



**IN THE MATTER OF AN INVESTIGATION INTO A MEDICAL INCIDENT AFTER
POLICE CUSTODY**

FINAL REPORT OF THE CIVILIAN DIRECTOR
OF THE INDEPENDENT INVESTIGATION UNIT

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Introduction

On October 6, 2023, the Royal Canadian Mounted Police (RCMP) reported an incident to the Independent Investigation Unit of Manitoba (IIU), regarding the death of a male that occurred after being in police custody.

The written notification disclosed the following information:

“On October 4, 2023, at 6:28 p.m., Steinbach RCMP were dispatched to a report of an intoxicated male, later identified as affected person (AP) in front of a local business in Steinbach blocking traffic, laying on the ground.

Police officers (PO1) and PO2, attended locating an intoxicated AP laying on the ground and pedestrians assisting him. AP was subsequently taken into custody and transported to the Steinbach RCMP Detachment where he was held in custody. AP spoke with PO3 at 9:29 p.m. and PO4 at 9:34 p.m. over the course of his stay.

On October 5, 2023, AP was released from custody in a sober state at 5:29 a.m.

*At 7:05 a.m. PO5, PO6, and PO7 responded to a report from EMS that AP had been located in the entrance way of ** Penfeld Drive in Steinbach suffering from a possible overdose. AP was transported to Bethesda Regional Health Centre for treatment and later transferred to the Grace Hospital in Winnipeg. A backpack in AP’s possession was searched, a bottle of unknown prescription pills, a pellet gun and drug pipe were located.*

On October 6, 2023, at 8:32 a.m. police were informed by the Grace Hospital AP appeared to have low brain activity and that he is scheduled to undergo a neurological scan later today. AP is currently in stable condition and intubated.

Police have followed up with the guard on duty during the time AP was held in custody. There is no current information to suggest AP became ill or injured while in police custody.

Cell video has been downloaded and retained by Steinbach Detachment. There is no watch guard video available as one police vehicle (5A122) was not equipped and the other (5C22) had not activated emergency equipment which activates recording equipment. Neighbourhood canvassing has been completed for available CCTV coverage, limited surveillance video has been located at the Credit Union and arrangements have been made to receive this video.”

At the time the notification was made, the civilian director determined that it was in the public interest for an independent investigation to be conducted pursuant to section 75 of the *Police Services Act*. IIU investigators were assigned to this investigation.

The civilian director deferred the designation of any officers as a subject officer until more information was received through the investigation. This decision was later re-evaluated and no officers were ever designated.

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During the course of this investigation, the IIU received the following disclosure material from the RCMP:

- C-13 AP (Prisoner Report)
- CAD Event Dispatch Records
- Exhibits
- Forensic Identification Services (FIS) Report
- Guard Book AP (Redacted)
- PROS Records (Involved Persons, Occurrence Details/Summary)
- Officer Supplementary Reports
- Officer Dispatch Records
- OCC Recordings
- Officer Notes
- Cell Video
- CCTV Recordings

Facts and Circumstances

A review of the evidence demonstrates that the AP had been in the custody of the Steinbach RCMP. The AP was released from custody October 5, 2023 at 5:32 a.m.

On October 5, 2023, at 6:50 a.m. a civilian witness (CW) discovered the AP alone and slumped over his bicycle on Penfeld Drive in Steinbach. CW called 911 and emergency medical services (EMS) were dispatched.

At 7:05 a.m., the Steinbach RCMP received a call from EMS to assist them with a male, overdose on Penfeld Drive. RCMP officers PO5, PO6 and PO7 were assigned. Upon arrival, PO5 and PO7 observed EMS taking life-saving measures in an effort to treat AP. Through the course of the work performed by EMS, a pulse was detected in AP and he was transported to hospital.

On October 11, 2023 at 8:25 a.m., AP was pronounced deceased.

Medical Records

On October 12, 2023, IIU investigator spoke with the medical examiner investigator (MEI). She stated that AP's admission blood used for toxicology was lost at hospital. A urine screen did provide indicators of methamphetamine, cocaine and fentanyl. Percentage calculations are unable to be performed on a urine screen and toxicology will be unavailable to the IIU.

On October 13, 2023, IIU investigator attended to the Health Sciences Centre pathology suite for AP's port-mortem examination. Also in attendance was an RCMP forensic identification services

(FIS) member who photographed the examination. The doctor advised that the cause of death was intoxication by mixture of drugs, namely cocaine, methamphetamine, fentanyl and diazepam.

Civilian Witness (CW)

On October 25, 2023, IIU investigators obtained a statement from CW. She stated that when she found the AP he was alone. He was slumped over his bicycle and had fluids dripping from his mouth and nose. She describes an unpleasant smell was emanating from him. CW attempted to communicate with the AP in an effort to check his well-being. There was no response and CW contacted 911 to report her findings. At the request of the 911 operator, she felt for a pulse and none was detected. EMS arrived. She indicated that the police arrived at the scene after EMS.

Police Records – AP Detention

IIU investigators reviewed the police reports regarding the *Intoxicated Persons Detention Act* (IPDA) incarceration of AP, which revealed no use of force on the part of police. The overnight records of the guard indicate a combination of sleep and activity that is uneventful. The AP was provided with a hot meal, and later a hot coffee. The AP is seen exiting the police facility at approximately 5:37 a.m. on October 5, 2023. The AP is walking without difficulty with a cigarette in his mouth. He collects his bicycle and exits the police garage via the overhead door.

Conclusion

It is the IIU's mandate is to consider whether the death of the AP may have resulted from the actions of the police officers. A review of the evidence indicates that the officers involved in AP's detention did not use force to take AP into custody and provided care to AP while in custody. Officers responded to the subsequent call for service, and arrived on scene after EMS had revived AP. The MEI indicated that the cause of death was intoxication by mixture of drugs.

Although this is a tragic set of circumstances, the evidence demonstrates that the officers involved were not responsible for, nor did they contribute to, the death of the AP.

Therefore, the IIU investigation is now completed, and the matter will now be closed.