



**IN THE MATTER OF AN INVESTIGATION INTO AN INCIDENT INVOLVING
SERIOUS INJURIES DURING WINNIPEG POLICE SERVICE ARREST**

FINAL REPORT OF THE CIVILIAN DIRECTOR
OF THE INDEPENDENT INVESTIGATION UNIT

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Introduction

On Dec. 20, 2024, the Winnipeg Police Service (WPS) notified the Independent Investigation Unit of Manitoba (IIU) of an incident.

The written notification disclosed the following information:

Written excerpt from Part 7 Notification received on Dec. 20, 2024:

On Thursday, December 19, 2024, Winnipeg Police Service received a number of 911 calls regarding a domestic situation involving an intoxicated male and female arguing with one of the parties reportedly armed with a knife attempting to stab the other.

Members responded to the call and upon arrival found AP located outside of the address brandishing an 8" knife in his right hand. Officers verbally directed AP to drop the knife to which AP responded "Just shoot me" Officers continued to repeatedly order AP to drop the knife. AP ultimately started walking towards the officers brandishing the knife and yelling them to shoot him.

At that time one of the officers deployed their Connected Energy Weapon (taser) causing AP to fall to the ground on the ice. AP was secured and taken into custody. AP complained of a sore right leg. An ambulance was summoned and AP was transported to the HSC as a precaution because of an elevated heart rate. AP was subsequently released on an undertaking at the hospital as he waited to be seen by a doctor.

On December 20, 2024, the writer learned that AP's right leg was fractured. The Director of the IIU was notified of the incident. The IIU advised that they would be taking carriage of this investigation.

As this matter concerned injuries during an arrest, the IIU assumed responsibility for this investigation in accordance with Sec. 66(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
- 911 audio calls
- radio transmissions
- medical reports
- use of force report

The civilian director designated one subject officer (SO) and four witness officers (WO1 to WO4). IIU investigators also received information from two civilian witnesses (CW1 to CW2) and AP.

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Facts and Circumstances

Scene Examination

IIU investigators attended the scene of the incident and canvassed the area for possible witnesses or video footage. IIU investigators noted that the scene of the incident was snow-packed and slippery. The canvass resulted in locating one further civilian witness. Unfortunately, video footage was not attained as the cameras were inoperable in the area.

Interviews

Affected Person

AP was interviewed by IIU investigators on Dec. 30, 2024, and provided the following information:

AP recalled seeing police at the scene. AP did not recall if the officers identified themselves, but he was aware that they were police. AP confirmed that the officers told him to drop the knife and that he threw it against a fence. AP acknowledged that he initially did not comply with the officers' directions to drop the knife, or to get on the ground with his hands raised.

AP confirmed that as he walked towards the officers, he was tasered and fell backwards. AP believed that the officers used their taser on him because AP was not listening to them. AP stated that police at this point 'dog piled' him and started to handcuff him. AP clarified that the officers did not punch or assault him and only used their taser. AP stated the officers were kneeling on him while arresting him.

AP started to feel pain in his leg when the officers stood him up. AP does not believe that his leg was injured when they used the taser. AP believed that his leg injury occurred while they were kneeling on him.

AP does not recall if he said anything to the officers during the incident, but did acknowledge that he had too much to drink that day.

Civilian Witnesses

Civilian Witness 1 (CW1)

CW1 was interviewed by IIU investigators on Dec. 30, 2024, and provided the following information:

CW1 saw AP being taken towards the police vehicle. CW1 noted that AP was in pain and was being dragged by the officers towards the vehicle. CW1 heard one of the officers swear at AP while directing him to stand up while he was handcuffed.

CW1 confirmed that she had called police earlier that day, but could not recall the reason why, as she was intoxicated. CW1 confirmed that she had an argument with AP earlier in the day, but she did not recall AP having any weapon in his hand during the argument.

CW1 did not see or hear AP's initial arrest because she was in her suite. CW1 went to her balcony when she heard AP yell in pain.

Civilian Witness 2 (CW2)

CW2 was interviewed by IIU investigators on Feb. 6, 2025, and provided the following information:

CW2 woke up and went outside to see what was going on. CW2 saw AP handcuffed on the ground and noted the area where AP was situated to be pretty icy. CW2 observed AP to be resisting the officers and wiggling on the ground. One of the officers went to grab AP's legs until AP calmed down.

CW2 confirmed hearing the officers telling AP to stop resisting. CW2 stated that the officers were not assaultive towards AP and did help AP to his feet. CW2 noted AP to be intoxicated.

Witness Officers

Witness Officer 1 (WO1)

WO1 was interviewed by IIU investigators on Mar. 20, 2025, and provided the following information:

WO1 confirmed that he was partnered with WO4 and that they were tasked to assist with a domestic violence incident. When they arrived, WO1 observed AP on a mobile phone while holding a large knife in his other hand. WO1 identified himself as police and directed AP to get off the phone and to put the knife down. AP got off the phone but did not put the knife down as directed.

WO1 drew his pistol in the ready low position and directed AP again to drop the knife. AP replied, "shoot me." WO1 observed AP to be intoxicated and again directed AP to drop the knife and walk towards them with his hands up. AP originally put the knife down as directed, however, he picked the knife up again and started to walk towards the officers, yelling "shoot me!"

WO1 started to back away from AP, around the corner of the residence, when he heard a taser go off. WO1 heard SO giving AP verbal demands. WO1 went back to his original position and saw AP on his stomach on the ground. WO1 heard the verbal directions to AP to give up his hands, but AP was not complying. WO1 went to assist and stood on AP's baggy pant legs to prevent AP from kicking. WO1 noted that no officer applied any physical force to AP while he was being detained.

WO1 confirmed that after AP was handcuffed and was stood up by the officers, AP commented that he felt pain in his leg.

Witness Officer 2 (WO2)

WO2 was interviewed by IIU investigators on Feb. 19, 2025, and provided the following information:

WO2 was the acting supervisor and attended the scene, where he saw WO1 and WO4 on the west side of the residence and SO on the east side. WO2 heard yelling from where WO1 and

WO4 were situated, so he followed WO3 and SO to the area. WO2 heard male officers yelling “drop the knife!”

WO2 then heard WO3 yell “crossfire” and observed WO3 and SO move behind the corner of the residence. WO2 then heard the deployment of a taser seconds later. WO2 moved around the corner, as he assumed that the situation would be under control. WO2 observed AP on the ground with his hands out, while officers were in the process of handcuffing him. SO confirmed to WO2 that he had deployed his taser at AP.

WO2 did not see AP’s arrest because he was blocking a door of the residence, so a civilian would not be harmed. WO2 did not see AP resisting arrest, but he recalled AP swearing and complaining of a sore leg. WO2 did not see a weapon in AP’s hand when he was handcuffed. WO2 did not see any officer assault AP after his arrest.

Witness Officer 3 (WO3)

WO3 was interviewed by IIU investigators on Feb. 3, 2025, and provided the following information:

WO3 confirmed that she was partnered with SO. WO3 saw WO1 conversing with AP in a narrow walkway near the residence. WO3 saw AP bend down and grab a big knife, so she drew her pistol and SO drew his taser. WO3 heard WO1 and WO4 directing AP to drop the knife. WO3 observed AP to not be compliant and heard him ask officers to shoot him.

WO3 saw AP advance towards WO1 and WO4 with the knife in his hand, causing WO1 and WO4 to retreat backwards from AP. At this point, WO3 and SO advanced towards AP because he was not aware of their presence at the scene. WO3 and SO were in range to deploy the taser when AP turned around, still holding the knife, resulting in SO deploying his taser twice.

WO3 confirmed that the deployment of the taser was successful, resulting in AP being incapacitated. WO3 saw AP fall against a fence and then slide down towards the ground. WO3 stated that AP did not plank because of the taser deployment and did not fall directly to the ground. WO3 stated that AP’s fall was more gradual because he slid down the fence.

WO3 went to assist WO4 in handcuffing AP. AP put his hands beneath his body, so he asked AP to give them his hands. WO3 confirmed that AP was initially resisting arrest but complied after further verbal direction. WO3 observed AP to be intoxicated and he only complained about his leg once they stood him up.

Witness Officer 4 (WO4)

WO4 was interviewed by IIU investigators on Feb. 3, 2025, and provided the following information:

WO4 confirmed that he was partnered with WO1 and that they had been dispatched to a domestic violence call at the scene of the incident. WO4 confirmed that WO1 was talking to AP while he was holding a knife. Both WO1 and WO4 were directing AP to drop the knife and initially AP complied. WO1 instructed AP to walk towards them when AP picked up the knife again and yelled “shoot me” or “kill me”. AP started to advance towards WO1 and WO4, causing both officers to retreat away from AP.

WO4 then heard the deployment of a taser. When WO4 came around the corner of the residence, he saw that SO had successfully deployed his taser at AP. WO4 assisted WO3 in handcuffing AP. WO4 stated that no other use of force was used on AP besides the taser. WO4 noted that he may have knelt on AP's buttocks while handcuffing him.

WO4 noted that AP was passively resistant during arrest and not compliant with verbal directions, but nothing physical. WO4 stated that AP only complained of pain in his leg once the officers stood him up.

Subject Officer

In accordance with his rights, SO declined to be interviewed by IIU investigators. SO did however, provide his notes and narrative, which contained the following information:

SO confirmed that he saw AP in a narrow walkway while WO1 and WO4 were conversing with him. SO saw AP pick up a knife, despite verbal directions to drop it from WO1 and WO4.

SO heard AP yell "shoot me" and saw him advance towards WO1 and WO4. SO armed himself with his taser, while WO3 provided lethal cover if required. SO and WO3 moved towards AP as he was not aware of their presence.

AP was agitated and advanced at WO1 and WO4 when he turned to face SO. SO deployed his taser without effect. SO deployed his taser a second time at AP, causing him to slide down the fence to the ground. SO directed AP to put his hands to the side of his body, but AP did not comply. SO observed AP's hands to be empty as other officers attempted to handcuff him. AP was passively noncompliant, however, SO did not need to deploy his taser for compliance purposes.

Other evidence

Medical Reports

Medical reports noted AP's injuries as a right tibial fracture. The medical reports did not attempt to explain how AP's injury may have been caused.

911 Calls

It is clear from the 911 calls that AP and CW1 were engaged in a domestic situation. One of the callers confirmed that a knife was involved in the situation and that there had been a history of previous domestic violence between the parties.

Applicable Law

All relevant sections of the Criminal Code of Canada were considered with respect to this incident. Secs. 25(1) of the Criminal Code of Canada has 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,

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(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.

Conclusion

In reviewing all the relevant evidence available, it is clear that the subject officer acted within their duties in the circumstances. Therefore, no charges are recommended and the IIU investigation is now completed and closed.