



**IN THE MATTER OF AN INVESTIGATION INTO A MOTOR VEHICLE COLLISION  
ON LONG PLAIN FIRST NATION ON JUNE 10, 2023**

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

Civilian Director:	Roxanne M. Gagné
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## **Introduction**

On June 10, 2023, the Manitoba First Nation Police Service (MFNPS) notified the Independent Investigation Unit of Manitoba (IIU) of an incident.

The written notification disclosed the following information:

*At 13:00 hours witness officer (WO1) conducted a traffic stop on Long Plain First Nation to investigate a possible impaired driver. WO1 spoke to a female driver identified as civilian witness (CW). WO1 asked her to exit the vehicle to administer the Approved Screening Device (ASD). She was subsequently asked if the police service dog could be taken around her vehicle. The male passenger, who initially provided the name of “Kyle \*\*” overheard the comment which resulted in him jumping into the driver seat and immediately fleeing in the vehicle. WO1 left the female driver on the side of the road and attempted to follow the vehicle. Before WO1 was able to voice a pursuit, the vehicle had rolled in the ditch. Once the vehicle came to the final resting position, the male continued to try and escape, but was unable to physically do so.*

*The male was then identified as affected person (AP). Emergency Medical Services (EMS) and Fire were requested and attended. Long Plain Fire Department was able to extract AP from the vehicle through the rear window that had been broken in the accident. EMS was on the scene shortly after and STARS was called to attend and transported AP to Health Sciences Centre (HSC) for possible injuries to his lower body. Visually, there did not appear to be any injuries to the upper body of AP, his right ankle was swollen and he complained about pain in his pelvic area.*

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 MFNPS, among other items:

- Occurrence Summary
- 911 Communication
- Audio Transcript
- Bail Brief, Release Order
- Computer automated dispatch Report
- Canadian Police Information Centre (CPIC) Response Report
- Driver Status – AP
- Vehicle Information – CW
- General Report – WO1
- Notes – WO2
- Photographs – scene of crash
- Property List
- Prosecutors Information Sheet

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- Supplementary Occurrence Report
- Warrant of Arrest – AP

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 and Canvass**

No Scene examination was completed by MFNPS. WO1 obtained a number of photographs of the scene prior to the vehicle being removed and towed away.

On August 17, 2023, IIU investigators attended the scene and noted where the traffic stop occurred and where the vehicle crashed in the ditch. The distance between the two points is one (1) kilometer.

MFNPS did not request the services of Traffic Collision Analysts to attend and process the scene.

No canvass was completed or required as the motor vehicle crash occurred in the rural side of Long Plains Community.

No videos were obtained in this incident. MFNPS vehicles are not equipped with video equipment.

#### **Affected Person**

On July 25, 2023, IIU investigators attended to the Winnipeg Remand Centre to interview the AP. AP declined to discuss the details of the incident or provide an audio statement. AP wished to seek legal advice from his legal counsel prior to deciding whether he would cooperate or not with the IIU investigation. On September 19, 2023, IIU investigators attended to Headingly Correctional Centre and met with AP. He stated that based on his lawyer's advice, he declined to provide a statement or participate in the IIU investigation.

#### **Civilian Witness**

On June 13, 2023, IIU investigators obtained a statement from CW. She stated that she was giving a friend a ride to Long Plains. CW went to pull her vehicle into the daycare parking lot when a police officer followed them into the lot. CW said she went to turn her vehicle around when the police officer turned his emergency lights on to pull her over. The male passenger told CW to take off, but she did not. CW stopped and pulled over her vehicle on the side of the road. The police officer walked up to her vehicle and asked for her driver's license and vehicle registration. CW provided both documents to the officer. The officer asked CW to step out of

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the vehicle and she did. She and the officer were walking back to his police SUV. As the two of them were walking, the male passenger in CW's vehicle jumped over to the driver side and took off.

The police officer got into his SUV and went after the vehicle. CW said it obviously turned into a police chase. About 10 minutes later, CW saw the STARS helicopter land in Long Plains. CW got a ride back to Portage la Prairie. CW went into the police station later that afternoon and provided a statement to a police officer.

When CW was initially pulled over, the officer just turned his overhead lights on, but no siren. AP told her to take off and not to pull over. CW told AP that she was not taking off and was going to pull over. She stated that AP started freaking out. He said that there was a warrant for his arrest and he would end up in jail.

Where the police officer stopped CW near the daycare, it was only a short walk from the police station in Long Plains. The officer was working alone at the time of the incident and he was driving an unmarked black SUV. When the police officer pursued AP, he only activated his overhead lights, but not the siren.

### **Witness Officers**

#### **WO1**

On August 17, 2023, IIU investigators obtained a statement from WO1. He stated that he is a member with MFNPS and currently assigned to work in Long Plains, Manitoba.

WO1 stated that he was on routine patrol duties when he observed a red car driven by a female. The vehicle had a male passenger who covered his face with his hat as WO1 drove past their vehicle. The red vehicle made an abrupt right hand turn into a parking lot of a childcare centre. The vehicle did a lap in the parking lot and eventually pulled onto Dakota Trail.

WO1 activated his emergency lights behind the red car and the female driver pulled over. Vehicle checks showed that the vehicle was registered to CW. WO1 walked up to the driver side window and could smell the odor of liquor coming from the vehicle. The driver was asked if she had been drinking or doing drugs. The driver stated that she had drinks earlier. The female driver said she did not know the male. WO1 asked him for his name, and he provided a false name, "Kyle \*\*".

WO1 stated that he had a drug dog in his vehicle and asked the female driver if he could run the dog through her car to search for illegal drugs. The female provided her consent. WO1 asked the female driver to exit her vehicle. WO1 said he felt a weird vibe coming from the female driver. The female driver appeared very nervous. WO1 wanted to speak with her in private, not knowing what was going on with her and the male passenger. The female exited and walked to the front of the police vehicle. When WO1 looked back at the car, he could see that the male passenger had jumped over the centre console and was now sitting behind the wheel. The male immediately took off, racing away down the gravel road. WO1 told the female to go over to the police detachment office and wait for him.

WO1 got into his police vehicle and activated the lights and sirens. He tried to catch up with the vehicle. WO1 stated that it was quite dusty, and it was difficult to see up ahead. WO1 radioed his partner, WO2 to come and assist him. Once the dust settled ahead, WO1 saw the red car rolling in the ditch.

WO1 parked his car and WO2 arrived around the same. Both approached the red vehicle and saw the male driver kind of stuck inside. WO2 told him to show his hands. The male driver was going through his backpack. WO1 saw AP eating Tylenol 3s. WO2 took the backpack away from him and saw that he had cocaine and other items. The male driver said his legs were broken. Therefore, he was not placed under arrest at the time. One of the fire department attendants arrived on scene and pulled him out of the vehicle and onto the ground. AP was complaining of a broken back and legs. WO1 decided not to arrest him at this time and let STARS and EMS personnel care for him and his injuries.

WO2 stated that he had dealings with AP in the past and he was able to positively identify him.

WO1 stated that AP crashed about 500 meters from the traffic stop, and it was about one minute to drive to where the car had rolled into the ditch. AP had made a southbound turn from the main road before it crashed about 50 yards down the road. When the car rolled, it ended up on its side. The driver side door was on the ground with the passenger side door facing upwards. The front window was smashed out.

WO1 did not observe any visible injuries on AP when he was first pulled out of the vehicle by the first responders. WO1 thought it was possible that AP may have suffered a broken ankle as he was complaining of pain.

## **WO2**

On August 17, 2023, IIU investigators obtained a statement from WO2. He stated that at approximately 1:00 p.m., WO1 broadcasted over the radio that he was conducting a traffic stop. WO2 was in the office at the time in the Long Plains office. A short time later, WO1 came on the radio and said that the male passenger who had identified himself as “Kyle \*\*” had jumped into the driver side and he had just stolen the car.

WO2 headed to the area where the traffic stop was initiated and where the stolen vehicle was last seen going southbound. A minute or two later, WO1 came on the radio again and stating that the vehicle had rolled and was now in the ditch on the side of the road.

Upon arrival, WO2 saw that the stolen vehicle was in the ditch resting on its side. WO1 was already near the vehicle. WO2 approached the vehicle and recognized the male inside as AP. AP was complaining of pain in his legs and was trying to light up a cigarette. AP was told to turn off the ignition. He kept grabbing a backpack that was in the back seat of the vehicle. AP took out a couple of white pills from the backpack and put them inside his mouth. The backpack was taken away from AP and removed from the vehicle. The backpack contained T3 pills and a quantity of drugs believed to be cocaine.

About 20 minutes later, the fire department personnel arrived on scene and removed AP from the vehicle. AP was taken to the side of the road where EMS assessed him for injuries. The officers

had contacted STARS Air Ambulance and, within a few minutes, they arrived on scene and air lifted AP to HSC in Winnipeg. Both WO1 and WO2 searched the vehicle, and around the vehicle, to see if there was any other evidentiary items of interest to seize, but nothing was located.

WO2 stated that the location of the traffic stop was approximately 600 feet away from the MFNPS office. It was approximately two minutes between when WO1 radioed that he was conducting a traffic stop to when AP jumped behind the wheel and took off. The location of the rollover was about half a mile from the MFNPS office.

When AP was initially pulled out of the vehicle, WO2 was only about five feet away and observed no visible injuries or blood on AP. WO2 did not place AP under arrest at scene as his personal safety and well-being became the main concern at that time.

### **Summary of Other Evidence**

#### **Audio Communication between Officers and MFNPS Communication Center**

WO1 radioed dispatch regarding the traffic stop on Dakota Trail in Long Plains and CPIC checks on KNX608, active and registered to CW. CPIC checks on “Kyle, \*\*” front male passenger.

WO1 requested for WO2 to come out and assist him with the traffic stop. WO1 advised WO2 that the male just jumped behind the wheel and stole the Red Lancer. WO2 voiced that he was on his way to assist WO1.

WO1 advised dispatch that the male just stole the car and took off. WO1 advised the female driver to walk over to MFNPS office and wait for the officers. Stolen vehicle went travelling southbound on Arrowhead Trail from Dakota Trail. WO1 requesting for results of CPIC check on “Kyle. \*\*”

WO1 voiced that the vehicle just rolled over into the ditch on Arrowhead Trail. WO1 requested for EMS. Male is trying to get out of the vehicle. WO2 just pulled up to the crash site. Male is conscious and breathing. He is trying to light up a cigarette.

WO2 positively identified male driver as AP.

WO1 advised dispatch that when he was speaking with RO CW outside the vehicle, she indicated that she picked up AP in Portage and he demanded that CW drive him to Long Plains. While WO1 was speaking with CW outside the vehicle, AP jumped behind the wheel and stole her vehicle.

WO1 said that AP is saying that his legs are broken. A backpack located inside the vehicle was found to have a quantity of cocaine, pills, and weapons.

WO1 advised that STARS Air Ambulance is 10 minutes out. AP is likely getting transferred to a hospital in Winnipeg. AP suspected of having a broken hip and possibly ankle. WO1 advised dispatch that STARS Air Ambulance is leaving with AP for HSC in Winnipeg.

Dispatch advised WO1 that AP is suspended from driving for lifetime.

AP's mother called police dispatch wanting information if her son was involved in a MVC and airlifted to Winnipeg.

### **Scene Photos of Motor Vehicle Crash**

IIU investigators received 20 photos of the scene that were taken by WO1. Photos #1-9 demonstrate a black coloured Puma backpack, white coloured pills (T3) and white coloured powder believed to be cocaine, clothing articles, and a pair of brass knuckles. Photos #10-17 demonstrate the gravel roadway, skid marks on the gravel roadway, and a red coloured vehicle in the ditch resting on the side with the driver side of the vehicle on the ground and the passenger side facing skywards. Photos #18-19 demonstrate the inside of the vehicle and photo #20 shows the drugs seized and the brass knuckles.

### **Medical Records - AP**

On June 10, 2023, AP was airlifted by STARS Air Ambulance from the MVC scene on the Long Plains First Nations Community to the Health Sciences Centre in Winnipeg. At 2:47 p.m., AP was admitted into the emergency department.

X-Rays showed AP to have suffered a dislocated right hip and a small fracture to his right ankle.

AP successfully underwent a closed reduction under procedural sedation to have his right hip placed back in place.

Orthopedic Surgery declined to perform surgery on AP's fractured right ankle as the x-rays showed tiny fracture with a mildly displaced small bone fragment at the medial malleolus. AP advised to use crutches for one week and requested to return for follow-up appointment with Orthopedic Department at HSC.

### **Conclusion**

The IIU's mandate is to consider whether the serious injuries suffered by the AP may have resulted from the actions of the police officers who attended the scene of the incident. In considering all the circumstances, I am satisfied that the very brief interaction of the officer did not contribute to the serious injuries of the AP. Rather, AP is solely responsible for his own injuries as he attempted to steal CW's vehicle to flee from police during the traffic stop. Therefore, the IIU investigation is now complete and the matter is now closed.