

# ***FINAL REPORT: IIU concludes investigation into man's death in police presence***

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On May 14, 2022, the Winnipeg Police Service (WPS) notified the Independent Investigation Unit (IIU) of an incident where a male died in police presence at an apartment located on Carriage Road.

The written notification disclosed the following information (edited for clarity):

*“On Saturday, May 14th, 2022, at approximately 5:24 a.m., West District General Patrol officers were dispatched to a suite on Carriage Road in response to a report of a domestic dispute in progress. Female complainant reported an argument with her 39-year-old boyfriend, who had armed himself with an “Exacto” knife and was attempting to cut his own throat. Caller advised both parties had ingested cocaine and methamphetamine. She also advised there were two children sleeping in the residence, ages 4 and 10 years.*

*Winnipeg Fire and Paramedic Services (WFPS) personnel were also dispatched but had staged awaiting police attendance due to the indication of a weapon involved.*

*Prior to arrival, the female caller indicated that the male in question was violent and armed with an “Exacto” knife as well as a butcher knife.*

*Uniformed officers attended the scene and met with the male (later identified as the affected person (AP)), who was holding an “Exacto” knife to his own throat. The officers attempted to deescalate the situation by undertaking negotiation efforts. The male then used the knife to inflict a severe injury to his throat, at which point attending officers attempted to restrain the male to prevent further injury. During this use of force encounter, a Taser was deployed.*

*Once officers were able to gain control of the male, emergency first aid efforts were initiated. WFPS personnel also attended to assist officers with first aid measures.*

*The male was subsequently conveyed to Health Science Centre (HSC) in critical condition, where he was pronounced deceased at 6:10 a.m.”*

As this matter concerned the death of a person that may have resulted from the actions of a police officer(s), IIU assumed responsibility for this mandatory investigation in accordance with section 65(4) of The Police Services Act (PSA). IIU Investigators were assigned to this investigation.

Among the agency information obtained by IIU Investigators included:

- call history;
- 911 telephone call history and audio;
- audio of WPS radio transmissions;

- WPS officers' notes and narratives;
- Forensic Identification Service reports;
- photographs of scene and exhibits;
- conductive energy weapon (CEW) download reports;
- pathology and toxicology reports concerning affected person (AP)

Due to the dearth of information at the outset of this investigation as to the level of involvement by any WPS officer, the civilian director deferred a decision to designate any of them as a subject officer. The civilian director designate three WPS officers as witness officers (WO1 - 3). IIU Investigators met with and interviewed a civilian witnesses (CW). IIU Investigators consulted with the provincial Chief Medical Examiner (CME) to obtain medical opinions relative to this matter.

### **Facts and Circumstances**

At 5:23 a.m. on May 14, 2022, a 12 minute and 18 second telephone call was made to the WPS 911 operators. The caller reported that AP was in possession of an Exacto knife and was threatening to cut his own neck. The caller reported that AP had consumed several illicit drugs, including methamphetamine and cocaine. During this call, the caller then reported that AP was also in possession of a butcher knife and that he was now holding both knives against his own neck. Two WPS officers were immediately dispatched to the apartment on Carriage Road where AP was located. The WPS officers were able to gain entry to the apartment, met with the caller and made their way upstairs to a bedroom. Based on the information received, one of the WPS officers armed himself with a CEW primarily as it was reported that AP was in possession of knives. When the WPS officers reached the threshold of the bedroom, AP was observed standing on a bed and facing the door. AP was holding a large knife, gripped with both hands and held against his own throat. WPS officers attempted to speak to AP, to calm him down and have him drop the knife but without success. AP began to violently and rapidly slice at his own throat. The WPS officer armed with a CEW, immediately deployed it twice in an attempt to incapacitate AP and stop him from further harming himself. The CEW was deployed at AP twice allowing WPS officers to gain control of AP. Two other WPS officers arrived at the apartment and made their way to the bedroom to lend assistance. AP was disarmed and WPS officers provided first aid to AP until WFPS personnel arrived. AP had sustained a massive and catastrophic injury to his neck and suffered significant blood loss as a result. AP was transferred to an ambulance and transported to HSC where he was pronounce deceased.

Both an Exacto knife and butcher knife were located in the bedroom and seized. The Exacto knife, measuring 13 cm. in length, was found with a blood like substance apparent. The butcher knife, with a blade measuring 21 cm. in length, was found with a blood like substance apparent.

A preliminary pathology report confirmed that AP sustained a large laceration injury to the left side of his neck. The preliminary cause of death was indicated as "*multiple incised wounds to the neck*". To date, IIU Investigators have not received a final autopsy report. The CME was consulted by IIU Investigators. The CME stated that AP had sustained and died from fatal sharp force injuries of the neck. The CME further advised that the deployments of CEW had nothing to do with either causing or contributing to AP's death. The CME further advised that in his opinion no police action or inaction contributed in any degree to causing AP's death.

According to the toxicology report, AP was found to have ingested substantial quantities of illicit drugs including methamphetamine and cocaine.

Records of the CEW that was deployed were downloaded, examined and analyzed by IIU Investigators. Two CEW deployments were identified. The first deployment was ineffective and the second deployment was successful achieving neuromuscular incapacitation (NMI).

### **Conclusion**

The circumstances of this incident represents another tragic example of the negative and life altering effects of illicit drugs, particularly the scourge of methamphetamine use, in society. AP was suffering significant mental distress when police were called. AP was bent on causing self-harm. AP was suicidal and was armed with knives that could be used to achieve that result. The police response and attempts to communicate and gain surrender were met with non-compliance. The options available to police in these circumstances were not many. A CEW deployment was used to incapacitate AP but was insufficient as AP had caused a catastrophic and ultimately fatal injury to himself.

Based on the circumstances and in consideration of the medical opinions provide, there is nothing to support a finding that there is any level of contribution by any police officer to the cause of AP's death, either by action or inaction. There are no grounds in this matter that would justify the designation of any of police officer as a subject officer.

As a result, there is no further requirement or need by IIU to continue with this investigation into this tragic matter.

Accordingly, this matter is now closed.

### **Final report prepared by:**

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November 29, 2022

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