



**IN THE MATTER OF AN INVESTIGATION INTO A MOTOR VEHICLE COLLISION
ON OCTOBER 10, 2023**

FINAL REPORT OF THE CIVILIAN DIRECTOR
OF THE INDEPENDENT INVESTIGATION UNIT

Civilian Director:	Roxanne M. Gagné
IIU File Number:	2023-0063
Date of Release:	November 15, 2023

Introduction

On October 11, 2023, the Royal Canadian Mounted Police (RCMP) notified the Independent Investigation Unit of Manitoba (IIU) of an incident.

The written notification disclosed the following information:

“On October 10th, 2023, at 7:57 pm, Selkirk RCMP Detachment witness officer (WO1) and witness officer (WO2) were conducting traffic enforcement in police vehicle 5A105 travelling west Highway 15, east of Dugald, Manitoba.

An oncoming motorcycle operated by a 16 y/o male was encountered and captured on radar travelling at fluctuating speeds of 160km/hr and 165km/hr.

Police activated emergency equipment in order to conduct a traffic stop. The motorcycle passed by continuing east on Highway 15. Police initiated a U-turn and proceeded to close the distance with emergency equipment still activated. Brake lights were observed in distance however it was unclear what type of vehicle they belonged to.

A Pontiac Tempest (MB plate KWU 892) was encountered by police parked on the shoulder of the road. The driver, identified as (civilian witness - CW), was encountered flagging members down. Police determined the motorcycle had contacted CW’s vehicle and was now located in the ditch where the 16 y/o male (AP) was also discovered.

Police provided on scene medical care of (AP) for a minor laceration and suspected bone fractures until the arrival of EMS. EMS would subsequently confirm the existence of broken bones. The driver of the secondary vehicle (CW) was not injured.

The (AP) was transported to Health Sciences Centre by STARS Air Ambulance in serious condition. There is no indication his injuries are life threatening.

The RCMP Forensic Collision Reconstructionist has attended and examined the scene. Watch guard footage from police vehicle 5A105 has been recovered and the vehicle removed from service pending further examination. The motorcycle has been towed to Birds Hill Towing. Arrangements to obtain police radio transmissions are on going.”

As this matter concerned a serious injury as defined under the IIU regulations, the IIU assumed responsibility for this investigation in accordance with Section 66(4) of *The Police Services Act* (PSA). IIU investigators were assigned to this investigation.

IIU investigators obtained the following information from the RCMP, among other items:

- Computer Automated Reports X5
- Photographs (vehicle, scene)
- Audio taped interview

This document is the property of the IIU and is not to be distributed to any other party without the written consent of the IIU.

- Occurrence Report, Occurrence Summary
- Supplemental Reports X3
- Tickets X3
- Query Notes
- Unit GPS data
- Unit History Report
- Officer Notes
- Watch Guard Video

Due to a dearth of information received by IIU at the outset, it was the decision of the civilian director to defer 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.

Facts and Circumstances

On October 10, 2023, an incident occurred on Highway 15 east of Winnipeg. A marked RCMP traffic unit was conducting speed enforcement and observed a motorcycle travelling at speeds between 160 km/h and 165 km/h. The police unit activated their emergency lights to conduct a traffic stop. The motorcycle continued to travel east on Hwy 15. The officer briefly attempted to close the distance when he arrived at a collision scene where a motorcycle had collided with an unrelated car. The driver of the motorcycle (AP) was transported to Health Science Centre(HSC) where he was treated for multiple broken bones.

Watch Guard Video

On October 19, 2023, IIU investigators obtained the Watch Guard video from the police vehicle. The video footage provided the following information;

- The police vehicle is traveling west on Hwy 15, while the motorcycle is travelling east on the same highway.
- The engine of the motorcycle is heard accelerating once it crosses the oncoming police vehicle.
- The emergency lights of the police vehicle are activated and the police vehicle makes a low speed U-turn to proceed east on Hwy 15.
- The police vehicle arrives upon a collision scene while being waved down by the driver of the involved car.
- During the time the officers were traveling in the same direction as the motorcycle driven by AP (east), there was no vehicle in their lane and one vehicle was travelling in the opposite lane/direction (west).
- The top speed reached by the police vehicle is 170 km/h.

This document is the property of the IIU and is not to be distributed to any other party without the written consent of the IIU.

- The time travelled by the police vehicle, from U-turn to arriving at the collision scene, is one minute.

Affected Person

On October 25, 2023, IIU investigators obtained a statement from AP, who provided the following information:

- AP was travelling east on his motorcycle from Winnipeg;
- He saw the police vehicle and saw their emergency lights turn on;
- He proceeded to accelerate up to speeds of 230 km/h;
- He did not look behind him;
- He was attempting to evade police and get away;
- He saw a vehicle in front of him and was going to pass it on the paved shoulder (right side);
- He miss-calculated the car's distance and hit the rear right passenger side of the car;
- He does not remember much after the collision;
- His injuries are a broken pelvis, broken arm, stiches to his head and abrasions.

Conclusion

It is the IIU's mandate to consider whether the serious injuries suffered by the AP may have resulted from the actions of the police officers. In considering the circumstances of this matter, and after a review of the evidence, including the Watch Guard video and the AP's statement, I am satisfied that no police officers were responsible for, nor contributed to, the serious injuries of the AP. The AP was solely responsible for his decision to run from police and for the consequences of this decision (serious injuries).

Therefore, given the evidence does not demonstrate that the AP suffered a serious injury as a result of the actions of a police officer, this incident no longer meets the IIU's mandate. Therefore, the matter is now closed.