

SIRT

Serious Incident Response Team

Investigation Summary:

Incident Type: In-Custody Death

SIRT File No.: 2023-30

Incident Date: December 5, 2023

Agency Involved: RCMP

Civilian Executive Director: Greg Gudelot

Date of Report: March 26, 2025

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Introduction

On Wednesday, December 6, 2023, at approximately 1:10 am, the Saskatchewan Serious Incident Response Team (SIRT) received a notification from the Saskatchewan Royal Canadian Mounted Police (RCMP) regarding an in-custody death following contact with police in Wilkie. SIRT's Civilian Executive Director accepted the notification as within SIRT's mandate and directed an investigation by SIRT.

On December 5, 2023, at approximately 7:49 p.m., RCMP responded to a request to conduct a wellness check at a residence in Wilkie, Saskatchewan. While police were initially unable to locate the subject of the call, at approximately 9:32 pm RCMP received a 911 call from another residence in Wilkie, where the subject of the initial call, a 35-year-old female, subsequently referred to as the affected person, was located. The affected person was uncooperative with police, but following the use of de-escalation techniques, was taken into custody under *The Mental Health Services Act* without incident.

The affected person was taken to the Wilkie RCMP detachment, and EMS was contacted to assess minor injuries that were believed to have occurred prior to contact with police. RCMP members transferred the woman directly from their vehicle into an ambulance. After approximately 20 minutes in the ambulance, the affected person went into medical distress and was transported to the Unity and District Health Centre where she was pronounced deceased.

Timeline

SIRT was notified of the incident on December 6, 2023, at approximately 1:10 a.m., and a SIRT team consisting of the Civilian Executive Director and three SIRT Investigators was deployed to Wilkie to begin the investigation. On December 31, 2024, the completed investigation was submitted to the Civilian Executive Director for review.

The Investigation

SIRT's investigation was comprehensive and thorough, conducted using current investigative protocols, and in accordance with the principles of Major Case Management (MCM). During the course of the investigation, all relevant police and civilian witnesses were interviewed, and all relevant audio, video, and documentary evidence was seized, along with numerous pieces of physical evidence obtained both from the scene of the affected person's arrest and from the autopsy examination. These exhibits included drug packaging material and paraphernalia retrieved from the location of the affected person's arrest, and knives possessed by the affected person during the incident. A conducted energy weapon (CEW) possessed by one of the Witness Officers during the incident was downloaded, and it was confirmed that the device was not discharged or deployed at any point during the encounter.

Pursuant to *The Police Regulations*, two RCMP members were designated as Witness Officers in SIRT's investigation and interviewed by SIRT investigators. As the cause of the affected person's injury was determined at an early stage of the investigation to be pre-existing, no Subject Officers were designated

during the course of the investigation. EMS staff who provided care to the affected person, as well as several associates of the affected person, were interviewed during the course of SIRT's investigation.

An autopsy was conducted on December 8, 2023, which determined that the affected person had died as a result of combined drug toxicity. Toxicology results confirmed the presence of numerous drugs within the affected person's body, with cocaine noted to be at a level far exceeding the range typically associated with death. During the examination, a plastic bag containing a significant amount of cocaine was removed from within the affected person's body. The bag and its contents were seized as an exhibit by SIRT and the contents submitted for laboratory analysis. Following testing, the bag was confirmed to contain cocaine.

Summary

On December 5, 2023, at approximately 7:49 a.m., the Wilkie RCMP received a 911 call requesting a welfare check on the affected person, a 35-year-old female. The caller noted concerns that the affected person may engage in self-harm, was using drugs, and had custody of two children. One member of the Wilkie RCMP responded to this call and attempted to locate the affected person.

The responding RCMP member attended to the affected person's residence. The member did not locate the affected person, but did locate the affected person's two children and a babysitter, who confirmed that the affected person had left the residence and seemed "off." The RCMP member continued his attempts to locate the affected person until approximately 9:32 p.m., when a second 911 call was received. While this second call was a 911 hang-up call, the address associated with the call, a residence previously associated with various types of criminal activity, led the member to believe that it may relate to the affected person. Accordingly, he attended to that residence to continue the attempt to locate the affected person.

Upon arriving at the residence, the member was allowed inside by another resident. Inside the house, the member located the affected person seated at a table containing drugs, drugs packaging supplies, drug paraphernalia, and several large knives. The member attempted to engage the affected person in conversation but received no meaningful response. When the member attempted to approach the affected person, she placed her hand on a knife on the table and told him to stay away.

While the member informed the affected person that she was under arrest for drug offences, he attempted to deescalate the situation by engaging the affected person in conversation, again without meaningful response. This continued for approximately 30 minutes, and whenever the member would attempt to approach the affected person, she would place her hand on the knife, causing him to back away. During this time, the member perceived the action of holding the knife as primarily a threat of self-harm by the affected person, rather than a threat directed at himself. The affected person used this tactic to keep the responding member away, and during this time, smoked drugs from a pipe on several occasions. During this time, the member observed the affected person to have a pre-existing cut to her forearm, and the affected person was provided a towel by another occupant of the residence.

A second RCMP member arrived at the residence, but also remained at a distance as the affected person continued to use the knife as a means to keep both members away. At one point during this period, the affected person reached inside the crotch of her pants and produced another bag containing drugs. When the

members moved closer in an attempt to stop the affected person from continuing to consume drugs, she grasped the knife. Both members drew their firearms in response. The presence of firearms had no effect on the affected person, but when the second responding member holstered his firearm and drew his conducted energy weapon (CEW), the affected person's behaviour changed, stating that she had been tasered before. This distraction allowed the members to move closer, remove the knife, and attempt to arrest the affected person.

While the affected person had initially been more cooperative as a result of the presence of the CEW, she again became uncooperative and kicked the second responding member in the chest. Both members succeeded in placing the affected person on the ground and placing her in handcuffs. The first member searched the affected person and placed her in the rear of a police vehicle. While the second responding RCMP member had been kicked in the chest during the process of arresting the affected person, the members discussed the situation and declined to deal with the matter as a *Criminal Code* offence, having determined instead that obtaining mental health assistance was more appropriate for the affected person than a *Criminal Code* charge.

When the affected person was secured, it was observed that the pre-existing cut on her forearm was actively bleeding again, and as a result, EMS was contacted to examine the affected person before police would transport her for a mental health evaluation. At this point, the affected person expressed embarrassment and requested that they wait for the ambulance at a location other than a residential street. The members complied with this request, seized the contents of the table where the affected person had been sitting, and relocated a short distance to the exterior of the Wilkie RCMP detachment, but did not enter the detachment and remained inside the police vehicle.

Once EMS arrived at the detachment, the affected person exited the police vehicle under her own power and walked to the ambulance, where she was examined by EMS staff. The affected person remained inside the ambulance with EMS staff for approximately 20 minutes, until police were advised that the affected person appeared safe for transport and would be released back into police custody. While the affected person exhibited some confusion during this examination, she was able to answer questions appropriately, admitted to having consumed "crack", and acknowledged that the wound to her forearm was pre-existing, but denied intentional self-harm.

Prior to the affected person leaving the ambulance or returning to police custody, she appeared to go into medical distress and one of the RCMP members present removed her handcuffs to facilitate medical treatment. At this point, still inside the ambulance, the affected person's pulse could no longer be located and CPR was commenced. The affected person was transported to hospital in Unity, where, at approximately 12:01 a.m., she was pronounced deceased by a doctor.

Analysis

Following a comprehensive review of the evidence gathered during the course of SIRT's investigation, it is clearly established both that the affected person's injury pre-existed her contact with police, and that this injury did not cause or contribute to her eventual death. During their dealings with the affected person, police demonstrated significant restraint, both during the extended process of taking the affected person into

custody without resorting to use of force, and in the use of discretion to decline to pursue *Criminal Code* charges in favour of facilitating mental health assistance.

The decision to proactively engage EMS to examine the affected person prior to her transport to hospital was made prior to any indication that the affected person was at risk of a serious medical episode. Indeed, even following the completion of this proactive assessment, there was no indication of the affected person's impending medical distress. Accordingly, there is no reasonable basis to suggest that police neglected to adequately respond to the affected person's medical needs. A later discovery of cocaine hidden within the affected person's body was made during an autopsy examination, with the scope of that examination significantly beyond what would have been either appropriate or legally reasonable to conduct either at roadside or within the RCMP detachment, having regard to the nature of the affected person's custody under *The Mental Health Services Act*, rather than *Criminal Code* charges.

Following a review of the totality of the evidence in this case, and considering in particular the issues of the arrest of the affected person, and the process of facilitating medical examination and treatment of the affected person, there are no grounds to believe any police officer committed any *Criminal Code* offence during the course of this incident and no charges will be laid.

Decision

There being no grounds to believe an offence was committed by any police officer, SIRT's involvement with this matter is concluded without referral to the Attorney General for Saskatchewan in accordance with S.91.08(10)(a) of *The Police Act, 1990*.

Original Signed

Greg Gudelot
Civilian Executive Director
Serious Incident Response Team (SIRT)

March 26, 2025

Date of Report