

FINAL REPORT: IIU discontinues investigation into serious injury to male during arrest by RCMP officers in Shamattawa

On December 24, 2022, the Royal Canadian Mounted Police (WPS) notified the Independent Investigation Unit (IIU) of an incident in which a male (later identified as the affected person (AP)) sustained a serious injury during his interaction with RCMP members during his arrest in Shamattawa, Manitoba.

This notification disclosed the following information (edited for clarity):

“On December 23rd, 2022 at 8:51 p.m., RCMP were advised of a report of a stabbing at a residence in Shamattawa, Manitoba that involved AP....Members located AP near the scene of the stabbing. AP attempted to run away from an RCMP member who gave chase and told AP that he was under arrest. As AP was running away, he started to slip. The RCMP member caught up to AP and got him on the ground. During this time, a female tried to pull the RCMP member off of AP while AP attempted to get up from the ground. AP was eventually handcuffed...After the arrest, AP informed the RCMP member that he was injured and he was transported immediately to the nursing station. At the nursing station, the nurse gave AP some Advil and asked members to bring AP back to the nursing station in the morning. AP was lodged in cells. On the morning of December 24th 2022, AP was transported back to nursing station for further assessment...The nurse stated that AP has a possible hip fracture and was medevac'd to Thompson General Hospital...”

Based on the original notification, it was alleged that AP had sustained a serious injury and therefore IIU was required to assume responsibility for a mandatory investigation pursuant to section 66(4) of The Police Services Act (PSA). IIU Investigators were assigned to this investigation.

AP provided IIU investigators with a signed medical consent release permitting the receipt and review of his medical records and reports. Upon review of AP's medical records, it was determined that he did not sustain any injury that would be defined as a serious injury by IIU regulation 99/2015. Had this fact been known at the outset, this matter would not have been deemed to be a mandatory investigation for IIU. The only reason for a mandatory investigation to be conducted by IIU was whether AP sustained a serious injury. In the absence of that fact, IIU is not mandated to proceed with an investigation pursuant to section 66 of the PSA.

This matter must now be considered in light of sections 73, 74 and 75 of the PSA and the notification will be considered as detailing a discretionary matter for the IIU to consider its level of involvement which would range from having no role in an investigation, monitoring an

investigation by the police service or, if the civilian director determines that public interest demands an independent investigation, have IIU assume jurisdiction over this matter.

Following a review of the nature and circumstances of the arrest, I am unable to conclude that public interest would demand an independent investigation to be conducted by IIU nor do I conclude that there is a need or purpose for IIU to monitor any police service investigation.

Accordingly, I am of the view that IIU would not and will not assume any investigative role in this matter. The original investigation will be discontinued forthwith and this matter is now closed.

Final report prepared by:

Zane Tessler, civilian director
Independent Investigation Unit
February 3, 2023

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