

August 30, 2021

IIU concludes investigation into serious injury during arrest

The Independent Investigation Unit (IIU) has concluded its investigation into an allegation of serious injuries sustained by a male during an arrest by the Royal Canadian Mounted Police (RCMP).

On November 25, 2019, the RCMP notified the IIU of an incident where a male suspect sustained a serious injury during the course of his arrest.

According to the report provided, Fisher Branch RCMP attended to a report of a fight in progress at the Percy Moore Hospital (PMH). It was reported that a male was fighting with his girlfriend and then left, driving while impaired.

Police located the male and arrested him for impaired operation and assault. During his arrest, he was resistant/assaultive towards police. At the RCMP detachment, during the breath test process the male continued to show combative/assaultive behaviours and then pushed an officer, later identified as the subject officer (SO).

The male was advised that he was now under arrest for assaulting a police officer and to go down to the ground. The male did not comply and was pushed into the corner of the cell by SO who then delivered one knee strike to the abdominal area, making connection with the male's groin. At 10:54 a.m., the male advised police that he did not feel well and was brought to the PMH. He was found to have swelling in the groin area and was subsequently released from police custody and was transported via ambulance to Selkirk for a CT scan and subsequently to the Winnipeg Health Sciences Centre (HSC) where he was admitted to the hospital.

As the allegations in the notification concern internal injuries that resulted in an in-patient hospitalization, pursuant to the provisions of The Police Services Act (PSA), this is deemed a serious injury for which IIU is mandated to initiate an independent investigation. IIU investigators were assigned to this investigation. Three RCMP officers who were on duty and had contact with the affected person were designated as witness officers, and the SO also provided his detailed notes and a prepared statement to the IIU.

Other information reviewed by IIU investigators, included:

- officers' notes and reports;
- occurrence summary;
- cell surveillance videos;
- medical report concerning AP;
- RCMP policy on use of force and knee strikes;
- expert report on use of force

Following a detailed review of this comprehensive investigation, the civilian director forwarded the IIU investigative file to Manitoba Prosecution Service (MPS) and requested a review and opinion on whether any Criminal Code charges should be authorized against SO.

During this review, the assigned Crown Prosecutor requested that an expert opinion on use of force by police be obtained and provided to that office. An expert was engaged, a report was prepared and it was forwarded to Manitoba Prosecution Service to be incorporated into the IIU investigative file.

Following the review of the IIU investigative file and other material, MPS provided a written opinion, which stated that after considering all of the evidence and expert opinion, it was concluded that there is no basis for any criminal charge to be laid against SO.

The IIU investigation is now closed, and the civilian director's complete report is available online at www.iumanitoba.ca.

The details of this investigation were first announced on November 25, 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