

ASIRT DECISION

**IN THE MATTER OF AN RCMP SHOOTING NEAR
GHOST LAKE ON APRIL 16, 2024**

Acting Executive Director: Matthew Block

File No.: 2024-0027(S)

Date of Release: December 17, 2025

Introduction

On April 16, 2024, the Alberta Serious Incident Response Team (ASIRT) was directed pursuant to s. 46.1 of the *Police Act* to investigate a RCMP shooting near Ghost Lake. The shooting of the affected person (AP) happened during the attempted arrest of him for numerous outstanding arrest warrants. This investigation began prior to the establishment of the Police Review Commission on December 1, 2025, and associated changes to the *Police Act*.

ASIRT's Investigation

ASIRT's investigation was comprehensive and thorough, conducted using current investigative protocols and principles relating to Major Case Management. Information from AP, civilian witnesses, witness officers, the subject officer (SO), in-car video and a scene examination provided sufficient information to determine whether the force used by SO during this incident was reasonable.

Circumstances Surrounding the Incident

On April 16, 2024, the RCMP received a complaint that an assault had occurred near Mîni Thnî that involved the use of a firearm. The investigation identified a black Dodge truck as a suspect vehicle and AP was identified as an involved person within this suspect vehicle.

AP was known to police from several previous interactions. He was known to be the target of the Calgary Police Service (CPS) Serious Habitual Offender Program (SHOP). He had numerous active warrants for his arrest, including 10 that originated from the Cochrane Detachment. Four days prior, RCMP members from the Cochrane Crime Reduction Unit (CRU) began searching for AP to effect an arrest. He was identified as a high-risk offender, suspected of having bear-sprayed and shot someone with a small calibre rifle on April 11, 2024, and was believed to be armed with firearms and driving a black Dodge truck. Officers were aware of this information prior to dealing with AP.

On the date of the incident, CRU officers in conjunction with Cochrane Detachment General Duty (GD) officers were actively looking for the black Dodge truck and AP.

Witness officer #2 (WO2) told witness officer #1 (WO1) that AP was present during the assault involving a firearm that occurred at Mîni Thnî, and that he fled from the residence in a black Dodge truck along with four associates, one of whom was civilian witness #2 (CW2). WO1 traveled towards Mîni Thnî, westbound on Hwy 1A, while looking for the black Dodge truck. SO also proceeded to the area.

While driving westbound, WO1 observed a black Dodge truck travelling eastbound on Hwy 1A. He communicated that there were four or five occupants, which was consistent with what had been reported. WO1 utilized the emergency equipment in his fully marked police vehicle to initiate a traffic stop but the driver of the vehicle, AP, did not comply. He followed AP, who drove quickly and crossed the centre line into the oncoming lane several times. WO1 disengaged.

When WO1 ceased pursuing the black Dodge truck, SO engaged by following eastbound in his unmarked police vehicle. He observed the truck turn into the Ghost Station, a gas and convenience store near Ghost Lake. SO communicated his location and requested back-up. WO1 attended the location, and they located the truck on a dirt road southeast of Ghost Station. They exited their police vehicles and attempted to conduct a high-risk take-down using verbal commands. However, AP did not comply and fled in the truck from the two officers.

SO followed the truck in his unmarked police vehicle, while WO1 followed on foot. The truck continued being driven by AP southeast on a nearby remote dirt road that ended at a ravine, where it stopped. SO once again attempted to conduct a high-risk traffic stop; however, AP again was non-compliant and instead rammed SO's vehicle by reversing into it. SO recognized that, after his vehicle was rammed, the truck had stalled. He exited his police vehicle to approach the truck and AP. As he approached the truck, a passenger threw a shotgun from the passenger window. WO1, who was running down the hill, saw the firearm being thrown out and yelled a warning to SO about a firearm being present.

SO verbally challenged AP at the open driver's side window with his pistol drawn. When SO heard AP trying to start the engine of the truck, he deployed pepper spray towards AP. However, when SO opened the driver's front door to extract AP from the driver's seat, he observed AP use his right hand to grab a folding knife with an extended blade. AP swung at SO with the knife in his hand. SO was still in proximity after having released his grasp of AP. SO stepped back and fired a single shot which struck AP in the left arm. AP became compliant, allowing the officers to take him into custody.

A search of the vehicle located two knives, one of which was found with the blade extended in the driver's front door. Also within the vehicle were three firearms. A sawed-off shotgun was recovered from the bushes, adjacent to the passenger side of the vehicle.

AP was transported to hospital where he was treated for a single gunshot wound. The bullet was removed from his right armpit, where it came to rest after it entered his left arm. He was discharged from hospital into police custody two days later.

Affected Person (AP)

Investigators interviewed AP who provided the following information.

He was drinking and does not remember most of the day. He was going to buy more liquor when he heard from one of the passengers in the truck that police were behind them. As he drove in behind the liquor store, he remembered the police officer was coming at him and saying stop. AP advised they were already stopped.

The officer was aiming his gun and pepper spray at him. The officer sprayed him first, then said he was going to shoot him and then he did shoot him.

He was drinking vodka, he couldn't remember how much he consumed that day. He advised the truck was stolen. There were five people in truck. He said the truck window was down, and door was closed at the time of the incident.

He said he was pepper sprayed on his left side of the face, and that his hands were up and empty when he was shot. He does not remember having a knife or brass knuckles, and didn't know where they came from. He intended to give up when he was stopped by the police. Whenever he knows he is "busted" he does not run from police, he just gives up.

He could not recall where the guns came from, he thought someone else brought the guns into the truck. He passed out after he got shot. He did not remember first aid being rendered to him by the officers, only it being given to him by emergency medical services (EMS).

Civilian Witness #1 (CW1)

CW1 provided a verbal statement to RCMP investigators that was subsequently provided to ASIRT investigators. CW1's statement included the following information.

He was a passenger in the black Dodge truck driven by AP. He did not really know the other passengers in the truck. AP kept driving when police tried to pull him over, until he was cornered and did not have anywhere else to go. CW1 stated that when stopped by police AP pulled something out, but he did not know what that was. CW1 believed that was why AP got shot.

Civilian Witness #2 (CW2)

CW2 provided a verbal statement to RCMP investigators that was subsequently provided to ASIRT investigators. ASIRT investigators also interviewed CW2. These statements included the following information.

He was the front passenger in the truck being driven by AP. He was aware of the police chasing them, but he did not know why they were doing so. He recalled hearing police screaming, and then he heard one gunshot. He stated that AP's hands were holding onto the steering wheel of the vehicle when the shot occurred, and that the driver's side front door was open. CW2 denied seeing any firearms or knives in the vehicle.

Civilian Witness #3 (CW3)

CW3 provided a verbal statement to RCMP investigators that was subsequently provided to ASIRT investigators. CW1's statement included the following information.

She was sitting in the backseat of the truck, along with two males. She described the deployment of OC spray into the vehicle. She recalled that the police officer was screaming prior to hearing a gunshot.

Witness Officer #1 (WO1)

WO1 was interviewed and provided the following information.

He was driving a fully marked police SUV which had a WatchGuard video system that was activated during the incident.

The previous week an officer had conducted a traffic stop on a vehicle which was known to traffic drugs. The stop was at the gas station in Mîni Thnî. The officer observed some drug paraphernalia in plain sight and advised the occupants that they were detained for a drug investigation. AP was the driver of this vehicle, and he fled from that traffic stop. The officer made patrols for the vehicle and located it; however, following of it was called off by a supervisor. Police knew AP, so they applied for arrest warrants for this incident.

Five days ago, WO1 was dispatched to a complaint where a male was bear sprayed. His investigation revealed that AP had arrived in a Dodge Ram truck. The two occupants of the residence woke up to hearing gunshots and when they went outside, they saw a male with a ski mask over his face. The male was attempting to steal a quad. The occupants identified this male as AP by his voice.

The occupants called police and one of the occupants was sprayed in the face by AP with bear spray. As AP was fleeing the residence, he shot a .22 rifle at one of the occupants. Arrest warrants were applied for AP for this incident too.

WO1 had been attempting to locate and arrest AP for these matters.

The day of the shooting involving SO, he was at the Cochrane Detachment when an officer was dispatched to an assault on the Stoney Reserve. Witness officer #2 (WO2) went to assist the investigating officer on this call.

WO1 was dispatched back to the residence which AP used bear spray on a resident days before. The information he was provided was that AP had returned to the residence and then fled in a black Dodge truck.

The call that the investigating officer was on revealed that a firearm was discharged, and AP was the suspect.

WO1 was on Highway 1A travelling westbound when he saw a dirty black Dodge truck coming towards him (eastbound) at a high rate of speed. The truck was swerving across the center line into the oncoming lane. He let the truck pass him and observed five people in the truck. He suspected that AP was driving the vehicle, but he could not make a positive identification.

The police radio communication was poor in that area, but he had WO2 on the phone and he was relaying information for the call he was at. WO1 turned his police vehicle around and proceeded eastbound on Highway 1A to close the distance on the truck.

He knew there were two covert units in the area. He advised the Operational Command Centre (OCC) of the situation and requested the Real Time Operations Center (RTOC). There was a large delay for RTOC, and he caught up to the truck and he made the decision to activate his emergency equipment to see how the truck would react. The truck immediately went into the oncoming lane as it was travelling approximately 160 km/h – 180 km/h. He was waiting for RTOC, and the truck went into the oncoming lane a couple more times. He decided to disengage so he pulled his police vehicle over to the side of the road and turned off his emergency equipment. At that point he knew that SO was behind him in a covert vehicle, and he let SO pass him so he could follow the truck.

He waited a bit and then pulled back out on the highway. He could no longer see SO or the truck. SO was giving updates that the truck had pulled in behind the Ghost Lake Gas Station. He believed that there was only one way in and one way out to the gas station. He was approximately 20 seconds from SO.

He pulled into the gas station, and he could see the rear end of SO's vehicle. He could see SO outside of his vehicle. He drove in further and he pulled to the left of SO's vehicle. He could see the black truck facing westbound with multiple people in it. SO was challenging the occupants of the truck with his pistol drawn.

WO1 exited his police vehicle. He thought the truck was stuck because the engine was revving, the tires were spinning, and the ground conditions were muddy. He drew his pistol and began to yell at the occupants that they were under arrest. SO was also challenging the occupants. They were yelling at the occupants to stop, and they were under arrest. The occupants were not complying and began reaching around inside the vehicle.

The truck was shaking violently and began to pivot towards them causing the truck's front end to face them. There were cinder blocks to his left so he climbed on them because he was afraid that the truck would go towards him to escape and seriously injure him. Instead, the truck went to the south where there was a trail going down the hill. It was travelling slowly because of the ground conditions.

SO entered his vehicle and began to follow the truck. WO1 decided to run down the hill directly south thinking that was where the truck and SO would end up.

He was providing radio updates as he ran down the hill. He lost sight of SO and the truck for a short period of time because of the terrain. He then regained sight of the truck and saw a passenger throw a

long gun out of the passenger side of the truck into a group of trees.

The truck stopped before going into a ravine. He was yelling to SO to let him know there was a firearm involved.

SO's vehicle was then directly behind the truck approximately five feet from the truck. The truck was placed in reverse and rammed SO's vehicle. He believed the driver of the truck was trying to disable SO's vehicle.

He was still running down the hill approximately 50 feet away and then he observed SO exit his vehicle and go to the driver's window of the truck. SO was challenging the driver of the truck, AP, by yelling, "Stop! Police! You're under arrest!" SO had his pistol out and the window of the truck was down. SO began to deploy OC spray into the face of AP. The truck's engine was still revving, and the truck was rocking.

He arrived near the driver's side of the truck between the driver seat and the passenger seat of the truck near the pillar to the two doors. He then saw that AP was wiping his face with his hands and then he saw that AP had a knife in his hand.

AP was violently flailing the knife outside of the driver's window towards SO who was approximately three to four feet back from the driver's door barrier. He was unsure if AP could see because of the OC spray deployment.

SO had his pistol out and was challenging AP. SO yelled, "Drop the knife! Drop the knife! Drop the knife!" WO1 said SO was close to the driver of the vehicle but, in his opinion, at that time he was not within striking distance of the knife.

At this point WO1 decided to transition to his conducted energy weapon (CEW) so he took a step to his left and began to break the safety to his CEW's holster to deploy his CEW. As he was taking his CEW out, he heard SO discharge his service pistol.

He said that, prior to the discharge, AP began to posture from facing the front of the car to turning his body towards the open window. He said that AP was actively turning towards the door, and he believed that he was going to get out of the truck. WO1 said he did not communicate with SO that he was going to take out his CEW.

The dynamics changed quickly where AP was trying to actively stab SO from the driver's seat to AP immediately starting to yell out profanities and stating he was shot, and he was going to die. AP began to comply, and he exited his vehicle and went into the prone position.

He went in and handcuffed AP. He noticed blood on AP's left arm. He escorted AP out of the area and provided first aid to him. He cut off his sweater and observed a gunshot entry wound into the left triceps area, but he did not observe an exit. The injury was not actively bleeding. EMS was on the way. AP went with EMS to hospital.

Witness Officer #2 (WO2)

WO2 was interviewed and he provided the following information.

He was the watch Corporal on duty that day and attended a complaint of assault as back-up to the investigating officer. WO2 spoke with the assault complainant. He described her as having a bloody and swollen nose. She said she was assaulted by CW2.

The complainant stated that CW2 had a firearm, which he fired at her brother's vehicle after he punched her in the face. She believed CW2 used a BB gun. WO2 learned from the complainant that four individuals were believed to be present with CW2. She said CW2 left in a black Dodge pick-up truck.

WO2 learned from conferring with WO1 that CW2 might be travelling with AP. This was based on an additional complaint involving the same vehicle reported to be in AP's possession. WO2 confirmed with the complainant that CW2 knew AP. WO2 communicated this information to WO1, who in turn communicated with SO.

WO2 learned that WO1 had potentially located the suspect vehicle, a black Dodge Ram pick-up. He agreed that WO1 could initiate a traffic stop. He learned from WO1 that the truck did not stop, and it had swerved into the oncoming lane. WO2 advised to disengage.

WO2 understood that SO was following the black Dodge Ram pick-up in an unmarked police vehicle. WO2 recalled that SO reported that the truck pulled into a trailer park. SO communicated he needed back up "now." WO2 stated that WO1 attended to backup SO.

WO2 recalled hearing SO say that they threw a gun out the window and that, "They're reaching for something." WO2 recalled hearing SO call over the radio about a knife, as well as "Shots fired." WO2 told all members to respond to the scene. He himself attended and observed a male on the ground who had been shot, who he later learned was AP.

Subject Officer (SO)

Subject officers, as the subjects of criminal investigations, have the same right to silence as any other person and do not have to submit to an ASIRT interview. In this case, the subject officer chose to provide a statement and participate in an interview with investigators.

SO provided the following information to investigators.

He was the acting Corporal with the Cochrane CRU. He was wearing civilian clothing and driving an unmarked police truck equipped with emergency equipment.

AP had pepper sprayed and shot someone four days prior. CRU was tasked to arrest AP who was believed to be armed with firearms and driving a black Ram truck.

WO1 told him that there was another shooting that day (April 16) and the suspects fled in a black Ram truck. SO put on his issued external soft body armour with "Police" clearly visible on it.

WO1 advised that he had located the truck and activated the emergency equipment in his fully marked police vehicle, but the driver of the truck failed to stop. SO was driving in the same direction as WO1.

WO1 reported that the truck was driven into oncoming lanes of traffic. WO2 came on the radio and told them to stop actively pursuing the truck and instead conduct covert surveillance. WO1 turned off his emergency equipment and pulled over. SO continued to follow the truck in his unmarked police vehicle. The truck was speeding, travelling at approximately 130km/hr in a 100km/hr zone. The road conditions were clear and there was natural light.

The truck turned into the Ghost Gas Station and Campground. SO activated his radio emergency button to get air priority as he had located the vehicle and told WO1 to back him up.

SO was confident this was the vehicle involved in the shooting less than an hour before, and that the occupants would be armed with firearms. WO1 had arrived to back him up.

The truck appeared to stall. He and WO1 were out of their vehicles and challenged the occupants of the truck with their firearms drawn, conducting a high-risk takedown. He could see the front passenger and three back passengers with their hands up. He believed the occupants knew he and WO1 were police, and they knew they were under arrest.

The driver was AP. SO issued commands to AP to put his hands up, yelling “driver” before each command. AP looked at SO and reached for the floor. SO thought AP was reaching for a firearm. AP ignored commands, started the truck, and drove down a trail.

SO followed in his police truck and activated the emergency lights. He saw an object thrown from the passenger side window which, based on the size and shape, he believed was a rifle or shotgun.

The truck stopped at a dead end. SO stopped his police vehicle a few feet behind the truck. The road conditions were slippery, wet, and muddy. The truck was then reversed by AP and collided with the front of his police vehicle. The truck then stalled.

SO exited his vehicle and approached the driver side of the truck and continued to command AP to show his hands and exit the truck. The driver’s side window was fully open. AP tried to start the truck.

SO approached the truck and told AP he was under arrest and to show his hands. AP looked directly at him and continued to try to start the truck.

With his pistol drawn, SO deployed OC spray at AP at an approximate distance of four to five feet. AP took his hands off the steering wheel and column to block the OC spray and started to roll up the truck window.

SO opened the driver’s door and grabbed AP’s shirt with his right hand. He still had his pistol in his left hand and started to pull AP out of the truck. AP grabbed the steering wheel with his left hand and reached with his right hand to the right side of the steering column and pulled out a knife. The knife was a folding knife with the blade fully extended. It had a silver blade that was approximately four inches long.

SO released his grasp of AP and told him to drop the knife. AP did not comply and instead swung the knife at SO.

SO feared that he would be slashed or stabbed due to the proximity, causing grievous bodily harm or death to himself. He fired one round from his pistol at AP while simultaneously moving away from the truck.

The knife flew from AP’s hand straight upwards, spun in the air, and fell back in the truck. AP yelled, “You shot me, you killed me bro!” SO issued commands to AP to exit the truck.

SO tried to make radio transmissions for shots fired and request EMS be dispatched to their location.

AP was slumped over the steering wheel and then put his head up and groaned. SO reassured AP that EMS was coming and told him to exit the truck. AP opened the truck door, got out, and got onto his knees.

SO saw blood on AP’s left leg, left hand, and pooling on the left sleeve of his shirt. SO handcuffed AP and walked him away from the scene.

[WO1’s Vehicle Video](#)

WO1’s police vehicle was equipped with WatchGuard, an in-car video recording system. While there is

some audio accompanying the video, there are times when it is not as clear to hear. This video shows the following.

16:51 hours:

- WO1 was driving westbound on Highway 1A.

17:00:25 hours:

- A black Dodge Ram truck travelling eastbound passed him.
- WO1 slowed and turned around and headed eastbound at high rate of speed.
- WO1 was on the phone with WO2.
- WO1 told him that a truck passed him which was dirty.

17:02:33 hours

- Two vehicles were in front of WO1, but not the Dodge Ram truck.
- WO1 passed the two vehicles, and then told WO2 that he could see the Dodge Ram truck way in front of him.
- He told WO2 he thought there were four to five people in the truck.

17:04:10 hours

- WO1 caught up to the Black Dodge Ram truck.

17:04:32 hours

- WO1 turned on his emergency lights.
- The truck went in the oncoming lane and was travelling over 100 km/h.

17:04:56 hours

- The truck not stopping. WO1 turned on his vehicle siren.
- The truck went into the oncoming lane.

17:05:30 hours

- WO1 stopped pursuing the truck and pulled over to the shoulder, turning his emergency lights and siren off.
- SO passed WO1 in an unmarked truck eastbound following the truck.
- WO1 pulled out and continued eastbound. The OCC was on the radio, and he advised that the truck had taken off from him. The truck was associated to files involving a firearm.

17:06:15 hours

- WO1 requested RTOC.

17:06:25 hours

- SO was on the radio requesting backup at the trailer park.

17:06:39 hours

- WO1 turned into the trailer park, and SO was at the entrance. SO stated that, "The truck had to

be in the park." Both police vehicles continued down the road.

- The truck is seen attempting to turn around on the road.

17:06:56 hours

- A door can be heard opening. WO1 began to yell, "Show me your fucking hands" multiple times. WO1 said, "You're all under arrest."
- SO could be heard saying, "They are reaching."
- WO1 gave an update on the radio.
- There are multiple commands to show their hands and turn off the vehicle.

17:07:20 hours

- An engine was revving. WO1 said that the truck backed up, there were multiple people in the truck, and the truck had moved forward and out of view.

17:07:36 hours

- WO1 said, "He's trying to flee. Southbound down a trail."
- WO1 was breathing heavily.

17:08:02 hours

- An engine was revving. WO1 yelled, "Show me your fucking hands!"
- WO1 said, "Challenging – rammed."

17:08:17 hours

- WO1 yelled, "Show me your fucking hands!"
- He then yelled, "He just threw a shotgun out the window."
- The audio was choppy.

17:08:36 hours

- Yelling is heard on the recording, but it is choppy.

17:08:44 hours

- WO1 and SO yelled, "Shots fired, Shots fired!"

17:08:53 hours

- SO on the radio and said, "He pulled a knife on me."

Scene

While ASIRT investigators attended the scene of the shooting, they relied on the RCMP's Forensic Identification Section (FIS) to inspect the truck and photograph the interior of the truck. The following was found.

The FIS officer reported the front driver's side door window was found $\frac{3}{4}$ of the way down, and the front passenger's side door window was found all the way down. He found evidence the truck had attempted to back up but met resistance from SO's police vehicle behind it. Inside the vehicle, he found

two rifles, each with a live cartridge in the chamber. One was on the driver's side floor area where AP was sitting. He also found a pellet handgun from underneath the driver's seat and open pocketknife in the driver's side front door storage compartment (Figure 1).



Figure 1 - Open pocketknife found in the driver's side front door storage compartment

Affected Person's Medical Records

AP consented to the release of his medical records, which confirmed that he was treated for a single gunshot wound to his upper left arm at Foothills Medical Centre (FMC). The bullet was removed from his right axilla [armpit] on the same date as admission to the hospital. The records referred to utterances made by AP during his assessment by EMS that he had consumed "a lot" of alcohol and methamphetamine through the day, prior to his interaction with police. AP was released from FMC on April 18, 2024.

Related Court Proceedings

As a result of AP's actions during this event, he was charged by the RCMP with several offences. On September 16, 2025, AP pled guilty to a number of these charges. The following were the facts that were read into the record as part of that plea, and therefore accepted by AP:

On April 16, 2024, at approximately 1700 hrs police received a call for service in relation to a Black Dodge Ram that had attended a property in Mîîî Thnî, Alberta. The complaint relayed that the Accused, [AP's name] had returned to a property in relation to a separate allegation that had occurred 3 days prior. The complainant indicated that [AP's surname] had left the property in a black Dodge Ram.

Cst. [surname of WO1] began travelling to the location of the complaint as phone service was unreliable in that area of Mîîî Thnî. He observed a black dodge Ram travelling the opposite direction, EB on Hwy 1A. The vehicle crossed the center line in a turn and [surname of WO1]

noted the individuals to appear suspicious. Cst. [surname of WO1] waited for the vehicle to pass before turning around to follow.

Cst. [surname of WO1] caught up to the vehicle and activated emergency equipment. The truck immediately sped up and began to drive in the oncoming lane. The visibility was poor as it was snowing. The Dodge was driving in the oncoming lane and would return to the eastbound lane as oncoming traffic approached. The Dodge would then return back to the center of the road or the oncoming lane. Cst. [surname of WO1] eventually disengaged his pursuit and the Dodge was followed by a covert vehicle driven by Cst. [surname of SO].

Cst. [surname of SO] followed the truck to the Ghost Lake Gas Station/Storage area, where he waited at the entrance for Cst. [surname of WO1] to join him again. The two trucks pursued deeper into the storage area and found the truck turning around from a dead end. Both [surname of WO1] and [surname of SO] exited their vehicles and challenged the Dodge with their service pistols drawn. The truck eventually drove around the police cars further into the storage area. Cst. [surname of WO1] followed on foot, while [surname of SO] followed in his truck. While following, a sawed-off rifle was thrown from the passenger side of the truck through an open window.

The Dodge reached a dead end by an embankment where [surname of SO] used his truck to block the Dodge in. The Dodge reversed into [surname of SO's] truck, causing some damage to the front end. [surname of SO] exited his vehicle and approached the Dodge. The driver's window was open with the Accused in the driver's seat. [surname of SO] commanded the driver to exit, but the driver was refusing to comply. He was trying to get the Dodge free and encountered difficulties with its manual transmission. [surname of SO] then deployed OC spray against the Accused, making efforts to get the spray under the accused's sunglasses. Despite the use of OC spray, the Accused did not exit the vehicle. Cst [surname of SO] then opened the door and grabbed the Accused by the shoulder to try and get him out of the vehicle. [surname of SO] still had his service pistol drawn at this point. Cst. [surname of WO1] was behind Cst. [surname of SO] with his pistol drawn, but noting [surname of SO's] pistol, switched to his CEW.

The Accused refused to comply and produced a folding knife during the struggle and gestured with it in a manner that made it obvious to Cst. [surname of SO] that he could use it against him. Cst. [surname of SO] backed away while he simultaneously fired a single shot at the Accused with his service pistol. The Accused was shot in the bicep of his left arm. After he was shot, the Accused complied with commands and was arrested. Police called EMS who attended shortly after. Cst. [surname of WO1] also observed the knife gesture made by the Accused but did not observe where he retrieved it from.

Four other individuals were in the truck. Police arrested all in the truck and located a sawed-off rifle in the driver's footwell near the seat. Another sawed-off rifle was found under the back seat. The two rifles in the truck and the rifle thrown out the window were all loaded.

Police learned The Dodge was stolen out of Calgary within the previous 24 hours. At the time the Accused was prohibited from possessing firearms pursuant to a s. 110 order. He was also prohibited from driving via a criminal prohibition. Finally, the Accused was under release conditions to maintain house arrest, possess no weapons, and not to be in a motor vehicle without the registered owner present.

Analysis

All of the police officers present were investigating a complaint that AP was associated with a vehicle that had just been involved in an assault. They were also aware that there were numerous warrants for AP's arrest outstanding. They were therefore lawfully placed when they attempted to stop the involved truck with the intent to arrest AP.

Section 25

Under s. 25 of the *Criminal Code*, police officers are permitted to use as much force as is necessary for the 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. A police officer also has the same protections for self-defence under s. 34 of the *Criminal Code* as any other person.

A police officer's use of force is not to be assessed on a standard of perfection nor using the benefit of hindsight.

With the benefit of hindsight, time for detached reflection and knowledge of the ultimate outcome, it is easy to speculate about how things could have been done differently. That is not the standard, however, against which an officer's conduct is measured. The question is, applying principles of proportionality, necessity, and reasonableness, whether the force used falls into a range of possible reasonable responses.

Proportionate Response

Proportionality requires balancing a use of force with the action to which it responds. Here, the subject officer was faced with an individual that was armed with a knife and was actively swinging it towards him. There is no doubt that AP's actions were capable of causing death or grievous bodily harm to SO if AP would have been able to stab or otherwise wound SO with his knife. As such, SO's use of his firearm to shoot AP was proportionate to the threat of death or grievous bodily harm that he posed to him.

Necessity

Necessity requires that there are not reasonable alternatives to the use of force that also accomplish the same goal. These alternatives can include no action at all. Analysis of police actions must recognize the dynamic situations in which officers often find themselves, and such analysis should not expect police officers in the moment to weigh alternatives in the same way they can later be scrutinized in a stress-free environment.

AP was given multiple commands to give up and stop his evasive actions, all of which he ignored. SO first attempted to apprehend AP by using a less lethal use of force option in deploying OC spray towards AP. However, the use of the OC spray did not result in AP giving up. Rather, he armed himself with a knife and began swinging it at SO who was nearby having just opened the driver's door to try and pull him out. As noted in his guilty plea, AP refused to comply with the commands from the officers to give up and produced a folding knife during the struggle and gestured with it in a manner that made it obvious to SO that he could use it against him. SO's use of his firearm to incapacitate the threat AP posed, was necessary.

Reasonableness

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. Given that AP had possession of a knife and was swinging it at SO, it was reasonable for SO to shoot AP as he did.

Given the above, the defence available under s. 25 of the *Criminal Code* would apply to SO's actions.

Section 34 Generally

A police officer also has the same protections for the defence of person under s. 34 of the *Criminal Code* as any other person. This section provides that a person does not commit an offence if they believe on reasonable grounds that force is being used or threatened against them or another person, if they act to defend themselves or another person from this force or threat, and if the act is reasonable in the circumstances. In order for the act to be reasonable in the circumstances, the relevant circumstances of the individuals involved, and the act must be considered. Section 34(2) provides a non-exhaustive list of factors to be considered to determine if the act was reasonable in the circumstances:

- (a) the nature of the force or threat.
- (b) the extent to which the use of force was imminent and whether there were other means available to respond to the potential use of force;
- (c) the person's role in the incident;
- (d) whether any party to the incident used or threatened to use a weapon;
- (e) the size, age, gender and physical capabilities of the parties to the incident;
- (f) the nature, duration and history of any relationship between the parties to the incident, including any prior use or threat of force and the nature of that force or threat;
 - (f.1) any history of interaction or communication between the parties to the incident;
- (g) the nature and proportionality of the person's response to the use or threat of force; and
- (h) whether the act committed was in response to a use or threat of force that the person knew was lawful.

The analysis under s. 34 for the actions of a police officer often overlaps considerably with the analysis of the same actions under s. 25.

In this incident, SO was defending himself from AP's aggressive actions with the knife he possessed. For the same reasons as stated above in relation to s.25, this s. 34 defence is also available to him.

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 and/or any other person. The analysis under s.34 of the *Criminal Code* leads to a similar finding that Subject Officer's actions were lawfully permitted.

After a thorough, independent, and objective investigation into the conduct of the Subject Officer, it is

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

The force used was proportionate, necessary, and reasonable in all the circumstances. As a result, there are no grounds to believe that an offence was committed.

Matthew Block
Acting Executive Director

December 17, 2025

Date of Release