



**IN THE MATTER OF AN INVESTIGATION INTO THE DEATH OF AN ADULT
MALE FOLLOWING AN OFFICER-INVOLVED SHOOTING IN SHAMATTAWA**

FINAL REPORT OF THE CIVILIAN DIRECTOR
OF THE INDEPENDENT INVESTIGATION UNIT

Acting Civilian Director:	Bruce. M Sychuk
IIU File Number:	2022-0033
Date of Release:	January 21, 2025

Introduction

On July 2, 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 the Part 7 notification received from the RCMP on July 2, 2022:

On Saturday, July 2, 2022, at approximately, 13:00 hrs, the Shamattawa RCMP were dispatched to a 22 year old male, AP, walking within the community with a shotgun. At the time of the report, the AP was allegedly intoxicated and had shot at the ceiling inside of a residence. Members conducted patrols within the community, heard shots fired and moved towards the location. The AP was found outside of a residence. Shots were fired by the AP and RCMP responded with shots, striking the male. No police officers or members of the public were physically injured during this incident. AP was conscious and breathing and was transported to the Shamattawa Nursing Station with serious injuries. AP was transported by life flight to the Winnipeg Health Science Centre, Winnipeg, MB., for further treatment. July 5, 2022 AP was declared deceased.

As this matter concerned the death of a person that may have resulted from the actions of a police officer(s), 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:

- officer notes, narratives and summaries
- police phone and radio audio
- scene and injury photos
- seized exhibits

The civilian director designated the two RCMP officers who discharged their firearms as subject officers (SO1 and SO2). The civilian director designated three RCMP officers as witness officers (WO1 to WO3). IIU investigators met with and interviewed 17 civilian witnesses (CW1 to CW17).

Facts and Circumstances

Scene Examination

On July 3, 2022, IIU investigators attended the scene located on Shamattawa First Nation. The investigators met with RCMP forensic identification services (FIS) personnel, who explained that children had taken brass casings from the scene. FIS brought the investigators through the scene. The investigators noted the following:

- a 5.56-millimetre brass casing in a puddle in the driveway located on Riverside Road
- a right foot Croc shoe
- a blood-stained left foot Croc shoe near the truck

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- two shotgun shells with brass base and black hull (one shotgun shell was spent, while the other was live)
- a black hat with blood stains
- a blue Ford F-150 truck with a blood stain in the cargo bed and a hole in the right quarter panel
- a red stain by a wood pile

Canvass

Investigators conducted a canvass in the area surrounding the officer-involved shooting (OIS). Of note, all the residences attended by investigators were within the proximity of the OIS. Investigators conducted canvass tasks and witness interviews simultaneously.

Summary of Interviews

Civilian Witnesses

Civilian Witness 1 (CW1)

CW1 was interviewed by IIU investigators and provided the following information:

CW1 noted that she observed officers moving towards a neighbour's residence. She heard the gunshots but did not see the incident. She went to the residence afterwards.

Civilian Witness 2 (CW2)

CW2 was interviewed by IIU investigators and provided the following information:

CW2 had seen AP earlier in the day and observed AP with a shotgun. CW2 had told AP to get rid of the shotgun as he was aware that someone had called police on AP.

CW2 heard gunshots and went to the scene to see what was occurring. CW2 noted AP was on the ground and he tried to go towards AP. A police officer did not allow CW2 to go to him. Once AP was on his way to the nursing station, CW2 went to advise other members of the community what had occurred.

Civilian Witness 3 (CW3)

CW3 was interviewed by IIU investigators and provided the following information:

CW3 advised that he saw AP run past him with a fishing rod in hand. CW3 followed where AP was heading and heard gunshots. CW3 observed AP falling to the ground and uniformed officers pointing their weapons towards AP. CW3 and CW2 tried to go towards AP after he was on the ground but were not allowed by a police officer.

CW3 acknowledged that he had been drinking prior to the incident and that his recollection of the event was limited as a result.

Civilian Witness 4 (CW4)

CW4 was interviewed by IIU investigators and provided the following information:

CW4 stated AP had been by the house earlier in the day. CW4 was outside and noticed two RCMP vehicles in the area. The officers were speaking with some children. CW4 noticed AP began to run. CW4 did not see a weapon on AP when he was running but did see something black.

CW4 went back inside the residence when she heard one shot and then she heard the sounds of police using their automatic weapons. After the weapons were fired, CW4 heard people crying and screaming; however, she remained at her residence.

Civilian Witness 5 (CW5)

CW5 was interviewed by IIU investigators and provided the following information:

CW5 observed two RCMP officers with guns going after AP. CW5 heard police talking about AP's location and shortly after he heard gunshots. CW5 did not have any further involvement.

Civilian Witness 6 (CW6)

CW6 was interviewed by IIU investigators and provided the following information:

CW6 was in the company of CW5 and provided the same information as CW5.

Civilian Witness 7 (CW7)

CW7 was interviewed by IIU investigators and provided the following information:

CW7 stated that AP had come to his residence earlier on with a shotgun. AP appeared intoxicated and agitated; he was looking for someone at CW7's residence, but did not find them. CW7 contacted RCMP once AP left.

Later, CW7 observed AP in the community still with a shotgun on his shoulder. CW7 observed AP run towards a couple of residences in the area and, shortly thereafter, heard a gunshot.

Civilian Witness 8 (CW8)

CW8 was interviewed by IIU investigators and provided the following information:

CW8 had been with AP earlier on in the day. CW8 heard someone yell that AP had a shotgun with him so CW8 told AP to put the gun away for awhile. CW8 stated AP hid the gun somewhere near CW8's residence.

CW8 entered his residence so he could retrieve car keys. CW8 intended to take AP out of the community in the vehicle. While inside, CW8 heard a gunshot and asked AP if that was from his gun. AP denied that he shot his gun.

CW8 went outside and heard more gunshots at which point he observed AP on the ground with his shotgun removed from his possession. CW8 assisted the officers in taking AP to the nursing station.

Civilian Witness 9 (CW9)

CW9 was interviewed by IIU investigators and provided the following information:

CW9 had observed AP earlier on in the day attend to a community residence. When AP was leaving the residence, she noted AP was carrying a shotgun. CW9 recalled police arriving shortly thereafter and directing individuals to stay in their residence while they were searching the area for AP. CW9 then heard gunshots while remaining in her residence.

CW9 went to the area she heard the shots coming from and witnessed an officer performing CPR on AP while he was being driven towards the nursing station.

Civilian Witness 10 (CW10)

CW10 was interviewed by IIU investigators and provided the following information:

CW10 stated that she saw AP run by the residence with a fishing rod. Shortly after AP ran by, she heard gunshots while she was in her residence. CW10 went to the scene and observed officers holding guns with AP on the ground.

CW10 observed individuals move towards AP but they were instructed to stay away by RCMP. CW10 confirmed that officers were performing CPR on AP while he was being taken to the nursing station.

Civilian Witness 11 (CW11)

CW11 was interviewed by IIU investigators and provided the following information:

CW11 observed AP earlier in the day in the community with a backpack, fishing rod and shotgun. Roughly half an hour later, CW11 heard gunshots.

Civilian Witness 12 (CW12)

CW12 was interviewed by IIU investigators and provided the following information:

CW12 stated that he was walking on the road to another residence when the RCMP officers stopped him and asked if CW12 had seen AP. Moments later, CW12 saw AP with a fishing rod walking towards the convenience store.

CW12 was not entirely clear on his evidence in relation to the actual shooting incident and provided conflicting versions of his observations.

Civilian Witness 13 (CW13)

CW13 was interviewed by IIU investigators and provided the following information:

CW13 observed the aftermath of the shooting. CW13 stated that family members of AP were trying to get close to AP, but were being directed to stay away by the officers.

Civilian Witness 14 (CW14)

CW14 was interviewed by IIU investigators and provided the following information:

CW14 was awakened by the noise of gunshots and screaming coming from a nearby residence. CW14 went to the scene and observed an officer providing medical attention to AP. CW14 stated there was a lot of blood near AP, along with a shotgun. CW14 observed AP taken in the back of a truck towards the nursing station.

Civilian Witness 15 (CW15)

CW15 was not present during the incident and could only provide some background information to the investigators.

Civilian Witnesses 16 and 17 (CW16 and CW17)

CW16 and CW17 assisted AP at the nursing station until the Lifeflight could attend. Neither were present at the incident.

Witness Officers

Witness Officer 1 (WO1)

WO1 was interviewed and provided the following information:

WO1 was directed to assist SO1 and SO2. WO1 was informed that AP was at a residence in the community and had fired a shotgun into the residence.

WO1 and WO2 went to search for AP in the ravine area. SO1 updated WO1 that AP was seen near a residence in the community. While WO1 started to move towards the residence, he heard a shotgun blast. SO1 confirmed that a shotgun had been fired, but it was not by SO1 or SO2.

WO1 started to run towards where the shotgun blast had been heard and then heard more shots fired. SO1 advised over the radio that shots had been fired.

WO1 came upon SO1 and SO2 standing near AP with their guns in the low ready position. AP was on the ground with bloody patches on his body but was breathing.

WO1 took AP's shotgun and removed the unspent shell from the gun.

WO1 provided medical assistance to AP while receiving medical care.

Witness Officer 2 (WO2)

WO2 was interviewed and provided the following information:

WO2 was partnered with WO1 and was directed to assist SO1 and SO2 with respect to AP.

WO2 stated that while they were searching for AP, SO1 advised them that AP was seen near the creek. SO1 confirmed to WO2 that AP had a shotgun on him at that moment.

As WO2 travelled in the ravine, he heard a shot fired. Minutes later, he heard multiple shots fired.

WO2 confirmed that they came upon SO1 and SO2 with their weapons in the low ready position and that AP was on the ground.

WO2 assisted in securing the scene.

Witness Officer 3 (WO3)

WO3 was not present at the scene and was responsible to ensure that protocol was followed with respect to the police shooting incident.

Subject Officers

Subject Officer 1 (SO1)

In accordance with their rights, SO1 declined to be interviewed. SO1 did provide a written statement to the investigators stating the following:

SO1 was responding to a call for service in the community. According to the call information, AP had attended a residence and fired his shotgun into the ceiling. SO1 was partnered with SO2, and they started to search the community for AP.

SO1 and SO2 were in a wooded area in the community when they heard a shotgun blast. SO1 and SO2 moved towards where they heard the shotgun blast where they came upon AP crouched with his shotgun in a perpendicular position to his chest. SO1 directed AP to drop the weapon at which point AP jerked his hand back.

SO1 believed at that moment AP intended to shoot and kill SO1 and SO2. SO1 discharged his weapon at AP until the threat was no longer present. SO1 then removed the shotgun from AP's control, noting wounds to AP's body.

SO1 confirms that he directed other individuals to stay away from AP's body until other police officers could arrive. At that point, SO1 assisted in transporting the AP to the nursing station.

Subject Officer 2 (SO2)

In accordance with their rights, SO2 declined to be interviewed. SO2 did provide a written statement to the investigators stating the following:

SO2 confirmed that there had been a weapons call for service. The information provided was that AP had discharged his shotgun inside a residence and was now walking in the community with the shotgun.

SO2 states that while they were in the community searching for AP, a female witness advised SO2 that she had seen AP and that AP had just tried to shoot her.

[Note: this witness could not be located by IIU during the investigation.]

SO2 confirmed that he attended the residence where AP had discharged his weapon into the ceiling. Individuals at the residence confirmed that AP did fire a shotgun into the ceiling and that AP was no longer present.

SO2 states that as they continued searching for AP, they came across an individual who stated that they had seen AP near the woods and that AP was still in the possession of a shotgun.

SO2 states at this point they heard a shotgun go off which they reported over the radio to the other police officers. SO2 and SO1 started to move towards the area that they heard the gun go off.

SO2 and SO1 entered a cul-de-sac area in the community. They noticed AP near some parked vehicles and some lumber. SO1 yelled for AP to drop his gun.

SO2 states that he heard a loud gunshot coming from in front of him which resulted in SO2 aiming his weapon at AP and firing multiple shots at AP's centre mass. SO2 stopped firing his weapon once he believed the threat had passed. SO2 directed AP that he was under arrest and that he wanted AP to show their hands. As AP did not respond, SO1 and SO2 approached AP; SO1 disarmed AP. SO2 observed gunshot wounds to AP and assisted in transporting AP to the nursing station.

Other Evidence

Autopsy and Toxicology Report

The autopsy report indicated that AP's cause of death was due to gunshot wounds. The toxicology report conducted on AP confirmed that methanol, ethanol, isopropanol and acetone concentrations in his blood were within normal limits.

[Note: no extrapolation was done in relation to the toxicology report.]

Firearms Trajectory Expert Report

IIU engaged an expert to review the shooting-related evidence. The subject matter expert (SME) specializes in firearms trajectory and firearms incident analysis. The purpose of his review was to confirm the evidentiary facts surrounding the officer-involved shooting and to assess the consistency of the accounts provided by SO1 and SO2 compared to the physical evidence.

The expert concluded that no elements of the shooting-related evidence contradicted the accounts provided by SO1 or SO2. The expert evaluated the evidence of the projectile damage at the scene and to AP's shotgun. Further, the expert evaluated the gunshot wounds to AP along with the

presence of the unfired 12-gauge shotgun shells inside as well as the shell outside of the shotgun in coming to his conclusion.

The expert explained that the evidence supported SO1's accounts of AP crouching near the truck and manipulating a firearm. The presence of a fired 12-gauge shotgun shell near AP at the scene corroborates SO1's statement of hearing a shotgun blast and SO2's claim that they had been shot at by AP.



Client: MB IIU 2022-0033
Case No.: 2301

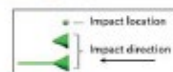
Description: Projectile impact damage to the seized shotgun.

Date:	May 10, 2022	Appendix 2
Drawn by:	C. G. Bax	
By: Joseph F. Francis Consulting Ltd.	Scale:	



Client: MB IIU 2022-0033 Case No.: 2301	Description: Projectile impact damage to the wooden forearm and magazine tube of the seized shotgun.	Date: May 12, 2022 Drawn by: D. B. Barr Ministry of Forensic Services Ltd.	Appendix 3 Scale
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Client: MB IIU 2022-0033 Case No.: 2301	Description: Approximate location and position of the AP when shots were fired	Date: May 12, 2025 Drawn by: D.G. Barr ©Midwest Forensic Consulting Ltd.	Appendix 8 To scale
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[Note: the included images are to assist in providing a visual of the circumstances based on the expert’s report in connection with the evidence obtained.]

Use of Force Report

IIU engaged the services of an expert in relation to use of force. The task was to provide an opinion on the use of force in connection with the number of shots fired. After the expert was provided with all relevant evidence in relation to the incident, he confirmed that the versions provided by SO1 and SO2 correlated with the physical and forensic evidence available.

The expert did state that a holistic review of police policies, training and community relations may be warranted to prevent similar incidents in the future.

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Applicable Law

Criminal Code of Canada

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

25 (1) Everyone 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
- (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
- (e) the flight cannot be prevented by reasonable means in a less violent manner

Conclusion

It is my view that, in the full consideration of the circumstances of this tragic incident, the use of lethal force by the subject officers was authorized and justified by law.

There are no reasonable grounds to support any charges against the subject officers.

Accordingly, IIU has completed its investigation, and this matter is now closed.