

ASIRT DECISION

**IN THE MATTER OF A USE OF FORCE BY RCMP
OFFICERS IN SYLVAN LAKE ON JULY 4, 2024**

Executive Director: Matthew Block

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Introduction

On July 5, 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 an incident from the day before, when the affected person (AP) incurred a serious injury during an arrest in Sylvan Lake on July 4, 2024. ASIRT designated three subject officers and provided them with notice. ASIRT's investigation is now complete.

This investigation began prior to the establishment of the Police Review Commission on Dec. 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 in accordance with the principles of major case management.

ASIRT investigators interviewed five civilian witnesses, including the AP. They also reviewed the AP's medical records related to the incident.

ASIRT investigators also interviewed two police witnesses. Four additional police witnesses provided their reports and notes.

As the subjects of a criminal investigation, the subject officers were entitled to rely on their right to silence and not speak to ASIRT. In this case, two of the subject officers provided ASIRT investigators with a written statement and answered questions in an interview. The third subject officer provided investigators with a copy of his report and notes.

ASIRT investigators reviewed all available video of the incident, including video from six police vehicles (WatchGuard system is equipped with forward-facing and rear-facing cameras) and video from the Sylvan Lake RCMP detachment.

ASIRT investigators also reviewed 911 calls and all relevant RCMP radio transmissions.

ASIRT investigators also conducted a scene examination.

Circumstances Surrounding the Incident

On July 4, 2024, shortly after 11 p.m., witness officer #1 (WO1) and witness officer #2 (WO2) responded to a 911 call reporting a domestic dispute between the AP and his common-law spouse, civilian witness #1 (CW1) at a home in Sylvan Lake.

The Sylvan Lake RCMP went to the residence on two prior occasions that day in relation to complaints involving the AP. During one of these calls, officers learned that the AP had allegedly threatened to harm CW1 and damaged her property. As a result, WO1 and WO2 were aware that the AP was arrestable for those offences.

Upon arriving, officers learned that the AP had barricaded himself inside a bathroom and was believed to have a crowbar. WO2 informed the AP that he was under arrest; however, he refused to exit the bathroom.

Subject officer #1 (SO1), subject officer #2 (SO2), and subject officer #3 (SO3) subsequently came to assist. The AP continued to refuse to open the bathroom door and threatened to stab himself if officers did not permit him to leave without being arrested. SO1 ultimately persuaded the AP to open the door. Once the door was opened, officers observed the AP holding a sharp object, later identified

as a pair of small scissors, tightly against the left side of his neck. In response, SO2 deployed a conducted energy weapon (CEW).

The subject officers then entered the bathroom to take the AP into custody. During the arrest, SO1 sustained a puncture wound to the webbing between his right thumb and index finger after being stabbed with the scissors the AP had been holding.

Following his arrest, the AP was found to have sustained a single puncture wound to the left side of his neck. He was transported to the Sylvan Lake RCMP detachment, where he was assessed by Emergency Medical Services (EMS). Due to the nature of his injury, including a goiter-like wound to the left side of his neck and indications of a possible upper airway obstruction, he was transported to the Red Deer Regional Hospital for further treatment. STARS Air Ambulance subsequently airlifted the AP to Foothills Medical Centre in Calgary. SO1 later received medical treatment for the injury to his hand.

911 Recordings

ASIRT investigators reviewed all relevant 911 calls associated with this incident. Several calls concerning the AP were placed on July 4, 2024.

The first call was made at approximately 3:08 p.m. by the AP's son while driving to work. He advised that CW1 had asked him to contact police on her behalf to avoid further aggravating the AP. He reported that the family had returned from a trip earlier that day and that the AP had become physically abusive toward CW1, the caller's sister, and her boyfriend. He stated that the AP had thrown a hard hat, striking his sister in the head. The caller also reported that the AP regularly consumed alcohol and drugs, was likely impaired, and did not respond well to police involvement.

CW1's mother called 911 at approximately 8p.m. She was calling from out of town and expressed concern for CW1's safety after receiving text messages indicating that CW1 was fearful of the AP. She reported a history of physical abuse by the AP toward CW1 and was aware that the AP had been removed from the residence by police earlier that day.

At approximately 9:36 p.m., CW1 contacted police to report that the AP was trying to gain entry to her residence. Four minutes later, she called again in a panicked state, advising that the AP was banging on the door and trying to get inside while she was barricaded in a bedroom with her child.

At 11:08 p.m., CW1 placed another 911 call, during which the line remained open. For about the first minute, a man and woman could be heard yelling and swearing. A male voice, believed to be the AP, was heard yelling, "I'm fucking freezing." A female voice, believed to be CW1, repeatedly shouted for him to leave. During the call, CW1 told the dispatcher that the AP was searching the lower level of the residence, that she had already contacted police multiple times that day, and that the AP had a crowbar. Approximately six minutes into the call, CW1 could be heard yelling that the AP was breaking into the room. She repeatedly screamed for him to stop and called out, "Help us." A younger male voice was then heard stating that the AP was in the bathroom. Within seconds, additional female voices, believed to be WO1 and WO2, were heard in the background shouting for the AP to come out immediately.

Affected Person (AP)

ASIRT investigators interviewed the AP.

The AP reported that he spent the morning of July 4, 2024, with his common-law spouse, CW1, and two teenage children. He stated that he consumed alcohol throughout the day. Upon returning to their

residence, he became frustrated after dropping an air conditioner and responded by throwing it down a flight of stairs. Someone called the police, and officers directed him to leave the residence. The AP then went to a friend's home, where he consumed methamphetamine. He advised that he was later asked to leave that residence, and he wasn't able to find somewhere else to stay.

According to the AP, he returned to the family home later evening to retrieve warmer clothing. After being unable to get in, he obtained a crowbar from a shed and used it to force entry through the back door. CW1 contacted police. The AP said he was confused about why his family felt it was necessary to involve police and questioned CW1's motivations for doing so.

The AP stated that, after entering the residence, he went into the bathroom while still in possession of the crowbar and intended to take a hot shower. Two police officers arrived at the residence and communicated with him through the closed bathroom door. He was advised that he was under arrest. The AP stated that he told the officers he would kill himself because he did not want to return to jail and that his only intention had been to retrieve warm clothing. He said officers encouraged him to exit the bathroom, indicating they would help him find clothing.

The AP advised that he armed himself with a small pair of scissors, pressed them against his neck, and then opened the bathroom door. He denied applying sufficient pressure to puncture his skin and further denied having any genuine intention to commit suicide. He maintained that his objective was to persuade officers to disengage and allow him to leave.

The AP alleged that he was immediately subjected to a CEW deployment upon opening the bathroom door. He believed the electrical discharge caused his body to stiffen, resulting in the scissors puncturing his neck. He later acknowledged that he may have inadvertently cut himself with the scissors prior to opening the bathroom door. He stated that he tried to close the bathroom door, but officers forced it open, causing him to fall to the floor. He believed the scissors penetrated further into his neck during the fall.

The AP reported that officers entered the bathroom and restrained him on the ground. He recalled being subjected to several additional CEW applications to his leg and buttocks and alleged that officers struck him numerous times on the back of the head while directing him to "stop resisting." The AP denied resisting arrest. He stated that one of his arms had been secured behind his back, while the hand holding the scissors was trapped beneath his body, with the scissors still lodged in his neck. He explained that he was unable to release the scissors because his fingers had become caught in the scissor handles and that he could not free his arm due to the weight of the officers restraining him. He further alleged that repeated strikes caused his head to bounce against the floor, contributing to the scissors continuing to penetrate his neck.

The AP stated that he was eventually handcuffed and dragged to a police vehicle. During transport to the police detachment, he recalled informing the officer that he was having difficulty breathing and being advised that they were almost at their destination. He reported having little or no memory of the subsequent events, including his transport to hospital.

The AP denied any knowledge of how S01 sustained a puncture wound to the hand and denied intentionally stabbing S01.

The AP also expressed the view that he was well-known to the members of the Sylvan Lake RCMP and believed that the officers' actions on this occasion reflected frustration arising from previous interactions with him, rather than a proportionate response to the circumstances they encountered. He

did not accept that officers genuinely believed he was at risk of self-harm or suicide. The AP further expressed concern that a responding ambulance was allegedly dismissed and that he was instead transported to the RCMP detachment in a police vehicle despite his injuries.

AP's Medical Records

The AP's medical records were obtained by ASIRT investigators pursuant to a consent release.

The records confirmed that the AP sustained a penetrating injury to the neck. Medical personnel observed significant swelling on the left side of his neck extending from below the ear to just above the base of the neck, together with a small puncture wound in that area. Diagnostic imaging, including a CT scan, identified possible injuries to the trachea, carotid artery, and jugular vein, as well as an expanding hematoma on the left side of the neck.

Due to concerns regarding airway compromise, the AP was intubated and sedated to protect his airway. He was subsequently transported by air ambulance from Red Deer Regional Hospital to Foothills Medical Centre, where he underwent emergency surgery. The surgical assessment determined that there was no significant injury to either the carotid artery or jugular vein.

The medical records also documented superficial abrasions to the AP's left forehead and the right side of his head.

Civilian Witnesses

ASIRT investigators interviewed four civilian witnesses, including CW1 and civilian witness #2 (CW2), the AP's 16-year-old daughter, both of whom were present inside the residence on July 4, 2024. The remaining two witnesses were the responding paramedics.

CW1 and CW2 provided largely consistent accounts regarding the events that led to police being contacted and the subsequent incident. Both attributed the underlying issues to the AP's alcohol and drug consumption.

According to their accounts, police arrived at the residence around 3:30 p.m. and removed the AP from the home, instructing him not to return. CW2 explained that she had contacted police on that occasion because she had become concerned and frustrated by the AP's behaviour after he accidentally struck her with a hard hat that he had thrown while unpacking a vehicle. She also reported hearing the AP threaten to assault CW1 and slit her throat, as well as threaten to kill himself and set the house on fire rather than return to jail.

At approximately 9:30 p.m., the AP returned to the residence and tried, unsuccessfully, to gain entry. Family members advised him that he was not welcome because of his behaviour.

The AP returned again at about 11 p.m. CW1 stated that she discreetly called 911 and left the line open so that dispatch could hear what was occurring. The AP complained that he was wet and cold; however, family members refused to allow him inside. Neither CW1 nor CW2 observed any injuries to the AP at that time. The AP subsequently used a crowbar to force entry into the home. CW2 attempted to speak with him but described him as angry and irrational. CW1 and CW2 then retreated to CW1's bedroom and locked themselves inside. When police arrived, the AP attempted to gain access to the bedroom before moving into the bathroom.

The AP barricaded himself in the bathroom. Initially, two officers tried to negotiate with him to exit. CW1 and CW2 differed in their recollections regarding the identity of the first two responding officers.

CW2 recalled that both officers were female, while CW1 recalled that one officer was female and the other was male. The officers directed the other occupants of the home to remain in their respective bedrooms. Both CW1 and CW2 expressed the view that the female officer's approach escalated the situation by informing the AP that he was under arrest and demanding that he leave the bathroom. The AP was reportedly yelling that he would not return to jail and that he would kill himself. CW2 acknowledged that she and CW1 opened their bedroom doors and interjected with comments regarding the officers' handling of the situation. As additional officers arrived, CW1 and CW2 were escorted from the residence.

While outside, CW1 reported hearing officers continue their efforts to negotiate with the AP and recalled hearing them deploy a CEW. Shortly thereafter, a female officer exited the residence, swearing and advising them that the AP had stabbed SO1. CW1 stated that SO1 then showed her his gloved hand, indicating where he had been stabbed, although she could not observe any injury because of the glove.

The witnesses described seeing the AP being dragged from the residence by two police officers, one positioned on either side of him. They stated that he was slammed against the exterior wall of the house a short distance from the back door and then placed into the rear seat of a police vehicle. According to CW1 and CW2, another officer pulled the AP further into the vehicle from the opposite side. Both witnesses observed that the AP did not appear to be walking independently and appeared limp, with his head hanging down. They also noted that he was handcuffed behind his back. CW1 and CW2 reported observing multiple injuries to the AP's face, including a laceration to his forehead and bruising extending from his cheek to his jaw.

The witnesses further stated that an ambulance attended the scene; however, they observed police direct the paramedics away, reportedly stating words to the effect of, "Let's not do this here." The ambulance and the police vehicle subsequently left the scene.

CW1 and CW2 also expressed concerns that the police had interfered with or tampered with evidence and provided several examples which, in their view, supported that belief.

Both paramedics confirmed that they attended the residence and were subsequently directed by RCMP members to relocate to the detachment, which was a short distance from the scene. Upon arriving at the detachment, they observed the AP seated on the floor, yelling at those around him. The AP was alert and oriented but remained uncooperative throughout their dealings with him. The paramedics noted blood on the AP's face, a goose egg on his head, several bruises and lacerations, and a large swelling on the side of his neck resembling a goiter. During their assessment, the AP repeatedly said that all he had wanted when he returned to the residence was additional clothing. The paramedics ultimately transported both the AP and SO1 to the hospital.

Subject Officers

As the subject of a criminal investigation, the subject officers were entitled to rely on their right to silence and not speak to ASIRT. In this case, SO2 and SO3 provided ASIRT investigators with a written statement and answered questions in an interview. SO1 provided investigators with a copy of his report and notes.

Subject Officer #1 (SO1)

SO1 reported that he was aware of two domestic violence-related calls involving the AP earlier that day. He was also aware that the AP had a history of violent interactions with police, mental health concerns, and using weapons to resist arrest. SO1 further noted that the AP had been intoxicated during an earlier police interaction that day and believed it was likely the AP remained intoxicated when he was initially dispatched to the residence at approximately 9:40 p.m. SO1's risk assessment for the call was high.

SO1, SO2, and WO1 went to the residence and spoke with CW1, who advised that family members had been hiding in their rooms because the AP was trying to gain entry. SO1 observed damage to the home's metal door, which he believed was consistent with being struck by a large object. Police were advised that the AP had fled on a bicycle prior to their arrival. SO1 and SO2 conducted patrols of the surrounding area but were unable to locate him.

At approximately 11:08 p.m., SO1 was dispatched to a further call at the residence after CW1 reported that the AP had forced his way inside. Information was also received that the AP may have been armed with a crowbar. Before police arrived, the AP had barricaded himself in an upstairs bathroom. Upon arrival, SO1 and SO3 joined WO1, WO2, and SO2, who were already on scene. The family had been safely evacuated from the residence.

SO1 observed that WO2 had drawn her service pistol, while SO2 and WO1 had their CEWs drawn. Through the closed bathroom door, SO1 made verbal contact with the AP and directed him to exit unarmed with his hands raised. The AP replied that he only wanted to retrieve some clothing, and SO1 advised that this could be arranged if he exited the bathroom. The AP then opened the door and was observed holding a pair of cosmetic scissors tightly against his throat, stating that he was going to cut his throat. Despite repeated commands from SO1 to drop the scissors, the AP refused to comply. Instead, he stepped toward SO1 and SO3 while continuing to press the scissors against his neck.

SO1 noted that both the bathroom and the adjacent hallway were confined spaces, limiting the officers' ability to safely retreat. He formed the view that the AP had no intention of relinquishing the scissors and presented a risk not only to himself but also to the officers. SO1 directed SO2 to deploy his CEW. The probes struck the AP in the chest; however, the deployment did not incapacitate him. The AP remained on his feet, screaming and flailing his arms in an apparent attempt to remove the CEW wires, before slamming the bathroom door shut. SO1 forced open the door and directed SO2 to deploy his CEW a second time. The second deployment produced a similar result. The AP remained armed and combative.

SO1, SO2, and SO3 then entered the bathroom to gain control of the AP. During the ensuing struggle, the bathroom door closed, preventing WO1 and WO2 from entering the already crowded space to assist. SO1 delivered several closed fist strikes to the AP's head in an attempt to gain control of him while he remained armed with the scissors. During the struggle, SO1 was stabbed in the right hand, between the thumb and index finger, by the scissors that the AP continued to hold. SO1 immediately advised SO2 and SO3 that he had been injured. He subsequently attempted several additional strikes with his left hand, though they did not connect. SO1 then reached beneath the AP's torso and pulled one of his hands free from underneath him, enabling the officers to secure the AP in handcuffs.

After being handcuffed, the AP was escorted from the residence but continued to resist. He refused to enter a police vehicle, requiring SO1 to physically lift him into SO2's police vehicle.

EMS was dispatched to the scene. However, due to the hostility being directed toward police by members of the AP's family, SO1 determined that it would be preferable to transport the AP to the detachment for medical assessment and treatment. SO1 also noted that the AP had sustained a self-inflicted injury to his neck from the scissors. EMS treated the puncture wound to SO1's right hand and, while he was being treated, he experienced a separate medical event that necessitated transport to hospital for further care.

Subject Officer #2 (SO2)

SO2 reported that he was aware police had been to the residence earlier that day in response to reports that the AP was intoxicated and trying to force entry into the home. He understood that the AP had also threatened CW1 with a knife and was arrestable for uttering threats and possessing a weapon. SO2 noted that he was familiar with the AP and described him as highly unpredictable when intoxicated. He was also aware of previous incidents in which the AP had tried to provoke police into using deadly force against him.

Upon arrival, SO2 observed WO1 and WO2 positioned outside a closed bathroom door, advising the AP that he was under arrest. Both officers had drawn their service pistols, prompting SO2 to deploy his CEW. The AP repeatedly responded that he would not be arrested and would not return to jail. While officers maintained contact with the AP, SO2 directed the family members inside to evacuate the home.

Shortly thereafter, SO1 arrived and began communicating with the AP through the closed bathroom door. During the exchange, the AP stated that he would cut his throat if officers tried to arrest him. Based on those comments, SO2 believed the AP was in possession of an edged weapon and may have been actively suicidal, which heightened his concerns for the safety of both the AP and the attending officers.

SO1 eventually persuaded the AP to open the bathroom door. SO2 was positioned directly across the hallway and believed he was well situated to respond should the AP suddenly advance towards them. When the AP opened the door, he looked toward SO2 and began yelling, "do it, do it," while holding an object tightly against his neck. As SO1 directed him to deploy his CEW, SO2 discharged the device. Although he believed the deployment was effective, the AP tried to push the bathroom door closed. SO1 then directed him to deploy the CEW a second time, and SO2 activated the device again. The AP yelled in pain but was not incapacitated.

SO2 then directed SO1 and SO3 to, "get him" and the three officers entered the bathroom. A physical struggle ensued. The AP was face down on the floor, actively resisting arrest, and refusing to present his hands for handcuffing. SO2 noted that the confined dimensions of the bathroom made it difficult for officers to manoeuvre effectively. During the struggle, he heard SO1 announce that he had been stabbed. In response, SO2 applied several drive-stun CEW activations to the AP's buttocks. The AP eventually complied, allowing SO1 and SO3 to gain control of his arms and secure him in handcuffs. SO2 then assisted the AP to his feet and helped escort him from the residence. At one point, he had to drag the AP by the arm onto the deck due to his resistance.

Once outside, members of the AP's family began yelling at police. During the escort, the AP forcefully pushed against SO2 in an apparent attempt to knock him over. SO2 responded by pushing the AP back against the exterior wall of the residence to maintain control. The AP was subsequently escorted to SO2's police vehicle and secured in the rear seat.

EMS arrived on scene; however, due to the escalating disturbance involving family members, officers determined that it would be safer to leave and have both the AP and SO1 assessed and treated at the police detachment.

During the transport, SO2 observed that the AP appeared to be experiencing medical difficulties. He noted the development of a significant swelling on the side of the AP's neck where the object had been pressed against his throat. At one point, SO2 believed the AP had stopped breathing and began pulling over to check on him. However, when the AP suddenly resumed breathing and wheezing, SO2 continued directly to the detachment, where EMS personnel were already waiting.

Upon arrival, EMS assessed both the AP and SO1 before transporting them to hospital. During the ambulance transport, SO2 read the AP his rights, to which the AP responded by raising his middle finger. At hospital, medical staff determined that the AP had punctured his neck with a sharp object, causing injuries to vascular structures and his trachea. The AP was subsequently transported by air ambulance to the Foothills Medical Centre in Calgary for specialized treatment related to what SO2 described as self-inflicted injuries.

Subject Officer #3 (SO3)

SO3 provided an account that was generally consistent with those of SO1 and SO2 regarding both the information known to police at the time of the incident and the events that unfolded upon police arrival. He stated that officers were aware of the multiple calls involving the AP earlier that day, as well as the AP's history of interactions with police. Upon his arrival, the AP had barricaded himself inside an upstairs bathroom.

SO3 observed officers positioned in a single file formation in the narrow hallway outside the bathroom. He described the area as crowded. SO2 was positioned directly across from the bathroom door with his CEW drawn, while WO1 and WO2 were located on either side of SO2 with their service pistols drawn. SO1 stood to the right of SO2 and was communicating with the AP through the closed bathroom door. According to SO3, the AP was yelling from inside the bathroom and refusing repeated commands to exit.

After a period of negotiation, the AP opened the bathroom door, which swung inward. Due to his position, SO3 was unable to see the AP directly. However, he heard other officers state that the AP was holding a pair of scissors to his throat. He also heard the AP threaten to kill himself if police did not allow him to leave. Shortly thereafter, SO3 observed SO2 deploy his CEW. While he could not determine whether the deployment was effective, he saw the AP try to close the bathroom door. SO1 prevented the door from closing and then directed SO2 to deploy the CEW a second time. Following the second deployment, SO3 heard someone yell, "get him," and he followed SO1 into the bathroom.

As officers entered, the AP was trying to push the bathroom door closed. The AP was pressed against the wall and subsequently fell to the floor along the wall behind the door. To create additional space for SO1, SO2, and SO3 to manoeuvre within the confined bathroom, SO3 closed the bathroom door. The AP came to rest on his left side with his left arm positioned above his head. SO3 pinned the AP's right arm to the floor with his right knee while maintaining control of the AP's left wrist and repeatedly directing him to release the scissors. The AP continued to resist. During the struggle, SO3 heard SO1 state that he had been stabbed. SO1 delivered strikes to the AP, after which SO3 was able to gain control of the scissors and throw them onto the bathroom counter.

Despite being disarmed, the AP continued to actively resist and refused to surrender his hands. SO3 eventually secured control of the AP's right hand, placing it behind his back in a wrist lock. SO1 then gained control of the AP's left arm and brought it behind his back. SO3 subsequently applied handcuffs to the AP.

The AP was subsequently escorted into the hallway, where officers conducted a search before escorting him outside and placing him in SO2's police vehicle. SO3 observed a cut on the AP's neck, although it was not actively bleeding. He also noted the presence of blood on the AP's face and neck but did not observe a significant amount of blood on the floor that would have caused him greater concern regarding the severity of the injury.

EMS attended the scene; however, it was decided that a medical assessment would be completed at the detachment. SO2 transported the AP, and while en route, officers heard SO2 advise over the police radio that the AP appeared to be experiencing medical distress. Upon arrival at the detachment, the AP was seated on the floor because he appeared unable to remain upright. Officers observed significant swelling to his neck, and EMS subsequently transported him to hospital for further assessment and treatment.

Witness Officers

Two additional police officers were interviewed by ASIRT investigators and four more provided their reports and notes relating to this incident. Two of the officers who provided only their reports and notes had peripheral involvement after the incident and the remaining two officers removed the AP from the residence earlier that day and had directed him not to return.

Witness Officer #1 (WO1)

ASIRT investigators interviewed WO1.

WO1 reported that at approximately 7:30 p.m., she received a telephone call from CW1, who stated that she was fearful of the AP and that he was attempting to gain entry to her home. WO1 went to the residence with SO2 to try to locate the AP; however, he had left the area. CW1 explained that she had seen him damaging her window. WO1 asked about the circumstances of the initial call for service at 3 p.m. and CW1 explained that the AP had been intoxicated and had made statements indicating an intention to commit a murder-suicide, specifically threatening to stab CW1 and then himself. CW2 had reportedly intervened and removed a knife from the AP. Based on the information provided, WO1 broadcast an update over the police radio advising that the AP was arrestable for uttering threats and possession of a weapon.

Later that evening, police were dispatched to the same residence in response to an open line 911 call. A man, believed to be the AP, could be heard yelling and, information received suggested that he was in possession of a crowbar. WO1 and WO2 attended and could hear screaming from inside the residence. Due to exigent circumstances, they forced entry through the rear door. CW1 advised that the AP was barricaded in an upstairs bathroom and was armed with a crowbar. WO1 informed the AP that he was under arrest and repeatedly directed him to come out of the bathroom with his hands raised. Although the AP denied possessing a weapon, he repeatedly stated that he intended to kill himself. Other attending officers escorted the family members from the residence.

SO2 subsequently arrived, followed by SO1 and SO3. SO2 drew his CEW while SO1 engaged the AP through the closed bathroom door. The AP eventually unlocked and opened the door. Through the

reflection in the mirror, WO1 observed that the AP had blood on his hands and around his neck. She also observed him holding an object in his right hand against his throat. SO1 directed the AP to drop the object; however, the AP continued to state that he intended to kill himself. SO2 then deployed his CEW, and WO1 heard a direction given to cycle the device a second time. Due to the position of other officers, her view was obstructed, and she was unable to determine whether either CEW deployment was effective.

SO1, SO2, and SO3 then entered the bathroom. Because the AP was positioned behind the bathroom door and the space was confined, the officers requested that the door be closed. WO1 heard SO1 state, "He stabbed me," and heard another officer advise that the AP had a pair of scissors. Approximately 30 seconds to one minute later, at an officer's request, WO1 opened the bathroom door and observed the AP lying face down on the floor with his hands handcuffed behind his back. She also observed a small pair of scissors, approximately two to three inches in length, resting on the bathroom counter.

WO1 and SO2 subsequently escorted the AP to SO2's police vehicle. During the escort, the AP refused to walk and repeatedly dropped his weight toward the ground. WO1 detected an odour of alcohol on his breath. She also observed a swelling on the left side of his forehead and a pinpoint red mark with an adjacent bulge, approximately the size of a tennis ball, on the left side of his neck. The neck injuries were not actively bleeding at that time.

Witness Officer #2 (WO2)

ASIRT investigators interviewed WO2.

WO2 reported that she was responding to a call involving the AP, who had unlawfully entered a residence and was believed to be in possession of a crowbar. She was aware that police had interacted with CW1 earlier that evening and that the AP was arrestable for various charges. WO2 was also familiar with the AP through prior police interactions, including incidents in which he had brandished a weapon: one in which she had been required to use force while executing a DNA warrant, and at least one occasion where he had threatened suicide.

WO2 and WO1 were the first officers to arrive at the residence. As they approached the rear entrance, they could hear yelling and screaming from inside. Finding the door locked, WO2 forced entry by kicking it open. Occupants who had secured themselves in a bedroom advised the officers that the AP was in a bathroom and might be armed. WO2 and WO1 took positions outside the bathroom door with their service pistols drawn and repeatedly informed the AP that he was under arrest and needed to exit. The AP refused, stating that he did not want to be arrested and only wanted to change his clothes. He further advised that he had a knife held to his neck. WO2 relayed this information over the police radio to SO1, SO2, and SO3. She was instructed not to breach the bathroom door and to await additional officers. While awaiting backup, WO2 continued efforts to negotiate the AP's surrender. The situation became increasingly volatile, particularly as family members approached the threshold of the bedroom doorway and, according to WO1, interfered with police efforts.

Upon the arrival of SO1, SO2, and SO3, SO1 was able to persuade the AP to open the bathroom door. The AP was then observed holding a pair of scissors to his neck. SO2 deployed his CEW and SO1, SO2, and SO3 entered the bathroom. WO1 and WO2 remained outside after the door was closed behind the responding officers. As a result, she could hear but not observe the altercation, which lasted several minutes. During that time, WO2 heard one or two additional CEW deployments and officers repeatedly

directing the AP to “stop resisting.” She also heard SO1 state that he had been stabbed. Meanwhile, family members became increasingly confrontational toward police, prompting WO2 to warn them that they could be charged with obstruction if their behaviour continued.

After the AP was handcuffed, officers observed that he had sustained a bump to his head and the presence of blood. WO1, WO2, and another officer were required to assist in moving the AP to a police vehicle, as he became non-compliant and went “dead weight.” As the AP was escorted from the residence, family members continued to shout profanities at police. Due to the family’s confrontational behaviour, officers elected to leave the scene and meet EMS at the police detachment, a one- to two-minute drive away. Once at the detachment, WO2 observed a lump on the side of the AP’s neck that she had not previously noticed. EMS attended and assessed both the AP and SO1. During this time, SO1 also experienced a medical emergency. Both the AP and SO1 were subsequently transported to hospital by ambulance.

Following the incident, WO2 seized the scissors from the bathroom and photographed the scene, the AP’s injuries, and SO1’s wound.

Video Evidence

ASIRT investigators obtained video recordings from six police vehicles, including those operated by SO1, SO2, SO3, WO1, WO2, and an additional officer who arrived after the AP had already been secured in SO2’s police vehicle. Although the recordings did not capture the physical interaction inside the residence, they captured audio of police communications with the AP and other occupants through body worn microphones worn by SO2, SO3, WO1, and WO2. The rear-facing camera in SO2’s vehicle also recorded the AP being placed into the police vehicle. Investigators additionally reviewed video footage from the Sylvan Lake RCMP detachment. The following is a summary of the most relevant evidence.

The recordings from WO1 and WO2 confirmed that, upon arrival at the residence, they knocked on the door while loudly identifying themselves as RCMP. Loud noises consistent with the door being forced open were subsequently heard. People inside the home could be heard calling for help, and officers were advised that the AP was in the bathroom and reportedly possessed a crowbar.

WO1 and WO2 repeatedly directed the AP to exit the bathroom and advised him that he was under arrest. The AP responded that he wanted officers to leave, expressed suicidal intentions, and indicated he only wanted his clothing. Officers advised that clothing would be provided once he exited. When asked whether he possessed any weapons, the AP denied having any. WO2 warned that the bathroom door would be breached if he did not comply. The AP responded by threatening to stab himself in the throat. WO1 subsequently broadcast over the radio that the AP was threatening self-harm and that the bathroom door might need to be breached. SO1 directed officers to wait for his arrival.

CW1 advised police that the AP did not have a knife and possessed only a crowbar. Throughout the interaction, family members repeatedly shouted from within the home and were directed by WO1 to keep back. WO2 and SO2 eventually instructed family members to leave the residence altogether. WO2 continued to express readiness to force entry into the bathroom, and SO2 twice reminded her to wait for SO1, as directed.

Efforts to negotiate the AP’s surrender continued. The AP disputed that he was under arrest and again threatened to stab his jugular vein. He repeatedly stated that he only wanted warm clothing so that he could leave and blamed CW1 for his circumstances. Officers encouraged him to put down whatever he

had in his hands and come out with his hands raised. The AP refused. Family members continued to interfere despite being instructed to remain outside and required repeated redirection.

Upon his arrival, SO1 addressed the AP by name and encouraged him to come out and collect his clothing. During approximately 90 seconds of negotiation, SO1 led the AP to believe that he would be allowed to leave without being arrested. The AP repeatedly sought reassurance that he would not be arrested, and SO1 expressly denied that he would be. SO3 also arrived during this period.

The AP eventually opened the bathroom door, warning officers not to attempt to arrest him and threatening to stab himself if they did so. Officers observed that he was holding an object against his own neck. SO1 pleaded with the AP not to harm himself and directed him to drop the object. When the AP failed to comply, an officer deployed a CEW. The AP immediately screamed in pain. Following several seconds of activation, SO1 directed SO2 to deploy the CEW again, and a physical struggle followed.

SO3 requested that the bathroom door be closed. During the struggle, SO1 stated that he had been stabbed. Additional CEW deployments were audible, and officers repeatedly directed the AP not to use the scissors. The AP agreed but sounded as though he was physically restrained on the ground. SO1 then stated, "You stabbed me, you motherfucker, I'll kill you! I should fucking put one in your head." The AP replied, "Do it, do it, I don't give a fuck." SO1 continued directing the AP to provide his hands for handcuffing while the AP maintained that he could not do so. The AP was ultimately handcuffed, searched, assisted to a seated position, and removed from the bathroom. Before escorting him from the residence, SO3 made inquiries regarding the location of family members, seemingly to ensure officers could safely move the AP.

Family members re-entered the house and repeatedly shouted at officers while the AP was being escorted out. WO2 attempted to keep them back, advising that the AP had stabbed her partner, which was disputed by CW2. As officers moved the AP from the residence, family members continued arguing with police and ignoring directions to stay back. WO2 eventually warned that they could face obstruction charges if their conduct continued. At one point, a family member made a comment to WO2, who responded that she would remember it the next time someone asked for police assistance.

As officers escorted the AP outside, he could be heard grunting and swearing. Video from SO2's and WO1's forward-facing vehicle cameras captured subsequent events. Family members followed closely behind and shouted at officers about perceived injuries to the AP. In response, SO2 stated, "He's fighting us, that's what's happening," as he pushed and held the AP against the side of the residence. SO1 and SO3 positioned themselves between family members and the escorting officers while SO2, WO1, and WO2 continued toward the police vehicle. CW2 stated she wanted to hug the AP and also directed derogatory comments at SO1, including expressing satisfaction that he had been stabbed. CW1 repeatedly attempted to de-escalate CW2 and direct her back toward the residence.

At the police vehicle, WO1 directed the AP to stand up. The AP stated that he was dizzy. Video and audio evidence reflected increasing frustration on WO1's part, including repeated yelling and the use of expletives while attempting to obtain the AP's cooperation.

Officers then manoeuvred the AP into the rear seat of the vehicle. His upper body initially appeared to fall into the rear footwell area. He immediately cried out in pain and accused WO1 of pushing him into the vehicle, stating that he would have entered on his own. The AP then repositioned himself onto the seat, after which SO2 entered from the opposite side and pulled him fully into the vehicle.

Following the arrest, SO3 and WO2 re-entered the home and seized the scissors. Family members criticized WO2's communication style and suggested it had contributed to the escalation of the incident. A radio transmission was then made indicating officers should leave the area and requesting that EMS meet them at the detachment.

Approximately two minutes after being placed into the police vehicle, the AP began making unusual breathing sounds. Roughly three minutes later, SO2 noticed the noises and questioned the AP about his condition. The AP advised that he was experiencing difficulty breathing. SO2 checked on him and then began driving him to the detachment. During the drive, SO2 advised the AP of the charges he was facing. The AP continued to state that he had only wanted clothing while also exhibiting ongoing breathing difficulties. When the AP became silent, SO2 repeatedly called out to him and reassured him that they were close to the detachment. They arrived at the detachment approximately three minutes after leaving the residence. By that point, the AP's breathing difficulties were readily apparent. As he exited the vehicle, a significant swelling was visible on the left side of his neck, which was noted by SO2.

The AP briefly dropped to his knees while exiting the vehicle but immediately regained his footing and walked unassisted into the detachment. Once seated on a bench near the booking counter, he immediately slumped to his right side. SO3 prevented him from falling, and together with WO1, assisted him to stand before helping him sit on the floor against a wall. Paramedics arrived moments later and started their assessment. SO1 remained nearby until paramedics had completed their assessment and transferred the AP to the ambulance. Thereafter, SO1 was observed to be experiencing medical distress and was moved out of camera view for his own assessment and treatment.

Analysis

ASIRT investigates where the actions of police may have caused serious injury or death, in addition to other sensitive investigations of police officers. These are criminal investigations only.

Here, the action under investigation is the use of force of the subject officers that may have resulted in serious injury to the AP.

Section 25 Generally

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 the force used by an officer is intended or is likely to cause death or grievous bodily harm, s. 25(3) applies and 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 was clearly intended or likely to cause grievous bodily harm. The subject officer therefore must have believed on reasonable grounds that the force he used was necessary for his self-preservation or the preservation of another person under his 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 to which it responds. As noted above, where force is intended or is likely to cause death or grievous bodily harm, s. 25(3) codifies a requirement that 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.

Necessity requires that there are not reasonable alternatives to the use of force that would 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 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 as a whole 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 lawfully placed and acting in the execution of their duties when they responded to a call for service involving the AP. At the time of their attendance, they were aware that the AP was arrestable for uttering threats and possession of a weapon, and that he had previously been removed from the residence earlier that day. These circumstances provided the officers with grounds to arrest the AP. In addition, pursuant to their core duties to preserve life, maintain public safety, protect property, and preserve the peace, the officers were required and authorized by law to apprehend the AP. They were each acting on these duties throughout the incident.

The accounts provided by SO1, SO2, SO3, WO1, and WO2 corroborate each others' accounts about the sequence of events and the manner in which the incident unfolded. Their evidence is further supported by the available video recordings.

The AP's account is also largely consistent with the officers' evidence and the available video evidence with respect to the events leading up to police involvement and the general course of the interaction. The principal divergence relates to his denial that he resisted police once they entered the bathroom, and his view that the force subsequently used against him was unnecessary.

The AP acknowledged that it was possible he had inflicted the initial wound upon himself with the scissors before opening the bathroom door for police. This is consistent with WO1's observations of blood on the AP's hands and neck when the door was opened. The AP further suggested that the ensuing physical struggle inside the bathroom may have inadvertently caused the scissors to penetrate his neck further. While the precise mechanism of the AP's injury remains unclear, the available evidence does not conclusively establish how the wound was sustained or exacerbated.

It is evident that the AP remained in possession of the scissors throughout the interaction. This is demonstrated by the fact that SO1 sustained a puncture wound to his hand while struggling with the AP on the floor of the confined bathroom. SO1's evidence was that he was injured by the scissors while the AP refused to relinquish them; however, he did not describe any deliberate stabbing motion or intentional act on the part of the AP. The AP similarly denied intentionally stabbing SO1. He maintained that he was unable to present his arm because of the officers' weight and positioning during the struggle, and that he could not release the scissors because his fingers had become caught in the handles. In these circumstances, it is plausible that SO1's injury occurred inadvertently while officers attempted to gain control of the AP's arm, which remained underneath him and holding the scissors.

At the same time, it was reasonable for the officers, who were unaware of the explanation later provided by the AP, to believe that he was actively resisting arrest and intentionally refusing to present his arm or surrender the scissors. Their perception was informed by the AP's earlier conduct, including returning to a residence from which he had already been removed by police, barricading himself in a bathroom upon their arrival, refusing repeated commands, disputing that he was under arrest, and positioning a weapon against his own neck in an apparent effort to deter officers from arresting him. Viewed objectively, these actions reasonably supported the belief that the AP was continuing to actively resist police efforts to take him into custody.

The AP's words and actions throughout the incident were such that a reasonable officer would conclude he possessed an edged weapon and had the present ability and apparent willingness to use it to harm himself. His continued refusal to surrender the scissors despite repeated police commands, and his decision to keep the scissors against his neck while trying to negotiate his release, were deliberate actions that contributed significantly to the risk assessment faced by the officers.

In these circumstances, SO2 acted reasonably by deploying the CEW and continuing its deployment until the AP was brought under control and disarmed. An edged weapon presents an immediate risk of serious bodily harm. Once the AP demonstrated his intention to use the scissors as a weapon, even if ostensibly directed toward himself, SO2's duty to protect the AP, fellow officers, other occupants of the residence, and himself was engaged.

Similarly, SO1 and SO3 acted reasonably in applying physical force to take the AP to the ground and secure him in handcuffs. SO1 delivered several closed-fist strikes in an effort to gain compliance and control, while SO3 used physical restraint and body weight to gain control of the AP's arms, secure the scissors, and facilitate handcuffing.

The deployment of the CEW was necessary in the circumstances. The AP appeared highly motivated to avoid arrest, repeatedly refused lawful commands to drop the scissors, and was confronting officers within a confined space that significantly limited their tactical options and ability to disengage. In these circumstances, it was reasonable for SO2 to conclude that the AP had no intention of voluntarily complying with police directions or cooperating with his arrest.

The force used by each of the subject officers was proportionate to the threat of serious bodily harm that the AP reasonably appeared to pose to himself, the officers, and other persons present. Importantly, the application of force ceased once the scissors were secured and the AP was successfully handcuffed.

Overall, the subject officers were required or authorized by law to act that day and acted on reasonable grounds. The force used was reasonable, proportionate, and necessary. As a result, the defence provided by s. 25 of the *Criminal Code* is likely to apply to SO1, SO2, and SO3.

It is noted, however, that both WO1 and WO2 frequently used profanity while issuing directions to the AP. Although this conduct does not rise to the level of criminality and is therefore not addressed further by ASIRT, it raises legitimate concerns regarding professionalism. It was also observed that WO2 often continued issuing commands in a more forceful and confrontational tone, even when other officers were communicating with the AP in a calmer manner. In that context, the concerns expressed by a family member regarding WO2's approach to the situation, and their perception that her conduct may have contributed to escalating tensions, are understandable.

Uttering Threats

ASIRT also considered whether the comments made by SO1 during the arrest of the AP could constitute the offence of uttering threats. It is a criminal offence for a person to knowingly utter, convey, or cause another person to receive a threat to cause death or bodily harm. Whether words amount to a criminal threat must be assessed objectively and in the context in which they were spoken. The issue is whether a reasonable person, considering the surrounding circumstances, would interpret the words as a serious threat of death or bodily harm. It must also be established that the speaker intended the words to be taken seriously or to intimidate the recipient; whether the speaker intended to carry out the threat is irrelevant.

During the course of the AP's arrest, SO1 was heard stating, "You stabbed me, you motherfucker, I'll kill you! I should fucking put one in your head!" Viewed in isolation, these words are capable of conveying a threat of death or serious bodily harm. They were uttered, however, in the midst of a rapidly evolving physical struggle in which officers were trying to gain control of the AP, who remained armed with a pair of scissors and had just injured SO1. The comments were made in an emotionally charged and highly volatile context immediately following SO1's realization that he had been injured.

Objectively, the words could reasonably be perceived as threatening in nature. Further, given the authority vested in police officers, their access to lethal options, and the power imbalance inherent in an arrest situation, it is reasonable to conclude that the comments were capable of intimidating the AP and could have been understood by him as a serious threat. The circumstances therefore warrant consideration of whether the requisite elements of the offence are made out, including whether SO1 intended the comments to intimidate the AP or to be taken seriously, as opposed to being a spontaneous expression of anger, pain, or frustration uttered during a violent and rapidly unfolding confrontation.

Delayed Medical Attention

Police officers generally owe a duty of care to people in their custody. Where a person under arrest experiences medical distress while in police custody, criminal liability may arise if an officer fails to exercise reasonable care in responding to that condition. Potential offences include failing to provide the necessities of life and criminal negligence causing bodily harm or death.

Failing to provide the necessities of life looks at whether there was a marked departure from the conduct of the reasonably prudent person. Necessaries of life can include many aspects, such as medical attention. It must be objectively foreseeable that the failure to provide the necessities of life would risk danger to the life, or risk permanent endangerment to the health of the person in police custody. The standard is not one of perfection, and errors in judgment will not give rise to liability unless they reflect a marked departure from the relevant standard. Criminal negligence causing bodily harm or death applies a higher threshold and requires a marked and substantial departure from the conduct of a reasonably prudent person.

In this case, there is no evidence that the officers breached their duty of care to the AP to the requisite criminal standard.

The decision to transport the AP to the police detachment for medical assessment, rather than having EMS assess him at the scene, must be considered in light of the circumstances facing the officers at the time. Members of the AP's family remained openly hostile toward police, and the continued police presence at the residence appeared to be contributing to rising tensions. Given the proximity of the

detachment, it was reasonable for officers to conclude that a medical assessment could be conducted there in a safer and more controlled environment. There is no evidence to suggest that this decision exposed the AP to any increased risk or caused any delay that materially affected his medical condition.

Viewed objectively, and in the context of the circumstances confronting the officers, their actions reflected an effort to balance the AP's medical needs with legitimate safety concerns. The available evidence does not support a finding that their conduct constituted a marked, or marked and substantial, departure from the standard of care expected of reasonably prudent police officers.

ACPS Opinion

As a result of ASIRT's investigation, there were reasonable grounds to believe that the offence of uttering threats was committed by SO1. Accordingly, as required by the *Police Act*, this matter was referred on March 17, 2026, to the Alberta Crown Prosecution Service (ACPS) for an opinion on whether charges should be laid.

On June 2, 2026, the ACPS recommended no charges.

It is important to note that ASIRT and ACPS are bound by different standards when assessing the viability of charges arising out of an investigation. ASIRT, as the investigative body, applies a *Criminal Code* standard that determines whether reasonable grounds exist to believe that an offence has been committed. ACPS, based on its internal policy regarding criminal prosecutions, applies a standard which examines whether there is a reasonable likelihood of conviction arising out of the evidence, and whether it is in the public interest to proceed with a prosecution. As is evident in this case, the application of these two different standards to the same investigation will, in some cases, result in different conclusions regarding the same file. In this case, while ASIRT found reasonable grounds to believe an offence had been committed, for the reasons provided in its opinion, the ACPS did not recommend that charges be laid.

Conclusion

The subject officers were required or authorized by law to arrest the AP and acted reasonably in doing so. Their use of force was proportionate, necessary, and reasonable. As a result, there are no reasonable grounds to believe that an offence was committed.

In accordance with the opinion provided by ACPS, ASIRT will not lay charges against SO1 in respect of the threat uttered during the arrest.

Original Signed

Matthew Block
Executive Director

October 7, 2026

Date of Release