

FINAL REPORT: IIU concludes investigation into death following arrest in Oxford House

On March 30, 2020, the Royal Canadian Mounted Police (RCMP) notified the Independent Investigation Unit of Manitoba (IIU) of an incident where a male had died following his arrest and detention in cells at the RCMP detachment in Oxford House.

According to this notification, which read in part:

“On March 26, 2020, at 9:45 a.m., Oxford House Detachment received a report that a male (later identified as the affected person (AP)) was causing a disturbance at the Oxford House Nursing Station. At 9:55 a.m., two members of the RCMP attended and observed AP sitting in a wheel chair and highly intoxicated. AP was arrested for causing a disturbance and escorted to the police vehicle. AP was known to be homeless within the community, therefore, he was lodged in cell #2. Regular prisoner checks were conducted and AP was noted to be moving and snoring, as per the detachment prisoner logbook.

At 5:48 p.m., members entered the cell to release AP. At this time, it was noted that AP was breathing, but unresponsive. AP was carried to a police vehicle and returned to the nursing station. While members were present at the nursing station, the staff gave no indication to members that AP’s condition was serious. Rather, they indicated that they would call members if AP became violent.

On March 30, 2020, at 9:30 a.m., RCMP received a phone call from band chief who advised that AP had passed away on March 28, 2020. The chief had further concerns, as AP had not been properly assessed by nursing staff before going into RCMP custody, and inquired if an investigation would take place...The ME advised that the date and time of death was pronounced on March 28, 2020, at 11:37 p.m., at Health Sciences Centre (HSC).

No autopsy has been ordered, as there was sufficient information in his medical records. The cause of death was determined to be bacterial meningitis.

Oxford House detachment guard book prisoner report and cell video have been secured.

A review of the cell video has been completed. There is no indication that AP injured himself in cells, and he does not have appear to hit his head at any point.

Oxford House Detachment has been notified by the nursing station that there is currently an outbreak of bacterial meningitis in the community.”

As this matter concerned the death of a person that may have resulted from the actions of a police officer(s), IIU assumed responsibility for this mandatory investigation in accordance with section 66(4) of The Police Services Act (PSA). IIU investigators were assigned to this investigation.

Information obtained by IIU investigators included:

- officers' notes and reports
- occurrence summary report
- cell guard log book
- prisoner forms
- cell video
- medical reports for AP
- medical examiner report

Due to a lack of information at the outset of this investigation, the civilian director did not designate any officer as a subject officer. The civilian director designated three RCMP officers as witness officers (WO1-3).

Conclusion:

Interviews with witness officers, examination of the cell guard book and review of the cell video, confirmed that the RCMP conducted regular checks on the well-being of AP, while he was in custody. There is no evidence of any force applied by any member of the RCMP to AP at any time he was in the custody, care or control of police. Further, there is no evidence that AP caused or suffered any injury during his time in custody at the RCMP detachment.

An examination of medical records did not disclose any concerns regarding AP's medical condition at the time the RCMP was called to attend the nursing station, to take custody of him, and remove him from that facility.

An examination of AP's medical records did disclose that he had sustained a head injury back on March 11, 2020, when he was struck with a hammer. That was several weeks before the circumstances of his arrest and detention at the RCMP detachment occurred.

The medical examiner provided a report on the post-mortem examination of AP and concluded that the cause of death was from the following issues:

- bacterial meningitis
- chronic alcohol abuse
- natural causes

There is no evidence or indication that any act or omission by the RCMP officers who dealt with AP caused or contributed to his death.

In summary, this investigation has determined that there is no causal connection between any act or omission by the RCMP and the subsequent death of AP.

Accordingly, the mandate of IIU is no longer in effect to proceed further with this matter, and accordingly, this matter is now closed.

Final report prepared by:

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