



**IN THE MATTER OF AN INVESTIGATION REGARDING SERIOUS INJURIES  
INVOLVING THE WINNIPEG POLICE SERVICE ON MARCH 4, 2023**

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

Civilian Director:	Roxanne M. Gagné
IIU File Number:	2023-0016
Date of Release:	November 9, 2023

## **Introduction**

On March 5, 2023, the Winnipeg Police Service (WPS) notified the Independent Investigation Unit of Manitoba (IIU) of an incident.

The written notification disclosed the following information:

*On Saturday, March 4th, 2023, at approximately 23:41hrs, members of the Winnipeg Police Service were dispatched to the area of Powers Street and Selkirk Avenue in regards to a priority 2 domestic assault in progress. The initial report indicated that a female was being physically assaulted by her husband and that she was currently lying on the ground in the middle of the street.*

*Air1 attended to the scene and located the female in question still lying in the street and a white Honda SUV vehicle running nearby. At this point, a male was observed to enter the driver's side door of the SUV.*

*North District General Patrol Officers (N310) attended to the scene and observed the female lying on the street. As they exited the police unit to render assistance to the female victim, the white SUV fled the scene at a high rate of speed. Air1 subsequently followed the SUV, observing the vehicle operating in a dangerous manner with no headlights activated.*

*The police unit E307 located the suspect vehicle travelling west bound on Selkirk Avenue from Andrews Street and attempted a traffic stop in the vicinity of Selkirk Avenue and McKenzie Street. The driver of the suspect vehicle refused to comply and continued to flee at a high rate of speed. E307 immediately deactivated the emergency equipment and did not engage in a pursuit.*

*Air1 continued to follow the suspect vehicle at distance from the air and provided ground units with frequent updates. Ground units remained far back and covert with the hope that the suspect would slow down. As the suspect vehicle proceeded north bound on McPhillips Street at a high rate of speed, the driver was observed to be weaving in and out of traffic in a dangerous manner with no regard for traffic control devices.*

*In an effort to stop the suspect vehicle, police unit N306 successfully deployed a Stop Stick tire-deflation device in the vicinity of McPhillips Street and Kingsbury Avenue, but the device did not appear to have any effect on the suspect vehicle. The driver continued north bound on McPhillips Street at a high rate of speed, entering the intersection of Leila Avenue against a red light.*

*At the same time, a vehicle being operated by an innocent civilian was proceeding east bound on Leila Avenue, through the intersection of McPhillips Street on a green light.*

*The suspect vehicle struck the civilian vehicle on the passenger side in a T-bone manner collision, causing extensive damage to both vehicles. Air1 remained in the air over the scene as a number of civilians stop to render assistance to both drivers. Police units arrived at the scene shortly thereafter, took the suspect into custody and provided first aid to both the suspect and the civilian driver.*

*This document is the property of the IIU and is not to be distributed to any other party without the written consent of the IIU.*

*The accused was subsequently conveyed to hospital in critical condition, while the civilian driver was transported in unstable. Both were later stabilized.*

*Of note, Air1 is equipped with three cameras, two daytime cameras and a thermal imaging camera, which captured this entire incident on video.*

As this matter concerned a serious injury as defined under the IIU regulations, the IIU assumed responsibility for this investigation in accordance with Section 66(4) of The *Police Services Act* (PSA). IIU investigators were assigned to this investigation.

IIU investigators obtained the following information from the WPS, among other items:

- Air1 Surveillance Footage
- 911 Audio calls (4 discs)
- Radio Transmissions
- List of Involved Officers
- List of Involved Parties
- List of NICHE Reports
- Call History and Arrest Report for C23-51709
- Narrative
- Log Sheet and witness declaration form – female victim
- CDR Analysis
- Audio Log Request Form
- Identification Request Form

Due to a dearth of information received by IIU at the outset, it was the decision of the civilian director to defer 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.

## **Facts and Circumstances**

### **Scene Examination**

On March 6, 2023, IIU investigators attended to the incident at McPhillips Street and Leila Avenue. Upon arrival, they observed that all vehicles involved in the motor vehicle collision (MVC) had been cleared from the scene, along with any accompanying debris. The investigators began to canvass for surveillance video and witnesses.

### **Canvass**

*This document is the property of the IIU and is not to be distributed to any other party without the written consent of the IIU.*

On March 6, 2023, IIU investigators conducted a canvass of the area from the intersection at Leila Avenue and McPhillips Street to Kingsbury Avenue. Surveillance video was obtained from several businesses in the area.

### **Affected Persons**

#### **AP1**

On March 6, 2023, IIU investigators attended Health Sciences Centre (HSC) and obtained an interview of AP1.

AP1 stated that he left his residence at 11:45 p.m. on March 4 and headed east on Leila Avenue to pick up his girlfriend. While he was at the corner of Leila Avenue and McPhillips Street, the light turned green. He proceeded to drive through the intersection and did not remember anything after that moment. He stated that when he “*Came to*” he was sitting in the driver’s seat, was sweating and speaking with a police officer, then remembers being at HSC.

AP1 did not hear or see any police vehicles and did not see the vehicle that hit his vehicle. He has not spoken with any police officers since being at HSC.

#### **AP2**

On March 7, 2023, IIU investigators attended HSC and obtained an interview of AP2.

AP2 stated that he did not remember anything that occurred before or after the motor vehicle collision and did not recall seeing WPS officers. He explained that he suffered injuries that consisted of a “*Busted leg (left), busted intestines, and a broken collarbone (left clavicle).*” AP2 stated that he had many scars on his head and did not know where the scars came from.

### **Civilian Witnesses**

#### **CW1**

On March 8, 2023, IIU investigators obtained a statement from CW1. She stated that AP2 was the female victim’s common-law husband. She stated she heard an argument between AP2 and the female victim and later witnessed him dragging her out of their vehicle. CW1 called the police and observed AP2 leaving the scene. The police attended to the female victim and transported her to District 3 while AP2 fled.

#### **CW2**

On September 8, 2023, IIU investigators obtained a statement from CW2. CW2 provided details regarding an incident that occurred on March 4, 2023. He stated that on that evening, he was an Uber driver, and he witnessed a collision at the intersection of Leila Avenue and McPhillips Street. A pickup truck travelling westbound on Leila Avenue was struck by a white SUV that ran a red light at McPhillips Street. CW2 reported that he promptly exited his vehicle and observed the extensive damage caused by the accident. Shortly after, several police vehicles arrived on the scene to manage traffic.

CW2 further mentioned that he captured the entire incident on his dash camera. Realizing the significance of his footage, he proactively approached the police station on Smith Street to report the incident and provide his video evidence. Additionally, he filed an insurance claim and handed over the dash camera footage to WPS when they visited his residence on the same day.

### **Witness Officers**

#### **WO1**

On April 21, 2023, IIU investigators obtained a statement from WO1. He provided insight into the role of a tactical flight officer, namely TFO-1 and TFO-2. He stated that TFO-1 was responsible for operating the monitor and camera controls while maintaining communication with ground units. TFO-2 serves as a second set of eyes, providing additional information to the ground officers by looking out the window.

WO1 described arriving at a scene where an individual was lying in the roadway and another individual was coming and going from across the street. He noted that Air1 could not initially determine the role of the second individual in the incident.

During the observation of a home, WO1 observed a vehicle parked outside. As police arrived on scene, a second individual, AP2, entered the vehicle and drove away in a suspicious manner. Air1 followed the vehicle as it accelerated and made a turn, and police cruisers were dispatched to stop it and investigate its potential involvement in the incident on Powers Street.

When a police unit followed on Selkirk Avenue, AP2's vehicle accelerated away from the police cruiser that was attempting to initiate a traffic stop. The pursuing unit notified Air1 to take over as the driving became dangerous. Five minutes later, AP2's vehicle was seen weaving in and out of traffic on McPhillips Street, with updates of the speed being voiced by TFO-1. A police unit attempted to deploy a Stop Stick tire-deflation device on Kingsbury Avenue. However, AP's vehicle did not stop, and 10 to 15 seconds later, it collided with another vehicle at Leila Avenue and McPhillips Street. An ambulance was immediately requested, and Air1 continued to orbit the scene until police units arrived.

According to WO1, no other police cruisers were observed until the Stop Stick attempt at Kingsbury Avenue.

#### **WO2**

On June 2, 2023, IIU investigators obtained a statement from WO2. He stated that on March 4, 2023, at 11:45 p.m., he and his unit responded to a domestic incident at the 100 block of Powers Street. The incident involved an assault on a female victim. Air1, already present at the scene, confirmed the presence of the female victim lying on the street and witnessed a person (AP2) associated with a white SUV leaving the area. Unit N310 arrived at Powers Street and was informed that AP2 was in the vehicle and was subject to being arrested.

Air1 followed the white SUV as it traveled westbound on Leila Avenue and northbound on Andrews Street. WO2 and his unit approached the scene from southbound Main Street and westbound Selkirk Avenue. WO2 positioned his unit behind AP2's vehicle when it turned

westbound onto Selkirk Avenue from northbound Andrews Street. The unit activated emergency lighting to prompt a vehicle in front to pull over.

WO2 caught up to AP2's vehicle at McKenzie Street and continued pursuit with lights and sirens activated. However, he did not pull over but accelerated, prompting WO2 to turn off lights and sirens and pull over. AP2 ran a red light at Arlington Street and fled westbound on Selkirk Avenue.

WO2 and his unit arrived at the collision scene to find heavily damaged vehicles and assisted in traffic control. He did not witness the deployment of the Stop Stick device.

### **WO3**

On June 8, 2023, IIU investigators obtained a statement from WO3. He stated that his unit responded to a domestic call at Powers Street on March 3, 2023, with Air1 and another District 3 unit. While en route, they witnessed AP2's vehicle, a white Honda SUV, leaving the scene and provided its location. WO3's unit observed the white SUV turning onto Andrews Street without lights. They attempted to pull the vehicle over, but it accelerated and ran a red light at Arlington Street. His unit then deactivated its emergency lights and continued to follow the white SUV at a safe distance, while Air1 monitored its movements.

### **WO4**

On June 8, 2023, IIU investigators obtained a statement from WO4. He stated that he and WO5 were deployed to District 3. While conducting general patrol duties at 11:45 p.m., they received information about a domestic incident involving a white Honda. Air1 was already on the scene and the suspect vehicle was fleeing from another police unit.

In response to the situation, WO4 attempted to deploy a Stop Stick tire-deflation device to prevent the suspect (AP2) from escaping. However, due to the high-speed approach of the white Honda, he was unable to set up the Stop Stick properly, and it was thrown in front of the vehicle as it passed by. WO4 stated that he initially thought that he got all of the tires so they voiced that it was a good deployment. As WO4 was cleaning up the Stop Stick, he heard a bang/crash, which sounded like a vehicle collision. He learned that the white Honda subsequently collided with another vehicle at the intersection of Leila Avenue and McPhillips Street.

Upon reaching the scene, WO4 found AP2's vehicle severely damaged and on the median facing southbound. Another vehicle involved in the collision had been T-boned and its occupants were initially unconscious but breathing. Assistance was provided to them, and a unit from District 3 took over. A patrol sergeant arrived and directed the shutdown of southbound traffic on McPhillips Street.

### **WO5**

On June 23, 2023, IIU investigators obtained a statement from WO5. At 11:43 p.m., he and his partner WO4 heard a domestic call over the radio at Powers Street.

The complainant reported that a female victim was being assaulted by AP2. Despite the involvement of Air1 and other general patrol cars, AP2 managed to flee in an SUV. WO5's unit

positioned themselves at McPhillips Street and Kingsbury Avenue to set up a Stop Stick. The SUV, travelling at a high rate of speed, drove through the intersection without stopping and eventually collided with another vehicle at the intersection of McPhillips Street and Leila Avenue. The SUV sustained extensive front-end damage and its airbags were deployed.

## **Summary of Other Evidence**

### **Air1 Video**

On March 15, 2023, IIU investigators obtained the video footage that was captured by WPS-AIR1, from March 4, 2023. The video ran from 11:45 p.m. until 11:56 p.m. (11 minutes).

In the captured video, an infrared (IR) camera documented a sequence of events involving individuals and vehicles at Powers Street in Winnipeg, Manitoba. The footage commenced with AIR1 circling the area.

At 11:45 p.m., AIR1 recorded two parked vehicles on Powers Street. One vehicle displayed an open passenger-side door, with CW1 walking towards a residence, and the female victim remaining on the street. At 11:46 p.m. and 26 seconds, AP2 is seen approaching the vehicle with the open door, enters through the driver's side, and shuts the passenger door.

At 11:46 p.m., vehicle WPS-N310 arrives, and the female victim approaches the police vehicle. Police officers from N310 emerged from their vehicle, and the female victim joins them. Meanwhile, AP2 departs from 102 Powers Street.

At 11:47 p.m., AP2's vehicle is seen turning onto Stella Avenue, leaving Powers Street. The video continued to chronicle the AP2's vehicle movement through various intersections, capturing significant moments such as speed, turns, and interactions with law enforcement.

At 11:51 p.m., a motor vehicle collision occurs when AP2's vehicle collides with a truck at the intersection of McPhillips Street and Leila Avenue. At 11:52 p.m., police units arrived at the collision scene, followed by officers approaching AP2's vehicle and tending to the truck involved.

From 11:53 p.m. and 41 seconds to 11:56 p.m. and 16 seconds, the video demonstrates the arrival of Winnipeg Fire Paramedic Services (WFPS) and the collaborative efforts of WPS and WFPS in managing the scene and traffic congestion.

### **Personal Health Information - AP1**

On April 6, 2023, IIU investigators received AP1's personal health information (PHI) from HSC. The PHI indicated that on March 5, 2023, AP1 was admitted at the HSC emergency department following a motor vehicle collision. A CT scan confirmed fractures of ribs 6 through 9 on the right side, along with a trace right pneumothorax and a hepatic laceration. No other injuries were found on the CT imaging. Based on 24-hour monitoring, it was determined that AP1 could be safely discharged in the afternoon of March 6, 2023.

*This document is the property of the IIU and is not to be distributed to any other party without the written consent of the IIU.*

## **Personal Health Information - AP2**

On July 25, 2023, IIU investigators received AP2's PHI from HSC. It revealed that on March 5, 2023, AP2 arrived at HSC Emergency as a CTAS 1 (*patient, requiring immediate resuscitation due to severe illness*). His condition was a result of a high-speed collision where his vehicle collided with another vehicle. AP2 suffered multiple injuries including intraperitoneal free air, displaced mid-clavicle fracture, non-displaced rib fracture, comminuted intra-articular fracture of the distal femur and un-displaced patellar fracture. AP2 underwent a trauma laparotomy and required additional operative management. He was discharged on March 31, 2023.

## **Traffic Analyst Report**

On August 30, 2023, IIU investigators obtained a traffic analyst report. The report revealed that the Honda HR-V driver was involved in a high-speed pursuit with police following a domestic incident. The collision occurred as the Honda HR-V, traveling at a speed between 133 and 150 kilometres per hour (km/h), ran a red light and collided with a Dodge Ram. The Dodge was accelerating on a green light and was traveling at or near 33 km/h at the time of impact. The Honda HR-V's speed at impact, as determined by CDR data, was 152 km/h. CDR data also showed that the Honda HR-V reached a speed of 162 km/h one second before the collision.

## **Dash Camera – CW2**

On September 8, 2023, CW2 provided IIU investigators with a copy of video footage that was recorded from his dash camera on March 4, 2023. The recorded footage began at 11:50 p.m. and three seconds and ended at 11:57 p.m. and five seconds. CW2 is seen driving westbound on Leila Avenue and comes to a stop at a red light at the intersection of Leila Avenue and McPhillips Street. At 11:50 p.m., a white truck stops at the same red light, facing eastbound. At 11:51 p.m. and four seconds, the traffic light on McPhillips Street turned red, prompting eastbound traffic at the intersection to start moving. At 11:51 p.m. and eight seconds, AP2's vehicle approached the intersection, traveling northbound, and collides with the white pickup truck that was travelling eastbound on Leila Avenue.

At 11:52 p.m. and six seconds, two WPS police vehicles arrived at the scene with their emergency lights activated. At 11:52 p.m. and 20 seconds, a third police vehicle also arrived at the scene. At 11:52 p.m. and 46 seconds, two more police vehicles arrived.

## **Conclusion**

On March 4, 2023, an incident of domestic assault involving AP2 took place on Powers Street in Winnipeg, prompting a response from WPS. WPS Air1 attended the scene, capturing video footage of the female victim lying in the street with a white Honda SUV nearby. Subsequently, AP2 fled from the scene in the white Honda SUV. AP2 is seen travelling at a high rate of speed — speeds of up to 162 km/h. The video footage demonstrates that WPS officers were not in pursuit of AP2. Officers deployed a Stop Stick tire-deflation device in order to stop AP2. However, it did not have effect on the movement of AP2's vehicle. AP2 is then seen to proceed through a red light and collide with AP1's vehicle, causing significant damage to both vehicles



and injuries to both APs. Video footage demonstrates that it took one minute for WPS to arrive on scene.

In this investigation, the IIU's mandate is to consider whether the serious injuries suffered by the APs may have resulted from the actions of the police officers. In considering all the circumstances, I am satisfied that no officers contributed to the serious injuries of the APs; rather, the collision occurred as a result of the actions of AP2. Therefore, the IIU investigation is now completed and the matter is now closed.