



**IN THE MATTER OF A CALGARY POLICE SERVICE OFFICER-INVOLVED
SHOOTING ON AUGUST 18, 2024**

**DECISION OF THE EXECUTIVE DIRECTOR OF THE ALBERTA SERIOUS
INCIDENT RESPONSE TEAM**

Executive Director:

Michael Ewenson

ASIRT File Number:

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Date of Release:

October 8, 2024

Introduction

On August 18, 2024, a male entered a liquor store in the Montgomery area of Calgary. He was noted to be in possession of a hammer and took a bottle of vodka without paying. Upon leaving the store he smashed a glass door. A 911 call was made from within the liquor store and various members of the public witnessed the incident unfolding. Two uniformed members of the Calgary Police Service (CPS) attended and encountered the affected person (AP) near the location of the liquor store. Both officers had their body worn cameras operating therefore the entirety of their interaction with AP was captured. A civilian warned the officers that AP was armed with a knife. As the officers approached, they gave lawful commands to AP indicating he was under arrest for the incident at the liquor store and for him to drop the knife he was possessing. The male stood up, still in possession of the knife, and walked in what can be described as a purposeful fashion directly at the two officers. Commands from the officers continued to order the male to drop the knife but he maintained possession and closed the distance between himself and the two officers. Two other officers arrived to assist as the encounter was unfolding. One officer then discharged her firearm twice at the male with one shot hitting him in the leg. He was provided first aid from the officers and transported to hospital by Emergency Medical Services (EMS).

ASIRT's Investigation

Body worn camera (BWC) video played a significant role in this investigation. Of the four main attending officers, three were designated witness officers (WO 1-3) and provided statements. The subject officer (SO), as the subject of a criminal investigation, has the same right to silence as any person. The SO exercised that right and did not provide a statement. Additionally, ASIRT investigators interviewed AP while in hospital. AP was co-operative with the investigation and provided an account of his actions that day.

Circumstances

At 2:30 p.m. a 911 call was made stating that AP had just took a bottle of vodka from a liquor store and smashed the glass door with a hammer while leaving. The 911 operator was also told that the male was now in a nearby park.

At 2:36 p.m. two officers arrived travelling in one marked police car. They located AP immediately in the park where he was sitting down. Both officers, SO and WO1, were equipped with BWC and had activated their cameras before they had any interaction with AP. When the two officers got out of their vehicle they were warned by a nearby civilian that AP was armed with a knife. AP got up from his seated position and is noted by the officers to be in possession of the knife, which they then verbalize over their radio. SO also asks some nearby pedestrians to move away from the area. The officers approached AP and provided lawful direction to him

that he was under arrest for the previous liquor store offence and that he must drop the knife. These commands were clearly heard by AP as he spoke back to the officers and began to walk directly at them. On the BWC video a knife is clearly visible in his right hand. The area of this park is surrounded by a shopping complex on one side and a busy intersection and roadways on the other sides. WO1 recognizes the presence of vehicles and pedestrians and voices to SO 'I don't like this background' and then moves in tandem with SO to re-position themselves.

When AP begins walking towards the officers WO1 tells AP 'do not approach us'. Both WO1 and SO have their firearms drawn and in the 'low ready' position, which essentially means the weapons were pointed forward but towards the ground at a downwards angle. SO notes civilians in the area and tells WO1 'we've got people behind' as AP continues to close the distance between himself and the officers.

As the officers continue to voice to AP that he must drop the weapon AP walks directly at the officers and asks them to shoot him to which SO responds 'no'. He continues to hold the knife and close the distance between himself and the officers while both officers walk backwards in an attempt to create distance between them and AP. While this is occurring two other officers (WO 2-3) arrive on scene and begin approaching. WO1 sees the additional officers approaching and gives instructions for one of them to be prepared to use their conducted energy weapon (CEW). Just after this instruction, with the male continually getting closer to the officers SO fires two shots, once of which hits AP in the leg. AP falls to the ground and is told by the officers that he has been shot and EMS will assist. WO1 gives commands for AP to put his hands behind his back and AP complies with this direction. AP is then placed under arrest and is given medical attention by attending officers.

AP was interviewed by ASIRT investigators after he was discharged from the hospital. AP cooperated with ASIRT investigators and spoke of struggles with his mental health and addiction. He indicated that after being in the liquor store he sat down in the park and decided to wait for CPS to attend. He said he wanted to end his life and felt that if he approached the attending officers with a knife they would have to shoot him. He told ASIRT that his intention was to commit 'suicide by cop' and he was planning to keep walking at the officers until they fired their guns.



AP armed with a knife visible in his right hand. The officer discharges her weapon approximately 10 seconds later with the AP continuing to walk directly at her.



The knife AP was holding in his right hand.

Use of Force

The attending officers were clearly lawfully placed. They were in full uniform and were responding to a 911 call reporting a crime from a local business. Once they arrived at the park they identified the correct suspect and issued lawful commands. AP was told he was under arrest and also told to drop the knife numerous times. Notably AP admitted in his statement to ASIRT investigators that he was intent on forcing the officers to shoot him. While his desire to be shot does not provide an automatic defence to the officer for using her weapon, his statement corroborates the impression that the BWC video provides. AP acts in a very purposeful fashion to not only disregard lawful commands but also close the distance to the officers while he was armed with a knife.

AP was clearly armed with a weapon that was capable of being used in a lethal manner and by closing the distance between himself and the attending officers he created a situation in which SO was entitled to defend herself and her partner. That both WO1 and SO were aware of the presence of civilians and accordingly took the safety of those civilians into account while dealing with a lethal encounter deserves mention. The communication between SO and WO1, as well as the clear commands given to AP by both officers, demonstrated an intention to de-escalate the situation. Unfortunately such an intention was never going to be successful due to AP's stated goal to create a situation where the officers would have to fire upon him.

Furthermore, the failure to use non-lethal force, such as a CEW, is not problematic in this situation. While a CEW may have been successful; if unsuccessful the officers may not have had time to transition to their firearm. AP had ignored numerous commands and the distance between the officers and AP continued to shrink. AP possessed a weapon capable of causing death and SO was entitled to make a judgment call about appropriate force which included using her firearm.

Having found that SO's use of force was appropriate ASIRT has closed our investigation.

Original signed

Michael Ewenson
Executive Director

October 8, 2024

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