

April 3, 2017

IIU concludes investigation into injury involving off-duty officer

The Independent Investigation Unit of Manitoba (IIU) has concluded its investigation into the injury of a man that occurred when an off-duty officer intervened in a fight last November, and has determined that no charges should be laid against the officer.

On November 18 at 5:10 p.m., an off-duty officer of the Winnipeg Police Service (WPS) was driving his personal vehicle near the intersection of St. Mary's Road and Marion Street when he noticed two males fighting and chasing each other in and out of oncoming traffic. The officer exited his vehicle, identified himself as a member of WPS, and ordered the two men to stop fighting. While the officer was speaking with one of the men, the other quickly and aggressively advanced on him. The officer stepped out of the way and threw one punch towards the man, striking him on the chin and knocking him unconscious.

The man suffered a fractured jaw, which is a serious injury as defined by IIU regulation, and the agency was therefore required to investigate. The primary issue was whether the officer subjected the affected person to unnecessary and excessive force.

The investigation included interviews with several witnesses and a review of on-board video recorded by a transit bus that captured part of the fight between the two men, and the interaction between the officer and the affected person.

In his report, Civilian Director Zane Tessler noted the investigation was made more difficult by the fact the affected person refused to provide a statement or cooperate with IIU investigators.

Tessler wrote he was satisfied the off-duty officer was intent on diffusing a potentially violent situation when he stopped his car, and was not intent on escalating it. He said that following a review of the available evidence, there were insufficient grounds to justify the laying of any charge against the officer.

The complete report of the civilian director is available online at www.iiumanitoba.ca. The details of this investigation were first released on November 22, 2016.

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