



**IN THE MATTER OF AN INVESTIGATION INTO WINNIPEG POLICE SERVICE
INCIDENT INVOLVING TRANSPORT OF MALE FROM HOSPITAL**

**FINAL REPORT OF THE CIVILIAN DIRECTOR
OF THE INDEPENDENT INVESTIGATION UNIT**

Civilian Director: Roxanne M. Gagné

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Introduction

On February 27, 2023, the Winnipeg Police Service (WPS) notified the Independent Investigation Unit of Manitoba (IIU) of an incident that had occurred earlier that day.

The written notification disclosed the following information:

“On February 27, 2023, at approximately 1:24 a.m., a call for service was entered from the Victoria Hospital in relation to an intoxicated male requiring transport. Information was provided that the affected person (AP) had been undergoing medical care for the previous 17 hours due to intoxication but was now medically cleared. A medical clearance provided by (doctor) indicated that AP was intoxicated and did not have the capacity to care for himself. The note suggested re-assessment at 9:00 a.m.

At approximately 4:30 a.m., WPS arrived at the Victoria Hospital and interacted with AP. He did not present any signs of impairment. AP was consuming an unknown liquid when they met him in the examination room. He requested transport to a scheduled flight to his home community at 7:00 a.m. Unable to form grounds for an involuntary detention, WPS began transporting AP to his flight as requested. While enroute to Perimeter Aviation, 626 Ferry Road, AP began showing signs of impairment and WPS re-directed to the Main Street Project (MSP), 75 Martha Street. AP was not ambulatory and unresponsive upon arrival at MSP. WPS called for an ambulance.

At approximately 5:52 a.m., AP was conveyed to the Health Sciences Centre by ambulance and provided medical treatment under the care of (doctors) where he was placed in medical intensive care. By 3:13 p.m., AP began to improve as he had become responsive, yet sedated. He remains under the care of (doctor) at this time.”

The IIU assumed responsibility for this investigation in accordance with Section 65(1) of *The Police Services Act*.

Due to the information obtained at the outset of the investigation, Civilian Director Zane Tessler, as he then was, deferred the designation of any officers as a subject officer until more information was received through the investigation. This decision was later re-evaluated and no officers were ever designated.

During the course of this investigation, the IIU received the following disclosure material from WPS:

- Medical note of attending doctor
- WPS Radio Audio
- WPS Computer Aided Dispatch (CAD) History
- Witness Officer (WO) Narratives – WO1 and WO2
- Shared Narrative – WO3 and WO4
- Officer Notes – WO1, WO2, WO3 and WO4

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Canvass

Closed circuit video surveillance footage from the Main Street Project (MSP) was collected and reviewed, and a timeline of the relevant video footage was compiled.

Facts and Circumstances

Affected Person

On February 28, 2023, IIU investigators attended the Health Sciences Centre (HSC) and located AP in the emergency department. IIU investigators attempted to have a conversation with the AP. The AP stated that he did not recall the events that transpired with WPS.

Over the course of the investigation, IIU investigators attempted to locate and speak with the AP on numerous occasions. The attempts included searches for any potential addresses and telephone numbers. IIU investigators spoke with various individuals who may have information which may assist in locating AP, including AP's uncle, AP's mother and persons from St. Theresa Point Band office. Unfortunately, IIU investigators were unable to locate him.

On September 18, 2023, IIU investigators received a phone call from the Winnipeg Remand Centre (WRC) advising that AP was at WRC. IIU investigators met with AP at WRC that same day; however, AP advised he had absolutely no recollection of the events of February 27, 2023. He only recalled being in the hospital for reasons of intoxication.

Professional Witnesses

PW1

On March 27, 2023, IIU investigators obtained a statement from Winnipeg firefighter paramedic PW1. She advised that on February 27 2023, she and her partner, PW2, arrived at MSP at approximately 5:31 a.m. There was a police car parked out front of the doors at 75 Martha Street. The patient was out front of the police car slumped over.

They were advised that the police were bringing the person to MSP from Victoria Hospital under *The Intoxicated Persons Detention Act (IPDA)*. Shortly before the police arrived, it appeared that the person had fallen asleep in the back of the police car. The officers stated that the patient was walking and talking when they picked him up from Victoria Hospital.

Upon arrival at MSP, police tried to wake the patient up but were unable to. He was unconscious, so they pulled him out of the police vehicle.

When PW1 arrived, the patient was unconscious. PW1 noticed an old injury to his right eye that was bruised. She did not observe any signs of new trauma. They were on scene for approximately 20 minutes. PW1 did not notice any signs of intoxication from the patient. He was taken to HSC.

PW2

On March 27, 2023, IIU investigators obtained a statement from Winnipeg firefighter paramedic PW2. He advised that on February 27, 2023, when he and his partner, PW1, arrived at MSP, there was a police cruiser parked by the doors. There were two police officers outside of the police car and a male seated with his back against the car.

PW1 obtained the background story from police. The information that they received was that the patient was medically cleared after a lengthy stay at Victoria Hospital. The patient was able to walk out of Victoria Hospital and appeared to have no signs of intoxication. During the transport the patient was quite talkative, then appeared to fall asleep. Upon arrival at MSP, the patient was unresponsive.

PW2 did not see any trauma on the patient to be concerned about, nor did the patient have any signs of intoxication. The patient was unresponsive the entire time they were dealing with him. The patient was transported to HSC.

Witness Officers

WO4

On May 31, 2023, IIU investigators obtained a statement from WO4. She advised that on February 27, 2023, she and her partner, WO3, were dispatched to Victoria Hospital to transport an adult male (AP). When they arrived at Victoria Hospital, they spoke to the nurse who advised that AP had been in the hospital for 17 hours due to his level of intoxication. AP had been medically cleared by the doctor.

WO4 and WO3 went to Room 5 and spoke to AP. Just as they walked in, AP was drinking from a hospital cup. They had a conversation with AP. WO4 asked AP what he was drinking. AP advised that he was drinking water. AP appeared sober and able to care for himself and was articulate in his speech. He appeared fine. AP advised he had a 7 a.m. flight to St. Theresa Point, which is where he lived.

They began to transport AP to Perimeter Aviation, and while en route, AP's speech started to be slurred. They decided that they would, under The Intoxicated Persons Detention Act (IPDA), take AP to Main Street Project (MSP) to ensure his safety and well-being. As they were transporting him to MSP, WO4 observed that AP was sleeping; he was breathing and snoring. According to WO4, this is a very common occurrence. Upon arrival at MSP, AP was unconscious but breathing. WO4 thought AP was sleeping. They tried helping him out of the car and had difficulty as AP was a very big man. WO4 went inside MSP and asked the staff if they could bring AP in. She was advised "no" that AP needed to walk himself in. WO4 and WO5 tried again to awake AP. However, when AP did not wake up, she requested an ambulance.

The ambulance arrived and determined that AP had stable vitals. However, due to his level of unconsciousness, he was becoming unstable. WO4 rode in the ambulance with AP to Health

Sciences Centre (HSC). Upon arrival, AP went to Resuscitation 1 and the doctor assessed AP. They were advised by their patrol sergeant to remain on scene until AP was stable. AP was intubated by the doctors.

WO3

On May 31, 2023, IIU investigators obtained a statement from WO3. He advised that on the date in question, he and his partner, WO4, were dispatched to Victoria Hospital with regards to an intoxicated person who had been medically cleared. The individual needed to be picked up by Winnipeg police.

They arrived on scene and located AP in Room 5. AP was sitting in his bed; he was alert and drinking at the time. The nursing staff advised them that AP had been there for 17 hours. He had come to hospital in an extremely intoxicated state, but he was now medically cleared. A medical clearance note was provided to them. WO3 and his partner spoke to AP, who was alert and articulate. AP advised that he wanted to get back to his reserve and that there was a flight in the morning that he wanted to get to.

AP walked out of the hospital under his own accord. AP continued to be articulate and joked with them as he was placed in the rear of their police vehicle. They had no concerns for AP's well-being and discussed helping AP in getting to Perimeter Aviation. During the transport, they noticed a deterioration in AP's speech. He began to slur his words and did not make any sense. They decided to bring AP to MSP for his own safety. AP ended up falling asleep in the back of the police car as WO3 could hear AP snoring.

When they arrived at MSP, they attempted to rouse AP unsuccessfully. He was slumped over in the back. He tried to wake AP by first talking to him and then trying a sternum rub, moving him around and letting him know where they were. AP was not responding. They attempted to get AP out of the car. AP is a bigger male. In trying to get him out of the car, AP just slumped against the car. WO4 went inside to speak with the staff and advised of the situation outside. He was advised by staff that their mandate is that they would not accept AP unless he was able to walk in on his own. At that point, AP was still breathing. He was on his side against the car. They contacted an ambulance to come and assist them.

The ambulance and fire crews arrived on scene and assessed AP. WO5 was advised that AP's vitals were stable, though he was unconscious. AP was transported to HSC and doctors took over at that point.

WO1

On May 31, 2023, IIU investigators obtained a statement from WO1. She advised that on February 27, 2023, she was tasked by her sergeant to give the duty inspector a call at the beginning of her shift. She contacted the inspector who gave her a quick brief of the incident and asked her to go and check on the male's status. She tracked the male (AP) down at the adult emergency department of HSC. She spoke to the male's nurse. She advised the nurse that she did not need to speak with the male. She could visually see from a distance that the male was awake.

She had a conversation with the head nurse who said that the male was conscious and breathing on his own. She obtained the name of the doctor; however, she did not speak with the doctor as the doctor was not available.

While she was speaking to the nurse, she could see the AP drinking from a hospital cup. She did not have any concerns.

WO2

On August 8, 2023, IIU investigators obtained a statement from WO2. He advised that on February 27, 2023, he was to attend the hospital and to see the condition of AP. He arrived at HSC and spoke to the medical staff about AP's condition. He was advised that AP was in critical condition on life support but stable. There were no further updates at the time. He then briefed his sergeant and duty inspector.

WO2 later called the hospital and was advised by medical staff that AP was still in critical condition, on life support and would be going into medical intensive care.

Before his shift ended, he attended HSC around 3 p.m. on February 27, 2023. He spoke with the doctor, who advised him where AP was. WO2 attended to his bedside. The doctor called out AP's name. AP opened one eye, then closed it again. Prior to that AP was totally unresponsive.

The doctor explained to him the reason why AP was on life support was because even though his vitals were good, they were not yet stable. He stated that drinking hand sanitizer contains acetone, which affects your respiratory system. That was the reason AP was on life support and a breathing apparatus. The doctor believed that AP was going to be fine and make a full recovery, but his body just needed to expel the acetone. WO2 did not have any conversations with AP.

Summary of Other Evidence

Medical Clearance Note

On February 27, 2023, the doctor who issued the medical clearance indicated that AP was intoxicated, did not have the capacity for self care and should be reassessed for his level of intoxication at 9 a.m. on February 27, 2023.

Medical Record - AP

On October 18, 2023, IIU investigations received a medical record from HSC. The record indicates that AP did not have any substantial injury other than a small healing abrasion over right eyebrow and some bruising. No other sign of head trauma. AP had low Glasgow Coma Scale (GCS) 3/15 from alcohol and hand sanitizer intoxication.

Victoria Hospital CCTV Surveillance Video

On March 16, 2023, IIU investigators attended to Victoria Hospital and viewed the hospital video which captured the WPS members departing the facility with AP. The video shows the

Urgent Care parking lot and entrance. At 4:42 a.m., AP is seen departing from the hospital with WO4 and WO3. AP is walking under his own power without any assistance. He is walking between the two officers towards the parking lot where a WPS vehicle is parked.

Main Street Project Video

IIU investigators were able to obtain a copy of CCTV video from MSP. The time stamp at the start of the video indicates a time of 4:40 a.m., which is off real time by approximately 28 minutes. The video shows the two officers' attempts to get AP out of the rear of their vehicle and to his feet. WO3 walks around the rear of the vehicle to the passenger side and opens the passenger rear door and leans into the back seat of the vehicle. WO4 appears to be attempting to pull AP out from the back seat. AP is removed from the rear of the vehicle and placed on the ground next to the police vehicle. Both WPS members attempt to lift AP to his feet and attempt to walk him into the building. WPS members place AP back onto the ground next to the police vehicle. Both WPS members make a second attempt of getting AP to his feet. The officers can be seen struggling trying to get AP to stand. The officers place AP back on the ground and up against their police vehicle. The officers make another attempt to get AP to his feet. AP is unable to stand or assist the officers in getting to his feet. The officers again attempt to lift AP; however, they are unable to lift him to his feet. The officers make another attempt to get AP to his feet. They momentarily get AP standing before sitting him back onto the ground.

At 5:04 a.m., Winnipeg Fire Department (WFD) and ambulance arrives. AP is lifted onto a stretcher by three WFD members. AP is loaded into the back of the ambulance. At 5:26 a.m., the ambulance pulls away from the scene with emergency lights activated.

Main Street Project Video – IPDA Waiting Area

Time stamp at start of video 4:52 a.m. and is off real time by approximately 28 minutes. At 4:52 a.m., WO4 is seen walking into the building. She walks up to the counter and appears to be having a conversation with someone who is behind the counter, out of camera view. WO4 exits the building.

Shared Narrative - WO4 and WO3

The shared narrative of WO4 and WO3, is consistent with their statements to IIU investigators. The narrative further indicates that when the officers first entered Room 5 at Victoria Hospital, AP was located sitting up in his bed and drinking from a hospital cup. When asked what was in the cup, AP stated it was water. They possibly saw some form of foam on top of the liquid that was in the cup (which could have meant it was possibly hand sanitizer); however, that was unconfirmed and just conjecture.

Narrative - WO2

The narrative of WO2 is consistent with his statement to IIU investigators. WO2 indicated that he personally attended to the hospital later in his shift and spoke with the doctor who advised there was no change in AP's condition. He and the doctor attended bedside to AP where the doctor called out AP's name. He observed AP open then close his left eye. The doctor explained to WO2 that when ingesting hand sanitizer, which contains acetone, it causes the symptoms

exhibited by AP. The doctor expects AP to recover barring any unforeseen circumstances.

Narrative – WO1

The statement of WO1 is consistent with her statement to IIU investigators. She completed a narrative regarding her attendance to HSC to check on the status of AP. WO1 attended HSC and spoke with the nurse who advised AP was awake and breathing on his own. She was able to see AP awake and drinking out of a paper cup.

Conclusion

Following due consideration of all the circumstances of this matter and a careful, thorough review of all evidence and material facts obtained in this investigation, I am satisfied that the injuries suffered by AP did not result from the actions or inactions of the police officers involved in this incident. Upon arrival of police at Victoria Hospital, AP was alert and had been medically cleared by the doctor. AP stated he was drinking water, when questioned. AP walked himself out of the hospital. There were no reasons to believe that AP was unwell when leaving the hospital. When AP's state deteriorated, the officers called for medical assistance.

I am satisfied that the interaction of the witness officers did not contribute to the serious injuries of AP. Therefore, no charges are recommended, and the IIU investigation is now completed and closed.