



**IN THE MATTER OF AN INVESTIGATION INTO AN OFFICER-INVOLVED  
SHOOTING DURING A WINNIPEG POLICE SERVICE ARREST**

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

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

On June 11, 2024, the Winnipeg Police Service (WPS) 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 11, 2024:

*On June 11, 2024 general patrol members responded to a 911 call for AP attempting to light the caller's vehicle's fuel tank on fire. AP was then reported to be holding a knife while running at people or into traffic and yelling. The caller indicated that AP appeared to be possibly high or intoxicated.*

*Officers arrived on scene finding AP armed with a rock and knife, at which time a series of use of force encounters occurred where two taser discharges were deployed having no effect on AP. SO subsequently discharged their firearm striking AP in the upper body. Officers immediately applied emergency first aid applying chest seals before AP was transported to hospital in unstable condition by WFPS.*

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 WPS, among other items:

- notes, narratives and reports of officers
- audio transmissions
- video surveillance
- scene photos
- use of force report
- civilian statement taken by WPS
- medical reports

The civilian director designated one subject officer (SO) and three witness officers (WO1 to WO3). IIU investigators also received information from the affected person (AP) and eight civilian witnesses (CW1 to CW8).

## **Facts and Circumstances**

### **Scene Examination**

IIU investigators attended the scene and canvassed the area for witnesses and surveillance. Investigators were able to observe evidence of taser deployment, a pepper spray cannister and a shell casing, along with a knife at the scene. IIU investigators were able to obtain video surveillance and knowledge of civilian witnesses.

## **Interviews**

### **Affected Person**

IIU investigators interviewed AP on June 12, 2024, and were provided the following information:

AP recalled that he ran away from the officers. AP believed that the officers discharged their tasers four times, but that did not affect him. AP said that before police arrived, people were chasing him, but he did not know why. When police arrived, he was running away from these other individuals.

AP recalled that police told him to stop and that he pulled out his knife after the officers pulled out their tasers. AP stated that he asked the police to get a news crew. AP stated that police tried to attack him and that's when he swung his knife. AP was scared and thought police would kill him. AP stated that he was not trying to hurt the officers when he was swinging his knife.

AP confirmed he was shot in the chest and stated that one of the officers placed a finger in his injury. AP stated that he only pulled the knife out because the officers deployed their weapons. AP stated that he was not going to attack the officers before he was shot.

AP confirmed that before police arrived, he was trying to blow up a truck near the scene. AP stated that the driver of the truck attacked AP. AP believed that for the last eight days, people were trying to attack him. AP confirmed that prior to the incident, he had consumed some meth.

### **Civilian Witnesses**

#### **Civilian Witness 1 (CW1)**

IIU investigators interviewed CW1 June 12, 2024, and were provided the following information:

CW1 had just finished work and was on her way home in the back of an Uber. CW1 heard the driver stating that a guy had a knife. CW1 observed two officers with their hands raised, holding weapons. CW1 saw a flash of light and then heard two loud noises. CW1 did not recall hearing anyone yelling or shouting.

#### **Civilian Witness 2 (CW2)**

IIU investigators interviewed CW2 on June 26, 2024, and were provided the following information:

CW2 was the Uber driver. CW2 confirmed observing AP with a knife in his right hand. CW2 observed two officers and heard them yelling to get to the ground. CW2 believed AP was shot by the officers, but he did not know if it was a taser or a gun. CW2 recalled AP walking away from the area after being shot at.

#### **Civilian Witness 3 (CW3)**

IIU investigators interviewed CW3 on June 12, 2024, and were provided the following information:

CW3 was walking in the area when she saw two officers running after a man and yelling “get to the ground.” CW3 then saw that SO shot AP. AP fell to the ground and then the two officers handcuffed AP. CW3 believed the officers and AP were approximately five feet apart when he was shot.

#### Civilian Witness 4 (CW4)

IIU investigators interviewed CW4 on June 22, 2024, and were provided the following information:

CW4 was in his vehicle at the time of the incident. CW4 observed two officers walking behind AP. One of the officers had their gun out and pointed towards AP. CW4 believed he heard AP asking the officers to leave him alone.

CW4 confirmed that the officers and AP walked out of sight and then returned. CW4 did not see anything in AP’s right hand, but did see a bag in AP’s other hand. CW4 confirmed that the two officers and AP were in close proximity to each other when AP turned around and faced the officers. CW4 thought AP swung his bag at or towards the officers. CW4 then heard a crack and saw AP drop to the ground.

#### Civilian Witness 5 (CW5)

IIU investigators interviewed CW5 on June 14, 2024, and were provided the following information:

CW5 confirmed that she was in her apartment when she heard noise from the street. She believed that it was only one voice that she heard. CW5 went to her window and opened it, seeing two officers chasing a man. CW5 did not see anything in anyone’s hands. CW5 went to record the incident, but she did not see anything further happen between the officers and the police.

#### Civilian Witness 6 (CW6)

IIU investigators interviewed CW6 on June 11, 2024, and were provided the following information:

CW6 recalled that two officers were chasing a male. The male entered traffic and CW6 recalled the officers telling the male to stop and to put his hands up. CW6 believed one of the officers used a taser on the male but it did not affect him. CW6 observed the officers continue to pursue the male and then heard a gunshot and a male scream.

#### Civilian Witness 7 (CW7)

IIU investigators interviewed CW7 on July 2, 2024, and were provided the following information:

CW7 was in a parked car when he observed a male acting strangely. CW7 exited his vehicle and observed the male carrying a bag and approaching a female. CW7 asked the female if she was okay and the female replied that this male would not leave her alone. CW7 told the male to leave her alone and instructed the female to call 911. CW7 recalled the male saying that he wanted news crews to attend.

CW7 observed the female leave the area and then a police car arrived. CW7 pointed out the male to the officers and advised them that he had picked up some rubble while he was walking. CW7 heard the officers yelling at the male to drop what he had and get on the ground. At this point, CW7 saw AP move his arm upwards in a threatening manner towards the police. CW7 heard the sound of a taser and saw AP walk away yelling profanities at the officers.

CW7 confirmed that the officers followed AP and continued to tell AP to drop whatever he had in his hands and get to the ground. CW7 started to record what was happening, but his view was obstructed. CW7 heard a gunshot and saw AP on the ground with blood on him.

### Civilian Witness 8 (CW8)

IIU investigators interviewed CW8 on June 14, 2024, and were provided the following information:

CW8 was in his apartment studying when he heard a loud noise from outside. CW8 saw AP trying to run away from two officers. CW8 did not see anything in AP's hands, but recalled one of the officers had their pistol aimed at AP. CW8 tried to record the incident, but he only recorded after AP had been shot.

CW8 confirmed hearing yelling going on before and after AP had been shot but he could not make out what was being said. CW8 confirmed seeing an officer flip AP over and try to subdue him while medical attention was provided.

### **Witness Officers**

#### Witness Officer 1 (WO1)

IIU investigators interviewed WO1 on July 9, 2024, and were provided the following information:

WO1 was partnered with SO. They were dispatched to the scene. Background information provided was that there was an agitated male that had tried to light a gas tank on fire. WO1 was also informed that the male had a knife and was running into traffic.

As they arrived on scene, AP walked by their vehicle in an agitated state, holding a rock in his hand. WO1 thought that AP was under the influence based on the way he was acting. WO1 pulled out his taser and approached AP, trying to calm him down. WO1 observed that AP was holding a knife and switched from his taser to his pistol. WO1 and SO were both directing AP to drop the weapon and get on the ground. AP was yelling at the officers to leave and was pointing his knife towards the officers.

WO1 observed that SO had his pistol out, so WO1 switched back to his taser. WO1 deployed his taser twice, but it had no effect on AP. AP continued to walk away from the officers so WO1 switched back to his pistol.

WO1 and SO followed AP, at which point AP stopped and faced the officers while still holding the knife. Both officers continued to direct AP to drop the knife without success. SO now attempted to deploy his taser twice to stop AP without success. WO1 grabbed his pepper spray and sprayed at AP. AP was not affected by the pepper spray as the wind blew it away from him.

WO1 confirmed that AP was still holding the knife and rock in his hands while WO1 was using the pepper spray.

WO1 was in the process of switching back to his pistol when he heard a loud pop and then saw AP drop the knife and fall to the ground. SO kicked the knife away while an ambulance was called to assist AP. WO1 confirmed that AP was handcuffed after he was shot.

#### Witness Officer 2 (WO2)

IIU investigators interviewed WO2 on June 19, 2024, and were provided the following information:

WO2 was partnered with WO3. They were called to an incident involving a male who attempted to light a vehicle on fire and was armed with a knife. As they were attending to the scene, they were updated over the radio that officers had deployed their tasers on the male without effect.

WO2 observed AP and two officers upon arrival. WO2 did not see anything in AP's hands from his angle, but he noted AP to be quite agitated. WO2 saw AP facing the two officers already on-scene, making a lunging motion towards the officers.

WO2 was exiting his vehicle when he saw AP drop to the ground. WO2 did not recall hearing anything. WO2 observed AP on the ground to have an entry wound in his chest along with a taser probe in his body. WO2 confirmed that a knife was observed near AP.

#### Witness Officer 3 (WO3)

IIU investigators interviewed WO3 on June 19, 2024, and were provided the following information:

WO3 confirmed that he was partnered with WO2 and that they were assigned to an incident involving a male attempting to light a vehicle on fire while armed with a knife. WO3 confirmed that he saw AP lunge toward two officers who were already on-scene as their police vehicle was approaching the incident. WO3 observed AP drop to the ground as their vehicle was coming to a stop at the scene. WO3 did not know what had caused AP to drop to the ground at that moment.

WO3 exited the vehicle and saw a gun shot wound along with a taser probe in his body. WO3 believed that AP must have been pepper sprayed because he was feeling symptoms that he attributed to pepper spray.

WO3 observed a bullet casing, a pepper spray can and a knife in the vicinity. WO3 confirmed that officers provided medical care to AP while waiting for an ambulance to arrive.

#### **Subject Officer**

In accordance with his rights, SO declined to be interviewed by IIU investigators. However, SO provided his notes and a written statement, which provided the following information:

SO confirmed that he was assigned to a call about a male attempting to light a vehicle on fire and armed with a knife. Further background information that was provided said that the male was making non-sensical comments that there was a body in his suite.

SO and WO1 attended the area where a member of the public directed them to AP. SO observed AP to be holding a rock and that he appeared to be under the influence. SO and WO1 identified

themselves as police officers and directed AP to drop the rock. SO did not see a knife at this point, however, SO drew his pistol just in case.

SO saw AP pull a knife out of his pocket and wave it at the officers, demanding that they get back. AP continued to walk away from SO and WO1, stating that they are not real police, and continued to brandish the knife and rock.

SO confirmed that WO1 discharged both cartridges in his taser toward AP without any effect. SO and WO1 continued to demand AP to drop the weapons as AP continued to move away from the officers. At this point, WO1 discharged his pepper spray canister at AP without effect. Officers continued to tell AP to drop his weapons without success.

AP continued to walk away from the officers, but had now turned to face the officers. SO observed AP making slashing movements with his knife towards the officers. AP made direct eye contact with SO and suddenly lurched towards SO with the knife in a slashing movement. SO, being concerned for his and WO1's well-being, discharged his service pistol once. SO saw AP drop to the ground. WO1 was able to kick the knife away from AP as they handcuffed AP and initiated medical attention.

## **Other evidence**

### Video Surveillance

IIU investigators obtained various videos related to the incident. Investigators were able to confirm that AP was carrying a knife in his right hand and another object in his left hand during the incident. Further, the video does show AP make a lunging motion towards the officers just before dropping to the ground.

### Medical Records

Medical records confirmed that AP had an injury due to a gun shot wound to the left side of his chest. The wound did not damage any internal organs, and AP was discharged the next day into custody.

### Civilian statement taken by WPS

WPS took a statement from the original 911 caller related to the attempt to light a vehicle on fire. The civilian provided the following information:

The witness was a service truck driver. The witness confirmed that AP had tried to light the gas tank of the service truck on fire. The witness heard AP state that there was a dead body in his suite and that AP's landlord was trying to kill him. The witness saw that AP had a knife and was walking into traffic, yelling at individuals.

The witness confirmed that AP had stuffed paper into the gas tank of his service truck and was holding a torch lighter in his hand. The witness confirmed AP stated that he intended to blow up the vehicle. The witness confirmed that AP left the area and he did not see anything further.

### **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) 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 incident, the use of force by the subject officer was authorized and justified by law. There are no reasonable grounds to support any charges against the subject officer. Accordingly, IIU has completed its investigation, and this matter is now closed.

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