

January 4, 2024

Case Number: 2018-0071

IIU concludes investigation into a possible Highway Traffic Act offence by Brandon officer

The Independent Investigation Unit of Manitoba (IIU) has concluded its investigation into the statements and actions of a Brandon police officer following a collision involving the officer's police vehicle.

On Dec. 18, 2018, Brandon Police Service notified the IIU that on Dec. 1, 2018, an on-duty officer reversed a police vehicle and struck a civilian vehicle. The vehicle's audio-video system captured the collision. A collision review was conducted as per agency policy and the recording was found to be inconsistent with the officer's statement that the police vehicle was rear-ended.

Although not a mandatory IIU investigation, the civilian director at the time determined it was in the public interest for the IIU to investigate to determine whether charges should be laid under the Highway Traffic Act. IIU investigators were assigned to this investigation and the civilian director designated one subject officer and three witness officers.

IIU investigators obtained the following information among other items:

- explanatory report from subject officer;
 - supervisor report;
 - traffic collision investigation report;
 - collision review report;
 - officer notes from witness officers;
 - photographs of collision scene and damage to vehicles;
 - in-car audio-video recording capturing incident from the police vehicle;
 - written statement of the affected person;
 - policy on emergency vehicle operations and/or use of emergency equipment;
- and
- radio communications.

At the time BPS notified the IIU of this matter, it also requested a Crown opinion. On Feb. 21, 2019, the IIU was notified the Crown would not be proceeding with any offences under the Highway Traffic Act. The Crown stated that although there may be a reasonable likelihood of conviction, there is no public interest in proceeding.

The civilian director at the time gave due consideration to all the circumstances and did a thorough review of all evidence and material facts obtained in this investigation including the Manitoba Prosecution Service's opinion. Given the standard for prosecuting charges has not been met, the civilian director at the time did not consider

authorizing charges that would not lead to a prosecution before the courts.

Accordingly, this investigation is now completed and this matter is now closed. The civilian director's complete report is available online at www.iumanitoba.ca.

The details of the investigation were first announced on Jan. 2, 2019.

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Media inquiries may be directed to:
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Information on the IIU can be found at www.iumanitoba.ca or at www.twitter.com/IIUManitoba