



**IN THE MATTER OF AN INVESTIGATION INTO A SERIOUS INJURY
DURING AN INCIDENT ON OCTOBER 21, 2023**

**FINAL REPORT OF THE CIVILIAN DIRECTOR
OF THE INDEPENDENT INVESTIGATION UNIT**

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IIU File Number:	2023-0067
Date of Release:	December 5, 2023

Introduction

On October 21, 2023, the Winnipeg Police Service (WPS) notified the Independent Investigation Unit of Manitoba (IIU) of an incident.

The written notification disclosed the following information:

Information was received that affected person (AP) breached the conditions of his release (failed drug test). As a result, a Canada Wide Warrant was issued for AP's arrest.

On Saturday, October 21st, 2023, uniform patrol unit D309 was dispatched to 1048 Main Street, 2nd Floor (Osbourne Community Correctional) in regards to a report that AP was on scene at this location and wanted on the strength of the above noted Canada Wide Warrant. At approximately 07:48hrs, officers met with AP who was cooperative, but asked that he be permitted to contact his mother to advise her he wouldn't be able to meet with her later this date as previously planned. AP was allowed to contact his mother as requested.

Upon the completion of the telephone call, AP suddenly jumped from the window of his room, which was situated on the second floor of the building. He subsequently landed on the sidewalk below, sustaining the injuries previously stated.

AP was conveyed to the HSC (Health Sciences Center) for treatment and admitted.

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 WPS, among other items:

- Computer automated dispatch report;
- Video footage from 1048 Main Street.

Due to the information obtained at the outset of the investigation, 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

Affected Person

On October 31, 2023, IIU investigators attended Health Sciences Centre (HSC) and obtained a statement from AP. IIU investigators were advised that AP was being treated at HSC for multiple broken bones. AP was at the halfway house when two officers approached him. The officers informed AP that he would be going with them. AP knew that he had failed his drug test and

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would be going back to jail. AP and the officers were inside his room to allow him to put his personal effects away. At that time, he decided to jump out the window onto the street. AP claims that 15 to 20 years ago he had successfully completed that maneuver. AP stated that he did not really think it through and just went for it. AP did not want to go back to jail. AP stated that no one kicked him out the window and he jumped out on his own. After the fall, the officers assisted him and provided care.

Civilian Witness (CW)

On November 2, 2023, IIU investigators obtained a statement from CW. CW was the commissionaire on duty when WPS attended the halfway house. The WPS attended the suite of AP. AP was informed that he would be taken into custody. AP was allowed to get dressed and possibly call his mother. AP told the officers that he would close the window and instead climbed out the window. The male officer tried to grab the leg of the AP but was not fast enough. The female officer was too far to be able to assist. AP was hanging on to the ledge and felt shortly after getting out the window. The police officers went down to the sidewalk and took the AP into custody. They did not use any force or weapons on AP before he went out the window.

Summary of Other Evidence

On October 31, 2023, IIU investigators obtained video footage from 1048 Main Street, which revealed the following information:

Staircase video

Two officers attend the second floor of the halfway house. One of the security guards is seen with the officers. The officers are later seen running down the stairs towards the street.

Common area video

The two officers attend the AP's suite. The security guard attends the suite a few minutes later. The two officers run out of the suite towards the staircase.

Street level video by the main entrance

AP is seen falling to the sidewalk and landing feet first. AP's body is straight while falling, (indicative of a jumping/falling motion). AP subsequently falls to his side after landing on the ground. AP attempts to run away, but due to a leg injury he cannot stand. Police officers arrive and proceed to take the AP into custody. EMS and WFPS attended to provide care.

Conclusion

The IIU's mandate is to consider whether the serious injuries suffered by the AP may have resulted from the actions of the police officers who were at the scene of the incident. In considering all the circumstances, including the AP's statement that he is solely responsible, the video footage, and the statement of the CW, I am satisfied that the very brief interaction of the officers did not contribute to or cause the serious injuries of the AP.

Therefore, no charges are recommended and the IIU investigation is now completed and closed.