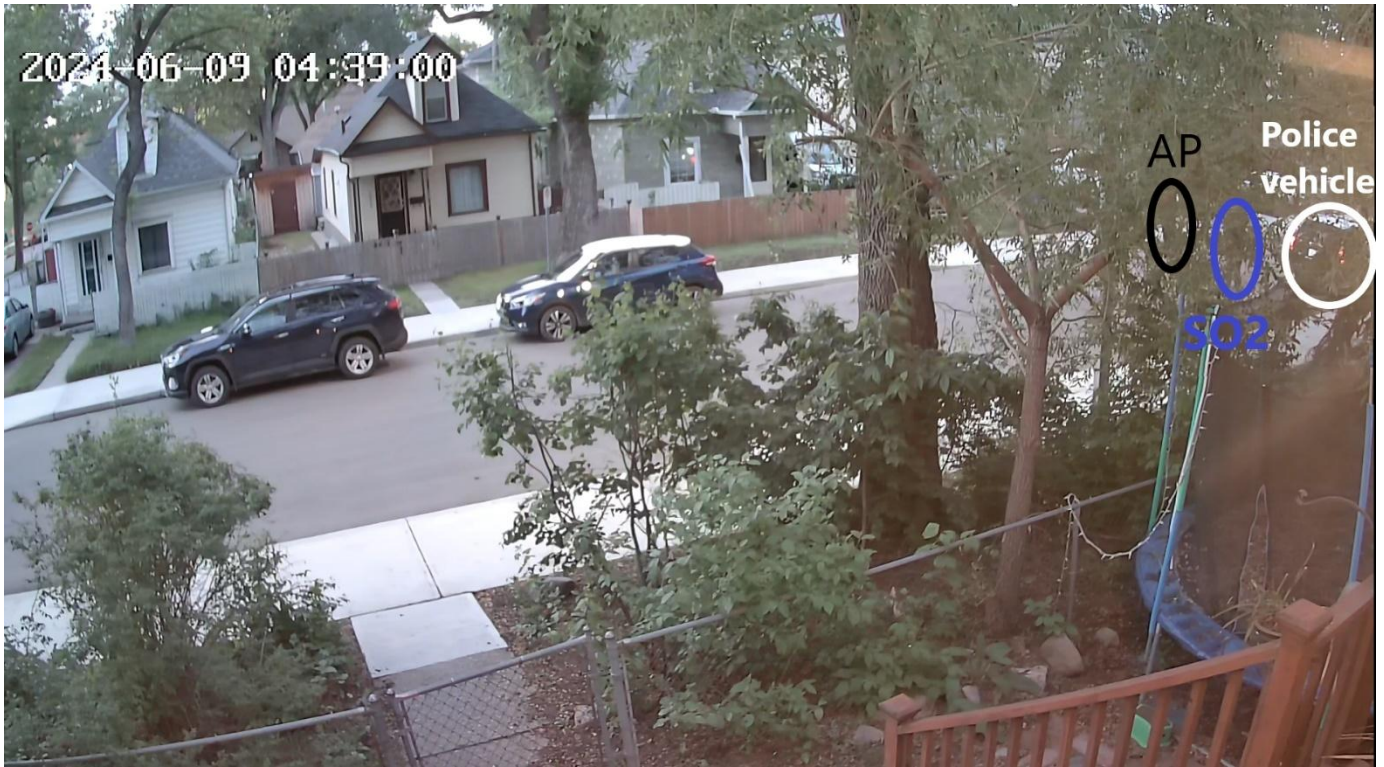


Figure 2 - CCTV showing when the AP came closest to S02.

- S01 then came out to the rear of the police vehicle beside S02. AP followed S01 and S02 as they

walked backwards around the rear of the police car (Figure 3).

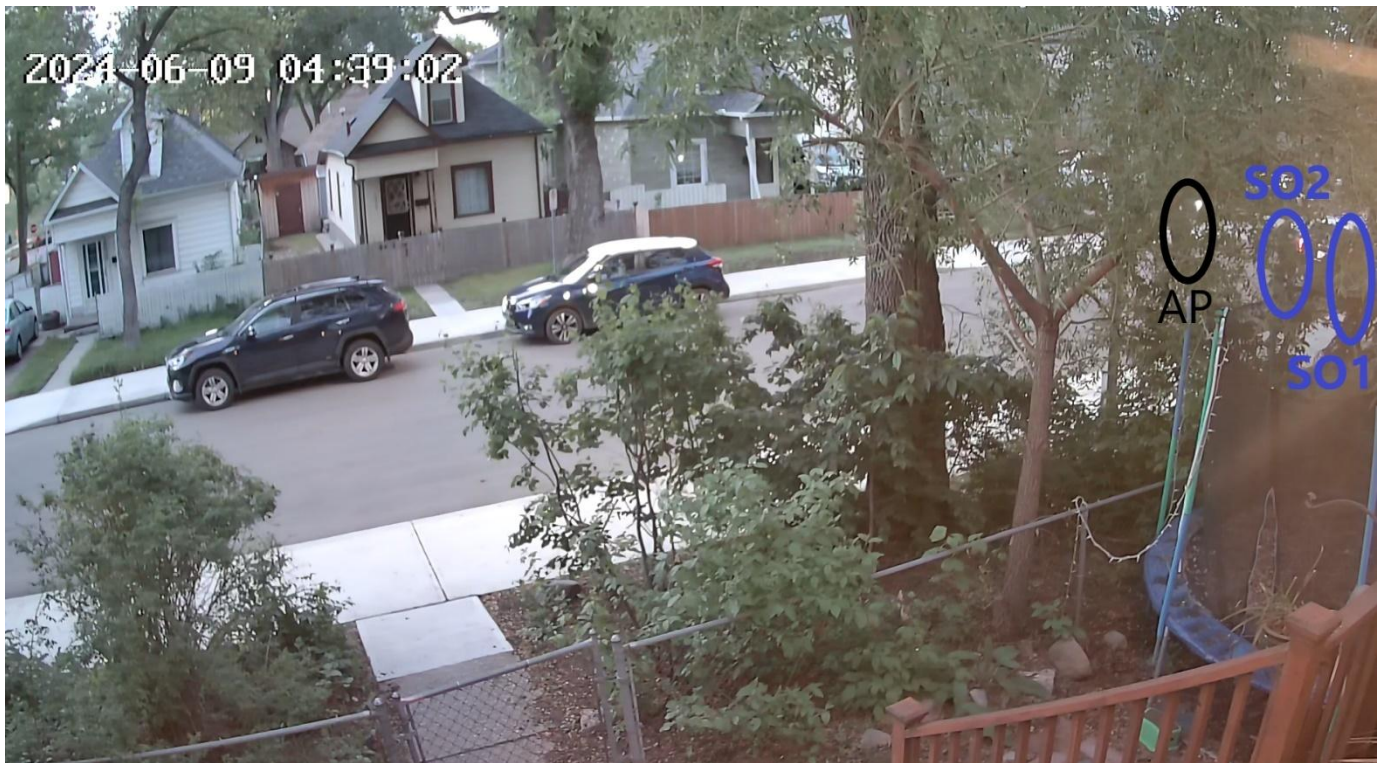


Figure 3 - CCTV showing the AP moving toward the subject officers, who are backing up.

- SO1 and SO2 went down the passenger's side of the police vehicle and out of view.
- At 4:39:07 a.m., AP could be seen with an arm outstretched, holding a flashlight. Once AP moved around the vehicle, nothing further could be observed as they were out of view of the camera.
- At 4:41:32: a.m., a second marked police vehicle, followed closely by a third marked police vehicle, drove southbound on 93 ST and parked behind the subject officers' police vehicle. Officers exited from both of these vehicles at a run, heading towards the area out of camera view.

Scene

The scene was processed by the EPS Forensic Identification Services Section with an ASIRT scene investigator present. A search of the area around the police vehicle the subject officers arrived in located the following:

- A CEW was on the sidewalk approximately six meters south of the police car;
- South of the CEW, laying in the grass was a black handled slim bladed steak knife (Figure 4);
- Approximately seven meters south of the CEW was the bloody clothing which had been cut off of AP to provide first aid; and
- Approximately four meters south of the clothing were five cartridge casings.



Figure 4 - AP's knife.

Analysis

Facts

The subject officers attended a group home in response to a 911 call that a resident of that home had assaulted another resident. Upon arrival, AP exited the home and walked towards the officers while holding a knife. Civilian witnesses confirmed the officers' statements that they had told AP to "Drop the knife!" The video confirms the officers' statements that they were backing away from AP as he advanced towards them. The scene examination located a knife as described by the officers. It also showed a discarded CEW on the ground as described by SO2. The shell casings confirm that at least five shots were discharged during this incident.

Section 25 Generally

Under s. 25 of the *Criminal Code*, police officers are permitted to use as much force as is necessary for execution of their duties. Where this force is intended or is likely to cause death or grievous bodily harm, the officer must believe on reasonable grounds that the force is necessary for the self-preservation of the officer or preservation of anyone under that officer's protection. The force used here, discharging a firearm repeatedly at a person, was clearly intended or likely to cause death or grievous bodily harm. The subject officers therefore must have believed on reasonable grounds that the force they used was necessary for their self-preservation or the preservation of another person under their protection. Another person can include other police officers. For the defence provided by s. 25 to apply to the actions of an officer, the officer must be required or authorized by law to perform the action in the administration or enforcement of the law, must have acted on reasonable grounds in performing the action, and must not have used unnecessary force.

All uses of force by police must also be proportionate, necessary, and reasonable.

Proportionality requires balancing a use of force with the action or threat to which it responds. This is

codified in the requirement under s. 25(3), which states that where a force is intended or is likely to cause death or grievous bodily harm, the officer must believe on reasonable grounds that the force is necessary for the self-preservation of the officer or preservation of anyone under that officer's protection. An action that represents a risk to preservation of life is a serious one, and only in such circumstances can uses of force that are likely to cause death or grievous bodily harm be employed.

Necessity requires that there are not reasonable alternatives to the use of force that also accomplish the same goal, which in this situation is the preservation of the life of the officer or of another person under his protection. These alternatives can include no action at all. An analysis of police actions must recognize the dynamic situations in which officers often find themselves, and such analysis should not expect police officers to weigh alternatives in real time in the same way they can later be scrutinized in a stress-free environment.

Reasonableness looks at the use of force and the situation from an objective viewpoint. Police actions are not to be judged on a standard of perfection, but on a standard of reasonableness.

Section 25 Applied

The subject officers were on duty and had responded to a 911 call reporting an assault. They attended the location of the reported assault. The officers were therefore lawfully placed when AP exited the group home and approached them brandishing a knife. Notwithstanding repeated commands to "Drop the knife" and an attempt to disable AP by using a CEW, AP continued to advance on the officers while holding a knife.

It was reasonable for the subject officers to conclude that AP was not going to comply and drop the knife, but rather that he posed a lethal threat and would continue to advance upon them. The harm that AP could have done to either or both officers with his knife is clear: he could stab and seriously injure or kill either of them. The officers responded to this threat by shooting AP. Their actions in doing so were proportionate to the lethal threat AP posed to them.

As previously noted, AP refused to comply with multiple commands to, "Drop the knife." SO2 had tried unsuccessfully to disable AP by using a CEW. Both officers had been retreating from the advancing AP, but moving backwards is not safe when someone armed with a knife is moving briskly towards you. It was necessary for the subject officers to respond as they did.

The subject officers acted reasonably in their encounter with AP and in their use of force. It was clear from the evidence that AP was armed with a knife and lesser uses of force had been ineffective at stopping AP. Any other action by the subject officers would have risked their own lives, or that of their partner.

Given the above, the defence available to the subject officers under s. 25 of the *Criminal Code* is likely to apply.

Conclusion

Under s. 25 of the *Criminal Code* a police officer is justified in doing what he or she is authorized to do and to use as much force as is reasonably necessary where he or she has reasonable grounds to do so. Force intended to cause death or grievous bodily harm is justified if the officer believes, on reasonable grounds, that the force was necessary to prevent the death or grievous bodily harm of the officer or any other person.

After a thorough, independent and objective investigation into the conduct of the subject officers, it is

my opinion that they were lawfully placed and acting properly in the execution of their duties. There is no evidence to support any belief that either engaged in any unlawful or unreasonable conduct that would give rise to an offence.

Original signed

Matthew Block
Acting Executive Director

April 9, 2026

Date of Release