

FINAL REPORT: IIU concludes investigation into single vehicle highway accident in northern Manitoba

On July 22, 2018, at 7:55 p.m., the Royal Canadian Mounted Police (RCMP) notified the Independent Investigation Unit of Manitoba (IIU) of injuries as a possible result of a pursuit north of Highway 10 and Ramsey Street near Cranberry Portage, Manitoba. According to this notification, earlier that day, at 4:51 a.m., an RCMP member (later identified as the subject officer (SO)) was driving a male home from an unrelated police matter when he observed a motor vehicle stopped at a junction in the road. The driver of the vehicle had failed to dim its high beams. SO turned on the police cruiser emergency overhead lights and pulled alongside the subject vehicle. SO observed that the vehicle was being operated by a known female driver (later identified as the affected person (AP)). AP's vehicle suddenly accelerated and drove north. SO released the male passenger from his police cruiser and proceeded to drive north as well. A short time later, SO located the subject vehicle in a water-filled ditch. AP was found to be unconscious and unresponsive. An ambulance and another RCMP member attended the scene to assist SO in removing AP from the vehicle. SO was transported to Flin Flon hospital in unstable condition and was subsequently air lifted to Health Sciences Centre (HSC) where she was admitted into the Intensive Care Unit (ICU).

As this matter involved the hospitalization of an individual following contact with a police officer, it was determined to be a mandatory investigation for IIU pursuant to section 66(4) of the *Police Services Act* (PSA). A team of IIU investigators was assigned to this matter.

IIU investigators obtained and received:

- Agency information from the RCMP, including officer notes and reports
- Audio of 911 telephone call
- Medical reports respecting AP

One member of the RCMP was designated as a witness officer (WO). IIU investigators met with and interviewed AP. IIU investigators also met with and interviewed the male civilian witness (CW) who was the passenger in SO's police cruiser.

Under the provisions of the PSA, a subject officer cannot be compelled to provide his or her notes regarding an incident nor participate in any interview with IIU investigators. In this case, SO agreed to be interviewed by IIU investigators.

Facts and Circumstances

SO reported that on July 22, at 4:51 a.m., he was providing a ride home to a male involved in an unrelated matter. As SO approached the intersection of Highway 10 and Ramsey Street, he

spotted the subject vehicle from across the roadway. The vehicle had been stopped and idling for an extended period of time and had on its high beam headlights.

SO pulled up alongside this vehicle and, in an effort to get the driver's attention, activated the emergency equipment and lights of his police vehicle. SO observed the driver was a known female--AP. AP quickly accelerated and took off, driving north on Highway 10 and narrowly avoiding a collision with a southbound semi-trailer tractor. Earlier in the evening, SO had encountered AP at a local bar and, at that time, she appeared to be intoxicated.

SO let his male passenger out of the back seat of his police car and advised him to walk home. SO then turned his police cruiser around and proceeded to head north on Highway 10. SO continued to travel north on Highway 10 until he found AP's vehicle stuck in a ditch full of water. SO attended to the vehicle on foot and found AP to be unconscious and unresponsive. AP's vehicle was still running but there were no keys in the ignition. SO contacted RCMP communication center, notified them of the accident and requested assistance.

A short time later, WO attended and assisted SO in removing AP from the vehicle and onto a stretcher of a waiting ambulance. AP was still unconscious and in an unstable condition. AP was subsequently transported to the Flin Flon hospital where she was admitted into the emergency department, suffering from suspected head trauma.

A medical decision was made to transfer AP to the HSC ICU in Winnipeg. A series of tests and examination of AP in Flin Flon had subsequently determined that she may have suffered a possible seizure.

AP

IIU investigators attended HSC to interview AP once they were advised she was conscious and able to speak with them. AP told IIU investigators that all she remembered was grabbing the keys to her grandmother's vehicle and taking off to her friend's house. AP did not recall seeing a police vehicle on the night of the incident. AP advised she did not recall any other details from the night of the incident and had no idea how her vehicle ended up in a ditch.

Audio of 911 Call

An unknown female caller had stated that AP was intoxicated and driving around town in a vehicle. The female caller was concerned for AP's well-being and feared she may get into an accident, harming herself or others. The caller failed to identify herself to the 911 staff member and subsequently hung up without any further conversation.

CW

CW told IIU investigators that he was being given a ride home by SO. When they were near the intersection of Highway 10 and Ramsey Street, he observed a vehicle across the highway that, in his opinion, committed a dangerous maneuver. CW advised that SO drove across the roadway to where the other vehicle was stopped. That vehicle suddenly took off, travelling north on Highway 10. CW was let out of the vehicle by SO and was advised to walk home. CW did not recall any other details with respect to the vehicle or its driver.

Witness Officer (WO)

WO related that on July 22 at approximately 5:00 a.m., he attended just north of Cranberry Portage on Highway 10 to assist SO with removing an unconscious female driver from a vehicle. Once the female driver was removed from the vehicle, she was transferred onto a stretcher of a waiting ambulance and transported to Flin Flon General Hospital. WO attended to the hospital and remained with the female driver, later identified as AP

Subject Officer (SO)

SO advised that on July 22, he was providing a ride to a male who was involved on an unrelated matter. While stopped at the intersection of Highway 10 and Ramsey Street, he noticed a vehicle with its high beams on and idling for an extended period of time. In order to ensure the wellbeing of the occupant(s) inside the vehicle, SO drove across the highway. SO pulled along side of this vehicle and, in an effort to get the driver's attention, activated his overhead lights. At this time, the female driver--who SO recognized as AP--started to drive away. AP's vehicle made a northbound turn on Highway 10 and continued to travel north at estimated speeds of 60-80 kilometres per hour.

SO exited his vehicle, opened the rear door, and advised the male passenger to get out and walk home as he had to deal with the other vehicle that had just taken off from him. SO explained that after the male got out of his police cruiser, he looked north and lost sight of the rear tail lights of AP's vehicle.

SO returned to his police cruiser, turned it around and started driving north on Highway 10. After driving north for approximately 500-700 metres, he noticed that AP's vehicle was at the bottom of the west side ditch of Highway 10. SO notified the RCMP Communication Centre and requested assistance from his backup. SO was advised of the earlier 911 call that was received, in which a caller reported that AP was intoxicated and driving around Cranberry Portage in a vehicle. A short time later, WO arrived on scene and assisted him in safely extracting AP from the vehicle.

Medical Records

Flin Flon General Hospital

Medical documentation indicated it was initially thought that AP may have suffered a major head injury as a result of the motor vehicle collision, rendering her unconscious. Further examination at the Flin Flon Emergency revealed that AP did not sustain any obvious head trauma or any apparent physical injuries to her body.

HSC

The attending physicians were unable to determine whether AP became unconscious after the crash or whether she suffered a pre-neurological event that led her to drive off the road--resulting in the crash. Blood tests revealed that AP had alcohol, marijuana, and cocaine present in her bloodstream at the time of admission to hospital.

Conclusion

Following review of the investigation file, it was apparent the paramount issue to resolve was whether the IIU mandate still existed.

Of concern is the effect of the following factors:

- The contact between SO and AP was brief. It was initially limited to SO driving his vehicle up to AP's vehicle. There is no evidence that any words were exchanged between the two.
- We have no evidence as to what compelled AP to suddenly drive off north on Highway 10.
- There was a gap between SO's first contact with AP and then driving north on Highway 10, particularly after asking his passenger to leave the police vehicle and then losing visual contact with AP's vehicle.
- There is no evidence as to what caused AP's vehicle to leave the road and enter the ditch.
- There is no evidence to what physical ailment was suffered by AP--whether it was a head injury from the collision or whether AP suffered a seizure either before, during or following the collision.
- AP's hospitalization may have resulted from a seizure, of which there is no evidence as to its trigger.

On full consideration of all the known circumstances, nothing has been established that would show or tend to show that SO's actions contributed in any way to the motor vehicle accident or injuries sustained by AP.

Accordingly, it is my view that IIU's mandate is tenuous and, moreover, SO did nothing to contribute in any manner to the collision and subsequent injuries sustained by AP.

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

Final report prepared by:

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Independent Investigation Unit
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