



**IN THE MATTER OF AN INVESTIGATION INTO AN OFFICER-INVOLVED  
SHOOTING BY PORTAGE LA PRAIRIE RCMP**

**FINAL REPORT OF THE CIVILIAN DIRECTOR**  
**OF THE INDEPENDENT INVESTIGATION UNIT**

|                           |                |
|---------------------------|----------------|
| Acting Civilian Director: | Bruce M.Sychuk |
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## **Introduction**

On June 15, 2022, the Royal Canadian Mounted Police (RCMP) notified the Independent Investigation Unit of Manitoba (IIU) of an incident.

The written notification disclosed the following information:

Excerpt from Part 7 Notification received on June 15, 2023:

*On June 15, 2022, a call was made to the RCMP to report people in a Toyota truck breaking into a business located in the rural municipality of Portage la Prairie, Manitoba. SO was dispatched to the area. RCMP telecoms reported that the suspect vehicle was already involved with a theft of ATV in Headingly, Manitoba. It was observed on a live-feed by the security company that the suspect vehicle was actively stealing at least one ATV from the business.*

*SO was in the area and believed that he spotted the suspect vehicle that was travelling at a high rate of speed around the area of the Highway 240 on Highway 1. SO drove his police car behind the suspect vehicle in an attempt to get the plate number. The suspect vehicle slammed on the breaks and SO swerved to avoid hitting the suspect vehicle. The suspect then rammed the side of SO's police vehicle. SO's vehicle got pinned between the suspect's truck and trailer.*

*SO got out of his police vehicle when the suspect vehicle started to mobilize and then swerved towards SO who discharged 3 rounds from his RCMP service pistol towards the suspect vehicle. WO1 picked up SO at the scene and engaged in a pursuit with the suspect vehicle.*

*The suspect vehicle continued on Highway 1. Several members were in the area to set up spike-belts. A spike belt was set up by CW2 which was successful and resulted in the suspect's tires being damaged and the vehicle eventually coming to a stop.*

*Only one person was located in the vehicle who was identified as AP. AP was taken into custody and informed members that he was shot in the buttocks. An ambulance was called for AP where he was transported to the hospital with a perforated rectum.*

As this matter concerned injuries during an arrest, the IIU assumed responsibility for this investigation in accordance with Sec. 65(4) of The Police Services Act. IIU investigators were assigned to this investigation.

IIU investigators obtained the following information from the RCMP, among other items:

- notes, narratives and reports of officers
- audio transmissions
- watch guard video
- surveillance
- collision reconstruction report
- cell phone extractions

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- use of force report
- photos
- medical reports

The civilian director designated one subject officer (SO) and nine witness officers (WO1 to WO9). IIU investigators also received information from two civilian witnesses (CW1 to CW2) and the affected person (AP). It should be noted that there was a further civilian witness that was unwilling or unable to participate despite repeated requests from IIU investigators.

## **Facts and Circumstances**

### **Scene Examination**

IIU investigators attended the scene of the shooting along with the scene of the arrest. The investigators canvassed both areas for civilian witnesses and surveillance video. Investigators were also able to view AP's vehicle at the compound while further forensics were underway.

### **Interviews**

#### **Affected Person**

AP was interviewed by IIU investigators on two occasions, along with a voluntary interview with the RCMP between June 15 and Nov. 25, 2022. AP provided the following information:

#### **First Statement to IIU**

AP confirmed that police were trying to pull him over in the early morning hours. AP stated that the police officer was trying to force him off the road, but AP had the bigger truck, so he was able to stay on the road. AP stated that he did not know why the police vehicle was trying to pull him over.

AP confirmed that the police vehicle activated its lights and that he got scared and tried to flee. AP stated that both vehicles were traveling at approximately 60 kilometres per hour (km/h) when the police vehicle tried to push him off the road. AP confirmed that he resisted being pushed off the road, which resulted in the vehicles coming to a dead stop. AP stated that he backed his vehicle up in an attempt to get away when the officer got out of his vehicle and started shooting.

AP stated that the officer was out of his vehicle when he tried to get away. AP stated that he was halfway past the officer when he was shot at. According to AP, his vehicle was already past the officer, so there was no reason to shoot at his vehicle. AP stated that three rounds were fired at him and that one round hit him in his buttock.

AP acknowledged that the officer's vehicle was a marked RCMP vehicle and that the officers were in uniform. AP confirmed that after he was shot, he attempted to flee, but he was arrested shortly after in Portage La Prairie. AP confirmed that he did use his phone to contact his wife before he was arrested. AP stated that he was pulled out of the shot-out driver's window by police as the door would not open because of the previous collisions. AP confirmed that after he was arrested, he was taken to hospital.

### Second Statement to RCMP

AP confirmed that he wanted to make some money because he was currently unemployed. AP stated that the first time he saw the police vehicle was when he started driving towards Portage La Prairie. AP stated that the police vehicle was driving “crazily.”

AP confirmed that his truck could only go 60 km/h because the turbo was not working. AP stated that the police vehicle banged into his vehicle several times, trying to push him off the road. AP confirmed that he pushed back against the police vehicle in an effort to stay on the road. AP stated that the police vehicle got hung up on his truck, so he stopped and attempted to reverse in and flee. AP stated that while he was backing up, he jack knifed the trailer attached to his vehicle. AP then went forward away from where the police vehicle was stopped again in an effort to flee.

AP stated that the officer was firing at him after the vehicle was already past where the officer was standing. AP heard two pops and then two dings inside his truck. AP felt that one of the shots hit him. AP believed that the officer fired 3 shots at him.

AP stated that the vehicle could only go 30 km/h after the collision as he attempted to flee. AP confirmed that he was arrested in Portage La Prairie and pulled out of the driver’s window to be handcuffed. Officers asked him if he was hurt, and AP confirmed he had been shot.

AP was adamant that there was no way the officer could have felt threatened by his vehicle while he was fleeing, because he was already past the officer when he was shot at. AP was confident that the angle of the bullet holes would confirm that he was shot after his vehicle had passed the officer.

### Third Statement to IIU

After reviewing further evidence, IIU investigators went to meet with AP a second time to seek further clarification. AP confirmed the following:

1. AP’s vehicle was in the right-hand lane when he attempted to flee.
2. His vehicle was at least ten feet away from the officer standing outside his vehicle when he was shot at.
3. AP believed that the officer was trying to kill him.

### **Civilian Witnesses**

#### Civilian Witness 1 (CW1)

CW1 was interviewed by IIU investigators on June 17, 2022, and provided the following information:

CW1 confirmed that she heard loud crashing and screeching while she was in bed. CW1 commented that it “was the loudest screeching in the world.” CW1 went outside her residence and saw two larger vehicles go by, with one of them having red and blue police lights. CW1 confirmed that the vehicle had not activated its siren. CW1 confirmed that the two vehicles passed her residence, and shortly after, she heard four gunshots. CW1 stated that she “heard bang, bang, then two seconds later, bang, bang.” CW1 confirmed that she did not see anyone shooting and that she only heard the sounds of gunshots.

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Civilian Witness 2 (CW2)

CW2 was interviewed by IIU investigators on June 17, 2022, and provided the following information:

CW2 was located at the scene of the arrest and observed two RCMP police vehicles with lights and sirens activated, while driving east in Portage La Prairie. CW2 went back to performing his duties in the store, and approximately ten minutes later, he saw six police vehicles and a truck in the parking lot. CW2 observed officers placing police tape around the scene, but he did not hear anything as he was in the store the entire time.

**Witness Officers**

Witness Officer 1 (WO1)

WO1 was interviewed by IIU investigators on Sept. 20, 2022, and provided the following information:

WO1 advised that he was dispatched to assist with a theft that the company was able to watch in real time. SO and WO1 went to the scene of the theft and the individuals were already gone. WO1 went after the suspect's vehicle with the goal of placing down a spike strip.

SO was able to locate the suspect's vehicle and transmitted that the vehicle had hit him and then was ramming him. WO1 then heard over the radio shortly after from SO that shots had been fired and his vehicle had been disabled.

WO1 immediately went to the scene of the collision and saw that SO's vehicle was completely destroyed and that SO appeared to be in shock. SO got into WO1's vehicle and they chased after the suspect's vehicle. WO1 was able to catch up to the suspect vehicle and called in the pursuit over the radio. WO1 noted the suspect vehicle to be all over the road going very slowly.

WO1 confirmed with WO2 that a spike strip had been set down and the suspect vehicle went over the strip which resulted in the vehicle coming to a stop shortly thereafter. WO1 left his vehicle and participated in a high risk take down of AP. WO1 noticed that AP was pointing his cell phone at him just prior to pulling AP out the driver's window. AP told WO1 that he had been 'shot in the ass' once he was removed from the vehicle.

WO1 confirmed that he had instructed SO to do a tactical re-load of his weapon while they were in pursuit of AP. SO stated to WO1 that he did not want to die and he felt the other vehicle was going to kill him. WO1 noted AP to be in a daze while they were in the vehicle in pursuit of AP. SO told WO1 that he had fired his pistol three times, but he wasn't sure. SO believed the shots hit the driver's side door with one of the shots, taking out the driver's side window. SO confirmed that he did not see AP with a weapon. WO1 did not see any injuries to SO.

Witness Officer 2 (WO2)

WO2 was interviewed by IIU investigators on Aug. 17, 2022, and provided the following information:

WO2 was informed by dispatch that there was a motor vehicle collision involving RCMP officers and that shots had been fired. WO2 was able to reach SO and WO1, who informed him that SO had been hit and that shots had been fired. WO2 told WO3 about the situation and went to the scene of the incident to put down a spike belt.

WO2 confirmed that the suspect's vehicle drove over the spike belt and he saw SO and WO1 pursuing the vehicle. WO2 followed behind in his vehicle and assisted in arresting AP. WO2 assisted in pulling AP out of the driver's side window and placed him under arrest.

WO2 rode in the ambulance with AP. AP told WO2 that he was homeless and was just trying to make a living. WO2 stayed with AP until he was relieved by WO5. WO2 did not speak with SO about the incident.

Witness Officer 3 (WO3)

WO3 was interviewed by IIU investigators on Aug. 17, 2022, and provided the following information:

WO3 confirmed that WO2 informed him about the officer-involved shooting. WO3 was informed that AP was in custody and suffered a single gun shot wound to the buttock. WO3 went immediately to the detachment, where he observed SO on the phone with his union representative. WO3 directed SO to complete his notes in relation to the incident and informed WO4 about the incident to confirm next steps.

WO3 spoke with SO at the detachment about the incident. He was informed SO was rammed by AP's vehicle and that AP was trying to force SO off the road into a ditch. SO stated that the vehicles got hung up with each other, forcing them to stop, at which point SO jumped out of his vehicle. SO then stated that AP tried to run at him with the vehicle. SO feared for his life and fired shots at the vehicle. WO3 confirmed that he was not present to witness anything in-person.

Witness Officer 4 (WO4)

WO4 was interviewed by IIU investigators on Sept. 20, 2022, and provided the following information:

WO4 confirmed that he received a call from WO3 and was given the background information about the police shooting. WO4 immediately went to the detachment to ensure the officers' well-being. WO4 then filled out the relevant paperwork.

Witness Officer 5 (WO5)

WO5 was interviewed by IIU investigators on Aug. 17, 2022, and provided the following information:

WO5 was working in another area when he heard a call about a break and enter at a local business. WO5 heard that SO and WO1 were in the process of looking into it when he heard SO radio that the suspect's vehicle rammed him and was trying to push him in the ditch. Shortly after, WO5 heard SO radio that shots were fired. WO5 immediately went to the area for back up.

WO5 recalled hearing that WO1 had picked up SO from the scene and they were pursuing the suspect's vehicle. WO5 then heard WO2 state that he had put down the spike strip ahead of the suspect's vehicle.

WO5 arrived on-scene after the suspect's vehicle had come to a stop. WO5 assisted helped WO2 pull AP out of the driver's window because the door would not open. AP confirmed that he was injured after he was arrested.

WO5 taped off the scene and waited to be relieved after AP left in the ambulance.

Witness Officer 6 (WO6)

WO6 was interviewed by IIU investigators on Aug. 17, 2022, and provided the following information:

WO6 was contacted by WO2 requesting that he come into work, because SO had been involved in a shooting. WO6 went to the scene of the arrest where AP was already in custody. WO6 remained at the scene and taped it off until he was relieved.

WO6 saw bullet holes in AP's vehicle and that the driver's window was completely broken.

Witness Officer 7 (WO7)

WO7 was interviewed by IIU investigators on Sept. 20, 2022, and provided the following information:

WO7 was originally directed to assist SO and WO1 with the break in and see if his service dog could pick up the scent of the suspects. WO7 then heard the radio call related to the shots fired and went to assist with pursuing the suspect. WO7 arrived on-scene after AP had been arrested and taken to the hospital.

WO7 confirmed that he did not have any communication with SO.

Witness Officer 8 (WO8)

WO8 was interviewed by IIU investigators on April 12, 2023, and provided the following information:

WO8 heard the assistance call from the RCMP related to shots being fired. WO8 and WO9 went to assist and arrived after AP had already been arrested. WO8 recalled that AP called his wife while he was in the process of being arrested.

### Witness Officer 9 (WO9)

WO9 was interviewed by IIU investigators on April 13, 2023, and provided the following information:

WO9 confirmed that there was a call for assistance related to a theft and an officer-involved shooting. WO9 confirmed that he was on the scene after AP had been arrested. WO9 saw AP on his cell phone just before he was taken into custody. WO9 recalled that AP's lower half was injured and that he was taken for treatment in an ambulance.

### **Subject Officer**

In accordance with his rights, SO declined to be interviewed by IIU investigators. SO provided a copy of his notes and the use of force report, which contained the following information:

SO confirmed that he received a call from dispatch about a break and enter at a local business. SO attempted to intercept the suspect's vehicle and was able to locate it turning onto highway one. While trying to confirm the license plate, SO pulled in behind the vehicle, at which point the driver hit the brakes. SO avoided the crash and pulled up to the driver's side door of the suspect's vehicle. At this point, the vehicle began to slam into SO's passenger's door, trying to force the vehicle into the ditch on the left side of the highway. SO turned his vehicle hard to the right to stay out of the ditch. AP's vehicle then slammed SO's vehicle with even more force, causing the vehicle to slide onto the shoulder and touch the grass near the ditch.

As AP's vehicle again hit SO's vehicle for a second time, the vehicles got jammed into each other, causing them to stop on the highway. SO stepped out of his vehicle and thought that AP pointed something at him. At this point, SO drew his weapon, while AP tried to slightly reverse, causing the vehicles to separate. SO stated that the vehicle then accelerated hard towards him. SO attempted to back up, but couldn't because of the police vehicle behind him. SO fired his gun because he feared for his safety. SO stated that the vehicle just missed his leg as AP fled the area.

SO confirmed that WO1 arrived shortly after, and they continued pursuing AP's vehicle. SO also confirmed that WO2 successfully deployed a spike strip, causing AP's vehicle to stop shortly afterwards. SO confirmed that WO1 and WO2 arrested AP and taken in an ambulance to the hospital.

SO confirmed that he went back to the detachment to comply with protocol.

### **Other evidence**

#### Use of force report

The report provided the following information:

1. SO attempted to stop AP's vehicle and was closing the distance when AP hit the brakes.
2. SO swerved to the driver's side when AP's vehicle began to ram SO's police vehicle.
3. SO fought to stay on the road, causing the vehicles to get pinned together and stop.
4. SO exited to arrest AP when AP's vehicle became unpinned and then steered toward SO.
5. SO feared for his life and fired shots at AP's vehicle, resulting in an injury to AP's buttocks.

### Radio transmissions

IIU investigators reviewed the radio transmissions and confirmed the following interactions:

1. SO can be heard updating the whereabouts of the suspect's vehicle as he is attempting to close in the distance between the two of them.
2. At one point, SO comments "bailing" – it is suspected that another suspect in the break and enter exited the vehicle.
3. SO then comments, "he just hit me." The operator asks if SO is okay, and he confirms that he is.
4. A few seconds later, SO states, "my vehicle ... he's pushing me in the ditch."
5. The next transmission is, "shots fired."
6. The operator and WO1 acknowledge his comments, while SO provides an update on his whereabouts.
7. SO comments that "his vehicle is totalled."
8. WO1 then comments that "SO is with me – his car is totalled."
9. WO2 follows with a comment that AP's vehicle has gone over the spike strip.

Transmissions continue up to the point of AP's arrest.

### Watchguard video

Unfortunately, the memory on SO's vehicle was full and had not been recently cleared to allow this incident to be recorded.

### Collision Report

IIU investigators were provided with an expert report, which concluded that it was AP's vehicle that was driving into SO's vehicle.

### Forensic and Ballistic reports

IIU investigators were given a forensic report from the RCMP and retained an expert for the purposes of a ballistic report. The reports concluded that SO would have been positioned in front of his police vehicle when the shots were fired. Further, the reports concluded that the bullets entered AP's vehicle at a 45-degree angle, suggesting that AP's vehicle had already passed SO when the shots were fired.

### Video footage

IIU investigators received video surveillance from multiple locations. Unfortunately, none of the surveillance was able to record the collision between AP and SO's vehicle. Overall, the video footage confirmed the following:

1. There was a break in at the local business that initiated police involvement. There appears to be two suspects at the location.
2. There was a slow pursuit of AP's vehicle, with police behind AP's vehicle and lights activated.
3. Footage caught AP's arrest once the vehicle had stopped because of the spike strip. All police vehicles had their lights activated during the arrest.

## **Applicable Law**

All relevant sections of the Criminal Code of Canada were considered with respect to this incident. Secs. 25(1), 25(3) and 25(4) of the Criminal Code of Canada have been emphasized here for consideration:

**25 (1)** *Every one who is required or authorized by law to do anything in the administration or enforcement of the law*

- (a) as a private person,*
- (b) as a peace officer or public officer,*
- (c) in aid of a peace officer or public officer, or*
- (d) by virtue of his office,*

*is, if he acts on reasonable grounds, justified in doing what he is required or authorized to do and in using as much force as is necessary for that purpose.*

**(3)** *Subject to subsections (4) and (5), a person is not justified for the purposes of subsection (1) in using force that is intended or is likely to cause death or grievous bodily harm unless the person believes on reasonable grounds that it is necessary for the self-preservation of the person or the preservation of any one under that person's protection from death or grievous bodily harm.*

**(4)** *A peace officer, and every person lawfully assisting the peace officer, is justified in using force that is intended or is likely to cause death or grievous bodily harm to a person to be arrested, if*

- (a) the peace officer is proceeding lawfully to arrest, with or without warrant, the person to be arrested;*
- (b) the offence for which the person is to be arrested is one for which that person may be arrested without warrant;*
- (c) the person to be arrested takes flight to avoid arrest;*
- (d) the peace officer or other person using the force believes on reasonable grounds that the force is necessary for the purpose of protecting the peace officer, the person lawfully assisting the peace officer or any other person from imminent or future death or grievous bodily harm; and*
- (e) the flight cannot be prevented by reasonable means in a less violent manner.*

### **Crown Opinion**

On May 15, 2023, the IIU investigative file was sent to Manitoba Prosecution Service to review the matter and determine whether any Criminal Code offences should be authorized against the subject officer.

On May 28, 2025, a crown opinion was provided to the IIU, advising that the Crown is not recommending charges against the subject officer. Manitoba Prosecution Service said the following:

*Manitoba Prosecution Service (MPS) has reviewed the IIU investigation of an officer-involved shooting on June 15, 2022. Following a review and consideration of the available evidence, including witness statements, forensic examinations and subject matter expert reports, the Crown is well satisfied that there is no reasonable likelihood of conviction with respect to potential charges and no charge is authorized. Although it is often in the public interest to hold police officers accountable for criminal wrongdoing, we are always mindful of our charge authorization standards and find that they have not otherwise been met in the present case.*

### **Conclusion**

Given that the Manitoba Prosecution Service's opinion is that the standard for prosecuting charges has not been met, the civilian director will not be authorizing charges. Therefore, no charges are recommended and the IIU investigation is now completed and closed.