



**IN THE MATTER OF AN INVESTIGATION INTO A SERIOUS INJURY
DURING AN INCIDENT ON OCTOBER 12, 2023**

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

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Introduction

On October 12, 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 October 12th, 2023, at approximately 12:50 a.m., uniformed Community Support Unit members were patrolling by vehicle in the area of 300 block of Magnus Avenue when they observed two youths, the affected person (AP) and a civilian witness (CW) walking. Officers observed what they believed to be a firearm being carried by AP. As soon as police stopped and exited their vehicle, the two youths fled. Police caught up with both youths on the stairs of 340 Magnus and a modified firearm was subsequently located. AP and CW were notified that they were under arrest. AP attempted to flee off of the steps but police took hold of him and both AP and a witness officer (WO) fell to the ground with WO on top of AP. At this time, it was clear that AP had suffered an injury to his right leg. Immediate medical attention was sought and AP was conveyed by ambulance to hospital where his injuries were confirmed.

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.

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

The WPS were attempting to arrest two male subjects, AP and CW. During the course of the interaction with police, the two males were located on the front steps of 340 Magnus Ave. The AP was at the top of the steps and attempted to escape the officers by jumping over the railing. An officer tried to grab onto the AP and the AP dragged the officer over the steps with him, where they both fell to the ground. The AP suffered a broken leg. Police provided medical care to AP and EMS transported him to the hospital.

AP declined to sign a medical information release form when requested by investigators.

IIU investigators conducted a canvass of the scene and observed a small entry staircase (six stairs) at the front of 340 Magnus Avenue.

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Affected Person

On October 12, 2023, IIU investigators obtained a statement from AP. He advised that he and his cousin (CW) were walking along. His cousin pulled out a shotgun. They saw a black vehicle come by. The police hopped out and saw the shotgun, which was in his cousin's possession. AP resisted and tried running. The police tried to stop him and tried grabbing him. He tried to jump down, and he believes his legs became "intertwined." He accidentally pulled the police officer down with him. He stated that this occurred on the steps outside of a residence.

AP stated that he jumped on his own from the top of the steps and the police did not push him.

AP described his injuries as having two broken bones in his leg and indicated that he will be having surgery this day.

Conclusion

It is the IIU's mandate to consider whether the serious injuries suffered by the AP may have resulted from the actions of any police officers who attended the scene of the incident. In considering the information received from the WPS and the statement obtained from the AP, I am satisfied that the WPS officer was not responsible for, nor did he take any action which contributed to the serious injury suffered by the AP. As admitted by the AP, it was the AP who had pulled on the officer as he was falling down the stairs. The WPS officer provided appropriate medical care once it was identified that the AP required medical attention.

Therefore, given the evidence does not demonstrate that the AP suffered a serious injury as a result of the actions of a police officer, this incident no longer meets the IIU's mandate. Therefore, the matter is now closed.