



**IN THE MATTER OF AN INVESTIGATION INTO AN OFFICER-INVOLVED
SHOOTING DEATH DURING WINNIPEG POLICE SERVICE ARREST**

FINAL REPORT OF THE CIVILIAN DIRECTOR
OF THE INDEPENDENT INVESTIGATION UNIT

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Introduction

On Nov. 24, 2024, the Winnipeg Police Service (WPS) notified the Independent Investigation Unit of Manitoba (IIU) of an incident.

The written notification disclosed the following information:

Written excerpt from Part 7 Notification received on Nov. 25, 2024:

On Sunday, November 24th, 2024, Winnipeg Police Service members were present at the Walmart store, conducting a project as part of the WPS retail theft initiative.

Officers voiced over their portable radios that an officer had been stabbed in the throat, and a suspect had been shot. Officers immediately commenced life saving measures on AP. He was subsequently conveyed to the Health Sciences Centre where he was pronounced dead.

The injured officer was transported to hospital in stable condition where he was treated for his injuries.

As this matter concerned an officer-involved shooting death during an arrest, the IIU assumed responsibility for this investigation in accordance with Sec. 65(4) of The Police Services Act. IIU investigators were assigned to this investigation.

IIU investigators obtained the following information from the WPS or of their own accord, among other items:

- notes, narratives and reports of officers
- audio transmissions
- forensic identification information
- cell surveillance
- video surveillance
- autopsy report
- medical reports

The civilian director designated two subject officers (SO1 to SO2) and two witness officers (WO1 to WO2). IIU investigators also received information from six civilian witnesses (CW1 to CW6). A further civilian witness was identified, however, they were unwilling to participate in the IIU investigation, despite repeated attempts.

Facts and Circumstances

Scene Examination

IIU investigators attended the scene and canvassed the area for relevant evidence. They were able to identify civilian witnesses along with video surveillance relevant to the investigation.

Interviews

Civilian Witnesses

Civilian Witness 1 (CW1)

CW1 was interviewed by IIU investigators on Nov. 24, 2024, and provided the following information:

CW1 was working that evening at the Walmart store as a loss prevention officer. Earlier in the day, her colleagues made her aware of the WPS anti-theft initiative. CW1 understood it to mean officers would be in the area and available if she contacted the number provided.

CW1 observed a suspicious individual (hereafter AP) on the store cameras and decided to follow him around the store. CW1 left the surveillance room and went onto the store floor to locate AP. AP was described by CW1 as wearing all black clothing, carrying a brown backpack and was wearing his hood up over his head. While searching on the store floor for AP, CW1 heard one of the exit gate alarms get triggered and went to see what was happening. CW1 saw AP exit through the triggered alarm door. At that point, CW1 decided to contact the WPS anti-theft initiative program. CW1 described AP to the officer on the phone and told the officer what direction AP was walking in.

CW1 confirmed to the officer over the phone that AP was carrying a backpack, but she wasn't sure if it contained anything. The officer on the phone informed CW1 that there were officers in the area and that they would arrest him and "check him out." CW1 stated that the officer on the phone directed CW1 to confirm if a white car was pulling up to AP. CW1 saw the white car pull up near AP and saw two officers with their guns aimed at the man, ordering him to "drop the knife and axe" in his hands.

CW1 stated that the officers identified themselves to AP more than ten times and ordered him to drop his backpack. CW1 stated that AP did not comply and was shouting aggressively at the officers. CW1 heard the officers direct AP to exit the bus shelter. As AP neared the bus shelter door, he removed his backpack. CW1 observed AP to be holding a knife and an axe in his hands and pointing them towards the officers. CW1 stated that AP moved out of the bus shelter towards the officers and she heard the shots when they were fired. CW1 did not see AP stab an officer, but she did see an injury to an officer's neck area.

CW1 confirmed that before shooting AP, the officers directed AP to drop the weapons on numerous occasions. CW1 confirmed that the officers told AP that he "might be shot" if he didn't drop the weapons. CW1 stated that AP attempted to stab one of the officers and was then shot. CW1 saw AP fall to the ground after being shot, and the officers turned him over onto his back after he was handcuffed. CW1 saw officers providing medical assistance to AP immediately after he was shot and handcuffed.

Civilian Witness 2 (CW2)

CW2 was interviewed by IIU investigators on Nov. 24, 2024, and provided the following information:

CW2 was with CW3 in the store parking lot. CW2 witnessed two officers exit an unmarked vehicle and stand outside a bus shelter. CW2 observed AP inside the bus shelter bouncing around. CW2 observed CW1 near the unmarked police vehicle. CW2 heard an officer yell at CW1 to call for an ambulance and call 911.

CW2 believed the officers were approximately ten feet from the bus shelter yelling at AP to put the axe and knife down. CW2 observed AP to be holding an axe in his right hand. AP did not comply with the officer's directions and was making "kissy faces" at the officers. CW2 heard the officers continuously direct AP to drop his weapons. CW2 saw AP exit the bus shelter and move aggressively towards the officers, holding the axe towards them. CW2 did not know if both officers fired their weapons, but she heard approximately six shots. CW2 confirmed AP fell to the ground, and that soon after, the officers initiated medical attention. CW2 saw an officer stumble as he walked over to the vehicle to retrieve something from the trunk.

Civilian Witness 3 (CW3)

CW3 was interviewed by IIU investigators on Nov. 24, 2024, and provided the following information:

CW3 was with CW2 in the parking lot in their vehicle. CW3 observed two officers holding their handguns and pointing them at AP in the bus shack. CW3 was concerned that they might be in the line of fire, so she moved her vehicle to the side and parked it. CW3 did not see any weapons in AP's hands but did hear the officers directing him to drop the axe and knife. CW3 confirmed that the officers repeatedly told AP to drop the axe and knife. CW3 heard one of the officers tell a Walmart employee to call 911.

CW3 saw AP make "kissy faces" at the officers while they told him to put down the axe and knife. CW3 felt that AP was mocking the officers and was instigating the situation. CW3 stated that all of a sudden, AP started moving towards the officers and that she heard the gunshots.

CW3 thought she heard five or six shots and estimated AP to be between two or three metres from the officers. CW3 confirmed that AP immediately fell to the ground and that the officers went over to him to check for weapons. CW3 stated that she put the vehicle in drive to exit the lot at this point. CW3 confirmed that as she was leaving, officers were providing medical assistance to AP. CW3 stated that she saw an officer stumble and that she heard later that an officer had been stabbed by AP.

Civilian Witness 4 (CW4)

CW4 was interviewed by IIU investigators on Nov. 24, 2024, and provided the following information:

CW4 was working at a nearby store. CW4 was also aware of the WPS anti-theft program initiative and had contacted it that evening on an unrelated matter. CW4 saw one of the officers

drive by and thought nothing of it until she heard someone yelling “drop your weapons!” repeatedly. CW4 confirmed that she was scared and that she ran away from the store windows to ensure her safety.

CW4 decided to look out her window again and saw two officers with their guns drawn. She backed away from the window again, returning approximately five minutes later. CW4 now observed officers providing medical assistance to AP. CW4 confirmed that she heard banging, but she could not confirm that they were gunshots.

Civilian Witness 5 (CW5)

CW5 was interviewed by IIU investigators on Nov. 26, 2024, and provided the following information:

CW5 had just left the store and was in the parking lot when he observed an unmarked police vehicle drive up near the bus shelter. CW5 saw an officer on the passenger’s side exit the vehicle and grab AP’s arm to arrest him. CW5 noted that a struggle immediately occurred, and it appeared that AP was fighting back against the officer. CW5 was not sure if AP pushed or punched the officer, but he did see the officer fall to the ground.

As the passenger officer fell to the ground, CW5 saw the officer on the driver’s side of the unmarked vehicle exit to assist his partner. CW5 was in his vehicle and was slowly driving through the parking lot towards the exit. He noted that both officers had their pistols drawn. CW5 could hear the officers yelling, but his windows were up, so he could not make out exactly what they were saying. CW5 left the area before the shooting incident.

Civilian Witness 6 (CW6)

CW6 was interviewed by IIU investigators on Nov. 24, 2024, and provided the following information:

CW6 was walking towards the bus shelter after exiting the Walmart store. She saw the unmarked police vehicle with its blue and red lights activated. CW6 observed two officers with their handguns pointed at AP. She heard the officers directing AP to put the weapons down multiple times. AP was not compliant and was correcting the officers, stating that he was holding an axe. CW6 noted that some kind of weapon was in AP’s right hand. She observed that the officers were yelling and that AP was responding in a normal tone.

CW6 saw AP move towards the officers, but she noted AP’s hands to be at his sides and not raised above his head. She stated that AP took one step and then the officers fired their pistols approximately nine times. CW6 noted the entire incident lasted roughly three minutes.

CW6 did not think the officers had actually shot AP with a real bullet, but she did confirm that AP fell to the ground immediately after the shots were fired. CW6 thought it was approximately four minutes before the officers provided medical care to AP.

Witness Officers

Witness Officer 1 (WO1)

WO1 was interviewed by IIU investigators on Jan. 22, 2025, and provided the following information:

WO1 confirmed that he and his partner, WO2 were part of the WPS anti-theft initiative. WO1 and WO2 were in the area before the incident, handing out their business cards and explaining the program to staff inside the stores. Depending on which store the officer went to, the staff would have the ability to contact that specific officer directly. WO2 handed out his card to the staff at the Walmart. WO1 confirmed that SO1 and SO2 were also part of the anti-theft initiative.

WO1 and WO2 had been asked to attend the Polo Park area while SO1 and SO2 remained in the Walmart shopping area. WO1 received a call from a store nearby the Walmart related to an angry customer. WO1 and WO2 went back to the area because of that call.

Shortly after, WO2 received a call from an employee at Walmart saying that AP had just run out of the store with a backpack full of items. WO1 was not talking directly to the employee and was overhearing the conversation between the employee and WO2. WO1 was relaying the information to SO1 and SO2 that WO2 had received from the Walmart employee. WO1 directed SO1 and SO2 to address the potential theft from the Walmart.

WO1 saw a Walmart employee, SO1 and SO2 chasing after AP in the parking lot. WO2 was telling the employee to go talk to SO1 and SO2 because they would assist her with the potential theft.

WO1 was asked by SO1 over the radio if AP had committed an offence. WO1 responded that he was unsure at this time if an offence had been committed. WO1 suggested that they speak with the Walmart employee to get further details of what exactly occurred. WO1 confirmed that he believed that an offence had been committed but he did not have the specifics during the radio discussion with SO1.

WO1 confirmed that he heard over the radio “my partner had shot someone” and then heard “my partner has been stabbed”. WO1 was unsure as to which officer had been stabbed at the time. WO1 went to the store nearby Walmart to see if they had any evidence related to the shooting incident. WO1 confirmed that he spoke with CW4 and was provided video surveillance.

WO1 went near the scene but did not get close enough to see anything. He spoke briefly with SO2 who confirmed that SO1 had been stabbed. WO1 did not know the status of AP after the shooting because he did not get close enough to the scene to see anything.

Witness Officer 2 (WO2)

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WO2 was interviewed by IIU investigators on Jan. 22, 2025, and provided the following information:

WO2 confirmed that all four officers were part of the anti-theft initiative program and had been handing out their business cards to staff earlier that day. WO2 confirmed that he handed out his business card to Walmart employees earlier in the day.

WO2 recalled receiving a phone call from Walmart employees saying that AP had just exited through the fire doors with a full backpack. WO2 noted that there was a bit of a language barrier in the telephone discussion, but for the most part, he felt he could understand what the employee was saying. WO2 confirmed that he asked the employee if AP had stolen anything and the response he got was “I’m not sure, but he had a full backpack.” WO2 believed that AP had been shoplifting based on the information received.

WO2 directed SO1 and SO2 to assist with the Walmart employee because they were nearby and WO2 was dealing with an unrelated incident at the time of the phone call. WO2 relayed the information from the employee over the radio to SO1 and SO2. WO2 recalled that SO1 and SO2 confirmed over the radio that they had located AP and that the Walmart employee located SO1 and SO2. WO2 told the employee to talk to SO1 and SO2 and provide details directly to them. WO2 concluded his conversation with the employee at this time.

WO2 recalled hearing over the radio one of the officers stating that “their partner has been stabbed and shots were fired.” WO2 confirmed that when he went to the scene, the ambulance was already there along with other police vehicles. WO2 saw a female Walmart employee speaking with police, so he went over to confirm that she was the individual he talked to on the phone. CW1 confirmed that she was the individual on the phone. WO2 explained to CW1 that she might need to provide a statement related to the shooting. WO2 went over to the ambulance and asked SO1 if he was okay and SO1 confirmed that he was fine. WO2 had no further discussion with SO1 and did not recall even seeing SO2 at the scene.

Subject Officers

Subject Officer 1 (SO1)

In accordance with his rights, SO1 declined to be interviewed by IIU investigators. IIU investigators received SO1’s officer notes, along with a prepared statement, which provided the following information:

SO1 confirmed that he had been handing out his business card earlier in the day as part of the anti-theft initiative. SO1 confirmed that he was tasked by WO1 to address a shoplifter at Walmart. SO1 received a description of the shoplifter from WO1 and observed the suspect in the bus loop area.

SO1 exited the vehicle and yelled “stop, police” but AP ignored him and started walking faster. SO1 caught up to AP and grabbed his shoulder because he was afraid AP was going to flee. SO1 again stated “stop, police” and “you are under arrest.” AP turned and faced SO1 with a crazed look in his eyes. SO1 said to AP, “stop. We are the police.” AP punched SO1 in the neck and he fell to the curb.

SO1 got up and SO2 recognized that AP had a knife. SO1 and SO2 drew their pistols and pointed them at AP. SO2 asked SO1 if he had been stabbed. SO1 checked his neck and saw blood on his glove. At this point, AP had retreated to the bus shelter and was still holding a weapon.

SO1 and SO2 told AP to drop the weapon but he refused. AP took out a silver hatchet and was now holding a weapon in each hand. SO1 and SO2 gave multiple directions to drop the weapons but AP refused. SO1 said “stop, we are the police, drop your weapons or you’re going to get shot.”

SO1 directed CW1 to call 911. SO1 continued to tell AP to drop his weapons without success. AP walked towards SO1 and he discharged his gun approximately five to seven times. SO1 stated that he feared grievous bodily harm because he had already been stabbed by AP.

SO2 radioed for assistance while SO1 covered AP and placed him in handcuffs. SO1 started CPR on AP while holding a hand on his injured neck. Medical assistance arrived and took over AP’s care. SO1 attended HSC for treatment of his neck wound. The neck wound was glued closed.

Subject Officer 2 (SO2)

In accordance with his rights, SO2 declined to be interviewed by IIU investigators. IIU investigators received SO2’s officer notes, along with a prepared statement, which provided the following information:

SO2 confirmed that WO1 radioed them to assist with a theft at Walmart. SO2 confirmed they received a description of the suspect and were able to locate him near the bus loop. SO2 stopped the vehicle roughly four feet behind AP and SO1 exited the vehicle.

SO2 heard SO1 identify himself as police and saw him grab AP’s left arm area. AP swung his right arm around, striking SO1 in the neck or chest area. SO2 observed that AP had a knife in his right arm when he made contact with SO1. SO2 asked SO1 if AP stabbed him. SO2 could see blood coming from SO1’s neck area. SO1 confirmed that he had been stabbed.

AP had now retreated into the bus shelter and was still armed with the knife. SO2 yelled “police” and “drop the knife” multiple times. AP did not comply. SO2 saw AP grab a hatchet. SO2 continued to direct AP to drop his weapons without success. SO2 was worried about SO1’s health and was asking SO1 if he was okay.

SO2 was still demanding that AP drop the weapons when he moved towards SO2 with the weapons still in his hand. SO2 felt lethal force was the only option available at the time and fired multiple rounds at AP’s chest area. SO1 had also fired his pistol at AP at the same time.

SO2 saw that AP had fallen to the ground and he went to check on SO1’s well-being. SO2 then radioed that his partner had been stabbed and shots had been fired. SO2 grabbed the first aid kit from the car and assisted in CPR until medical services arrived.

Other evidence

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Medical Reports

An autopsy confirmed that the cause of death was multiple gunshot wounds to AP. Toxicology report confirmed methamphetamine in AP's blood at 0.212 milligrams per litre (mg/l) in his chest blood and 0.409 mg/l in his peripheral blood. The toxicologist commented that the UK established a threshold blood concentration of **0.01mg/l** as being indicative of impaired driving. Methamphetamine in overdosage can cause confusion, anxiety, hallucinations, cardiac arrhythmias, hypertension, circulatory collapse, convulsions and coma. Post-mortem methamphetamine concentrations averaged 1.0 mg/l (range, **0.09 to 18**) in a series of 13 adult deaths attributed to methamphetamine overdosage.

SO1 suffered a vertical laceration to his neck, missing the major arteries. SO1's injury was glued shut. Below is a photo of the injury to SO1's neck.



Video Surveillance

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Civilian video

The video is roughly 20 seconds long. You can see two officers with their firearms pointing at a male standing at the bus shelter. The officers can be heard telling AP to “put it down man” and “drop it”. AP starts to move towards the officers followed by multiple gunshots. AP falls to the ground.

Winnipeg Transit Video

This video shows SO1 grab AP from behind causing AP to turn around and confront SO1. AP and SO1 are struggling and involved in a confrontation. AP lunges up towards SO1, causing him to fall to the ground. SO2 assists SO1 off the ground and both officers are seen aiming their firearms at AP. The bus leaves the shelter area before the shooting.

Walmart video

This video shows AP walking around the store, wearing all black, with his hoodie over his head and carrying a backpack. Approximately two minutes later, AP can be seen walking through a fire exit door. CW1 is seen shortly after, following AP through the fire exit door.

AP is not seen on video surveillance in the store placing any items in his backpack.

Scene Identification Report

The report confirmed that a hatchet and Exacto knife were both located near the bus shelter in the area where AP fell to the ground after the shooting. The backpack AP was carrying in the Walmart store was also located near where AP fell.

Backpack Contents

AP’s backpack contained the following items:

1. A sealed Rapala fisherman’s fillet combo.
2. Two sealed Coghlan’s camp axes.

Both items are sold at Walmart. Further, the hatchet located at the shooting scene was also a Coghlan camp axe.

A photo of AP’s backpack and its contents is below.



Applicable Law

All relevant sections of the Criminal Code of Canada were considered with respect to this incident. Secs. 25(1), 25(3) and 25(4) of the Criminal Code of Canada have been emphasized here for consideration:

25 (1) Every one who is required or authorized by law to do anything in the administration or enforcement of the law

- (a) as a private person,**
- (b) as a peace officer or public officer,**
- (c) in aid of a peace officer or public officer, or**
- (d) by virtue of his office,**

is, if he acts on reasonable grounds, justified in doing what he is required or authorized to do and in using as much force as is necessary for that purpose.

(3) Subject to subsections (4) and (5), a person is not justified for the purposes of subsection (1) in using force that is intended or is likely to cause death or grievous bodily

harm unless the person believes on reasonable grounds that it is necessary for the self-preservation of the person or the preservation of any one under that person's protection from death or grievous bodily harm.

(4) A peace officer, and every person lawfully assisting the peace officer, is justified in using force that is intended or is likely to cause death or grievous bodily harm to a person to be arrested, if

- (a) the peace officer is proceeding lawfully to arrest, with or without warrant, the person to be arrested;**
- (b) the offence for which the person is to be arrested is one for which that person may be arrested without warrant;**
- (c) the person to be arrested takes flight to avoid arrest;**
- (d) the peace officer or other person using the force believes on reasonable grounds that the force is necessary for the purpose of protecting the peace officer, the person lawfully assisting the peace officer or any other person from imminent or future death or grievous bodily harm; and**
- (e) the flight cannot be prevented by reasonable means in a less violent manner.**

Conclusion

In reviewing the evidence available, the civilian director is of the opinion that the subject officers were reasonable in their actions. The subject officers did not commit a criminal offence in this tragic incident. Therefore, no charges are recommended and the IIU investigation is now completed and closed.