

ASIRT DECISION

**IN THE MATTER OF A DEATH AFTER EDMONTON
POLICE ARREST ON FEBRUARY 28, 2025**

Executive Director: Matthew Block

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Introduction

On Feb. 28, 2025, 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 death of the affected person (AP) after being arrested by Edmonton Police Service (EPS) officers.

ASIRT designated no subject officers. 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 investigators interviewed civilian witness #1 (CW1), who was a paramedic assigned to EPS tactical unit and treated the AP at the scene.

ASIRT investigators interviewed witness officer #1 (WO1), an EPS patrol officer who responded to the initial call.

ASIRT investigators obtained notes or reports or both from the following police officers:

Witness officer #2 (WO2), an EPS patrol officer who responded to the initial call;

Witness officer #3 (WO3), supervisor of the EPS crisis negotiation unit, which unsuccessfully attempted to speak to the AP during the incident;

Witness officer #4 (WO4), an EPS tactical officer involved in the incident; and

Witness officer #5 (WO5), an EPS tactical officer involved in the incident.

ASIRT investigators obtained video from WO1's body worn camera, which showed a short time before the tactical unit arrived and then officers giving the AP first aid.

ASIRT investigators viewed the scene and obtained all police and 911 communications.

Circumstances Surrounding the Incident

On Feb. 27, 2025, at about 6:45 p.m., EPS patrol officers went to a four-plex apartment in Edmonton for a report of uttering threats involving a firearm. The reporter said that the AP had threatened to shoot another resident. The AP then barricaded himself inside his suite when officers arrived and refused to come out.

Officers contained the suite and tried to speak with him by phone and from the hallway. He did not respond. After he refused to come out, police obtained a warrant to enter the residence and called in negotiators and tactical officers.

At 10:30 p.m., the tactical unit took over containment. Officers spoke to the AP through the door and heard him further barricade it. He still refused to come out. Tactical officers breached the door using a remote device. The AP responded by spraying bear spray and pushing a machete through the doorway toward officers. He then barricaded the door again. Tactical officers pulled back and evacuated other residents.

At 12:55 a.m. on Feb. 28, officers again tried to speak with the AP. They threw a phone through a second-floor window so he could answer calls, but he still did not respond.

At 2:15 a.m., tactical officers deployed irritant gas into the AP's apartment. The AP removed the barricade and came into the hallway. He tried to get past officers toward the exit. Officers used a less-lethal baton launcher and a conducted energy weapon (CEW) on the AP. They arrested and handcuffed him without further incident. He walked on his own to an ambulance.

CW1, a paramedic, treated the AP at the scene. A short time later, the AP went into cardiac arrest. A patrol officer helped emergency medical services (EMS) paramedics perform CPR. They restored his pulse and took him to the hospital. As they transferred him to hospital staff, he went into medical distress again. He was later pronounced deceased in hospital.

Civilian Witness #1 (CW1)

ASIRT investigators interviewed CW1 on Feb. 28, 2025.

CW1 was a paramedic assigned to EPS tactical unit. His team arrived after tactical officers had taken over from patrol and set up containment. CW1 spoke with WO3, who directed him to remain south of the building due to limited space inside.

The AP was barricaded inside the suite. Officers had tried several ways to communicate with him, but he did not respond.

After officers deployed gas, tactical members, including WO5, took the AP into custody and walked him to an ambulance. At about 2:26 a.m. to 2:28 a.m., he was walking without difficulty and was placed in the ambulance for assessment.

The AP appeared sweaty and agitated. He moved constantly, shifting in his seat and bouncing his legs. This made it difficult to take his vital signs. His pupils were dilated. At times, he answered questions correctly.

When asked about his medical history, he denied any cardiac or respiratory issues and said he had no history of seizures. As time passed, his answers became less clear. He began to mumble and gave incomplete or inappropriate responses. CW1 found this unusual but did not expect that the AP would soon go into medical distress. Based on his condition, CW1 decided to take him to hospital.

WO5 told CW1 that officers had used a CEW and that a baton launcher was fired at the AP twice, but he did not know who fired them. CW1 removed four CEW probes from the AP's back and shoulder area. He also saw two impact marks consistent with baton rounds on his lower body. He did not see any other significant injuries.

CW1 began to perform an ECG, but the AP had trouble following instructions and staying still. At about 2:31 a.m., he stopped speaking, stared blankly, and had a seizure that lasted about 10 to 15 seconds. At about 2:35 a.m., he went into cardiac arrest.

CW1 first asked WO5 to help and an officer moved the AP onto a stretcher. WO1 assisted with CPR.

Between about 2:35 a.m. and 2:50 a.m., EMS performed resuscitation and restored a pulse.

They then transported the AP to hospital. At about 2:55 a.m., he went into cardiac arrest again as they transferred him to hospital staff.

Witness Officer #4 (WO4)

ASIRT investigators reviewed WO4's report.

WO4 was working as a member of the EPS tactical unit on Feb. 27, 2025, when tactical officers took over inner containment from patrol.

Officers approved and used a remote breaching tool to open the door to the AP's suite. As the tool opened the door, the AP sprayed bear spray into the hallway and pushed a machete toward officers through the opening.

WO4 believed that using the breaching tool reduced the risk to officers. Without it, an officer could have been seriously injured or killed.

Officers later broke an exterior window and threw a phone into the suite. The AP threw objects and broken glass at officers positioned outside.

After negotiations were unsuccessful, officers approved a plan to deploy irritant gas into the apartment. Officers then heard the AP coughing inside.

The AP then exited the suite, looked toward the exit at the end of the hallway, and ran in that direction.

Officers used a less-lethal baton launcher and a CEW on the AP. The AP fell to the ground near the exit door. Officers took him into custody and handcuffed him a short time later.

WO4 later cleared the suite and saw a large machete on the AP's bed.

Autopsy

A pathologist at the Office of the Chief Medical Examiner conducted an autopsy on the AP on March 4, 2025. She found the cause of death to be methamphetamine toxicity, with the significant contributing factors being hypertensive and atherosclerotic cardiovascular disease, blunt trauma from baton launcher rounds, and electric shocks from CEW deployed during the stand-off with police.

Analysis

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. 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 to which it responds.

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.

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

When officers responded on Feb. 27, 2025, they were responding to a threat call involving firearms. This is a high-risk situation. The AP's actions, including putting a machete through the door to where officers could have been, further increased the risk. This risk justified getting the AP under control quickly, including through using a baton launcher and CEW.

The officers were authorized by law and acted reasonably. Their uses of force were proportionate, necessary, and reasonable. As such, the defence available to them under s. 25 is likely to apply.

The pathologist listed the use of the baton launcher and CEW as significant contributing factors. While this is relevant to the cause of death, it does not mean that the use of force was not justified. In this incident, the use of force was justified.

Conclusion

The defence available to the officers under s. 25 is likely to apply. There are not grounds to believe that any of the officers committed a criminal offence.

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