



**IN THE MATTER OF AN INVESTIGATION INTO AN OFFICER-INVOLVED  
SHOOTING DEATH OF A MALE ON DALHOUSIE DRIVE IN WINNIPEG**

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

Acting Civilian Director:	Bruce M. Sychuk
IIU File Number:	2023-0076
Date of Release:	February 12, 2025

## **Introduction**

On Nov. 28, 2023, the Winnipeg Police Service (WPS) notified the Independent Investigation Unit of Manitoba (IIU) of an incident.

The written notification disclosed the following information:

Excerpt from Part 7 Notification received on Nov. 28, 2023:

*On Tuesday, November 28th, 2023, at approximately 00:37hrs, Central Traffic Division members attempted to conduct a traffic stop in the south rear lane of Dalhousie Drive, east of Pembina Highway.*

*At this time, the AP attempted to flee and pinned one of the officers with the vehicle, resulting in the officer discharging his service firearm.*

*The AP was subsequently conveyed to the HSC in critical condition where he was pronounced deceased.*

As this matter concerned an officer-involved shooting death, the IIU assumed responsibility for this investigation in accordance with Sec. 65(4) of The Police Services Act. IIU investigators were assigned to this investigation.

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

- notes, narratives and reports of officers
- call history and radio recordings
- video footage and photos
- forensic identification photos
- a traffic analyst report
- medical reports

The civilian director designated one subject officer (SO1) and three witness officers (WO1 to WO3). IIU investigators also received information from eight civilian witnesses (CW1 to CW8).

## **Facts and Circumstances**

### **Scene Examination**

IIU investigators were provided scene and forensic analysis from Forensic Identification Services in relation to the incident. IIU investigators canvassed the area and were able to identify numerous civilian witnesses.

## **Interviews**

### **Civilian Witnesses**

#### **Civilian Witness 1 (CW1)**

IIU investigators interviewed CW1 on Dec. 6, 2023, and were provided the following information:

CW1 confirmed that she was driving a stolen vehicle with AP. They had just pulled into a parking stall when a police SUV pulled up behind the vehicle. One officer attended to the

*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.*

driver's side door while another officer attended the passenger's door of CW1's vehicle. CW1 did not see any weapons in the officers' hands.

CW1 stated that the officer near the passenger's door directed them to exit the vehicle. AP told her to exit the vehicle so she opened the driver's door and was pulled by the officer out of the vehicle. AP slid into the driver's seat position. The officer that grabbed CW1 stated that AP was fleeing and attempted to grab AP.

CW1 pushed back against the officer preventing him from reaching AP at which point she could feel the officer behind her getting pinned against the vehicle behind him. CW1 stated that it was not AP's vehicle that was pinning the officer against the vehicle behind them.

CW1 recalled hearing glass break and then four gunshots that came from the passenger's side door of AP's vehicle. AP's vehicle then drove forward and made a turn into a fence. CW1 stated that she and the officer fell to the ground while AP's vehicle drove into the fence.

CW1 got up and went towards AP's vehicle and she noted the officer that was on the ground did not have any weapon drawn at that time. As CW1 was running towards AP's vehicle, she recalled that a conducted energy weapon (CEW) was deployed, striking her in the leg. CW1 continued towards AP's vehicle on the driver's side and saw AP slumped over the wheel. Officers then placed her in handcuffs and in the back of a police vehicle.

#### Civilian Witness 2 (CW2)

IIU investigators interviewed CW2 on Nov. 30, 2023, and were provided the following information:

CW2 was lying in bed when she heard a vehicle's tires screeching. CW2 looked out the window and did not see anything, but then heard a crash and a male yelling. CW2 stated that she then heard gunshots and more yelling and went to her patio door. CW2 observed a vehicle stopped against a fence and police officers taking a female into their vehicle in handcuffs.

#### Civilian Witness 3 (CW3)

IIU investigators interviewed CW3 on Nov. 29, 2023, and were provided the following information:

CW3 was with his brother when he observed a vehicle had been stopped by a police vehicle. CW3 stated that the vehicle started to drive away and then hit a fence, followed by gunshots and a CEW deployment. CW3 next observed a female being taken into the back of a police vehicle.

#### Civilian Witness 4 (CW4)

IIU investigators interviewed CW4 twice on Nov. 28 and Dec. 28, 2023, and were provided the following information:

CW4 was with CW3 when he observed an unmarked police vehicle behind a pickup truck with lights activated. CW4 stated that the truck moved forward and hit a fence which was followed by gunshots and then by the sound of a taser. CW4 did not see who fired the gun or the taser.

CW4 stated that the first time he saw an individual involved in the matter was when police were taking a female to the vehicle in handcuffs.

### Civilian Witness 5 (CW5)

IIU investigators interviewed CW5 twice on Dec. 6 and Dec. 28, 2023, and were provided the following information:

CW5 observed two officers on the driver's side of a vehicle attempting to pull the driver out. CW5 saw the driver accelerate forward at which point she went to wake her husband. CW5 heard the truck hit the fence but did not recall hearing any gunshots.

### Civilian Witness 6 (CW6)

IIU investigators interviewed CW6 on Nov. 28, 2023, and were provided the following information:

CW6 was sleeping in bed when she heard a crash and then someone say "get on the ground," followed by two bangs that she assumed were gunshots. CW6 believed that the voice yelled "get on the ground" four or five times, followed by two noises that she thought were gunshots.

### Civilian Witness 7 (CW7)

IIU investigators interviewed CW7 twice on Nov. 28, 2023 and Jan. 9, 2024, and were provided the following information:

CW7 stated that she was asleep when she heard a loud noise. CW7 looked out her window and saw the police vehicle, but she did not see any officers or a pickup truck. CW7 then heard two gunshots and the sounds of a woman crying. CW7 observed the pickup against the fence when she was on her way to work in the morning.

### Civilian Witness 8 (CW8)

IIU investigators interviewed CW8 twice on Dec. 4 and Dec. 28, 2023, and were provided the following information:

CW8 heard a vehicle revving, followed by gunshots. CW8 saw smoke when he looked out his window, but did not see the truck against the fence at this point in time. CW8 moved to a different window in his apartment and now observed the truck against the fence revving.

## **Witness Officers**

### Witness Officer 1 (WO1)

IIU investigators interviewed WO1 on Dec. 14, 2023, and were provided the following information:

WO1 was partnered with SO1 in a black unmarked police vehicle assigned to traffic duty. WO1 observed a pickup truck with a temporary permit. WO1 cross-referenced the vehicle against the stolen vehicle list and confirmed the pickup matched the description of a vehicle on the list.

WO1 and SO1 followed the vehicle to a parking stall and pulled their vehicle in behind the pickup. WO1 noted there to be two individuals inside the vehicle. WO1 walked to the

passenger's side of the vehicle while SO1 went to the driver's side door. WO1 noted that CW1 was in the driver's seat and AP was in the passenger's seat.

WO1 had his pistol in the low ready position as he moved towards the passenger's door. WO1 noted that AP was reaching either between or under the seat. WO1 directed AP to exit the vehicle. SO1 said to WO1 that he could not open the driver's door.

WO1 observed SO1 get the driver's side door open and remove CW1. WO1 noted that AP slid into the driver's seat after CW1 was removed. WO1 noted that SO1 was in a struggle with the driver's side door and went over to assist. WO1 heard the truck revving and tires spinning followed by a crunching noise and SO1 screaming. WO1 noted SO1 was pinned by the pickup truck.

WO1 stated that he was going to shoot AP at this moment but did not have an unobstructed shot, so he started to run around the back of the vehicle to get in position to shoot. WO1 noted SO1's arm in the air, pointing his gun at AP. WO1 heard gunshots and lost sight of SO1 as the pickup drove into a fence.

Soon after, WO1 observed CW1 run toward the driver's side of the truck screaming. WO1 thought CW1 might be going to the truck to grab a weapon and directed CW1 to stop. CW1 continued towards the truck, so WO1 deployed his conducted energy weapon (CEW) and then grabbed her and placed her in handcuffs.

WO1 then observed SO1 near the police vehicle. He was bleeding from one of his hands and was limping.

#### Witness Officer 2 (WO2)

IIU investigators interviewed WO2 on Dec. 15, 2023, and were provided the following information:

WO2 was partnered with WO3 when they heard over the radio that shots had been fired and an officer needed assistance. WO2 was able to attend the scene with the assistance of GPS. WO2 noted that SO1 was walking towards them and that his hand was bleeding. SO1 did not advise WO2 what happened.

WO2 went over to the truck and observed WO1 near the driver's side door. WO1 told WO2 that he was fine and that it was AP who was shot. WO2 observed SO1 slumped over the wheel and that the door handle was missing from the driver's side door.

WO2 recalls that someone broke out pieces of glass from the driver's side window to pull AP out to administer medical assistance. WO2 noted three bullet holes to AP's back, applied chest seals and commenced CPR until paramedics arrived.

WO2 and WO3 went with the ambulance to the hospital with AP and were present when AP was pronounced dead.

#### Witness Officer 3 (WO3)

IIU investigators interviewed WO3 on Dec. 15, 2023, and were provided the following information:

WO3 confirmed that he was partnered with WO2 and that they arrived on scene with the assistance of GPS. WO3 approached the truck against the fence and saw WO1 standing near the driver's side door. WO1 told WO3 that AP was shot and needed assistance.

WO3 observed the door handle was missing so he went to the passenger's side door but noticed that handle was missing as well. WO3 noted that both driver's side windows were broken and that WO1 was using his baton to remove the left-over shards in the window allowing AP to be pulled out.

### **Subject Officer**

In accordance with his rights, SO1 declined to be interviewed by IIU investigators but did provide a statement through his legal counsel along with his notes. The following information was received:

SO1 confirmed that his police vehicle followed the pickup truck to a parking stall and pulled up behind the truck. SO1 confirmed that WO1 went towards the passenger's door, asking the occupants to show their hands. SO1 went towards the driver's door in between the pickup truck and another vehicle. SO1 knocked on the driver's window, requesting the driver to exit the vehicle.

CW1 exited the vehicle and SO1 started to provide CW1 with her charge and caution. SO1 noticed AP slide to the driver's seat and start to manipulate the steering wheel and heard the engine revving. SO1 told AP to stop and get out of the truck, and attempted to grab AP from the vehicle. SO1 told WO1 that AP was trying to put it in drive.

SO1 tried reaching out for AP, but CW1 started pushing and interfering with him. SO1 heard the engine revving even louder and could feel the truck moving. SO1 stated that as the truck moved, he could feel pressure in his hip area and that his feet were no longer planted on the ground. SO1 felt the space between the parked vehicles narrowing, causing concern for his and CW1's well-being.

SO1 pushed CW1's head down to create separation and allowing him to grab his firearm. SO1 fired two shots at AP's upper body while his body started to go limp and he fell to the ground.

SO1's next recollection was looking up from the ground and hearing an engine revving in the distance. SO1 stood up and walked towards the vehicle, observing AP slumped over the wheel with the vehicle crashed into a fence. SO1 feared that AP was injured and that the vehicle could become unhooked from the fence, so he attempted to smash the windows with his baton. After numerous attempts, he was successful in breaking the windows on the driver's side and moved AP's leg off the gas pedal.

### **Other evidence**

#### **Video Footage**

IIU investigators were provided footage from different civilian witnesses. All the footage was after the vehicle has already crashed into the fence. What is clear is that no footage showed gunshots being fired after the vehicle had been crashed into the fence.

## **Medical Report**

The autopsy confirmed that the cause of death was gunshot wounds. AP was noted to have cocaine in his blood system.

## **Traffic Analyst Report**

The report corroborated SO1 and WO1's versions of the events of Nov. 28, 2023, as they relate to CW1 and AP's driving.

## **Ballistic Report**

IIU investigators had a concern with respect to the location of the spent casings at the scene, based on the officer's evidence. A ballistic report was requested with the final opinion suggesting that the location of the casings was possible, taking into account the environmental factors.

## **Applicable Law**

### **Criminal Code of Canada**

All relevant sections of the Criminal Code of Canada were considered with respect to this incident. Secs. 25(1), 25(3) and 25(4) of the Criminal Code of Canada have been emphasized here for consideration:

*25 (1) Everyone who is required or authorized by law to do anything in the administration or enforcement of the law*

*(a) as a private person*

*(b) as a peace officer or public officer*

*(c) in aid of a peace officer or public officer*

*(d) by virtue of his office,*

*is, if he acts on reasonable grounds, justified in doing what he is required or authorized to do and in using as much force as is necessary for that purpose.*

*(3) Subject to subsections (4) and (5), a person is not justified for the purposes of subsection (1) in using force that is intended or is likely to cause death or grievous bodily harm unless the person believes on reasonable grounds that it is necessary for the self preservation of the person or the preservation of any one under that person's protection from death or grievous bodily harm.*

*(4) A peace officer, and every person lawfully assisting the peace officer, is justified in using force that is intended or is likely to cause death or grievous bodily harm to a person to be arrested, if*

*(a) the peace officer is proceeding lawfully to arrest, with or without warrant, the person to be arrested*

*(b) the offence for which the person is to be arrested is one for which that person may be arrested without warrant*

*(c) the person to be arrested takes flight to avoid arrest*

*(d) the peace officer or other person using the force believes on reasonable grounds that the force is necessary for the purpose of protecting the peace officer, the person lawfully assisting the peace officer or any other person from imminent or future death or grievous bodily harm*

*(e) the flight cannot be prevented by reasonable means in a less violent manner*

### **Conclusion**

It is my view that, in the full consideration of the circumstances of this tragic incident, the use of lethal force by the subject officer was authorized and justified by law. There are no reasonable grounds to support any charges against the subject officer. Accordingly, IIU has completed its investigation, and this matter is now closed.