

FINAL REPORT: IIU terminates investigation into allegation of assault by RCMP officers

On October 19, 2021, the Royal Canadian Mounted Police (RCMP) notified the Independent Investigation Unit of Manitoba (IIU) about an incident where a male suspect sustained injuries during the course of his arrest.

According to an excerpt of this notification:

“On September 21st 2021, the affected person (AP) made a complaint to the Civilian Review and Complaints Commission for the RCMP (CRCC)

AP alleges that on September 04th 2021, four unknown officers attended his property while he was having a fire and a few drinks. The officers returned to his residence two more times and he asked them to leave

AP wrote the following in his complaint: “I was attacked and thrown on the ground one officer put his knee on my head 3 others ‘dog piled’ me and I could not breath, they stayed like that for 10 to 15 minutes before kidnapping me to a local detachment for over 12 hours without food or water”

AP wrote the following: “As a result of this my nose and glasses were broken and pants were ripped and destroyed”

It was confirmed on PROS that on September 04th 2021, at 23:30 hours, RCMP members attended to a report of a large party at a residence in Elphinstone, Manitoba. The property was owned and occupied by AP, who assaulted a member on scene who had been assisting an unconscious individual. AP was arrested for assaulting a police officer and resisting arrest”

As the allegations in the notification are discretionary matters pursuant to the provisions of The Police Services Act (PSA), the civilian director determined that, based on these circumstances, it was in the public interest for an independent investigation to be undertaken by IIU. Accordingly, pursuant to s. 75 of the PSA, IIU assumed conduct of this matter and commenced an investigation. IIU investigators were assigned to it.

The Part 7 notification indicated that on September 21, 2021, AP made a complaint to the CRCC. In his complaint, AP alleges that four RCMP members attended his residence on two occasions and he asked them to leave. He further stated that he was attacked and thrown to the ground by the officers. One of them had his knee on his head while the other three “dog pile” on him for approximately 15 minutes and then kidnapped him. He was subsequently brought to the RCMP detachment where he was lodged without food or water for 12 hours. As a result of his interaction with the police, he suffered a broken nose, broken glasses and ripped pants.

On October 27, IIU investigators met and interviewed AP, resulting in the following information and disclosures:

- AP acknowledges that someone passed out from over drinking the night of the incident at his residence, but he did not see the officers attend to that individual;
- After his confrontation with the officers, he woke up in the back of the police car, his nose was cracked;
- AP stated that he had a hairline fracture, his glasses were broken and his pants and shirt were ripped.
- AP stated that he waited a week before he went to a doctor. He then stated that he waited approximately 5 to 10 days;
- AP stated that he went to his doctor in Winnipeg and she said that it seemed like a hairline fracture.

When pressed by IIU investigators for details of his medical treatment, AP makes multiple statements contradicting his allegation of a broken nose and receiving medical attention for it:

- He stated that he honestly did not know if it was broken (nose) and neither did the doctor;
- AP stated that he has broken his nose previously and he clearly could tell that it was broken;
- AP stated that he is unsure whether he suggested his broken nose to his doctor but she said it was fine;
- AP corrected himself stating that he cannot remember “100%” if his doctor specifically said anything about his broken nose;
- AP corrects himself again by stating that he forgot to mention the broken nose to his doctor but can always go back to her. AP stated that “*it is a small hairline fracture*”;
- As AP was attempting to find his doctor’s name on his cell phone, he stated that he honestly cannot remember if he told her about his broken nose and that his doctor will not recall this fact in any event;
- AP stated that his glasses were broken and he had to get another pair. He does not know if he has the receipt but he always gets the exact same cheap pair at Walmart;
- AP removed his glasses off his face during the interview and examined them. AP then stated that these are his glasses and that he had repaired them himself, contrary to stating that he purchased a new pair. AP now stated that his glasses were broken but he had a “*leg*” from another pair and he just replaced it;
- AP concluded his statement by stating that he just wants this incident to go away and be left alone.

AP signed his medical release form to allow IIU investigators access to his medical records. Approximately 2 weeks after his interview, IIU investigators contacted AP’s doctor and were advised that AP had revoked this medical release, citing a lack of information relevant to his injuries and directed his physician not to release any medical records to the IIU.

IIU investigators contacted AP to inquire as to why he had revoked his consent to release his medical records to the IIU. AP advised that following his interview with IIU investigators, he attended his doctor's office and was told that he had not discussed that his nose was broken or was told that he had sustained a hairline fracture, during his earlier visit with his doctor. In fact, AP stated that he only received a prescription refill from his doctor and scheduled a date for his physical examination. Accordingly, AP stated that he did not feel the need to release any medical records to IIU. AP now stated that he did not see any medical professional to have his nose examined to determine if it was broken or had sustained a hairline fracture.

After reviewing all of this information, the civilian director is no longer satisfied that there exists grounds to support the decision that it was in the public interest for an independent investigation to be undertaken by IIU and furthermore, in light of the many instances of inconsistent statements or recantation of allegations, there is no longer any justification for IIU to continue the investigation and this matter is terminated.

Final report prepared by:
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