



**IN THE MATTER OF AN INVESTIGATION INTO AN INCIDENT INVOLVING AN ON-DUTY WINKLER OFFICER**

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

Acting Civilian Director:	Bruce M. Sychuk
IIU File Number:	2024-0045
Date of Release:	March 3, 2025

## **Introduction**

On Aug. 20, 2024, the Winkler Police Service notified the Independent Investigation Unit of Manitoba (IIU) of an incident.

The written notification disclosed the following information:

Excerpt from Part 7 Notification (written), received on Aug. 21, 2024:

*Prior to the incident SO1 while off duty, wanted to purchase a vehicle from the AP. SO1 and AP disagreed about the GST and SO1 did not complete the transaction.*

*SO1 was on duty on July 14<sup>th</sup>, 2024 stopping at the Tim Horton's to use the restroom. AP entered Tim Horton's afterwards and called out SO1 to get his attention. They had a discussion which was caught on Tim Horton's surveillance. AP called later that day to report that SO1 made a threatening comment towards him at the restaurant.*

As this matter concerned an on-duty officer, the IIU assumed responsibility for this investigation in accordance with Sec. 75(1) of The Police Services Act. IIU investigators were assigned to this investigation.

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

- notes, narratives and reports of officers
- statements
- video surveillance

The civilian director designated one subject officer (SO1) and one witness officer (WO1). IIU investigators also received information from four civilian witnesses (CW1 to CW4) and the AP.

## **Facts and Circumstances**

No scene examination was required. No canvassing was conducted.

## **Interviews**

### **Affected Person**

AP was interviewed by IIU investigators on Aug. 28, 2024, and provided the following information:

AP confirmed that prior to this incident, they had engaged in discussions about the purchase of a vehicle that did not conclude successfully.

AP was at Tim Hortons early in the morning when he saw an officer exit the washroom. AP stated that he initially did not recognize the officer as SO1. AP went to ask SO1 an unrelated question and SO1 said no. According to AP, that is when he recognized SO1.

AP stated that at this point, SO1 started yelling at AP, uttering a threat inside the Tim Hortons. SO1 then exited the restaurant and AP followed, and a further verbal confrontation occurred. SO1 then left the area and AP called in the incident to police later that day.

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## **Witness Officer**

WO1 was interviewed by IIU investigators on Sept. 10, 2024, and provided the following information:

WO1 was on traffic duty on the day of the incident. AP approached WO1, stating he wished to make a complaint about SO1. WO1 stated that AP started the conversation by confirming that AP had not been drinking that day. WO1 recalled that AP showed him personal information and a photo of SO1. WO1 did not recall exactly what AP stated in his complaint, but he confirmed that AP did not mention anything about a threat.

WO1 contacted SO1 shortly after, as he was concerned that AP had personal information about SO1.

## **Civilian Witnesses**

### Civilian Witness 1 (CW1)

CW1 was interviewed by IIU investigators on Aug. 28, 2024, and provided the following information:

CW1 was outside the restaurant when he observed SO1 exit, followed by AP. CW1 could hear that the two were involved in a discussion, but he did not hear everything, as he was a distance from the two individuals. CW1 recalled hearing SO1 swear at AP and suggest that AP was intoxicated. CW1 did not hear the officer utter a threat.

### Civilian Witness2 (CW2)

CW2 was interviewed by IIU investigators on Sept. 24, 2024, and provided the following information:

CW2 was outside the restaurant when he observed SO1 exit the restaurant, followed by AP. CW2 heard SO1 swear at AP, but he did not hear any threat. After SO1 drove away, AP walked up to CW2 and advised him the dispute was about a vehicle. CW2 stated that AP did not mention anything about a threat being uttered.

### Civilian Witness 3 (CW3)

CW3 was interviewed by IIU investigators on Sept. 3, 2024, and provided the following information:

CW3 was working on the day of the incident. CW3 did not recall any confrontation or argument happening on the day of the incident.

### Civilian Witness 4 (CW4)

CW4 was interviewed by IIU investigators on Sept. 3, 2024, and provided the following information:

CW4 was working at the time of the incident. CW4 recalled SO1 exiting the washroom and AP coming up to the officer. CW4 recalled that AP wanted to ask SO1 a question and SO1 declined. CW4 confirmed that the two did engage in a conversation inside the restaurant. CW4 did not hear either party yell nor did he hear anyone utter a threat.

CW4 observed SO1 exit the restaurant, with AP following. CW4 could see a further discussion happening outside, but did not hear what was being said by either party.

### **Subject Officer**

In accordance with his rights, SO1 declined an interview with IIU investigators. However, SO1 did provide a prepared statement, stating the following:

SO1 confirmed that he had met AP in relation to the vehicle transaction prior to the date of the incident.

SO1 confirmed running into AP at the restaurant, but did not provide any further information from the encounter.

SO1 confirmed that WO1 called him about his interaction with AP. SO1 was concerned that AP was trying to get further information of a personal nature from WO1. SO1 called AP to let him know that he felt AP's actions were threatening in nature and requested that AP stop. SO1 believed AP called 911 about the uttering of a threat shortly after.

### **Other evidence**

The video surveillance from inside the restaurant was unremarkable. The conversation lasted roughly two minutes, and nothing could be perceived as threatening in nature.

The footage from outside the restaurant confirms SO1 was motioning towards AP's vehicle in an animated manner and then drove off in his vehicle.

### **Conclusion**

Having reviewed all the evidence available, it is very likely that SO1 did swear at AP. Having said that, I am satisfied the subject officer did not utter a threat. Therefore, no charges are recommended and the IIU investigation is now completed and closed.