IIU | INDEPENDENT INVESTIGATION UNIT OF MANITOBA

IN THE MATTER OF AN INVESTIGATION INTO AN INCIDENT INVOLVING SERIOUS INJURIES SUSTAINED WHILE IN WINNIPEG POLICE SERVICE CUSTODY

FINAL REPORT OF THE CIVILIAN DIRECTOR

OF THE INDEPENDENT INVESTIGATION UNIT

Acting Civilian Director:	Bruce M. Sychuk
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Introduction

On June 11, 2025, 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 June 11, 2025:

On June 10th, 2025, general patrol had occasion to conduct a traffic stop on a cyclist later identified as AP for offences under the Highway Traffic Act. These offences took place while AP was riding his bicycle on the west sidewalk of McPhillips St. and McDermot Ave.

Officers attempted a traffic stop, however AP fled from officers on his bicycle. AP fell off his bike while being apprehended by SO. AP was handcuffed and transported to the central processing unit (CPU) where he was taken before the on-staff paramedic and medically cleared.

AP requested that he receive further medical attention as he felt that the paramedic was not qualified to assess his shoulder. Officers then transported AP to the Victoria General Hospital where he was treated for a 7mm fracture to his right clavicle.

As this matter concerned injuries during an arrest, the IIU assumed responsibility for this investigation in accordance with Sec. 66(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
- audio transmissions
- video surveillance
- use of force report
- medical reports

The civilian director designated one subject officer (SO) and one witness officer (WO1). IIU investigators also received information from AP.

Facts and Circumstances

Scene Examination

IIU investigators attended the scene and canvassed the area. IIU investigators were able to obtain video surveillance of the incident from a nearby business.

Interviews

Affected Person (AP)

AP was interviewed by IIU investigators on June 12, 2025, and provided the following information:

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AP was reluctant to discuss the incident with IIU investigators. However, AP did confirm that the police advised him he was under arrest but that he did not want to go with them. AP suggested that he was under some kind of psychosis and kept riding his bike to evade the police.

AP confirmed that he was aware police were chasing after him in their vehicle, but he kept trying to flee. AP confirmed that one of the officers got out of the vehicle and tackled him to the ground causing AP to fall off his bike. AP confirmed that the officer directed him to place his arms behind his back and that he was handcuffed. AP knew that he was injured but was not entirely sure what was specifically injured.

Witness Officer

Witness Officer 1 (WO1)

WO1 was interviewed by IIU investigators on Aug. 13, 2025, and provided the following information:

WO1 confirmed that he was partnered with SO on the date of the incident. WO1 confirmed that they saw AP in the area, and they determined that he was in breach of The Highway Traffic Act. WO1 was driving and he pulled the police vehicle up beside AP. SO rolled his window down and told AP he was under arrest. AP continued to ride his bike and did not comply with the direction to stop.

WO1 confirmed that they pursued AP in their vehicle as he attempted to flee. At one point, WO1 was able to get close enough to AP's bike to allow SO to exit the vehicle and chase AP on foot. WO1 saw SO catch AP on the bike and take him to the ground. WO1 exited the vehicle to assist SO in detaining AP. After a brief struggle, AP was handcuffed and detained.

WO1 confirmed that AP was originally taken to the central processing unit and cleared by medical staff to be detained in the cells. The next day, WO1 was directed to take AP to the hospital because he was still complaining of soreness. WO1 confirmed that AP was diagnosed at the hospital with a seven-millimetre fracture of his clavicle. AP's arm was placed in a sling, and he was returned to his cell.

Subject Officer

In accordance with his rights, SO declined to be interviewed by IIU investigators. IIU investigators received the use of force report, which provided information about SO's actions. The following information was received:

SO confirmed that he advised AP he was under arrest and that AP attempted to flee. SO confirmed that they chased AP in the vehicle and that he exited once he was close enough to detain AP by foot. SO confirmed that he grabbed AP's sweater while he was on the bike and took him down to the ground to arrest him. SO stated that AP was handcuffed after a brief struggle.

Other evidence

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Medical Reports

Medical reports confirmed a 7mm fracture to AP's clavicle. No surgery was required. AP was placed in a sling and provided pain killers.

Video Surveillance

AP can be seen making numerous attempts to evade the police while riding his bike. The police vehicle is able to get close enough to AP, allowing SO to exit. After a brief foot chase, SO is able to grab AP and take him to the ground, causing AP to fall off his bike. WO1 can be seen exiting the vehicle to assist in AP's arrest. A brief struggle occurs before AP is handcuffed.

Other than SO taking AP to the ground, no further force is used by SO or WO1.

Applicable Law

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)*** *Every one 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, or*
> >
> > ***(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,*

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> *the person lawfully assisting the peace officer or any other person from imminent or future death or grievous bodily harm; and*
>
> ***(e)*** *the flight cannot be prevented by reasonable means in a less violent manner.*

Conclusion

After reviewing the evidence available, AP attempted to evade arrest by WPS. Given the circumstances, the subject officer used reasonable force to arrest AP. Therefore, no charges are recommended and the IIU investigation is now completed and closed.

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