

March 24, 2017

IIU concludes investigation into injury during arrest in Portage la Prairie

The Independent Investigation Unit of Manitoba (IIU) has concluded its investigation into the injury of a man during an arrest last September in Portage la Prairie. The civilian director has concluded the force used by the officer was reasonable in the circumstances and there are no grounds for charges against the officer.

On the morning of September 20, 2016 an RCMP officer in a marked cruiser noticed a car driving erratically and activated emergency lights to initiate a traffic stop. The car ran off the road and into a ditch, at which point the three occupants exited the vehicle and began to run. The constable gave chase on foot, caught up to one of the fleeing suspects and grabbed him by the left arm. The officer lost his footing in the rough terrain and fell on top of the man. The individual was handcuffed without further incident and escorted to the police cruiser, where he complained of feeling unwell.

The man was taken to Portage la Prairie hospital for x rays, where it was determined he had a broken right clavicle. As this is a serious injury as defined by IIU regulations, the IIU was required to investigate to determine whether the officer used excessive or unnecessary force.

The investigation included an interview with the affected person. He confirmed he was standing on logs in the ditch and the officer landed on top of him. He told the IIU his right shoulder struck a log and he felt his collarbone break.

In his report, Civilian Director Zane Tessler noted the officer was in the lawful execution of his duties when he activated his emergency equipment and subsequently chased the man and his companions on foot; the man was running to evade arrest; and the officer had a clear duty to take all necessary steps to apprehend him. Tessler said while it was clear the officer used force resulting in injury, there is no evidence the force was excessive or unnecessary.

As a result of the incident, the affected person was charged with *Criminal Code* offences that remain outstanding. As such, the IIU will not comment further on this matter. The complete report of the civilian director will be posted online once the criminal charges are dealt with in Court. The details of this investigation were first released on September 22, 2016.

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