

SIRT

Serious Incident Response Team

Investigation Summary:

Incident Type: Serious Injury

SIRT File No.: 2025-19

Incident Date: July 2, 2025

Agency Involved: RCMP

Civilian Executive Director: Greg Gudelot

Date of Report: September 3, 2026

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Introduction

On Thursday, July 3, 2025, at approximately 11:29 a.m. the Saskatchewan Serious Incident Response Team (SIRT) received a notification from the Royal Canadian Mounted Police (RCMP) regarding injuries incurred by an individual in the process of being taken into custody the previous day. SIRT's Civilian Executive Director accepted the notification as within SIRT's mandate and directed an investigation by SIRT.

On July 2, 2025, at approximately 4:11 p.m., the Melfort RCMP received a call for service reporting that a 38-year-old female patient, subsequently referred to as the affected person, had left Melfort Hospital against medical advice. The affected person had been admitted to hospital earlier that afternoon as a result of mental health concerns, and staff stated that she was required back for treatment.

Two members of the RCMP were dispatched in response to the call for service. At approximately 4:32 p.m., the first of the two dispatched members, subsequently designated as the Subject Officer in SIRT's investigation, arrived in the parking lot of the Melfort Hospital and exited his police vehicle. The Subject Officer spoke to the affected person and, at approximately 4:35 p.m., informed the affected person that she was being taken into custody under *The Mental Health Services Act*.

Following that notification, a confrontation occurred between the Subject Officer and the affected person, which culminated in a struggle on the ground. During that struggle, force was used on the affected person which resulted in a fractured right humerus, a serious injury within the meaning of *The Police Act, 1990*.

Timeline

SIRT was notified of the incident on July 3, 2025, at approximately 11:29 a.m. A team of SIRT investigators was immediately assigned to the investigation. The completed investigation was provided to SIRT's Civilian Executive Director for review, and on November 19, 2025, pursuant to S. 91.08(10)(a) of *The Police Act, 1990*, the matter was provided to the office of the Attorney General for Saskatchewan. On June 9, 2026, SIRT received correspondence from the office of the Attorney General for Saskatchewan.

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.

Two police officers were interviewed during the course of SIRT's investigation, including the Subject Officer who, despite being under no legal obligation to do so, submitted both a written account of the event and voluntarily attended for an interview. The second RCMP member to arrive at the incident was designated as a Witness Officer and was interviewed during the course of the investigation. Four civilian witnesses were identified and interviewed during the investigation. These witnesses included the staff member from the Melfort Hospital who had initially placed the call for service to the RCMP, the family member of the affected

person, who had conveyed her to the hospital, and a patient at the hospital who was present in the parking lot during the incident and had raised the initial concern with the RCMP regarding the use of force. The affected person herself was interviewed and provided signed consent for access to her medical records for use during the investigation.

Dispatch records relevant to the incident were obtained in the form of both audio recording and documents obtained from the RCMP. Extensive video evidence directly capturing or relevant to the incident was obtained from various sources during the investigation. This included body-worn camera (BWC) footage from both RCMP members in attendance, in-car digital video (ICDV) footage from both dispatched RCMP vehicles, and security camera footage obtained from the Melfort Hospital. The various sources of video footage provided comprehensive audio and video coverage of the incident, from several different angles.

The affected person's medical records were obtained from three hospitals where she was treated for the injury sustained during the incident. Those records revealed that during the incident, the affected person sustained a spiral distal fracture of the right humeral shaft and, upon admission to hospital, screened positive for various substances, including cocaine and methamphetamine. The injury sustained by the affected person fell within the definition of serious injury set out in *The Police Regulations*.

At the outset of the investigation, and as required by S.91.12(1) of *The Police Act, 1990*, a Community Liaison was appointed to assist the investigation.

Summary

On July 2, 2025, at approximately 4:11 p.m., staff from the Melfort Hospital contacted the RCMP to advise that the affected person, who had been recently admitted to hospital as a result of mental health concerns, had left the hospital against medical advice and was in the parking lot of the hospital wearing a hospital gown.

Following the initial call for service from hospital staff, police received a series of other calls related to the affected person. At approximately 4:12 p.m., police received a call from a female, later determined to be the affected person, stating that she needed help and didn't know where she was. The call was disconnected, and when called back by the operator, the affected person could be heard crying and then hung up. At approximately 4:24 p.m., a male caller contacted police to advise that he had conveyed an unknown female, later determined to be the affected person, to hospital as a result of a suspected overdose and that the female had taken his wife's phone and was currently in the parking lot. At approximately 4:31 p.m., the affected person called police again, stating that she was outside of the hospital in Melfort, having been brought to the hospital by her cousin, and that she wished to contact her sister. This call was also disconnected.

Two members of the Melfort RCMP Detachment were separately dispatched to the call. One member, later designated as the Subject Officer in SIRT's investigation, was already attending another call, and arrived at the call first. The second dispatched member, later designed as a Witness Officer, attended from the Melfort RCMP Detachment.

At approximately 4:32 p.m., the Subject Officer arrived in the parking lot of the Melfort Hospital and exited his police vehicle. Immediately upon exiting the vehicle, the Subject Officer was approached by the affected person's cousin, and shortly thereafter by the affected person, who returned the cellphone that had been the subject of the earlier call. The affected person's cousin returned to her vehicle and departed the parking lot, while the Subject Officer continued speaking calmly with the affected person, informing her that she was required to return to the hospital. While the affected person initially expressed that she would return to the hospital, she later stated that she did not feel safe and would not return. The Subject Officer informed the affected person that she could either return to the hospital voluntarily or be apprehended under *The Mental Health Services Act*. The affected person stated that she would return voluntarily if she was able to call her sister first, and the Subject Officer indicated that she would be able to call after she returned to the hospital. Ultimately, the affected person refused to return to the hospital and, at approximately 4:35 p.m., the Subject Officer informed the affected person that she was being apprehended under *The Mental Health Services Act*.

The Subject Officer reached for the affected person with his right hand, and the affected person pushed his hand away and turned to run, stepping from the parking lot onto an area of grass at the edge of the hospital property. As the affected person ran, she turned back towards the Subject Officer and swung her right arm upwards, contacting the Subject Officer's head and knocking off his hat. The Subject Officer tackled the affected person to the ground, and ended up astride of the affected person, who was curled on her left side with her hands protecting her head. The Subject Officer displayed a significant elevation in emotion, stating "get on the fucking ground" and "give me your hands now, you dumb fucking bitch". The affected person stated "okay" several times, and lifted her right hand from her head, while the Subject Officer placed his right hand on the affected person's wrist and continued to state, "give me your fucking hands now" and "give me your fucking hands". The Subject Officer released the affected person's hand and delivered a closed fist strike to the affected person's head. The affected person again raised her right hand from her head while the Subject Officer continued to shout commands for the affected person to give her hand. The Subject Officer grabbed the affected person's right wrist and straightened her arm outward on the ground before pulling her right arm behind her back, still holding her wrist. At approximately 4:36 p.m., the Subject Officer informed the affected person that she was under arrest for assaulting a police officer, then stated, "why the fuck wouldn't you just listen?" and "you just punched me in the face, are you fucking kidding me?". The Subject Officer applied a handcuff to the affected person's right wrist and turned to look over his shoulder in the direction of the Witness Officer's police vehicle as it arrived in the hospital parking lot. The Subject Officer then stated, "you're not going back to the fucking hospital", while applying significant upward pressure on the affected person's arm with both hands, causing the arm to audibly break and become visibly displaced.

The Subject Officer turned toward the Witness Officer who had just exited his vehicle and stated, "I was trying to put the fucking handcuff on and I think she just broke something in her shoulder". The Subject Officer's demeanour softened significantly, and the Subject Officer attempted to soothe the crying affected person. At approximately 4:38 p.m., the affected person was raised to a standing position by the Subject Officer and the Witness Officer. EMS was contacted and attended to the hospital parking lot at approximately 4:48 p.m. The affected person remained reluctant to re-enter the hospital, but with the aid of another patient who was present in the parking lot, was eventually convinced to walk into the hospital under her own power, entering the building at approximately 5:15 p.m.

During the incident, the affected person sustained a spiral fracture of the distal right humeral shaft, a serious injury within the meaning of *The Police Act, 1990*.

Analysis

Under S. 25 of the *Criminal Code*, a police officer is authorized to use as much force as is reasonably necessary in the lawful execution of his or her duties. Courts have provided a number of principles to assist in the assessment of the lawfulness of a police officer's use of force and the starting point of analysis is that a police officer, if he or she acts on reasonable grounds, can use as much force as is reasonably necessary to effect an arrest. Excessive force is not protected under S. 25 of the *Criminal Code*, nor is force employed for reasons other than the lawful purpose being undertaken or attempted, and pursuant to S.26 of the *Criminal Code*, a police officer is criminally liable for uses of force exceeding or outside of the protections offered by law.

In this case, based on the evidence gathered, the Subject Officer was legally placed to apprehend the affected person pursuant to *The Mental Health Services Act*, and later arguably, the *Criminal Code*. While the Subject Officer was lawfully placed to apprehend, or later arrest, the affected person, significant issues exist as regards both the level and purpose of the force used, in particular during the later part of the incident.

It is difficult to reconcile the Subject Officer's action of forcibly advancing the affected person's already handcuffed right arm with the lawful and legitimate goal of securing her left hand, which remained on the ground near her head. The comments by the Subject Officer preceding this use of force, and the demonstrable level of anger on the part of the Subject Officer during the use of force are more consistent with that action having been applied for a punitive purpose, or as retribution for the earlier struggle. Force applied for such a purpose would fall outside of the protections offered by S.25 of the *Criminal Code*, and would constitute an offence.

When considering both the observable decrease in the affected person's level of resistance, as evidenced by twice offering her hand, and the level of anger displayed by the Subject Officer through his words and demeanour, both the level of force and the motivation underlying the application of force appear to fall outside the legal protections provided to police, and accordingly, the completed investigation provides reasonable grounds to believe that an offence, namely Assault Causing Bodily Harm, contrary to S.267(b) of the *Criminal Code* had been committed. In light of this concern, and as required by S.91.08(10)(a) of *The Police Act, 1990*, the matter was provided to the office of the Attorney General for Saskatchewan for review.

On June 9, 2026, SIRT received the opinion of the assigned Crown prosecutor that charges were not recommended in this matter. As noted above, SIRT, as the investigative body, applies a *Criminal Code* standard that determines whether or not reasonable grounds exists to believe that an offence has been committed. This is distinct from the standard that the Crown applies in determining whether to proceed with a prosecution.

As is evident in this case, the application of these two different standards to the same investigation will, in some cases, result in different conclusions regarding the same file. In this case, while SIRT found reasonable grounds to believe an offence had been committed, the Crown did not recommend that charges be laid. Having considered the evidence in this matter as well as the opinion of the Crown, no charges against the Subject Officer will be laid by SIRT in relation to this investigation.

Decision

There being grounds to believe that an offence was committed by the Subject Officer, and as required by S.91.08(10)(a) of *The Police Act, 1990*, this matter was forwarded to the office of the Attorney General for Saskatchewan, however in accordance with the Crown's recommendation on this matter, no charges will be laid.

Pursuant to S.91.08(10)(d) of *The Police Act, 1990*, this matter will be forwarded to the RCMP and the Civilian Review and Complaints Commission for the RCMP (CRCC) for their review, with a recommendation for the imposition of any appropriate discipline pursuant to the *Code of Conduct of the Royal Canadian Mounted Police*.

Original Signed

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

September 3, 2026

Date of Report