

SIRT

Serious Incident Response Team

Investigation Summary:

Incident Type: In-Custody Death

SIRT File No.: 2023-18

Incident Date: August 22, 2023

Agency Involved: RPS

Civilian Executive Director: Greg Gudelot

Date of Report: May 14, 2025

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Introduction

On Tuesday, August 22, 2023, at approximately 4:43 a.m., the Saskatchewan Serious Incident Response Team (SIRT) received a notification from the Regina Police Service (RPS) regarding an incident that had recently occurred in the RPS Detention Unit.

On the morning of August 21, 2023, a 23-year-old male, subsequently referred to as the affected person, turned himself in at the front counter of RPS headquarters in relation to outstanding warrants from another police service. The affected person waited in the RPS lobby while the warrants were confirmed with that police service. Once confirmed, the affected person was arrested and booked into cells at approximately 11:59 a.m.

On August 22, around 3:45 a.m., the affected person was found non-responsive in his cell and EMS was contacted. Police and EMS provided first aid, and the affected person was transported to Regina General Hospital in critical condition. At approximately 4:48 p.m., the affected person was pronounced deceased at the hospital.

Timeline

SIRT was notified of the incident on August 22, 2023, at approximately 4:43 a.m., and a SIRT team consisting of the Civilian Executive Director and five SIRT investigators was deployed to Regina to begin the investigation. On February 19, 2025, 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 and available police and civilian witnesses were interviewed, and a scene examination was conducted within RPS cells. All relevant audio, video, and documentary evidence was seized, along with several pieces of physical evidence obtained both from the hospital and the affected person's autopsy.

Thirteen members of RPS were designated as witness officers during SIRT's investigation, and were either interviewed or provided their notes, depending on their role within the incident. As independent evidence regarding the affected person's entry into custody and medical condition were available at the commencement of the investigation, no police officers were designated as subject officers within the definition of *The Police Regulations*.

Eleven civilian witnesses were interviewed during the investigation, including civilian detention staff, members of EMS and the Regina Fire Department, as well as an occupant of a neighboring cell within the RPS detention area. Numerous unsuccessful attempts were made by SIRT investigators to interview several associates of the affected person on issues related to his initial entry into custody.

Extensive video footage was seized from both police and civilian sources that documented the time prior to the affected person turning himself into police, as well as the time he spent in police custody. Several physical exhibits were seized during the course of SIRT's investigation and submitted for further analysis as the investigation proceeded. These exhibits included five packages removed from the affected person's body during his treatment in hospital and a sixth removed from the affected person's body during an autopsy examination on August 24, 2023. Those exhibits were submitted for laboratory analysis and determined to contain methamphetamine and morphine. Two of the seized packages contained samples unsuitable for analysis, and as such, their contents remain unknown. The autopsy and toxicology testing conducted following the affected person's death determined that he died as a result of acute methamphetamine toxicity.

At the outset of the investigation, as required by S.91.12(1) of *The Police Act, 1990*, a community liaison was appointed to assist the investigation. The liaison was provided with regular updates on the investigation, and at the conclusion of the investigation, was provided the opportunity to review the investigation in its entirety, and to make comments and recommendations.

Summary

On August 21, 2023, at approximately 10:00 a.m., a taxi picked up two males, the affected person and another adult male, at a residential address in Regina. The affected person's companion instructed the driver that the trip would be to the police station, and then back to the residence. During the trip to the police station, the affected person spoke on his phone, stating to the individual on the call that he was turning himself in. At approximately 10:03 a.m., the taxi arrived at RPS headquarters, and the affected person exited, while his companion remained inside the taxi. The man instructed the driver to wait, as he wanted to make sure the affected person went in, and that he doesn't "back out." Once the affected person entered the police station, the taxi departed and on the return trip, his companion spoke on the phone to another individual, confirming that the companion had dropped the affected person off and watched him go inside. The man further stated that he had "more respect for" the affected person, and that the affected person had "stepped up."

At approximately 10:07 a.m., the affected person entered the RPS building and spoke with a police officer at the front counter. The affected person stated that he wished to turn himself in, and the officer confirmed that he had two outstanding arrest warrants from the File Hills Police Service. The affected person was asked to wait in the RPS lobby while the validity of the warrants was confirmed. A short time later, at approximately 10:29 a.m., a female arrived at RPS headquarters by taxi and entered the building. The affected person and the female moved to the far end of the lobby and had a conversation until approximately 10:31 a.m., when the affected person used the female's phone. The female left and the affected person later returned to the main part of the lobby. After sitting for a short period of time, the affected person stood to look through the lobby window where a group of females, including the female who had entered the lobby, were gathered. At approximately 10:55 a.m., another female from that group entered the lobby and sat with the affected person briefly before giving him a hug and departing.

The validity of the warrants was confirmed at approximately 11:52 a.m., and the affected person was escorted out of the lobby and to the detention area of RPS headquarters where he was searched. The

affected person was cooperative with police and stated that he had no medical conditions and was not suicidal. The affected person acknowledged having consumed alcohol the night before but denied consuming any drugs within the preceding 24 hours. The affected person was placed in a phone room to speak with a lawyer. At approximately 12:17 p.m., the affected person concluded the call with a lawyer and was placed in a cell within the RPS detention unit.

The affected person remained in his cell continuously until approximately 7:06 p.m., when he was briefly removed to appear before a Justice of the Peace, returning at approximately 7:13 p.m. While the affected person was in his cell, he was regularly monitored by both police and paramedics employed by the police service, at intervals of approximately 15 minutes.

The affected person's behaviour remained relatively consistent until around 7:40 p.m., when minor changes in his behaviour began to occur. The affected person, previously relatively still, began to appear restless within his cell, and began wiping his forehead repeatedly. Despite this change though, the affected person remained alert and responsive, moving within his cell and standing to speak to the paramedic conducting a cell check.

In the early morning hours of August 22, 2023, the affected person's behaviour continued to change and attracted the attention of the detention paramedic. The affected person complained of a fever, tremors, and body aches. The detention paramedic believed the symptoms to be related to withdrawal from narcotics. At approximately 2:31 a.m., the paramedic provided the affected person with some non-prescription pain medication to ease the symptoms. During this encounter, the affected person remained alert and responsive, rising to speak with the paramedic and retrieve the medication.

While the affected person remained mobile within his cell, he became increasingly restless, and condensation began to form on the glass window of the cell. During the cell check which occurred at approximately 3:29 a.m., the affected person sat up to speak briefly with the detention paramedic, later rising to walk to the sink within his cell before returning to the bunk. The affected person, who had previously been mobile within his cell, began making erratic movements while lying on the bunk. At approximately 3:41 a.m., the detention paramedic returned to the affected person's cell and observed his condition before leaving and returning at approximately 3:45 a.m. with medical equipment and several police officers to accompany him into the cell.

Police and the paramedic entered the affected person's cell and immediately placed him into the recovery position. The affected person was observed to be breathing, but had foam around his mouth. The paramedic provided medical assistance to the affected person and, at approximately, 3:52 a.m., was alerted by one of the police officers that the affected person appeared to have stopped breathing, and CPR was commenced. A short time later, at approximately 3:53 a.m., EMS responded to the detention area and assumed responsibility for the affected person's care, moving him to the floor and connecting an automated machine to continue CPR. At approximately 4:14 a.m., the affected person was removed from the RPS detention area by stretcher and transported to hospital.

At hospital, a scan revealed six packages contained within the affected person's body. Five of the six packages were removed during the affected person's treatment; however the affected person's condition continued to deteriorate and the sixth could not be removed. At approximately 4:48 p.m., the affected person was pronounced deceased.

Analysis

Following a comprehensive review of the evidence gathered during the course of SIRT's investigation, it is clearly established that no use of force by police occurred at any point during the affected person's arrest or detention. The affected person presented himself at RPS headquarters and turned himself in, to be arrested on the strength of several valid outstanding arrest warrants. Based on the evidence gathered, it appears highly likely that the affected person's reason for taking this action was to attempt to smuggle controlled substances into a correctional facility.

Regardless of the affected person's motivation for placing himself into custody, once anyone is detained in police custody, a legal duty exists on the part of police to appropriately care for a detainee and to reasonably address any medical needs that may arise. While the affected person's attempt to smuggle controlled substances into custody in no way relieves police of this duty, it does present a practical challenge to the effective provision of appropriate medical care, as it serves as an impediment to the affected person truthfully or accurately reporting the cause of their medical condition. Providing such information would serve both to undermine any smuggling attempt and potentially create legal jeopardy on the part of the affected person.

In this case, documentary and video evidence clearly establish that cell checks were conducted both by police and detention paramedics, at regular and reasonable intervals throughout the affected person's time in custody. Unfortunately, these checks were conducted without the aid of accurate information regarding the nature of the affected person's condition. Even when symptoms of the affected person's medical condition had begun to present, and were ultimately diagnosed as withdrawal symptoms, the affected person did not provide accurate information or correct the diagnosis. As the affected person's condition worsened, detention staff responded by entering the affected person's cell and immediately commencing medical treatment.

As has been observed in prior reports, while the extensive video footage obtained from various sources during this investigation provides significant detail with regard to the affected person's time in custody, those same details were not necessarily contemporaneously observed by detention staff as they were occurring. When considering the information available to detention staff, both provided by the affected person on his entry into custody and through their own observations, both the recognition of the affected person's medical condition and later attempted treatment of that condition were reasonable.

Following a review of the totality of the evidence in this case, 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)

May 14, 2025

Date of Report