

ASIRT DECISION

**IN THE MATTER OF AN EDMONTON POLICE
SHOOTING ON AUGUST 14, 2024**

Acting Executive Director: Matthew Block

File No.: 2024-0046(N)

Date of Release: DATE

Introduction

On August 14, 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 a fatal Edmonton Police Service (EPS) shooting during a search warrant execution and arrest. ASIRT designated two subject officers, with notice to each. ASIRT's investigation is now complete.

ASIRT's Investigation

ASIRT's investigation was comprehensive and thorough, conducted using current investigative protocols and principles relating to major case management. Information from witness officers, the subject officers, a scene examination and importantly an audio recording of the events leading up to the shooting provided sufficient information to determine whether the force used by the subject officers during this incident was reasonable.

Circumstances Surrounding the Incident

On August 14, 2024, members of the Alberta Law Enforcement Response Teams' (ALERT) Internet Child Exploitation (ICE) unit, together with two Edmonton Police Service (EPS) patrol officers, attended the affected person's (AP) residence in Edmonton to execute a search warrant and arrest him. Officers from both the EPS and the RCMP participated in the operation.

Officers knocked on AP's door, identified themselves as police, and advised him that they had a search warrant for the premises. AP opened the door, and the officers entered, following him down the stairs to his basement suite. At the bottom of the stairs, AP was informed that he was under arrest for possession, transmission, and access of child pornography, and he was advised of his *Charter* rights.

Subject Officer #2 (SO2), the arresting officer, observed that AP had a small red folding knife attached to his belt. When SO2 told AP he would be removing the knife for safety, AP placed his right hand into his front pocket and produced a black-handled knife with the blade still folded. SO2 responded, "No, hey, hey," followed by "Woah," as AP extended the blade. AP then turned to his left and swung the knife in an upward-then-downward arc toward Witness Officer #1 (WO1) and Subject Officer #1 (SO1). SO1 fired one round from his duty firearm.

WO1 had been stabbed in the lower back, although he did not initially realize he had been injured. After AP was shot, both AP and WO1 fell onto the stairs. AP continued to hold the knife. SO1 repositioned himself and continued firing rapidly until AP stopped moving. During this time, SO2 waited for a clear line of sight and then fired one round at AP's chest.

Once the shooting stopped, SO2 began CPR on AP. Another officer later took over until EMS arrived. EMS assessed AP and pronounced him deceased.

WO1 was transported to the University of Alberta Hospital, where he was treated for a 1.5-centimetre penetrating wound just to the right of his lower spine and a 2.5-centimetre scratch-type injury along the centre of his back. A CT scan showed that the penetrating wound did not appear to have caused significant internal injury.

Witness Officer #1 (WO1)

WO1 was interviewed and provided the following information.

WO1, an officer with the ALERT ICE unit, was assisting other members of the team in carrying out a

search warrant at AP's residence. During the operation, he was dressed in blue jeans and a T-shirt, with a gun visible in its holster, a black vest marked "POLICE ALERT I.C.E. UNIT" in large reflective lettering, an EPS badge on the front of his vest, and a police radio attached.

When the officers entered the home, WO1 saw SO2 speaking with a man he believed to be AP, who appeared calm at that moment.

WO1 then moved to the bottom of the staircase and turned his back to AP while taking photographs of the residence. Moments later, he heard someone shout "stop" or a similar command. He suddenly felt a strong force from behind and fell forward to the ground. As he hit the floor, he realized that AP was on top of him. He did not see a weapon at that point but believed he was being attacked. He then heard what he thought were gunshots and saw SO2 standing nearby with his firearm drawn.

After the shooting, other officers informed him that he had been stabbed. When he got back to his feet, he saw a knife in AP's hand and recalls someone kicking the knife away, though he cannot remember who did so.

He also saw officers performing CPR on AP.

WO1 was later taken to hospital, where he was treated for a stab wound and a second injury to his back.

Witness Officer #2 (WO2)

Witness officer #2 (WO2) was interviewed and provided the following account.

He was on duty in full EPS uniform and was assisting the ALERT ICE unit in executing a search warrant. He was partnered with SO1. When they arrived, WO2 saw AP answer the door and lead the officers inside the residence and down the stairs. WO2 followed the ALERT ICE officers into the basement suite, where the officers began reading AP his rights.

WO2 noted that AP appeared very nervous; he was shaking and asked if he could use the bathroom. A short time later, WO2 heard a physical commotion, although he could not see what was happening because AP had his back toward him. He heard yelling, but could not make out the words, and he did not see any weapons at that point. He then heard several "pops," which he recognized as gunshots, estimating five or more.

WO2 also heard shots fired after AP was already on the ground. At that time, AP was still moving and still had a knife in his hand. Once the shooting stopped, WO2 saw a black-handled folding knife in AP's hand as he lay on the floor. WO2 kicked the knife away to ensure it was out of AP's reach.

The officers then checked one another for injuries and discovered that WO1 had been stabbed. WO2 noted that his partner, SO1, had been positioned to his left in the hallway throughout the incident.

Subject Officer #1 (SO1)

Subject officers, like all individuals under criminal investigation, have the same constitutional right to silence. They are not required to participate in an ASIRT interview or provide any information. In this case, however, the subject officers chose to provide their notes and reports for use in the investigation.

SO1 provided the following account to investigators.

On August 14, 2024, SO1 was in uniform and assigned to assist the ALERT ICE unit with an arrest and the execution of a search warrant. He and WO2 attended the residence with four ICE members,

consisting of both EPS and RCMP officers. The ICE members were in plain clothes but wore external body armour with ALERT/ICE patches and police badges displayed around their necks.

The residence was a basement suite accessed through a side door on the south side of the house. An ICE member knocked on the door while SO1 monitored the rear windows. AP answered the door. SO2 advised AP that they were police and were there to execute a search warrant. The officers entered and followed AP down a straight staircase leading to the basement suite.

At the bottom of the stairs was a small alcove forming a "T"-shaped hallway, with hallways extending left and right. The space was extremely confined, with all individuals within approximately three to five feet of one another. WO2 moved to the right, about six to ten feet from AP. SO2, who held the warrant, stood in the alcove with AP, only one to two feet apart. SO1 stood on the bottom step, two to three feet from AP.

SO1 noticed a red Swiss Army knife attached to AP's belt loop. He noted it as a potential weapon but believed it would take AP some time to remove and open it.

As SO2 explained the purpose of the warrant and what items were being sought, other ICE members began moving through the suite to conduct the search. SO1 repositioned himself to the left side of the alcove, remaining two to three feet from SO2 and AP. Additional officers came down the stairs, one moving left toward the living room and another remaining on the stairs, also within a few feet of AP.

SO2 informed AP that he was under arrest, read him his rights, and attempted to clarify matters when AP said he did not understand. AP asked to use the bathroom, but was told he could do so later. At this point, AP was to be handcuffed. SO2 advised that he would remove the Swiss Army knife from AP's belt for officer safety.

SO1 then saw AP reach with his right hand toward either his rear pocket or belt line and pull out an unfolded black or grey pocketknife. Initially, SO1 believed AP might be surrendering a concealed weapon, as he had previously encountered individuals who produced weapons in that manner without appreciating the danger. SO1 said, "No, no" and extended his left hand to lower the knife, which was extremely close to SO2's neck and upper body.

Suddenly, AP flipped the knife fully open, exposing a three- to four-inch blade, and gripped it tightly. SO1 believed AP intended to kill himself, SO2, and potentially anyone else in the basement in an attempt to escape.

A struggle ensued between AP and SO2. SO1 drew his firearm. AP broke free and moved toward the officer on the stairs—only two to three feet away—still holding the knife. SO1 aimed at AP's torso due to the close quarters and the presence of other officers nearby, including WO2.

AP appeared to be attacking the officer on the stairs. Due to the rapid, chaotic nature of the struggle, SO1 could not see every movement clearly, but believed the officer was at imminent risk of being killed. SO1 fired one round into AP's torso from close range, then stepped back to create distance and improve his position. The space was so confined, and the attack so sudden, that he did not have time to use his sights for the first few rounds.

Based on his training, SO1 knew that at such close range he could accurately hit AP by pointing his firearm at him. He did not use physical force or less-lethal options such as a conducted energy weapon or pepper spray, as he believed the situation involved a lethal threat. He also did not have time to issue verbal warnings, as his focus was on preventing serious harm to the officer being attacked.

SO1 continued to fire in quick succession until AP fell and no longer attempted to get up or move, and the knife was no longer in his hand. He estimated that only four to five seconds passed from the moment AP produced the knife to the moment the threat was neutralized.

SO1 radioed that shots had been fired, that AP was down, and that AP had produced a knife. He took control of the scene and directed officers to check themselves and each other for injuries. It was determined that WO1, the officer on the stairs, had been stabbed in the back and was bleeding.

SO1 requested two EMS units—one for WO1 and one for AP. Maintaining cover, he approached the knife, which was near AP's hand, and used his boot to move it safely away. He then ran to his patrol vehicle to retrieve a first aid kit for AP. When he returned, officers were already performing life-saving measures, and he assisted by preparing bandages. Afterward, an ICE member escorted him out of the residence to his patrol vehicle.

Subject Officer #2 (SO2)

SO2 provided the following information to investigators.

He had obtained a search warrant authorizing the search of the basement suite at AP's residence for the period of August 13–16, 2024. At the time, he had reasonable grounds to believe that AP had committed offences relating to the possession, access, and transmission of child pornography, and that AP was therefore subject to arrest.

On August 14, 2024, at approximately 5:50 a.m., SO2 met with uniformed patrol officers SO1 and WO1. He provided them with a copy of the warrant and outlined the plan for both the search and the arrest of AP.

At approximately 6:00 a.m., SO2 approached the residence. The basement suite was a separate unit from the upstairs portion of the home. He walked to the south door with the other members of the warrant team behind him, though he was unsure of their exact order. He had an audio recorder running throughout the execution of the warrant.

When he rang the doorbell, AP came up the stairs and opened the door. AP was described as approximately six feet tall, about 200 pounds, and wearing dark jeans and a grey T-shirt. SO2 identified himself, advised AP that the officers had a search warrant, and showed it to him. AP appeared quiet but cooperative and indicated he understood.

At 6:01 a.m., SO2 entered the residence and followed AP down the stairs. He stood with AP and a uniformed officer in a very small alcove at the bottom of the stairs—approximately one to two feet wide—with a hallway about five feet wide extending from it. AP was facing away from the officers

(Figure 1).

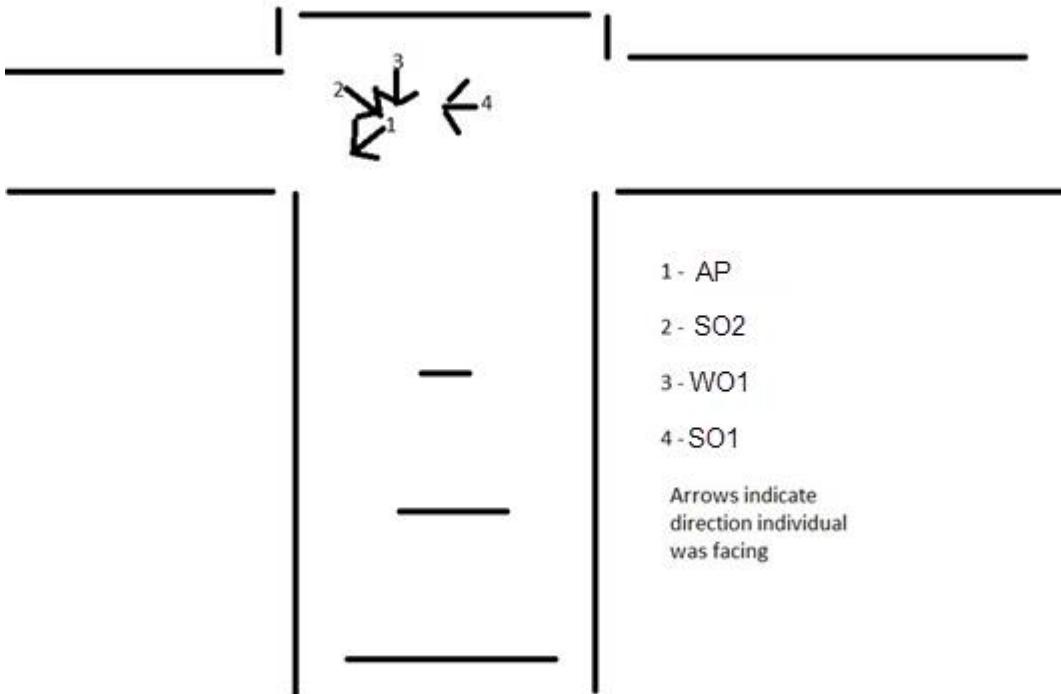


Figure 1 - Diagram drawn by SO2.

SO2 told AP that he was going to remove the red knife attached to AP's belt. As he reached out and touched the knife, AP quickly placed his right hand into his front right pocket. AP then withdrew his hand holding a black-handled knife in a closed fist. The blade was still folded.

For a brief moment, SO2 believed AP might be handing him the knife and said something like "No, no." He then saw and heard the blade snap open. The knife was approximately ten inches long, with a black handle and a silver blade. AP held it at waist level, pointed forward.

AP immediately turned to his left and swung the knife in an arc across the front of his body—slightly upward and then downward—toward WO1 and SO1.

At that point, AP became entangled with WO1 and SO1. SO2, standing to their right, heard at least two gunshots and drew his firearm. AP and WO1 fell onto the stairs and appeared to be struggling. SO2 believed WO1 had been stabbed or was about to be stabbed again. He held his firearm at a low-ready position.

When AP moved, SO2 obtained a clear view of AP's chest and fired one round, striking AP in the upper middle chest area. AP stopped moving and slumped to his left side on the bottom stairs.

SO2 did not recall seeing WO1 stand up, but WO1 was beside him shortly afterward. SO2 checked both himself and WO1 for injuries. WO1 had a one-inch vertical laceration just to the right of his spine, above the belt line, with minimal bleeding. SO2 was uninjured.

He estimated that the entire incident—from the moment AP produced the knife to the moment WO1

was standing beside him—lasted approximately three to five seconds.

SO2 then pulled AP by the left arm from the stairs onto the floor, placed him in a supine position, and checked for a pulse at the left carotid artery. Finding no pulse and no signs of breathing, he began CPR from AP's right side until relieved by another officer.

Audio Recording

As noted in SO2's account, he activated an audio recorder during the execution of the search warrant. As a result, there is an audio recording capturing the events as they unfolded. The recording reflects the following.

The recording begins with SO2 identifying himself and stating the date—August 14, 2024—in relation to the execution of a search warrant at the specified Edmonton address for a ALERT ICE file. The sounds of traffic, a radio, and spoken driving directions suggest that SO2 was en route to the residence.

The vehicle stops, followed by car doors opening and closing. A male voice states, "6 a.m. on the dot," to which another replies, "Perfect."

There is knocking and then SO2 says, "[AP's first name], it's the police. [AP's first name], it's the police. How are you doing today?" He then advises AP that the officers have a search warrant, that they will be entering the residence, and that he will explain the process.

SO2 identifies himself as a constable with the Internet Child Exploitation unit. He informs AP that he is under arrest for possession, transmission, and access of child pornography. SO2 advises AP of his rights. AP states that he understands his right to contact a lawyer but does not currently have one. SO2 tells him that officers can provide access to phone numbers. AP confirms that he wishes to speak with a lawyer. When asked if he understands his right to silence, AP initially says he does not. SO2 explains that AP does not have to say anything, but anything he does say may be used against him in court. AP then confirms his understanding.

AP asks to use the bathroom, and SO2 responds, "Yep, yep... we'll—." SO2 then says, "This is your search warrant," and explains what officers are searching for, that a copy will be left behind, and how AP can retrieve his property later.

SO2 states, "We are just going to get rid of this knife and this stuff," followed immediately by another voice saying, "No, hey, hey," and then, "Woah!"

A gunshot is heard. Sounds of a struggle follow, along with a yell and two additional shots in quick succession. After a brief pause, nine more shots are heard.

A male voice says, "fuck," followed by, "Are you stabbed?" and another voice responds, "I don't know." A voice then says, "Yeah, he pulled it out and tried to stab," and, "You got hit, buddy, but very little." Multiple voices can be heard checking whether everyone is unharmed.

Voces say, "Whoever was in the crossfire south, check," followed by, "We are checking right now," and, "We have a little stab wound here."

A request for EMS is transmitted over the radio. A male voice says, "Deep breaths, fellas."

Someone asks, "Is anyone in position to grab a first aid kit?" and another voice responds, "Yeah, guys, let's get going."

A voice then says, "Starting CPR." A male voice asks, "Does he have a breath? Does he have a pulse?" and another replies, "No, I just checked."

The audio continues for approximately two more minutes, but no further relevant information is captured.

Scene

While ASIRT investigators attended the scene, they were assisted by the EPS's Forensic Identification Services Section, which conducted the examination and photography of the shooting scene inside AP's residence.

The residence was a four-plex building with two suites on the upper level and two on the lower level. AP lived in the right-side basement suite, accessed through a separate side entrance. Inside the entrance, one set of stairs led up to the main-floor suite, which had a closed door, and another set—approximately eight steps—led down to the basement suite.

AP was found lying face-up at the bottom of the basement stairs, with his head oriented toward the kitchen and living room area and his feet toward the bedrooms and bathroom. His T-shirt had been lifted, exposing his midsection, and medical pads had been applied. He was wearing jeans with a belt and was barefoot.

An open first aid kit, with items removed, was located on the stairs.

Several shell casings were found on the floor near AP and extending toward the kitchen area. One casing was located on the stair landing near the entrance door. On the kitchen floor, near the casings, investigators found an open black "Klein Tools" knife (Figure 2).



Figure 2 - Knife located on the kitchen floor.

Additional knives were located near the bathroom, and a Swiss Army knife remained attached to AP's belt or pants.

In total, investigators recovered 12 spent cartridge casings from within the suite, consistent with the 12 gunshots heard on the audio recording.

Autopsy of AP

An autopsy of AP determined that he had been shot 12 times and died from gunshot wounds. The medical examiner found that four rounds had entered the back of AP's head, stating, "They travelled downward in a very tangential manner, which may have occurred if the decedent was crouched forward or in a similar position."

Analysis

All of the police officers present were there to assist in the execution of a search warrant for AP's residence. They were therefore lawfully placed when they were inside his residence.

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.

Proportionality requires balancing a use of force with the action to which it responds. Here, the subject officers were faced with an individual that was armed with a knife and had swung it towards WO1. There is no doubt that AP's actions were capable of causing death or grievous bodily harm to WO1 or any other officer present. As such, the subject officers shooting AP was proportionate to the threat of death or grievous bodily harm that he posed to WO1 and the other officers present, including themselves.

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.

Given the speed in which things occurred within AP's residence there was no time for use of any non-lethal use of force options. AP's swinging of the knife required the subject officers' immediate action to end the threat AP posed. Their actions were necessary.

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 was attempting to stab WO1, it was reasonable for the subject officers to shoot AP as they did.

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

Section 34

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, the subject officers were defending WO1 and all other officers in the immediate area from AP's aggressive actions with a knife. For the same reasons as stated above in relation to s.25, this s. 34 defence is also available to them.

Conclusion

Under s. 25 of the *Criminal Code*, a police officer is justified in doing what he or she is authorized to do and to use as much force as is reasonably necessary where he or she has reasonable grounds to do so. Force intended to cause death or grievous bodily harm is justified if the officer believes, on reasonable grounds, that the force was necessary to prevent the death or grievous bodily harm of the officer or any other person. The analysis under s.34 of the *Criminal Code* leads to a similar finding that subject officers' actions were lawfully permitted.

After a thorough, independent, and objective investigation into the conduct of the subject officers, it is my opinion that they were lawfully placed and acting properly in the execution of their duties. There is no evidence to support any belief that they 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.

Original Signed

Matthew Block

Acting Executive Director

January 17, 2026

Date of Release