

RELEASE DATE: October 19, 2022



Manitoba

IN THE PROVINCIAL COURT OF MANITOBA

IN THE MATTER OF: *The Fatality Inquiries Act C.C.S.M. c. F52*

AND IN THE MATTER OF: Chad Johnathan Williams, Deceased
(Date of Death: January 12, 2019)

**Report on Inquest of
Judge Julie Frederickson
Issued this 14th day of October, 2022**

APPEARANCES:

Yasothini Mathu, Inquest Counsel
Kimberly Carswell, Winnipeg Police Service

RELEASE DATE: October 19, 2022



Manitoba

THE FATALITY INQUIRIES ACT
REPORTED BY PROVINCIAL JUDGE ON INQUEST

RESPECTING THE DEATH OF: CHAD JOHNATHAN WILLIAMS

Having held an inquest respecting the said death on April 25, 26, 27 and 28, 2022 at the City of Winnipeg, in Manitoba, I report as follows:

The name of the deceased is: Chad Johnathan Williams.

The deceased came to his death on the 12th day of January 2019 in Winnipeg, Manitoba.

He died by the following means: Gunshot wounds.

Attached hereto and forming part of my report is a list of exhibits required to be filed by me.

Dated at the City of Winnipeg, in Manitoba, this 14th day of October, 2022.

“Original signed by:”

Judge Julie Frederickson
Provincial Court of Manitoba

Copies to:

1. Dr. John Younes, Chief Medical Examiner (2 copies)
2. Chief Judge Margaret Wiebe, Provincial Court of Manitoba
3. The Honourable Kelvin Goertzen, Minister of Justice and Attorney General
4. David Wright, Deputy Minister of Justice and Deputy Attorney General
5. Michael Conner, Assistant Deputy Attorney General
6. Yasothini Mathu, Inquest Counsel
7. Kimberly Carswell, Counsel for Winnipeg Police Service
8. Exhibit Coordinator, Provincial Court of Manitoba
9. Aimee Fortier, Executive Assistant and Media Relations, Provincial Court of Manitoba



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RESPECTING THE DEATH OF: CHAD JOHNATHAN WILLIAMS

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INTRODUCTION

[1] Constable Andrew Aitkin of the Winnipeg Police Service (WPS) was in a foot pursuit with Chad Williams on January 11, 2019. Aitkin was voicing the location of the pursuit over his police radio when Mr. Williams pulled out a hatchet. Other officers in the area, hearing Aitkin repeatedly say “drop the axe”, rushed to the scene.

[2] Mr. Williams eventually stopped at a vacant property at 536 Sherbrook Street. There was a tall fence to his back, and seven police officers formed a loose semi-circle in front of him. He was not responding to police commands to drop the hatchet. Attempts to immobilize him by Taser were unsuccessful.

[3] Mr. Williams made a motion as if to throw the hatchet at an officer. Three officers discharged their firearms. Mr. Williams was hit by gunshots. He was transported to hospital, where he underwent several surgeries. He died from his injuries on January 12, 2019 at 5:54 a.m.

MANDATE AND LEGISLATIVE AUTHORITY

[4] On October 10, 2019, an Inquest into the death of Chad Johnathan Williams was called by Dr. John K. Younes, the Chief Medical Examiner of the Province of Manitoba. In his letter to the Chief Judge of the Provincial Court of Manitoba, the Honourable Margaret Wiebe, Dr. Younes directed that the Inquest be held for the following reasons:

1. To fulfill the requirement for an inquest, as defined in Section 19(5) (a) of *The Fatality Inquiries Act* (“the Act”);
2. To determine the circumstances relating to Mr. Williams’ death; and
3. To determine what, if anything, can be done to prevent similar deaths from happening in the future.

[5] Section 19(5)(a) of the Act requires that an inquest be held when the deceased person dies as a result of the use of force by peace officers acting in their course of duty.

[6] Section 26(1) requires that a provincial court judge be assigned to conduct the inquest.

[7] Section 26.2(1) specifies that an inquest is a non-adversarial proceeding. Its purpose is to establish the facts necessary to enable the preparation of a report.

[8] After the completion of an inquest, Sections 33(1) and 33(1.1) of the Act require that a written report be provided to the Minister responsible for the Act, setting forth the date, time and place of death, the cause and manner of death, and the circumstances in which the death occurred. The Inquest Judge has the discretion to make recommendations respecting changes to provincial laws or to programs, policies and practices of the provincial government or of public agencies and institutions, to prevent deaths in similar circumstances.

STANDING

[9] Jeannelle Allard was appointed Inquest Counsel and a Standing Hearing was conducted on June 17, 2020.

[10] The WPS, represented by their legal counsel Kimberly Carswell, was granted standing.

[11] The family of Chad Williams, represented by their then-legal counsel John Corona, was also granted standing.

[12] Yasothini Mathu replaced Ms. Allard as Inquest Counsel on June 29, 2020.

[13] On June 8, 2021, Mr. Corona advised that he was no longer retained by the Williams family. A case management conference was held with Johnathan Williams, the father of Chad Williams, to determine the intent of the family. Johnathan Williams subsequently advised Inquest Counsel that the family was declining to participate in the Inquest.

REVIEW OF THE EVIDENCE

Police Witnesses

[14] Seven WPS officers testified as to their involvement with Mr. Williams on January 11, 2019. Six of the officers were present when the shots were fired, and the seventh arrived in the immediate aftermath. In addition, the written report of Constable Ricky Maiers, prepared as part of the Independent Investigation Unit investigation, was filed as an Exhibit. The evidence of all of the officers is largely consistent.

[15] Mr. Williams came to the attention of Aitkin and his partner, Constable Steven Thompson. A BOLO (Be on the Lookout) had recently been issued by the WPS related to a domestic assault involving a weapon. Aitkin and Thompson were reviewing the BOLO when they saw an individual (subsequently identified as Chad Williams) wearing clothing matching the suspect's description.

[16] Mr. Williams was walking along Sargent Avenue, near Sherbrook and Furby. Aitkin and Thompson were following him in their marked police cruiser car for a short distance. They stopped their police cruiser to ask him some questions. Mr. Williams fled, and Aitkin chased after him on foot.

[17] While he was chasing Mr. Williams, Aitkin was voicing his location over the police radio that officers carry as part of their uniform. Thompson was following in their cruiser. Mr. Williams ran toward the Safeway on Sargent Avenue between Maryland and Sherbrook. He ran down the back lane between the two streets. Part way down the back lane, Mr. Williams stopped running, and turned towards Aitkin. He had a hatchet in his hand, which he raised to his shoulder. Aitkin took out his firearm.

[18] Aitkin estimated they were six to eight feet apart when this encounter occurred. Mr. Williams then turned and cut through the yard at 554 Sherbrook, with Aitkin following. Mr. Williams continued running south on the sidewalk of Sherbrook.

[19] Nearby, Sergeant Scott Southby and Constables Jensen Novak and Rene Basin were going to 671 Maryland to investigate the domestic assault described in the BOLO. They each heard Aitkin voicing his foot pursuit. They all heard an urgency in Aitkin's voice and heard him say "drop the axe" several times. They went to assist, with Southby in his unmarked police vehicle and Novak and Basin together in their marked police vehicle.

[20] Sergeant Michael Temple was partnered with Maiers. They were also on their way to 671 Maryland when they heard Aitkin's voice on the police radio. Like the other officers, they heard the tension in Aitkin's voice, and heard him say "drop the axe". They also went to assist.

[21] Based on the directions given by Aitkin, the other officers pulled up near 536 Sherbrook. Because of the urgency, they were driving the wrong way down Sherbrook, which is a one-way street going northbound. The officers involved were driving both marked and unmarked police vehicles. All vehicles were equipped with

lights and sirens, which were on. The officers were all wearing clothing that identified them as police officers; either the standard police uniform or tactical unit clothing with the word "Police" on the vest or jacket in large letters.

[22] Thompson, Novak, Basin, Southby, Temple and Maiers all saw Mr. Williams walking on Sherbrook with the hatchet in his hand. At times, he would raise it in what they described as a threatening motion. Thompson and Basin saw him tapping the blunt end of the hatchet in his palm. Southby, Novak and Basin told the Court Mr. Williams appeared to be high, with glazed eyes and incoherent mumbling. Novak and Southby said he appeared at times to be bouncing or hopping up and down.

[23] The officers had their firearms out. They were each giving Mr. Williams commands to drop his weapon. He made eye contact with Thompson. He did not respond to, or comply with the commands.

[24] Southby, Basin, Temple and Maiers assessed the situation and decided to use their Tasers. Southby, Temple and Basin testified, and Maiers said in his statement, they each believed that, as there was lethal coverage provided by other officers, they had an opportunity to transition to their intermediate weapon in an attempt to immobilize Mr. Williams. Southby deployed his Taser first. It had a brief, minor effect on Mr. Williams but did not stop him. Southby testified that the wires from his Taser became tangled, which meant that he could not deploy a second shot. Southby then took out his firearm.

[25] Basin deployed his Taser twice. The first shot resulted in Mr. Williams turning to look at Basin. He raised the hatchet as if to throw it at Basin, but he did not follow through. The second Taser deployment did not have any discernible effect.

[26] Neither Temple nor Maiers ultimately deployed their Tasers.

[27] At this point, Mr. Williams was in the front yard of 536 Sherbrook. It was an empty lot. There was a fence and some sort of structure to his back, and the officers were in a loose semi-circle in front of him. All were yelling at Mr. Williams to drop his weapon. Mr. Williams would raise the hatchet in a threatening motion, but the officers testified that they did not perceive him as intending to follow through on the threat.

[28] That assessment quickly changed. Southby said that Mr. Williams suddenly appeared to focus on him. Temple believed that Mr. Williams suddenly focussed on

him. Aitkin, Thompson and Maiers also saw Mr. Williams' stance change and he made a motion to throw the hatchet at an officer. This change in stance was described to the Court as a "bladed" or fighting stance; like a baseball pitcher winding up to make a pitch; and like a football quarterback ready to throw a long bomb or a "Hail Mary" pass.

[29] Southby estimated he was approximately 15 feet from Mr. Williams. He, along with Temple, Thompson, Novak Aitkin and Maiers all stated they believed that, if the hatchet was thrown, there was a likelihood of grievous bodily harm to one of the officers present.

[30] Southby, Jensen and Thompson all fired their guns. Mr. Williams dropped to the ground. Maiers used his police radio to advise that shots were fired, and requested an ambulance be sent immediately. Basin and Maiers approached Mr. Williams, and put handcuffs on him.

[31] When asked why Mr. Williams was handcuffed, Basin indicated it was for officer safety. At this point, he did not know where the hatchet was. He also said Mr. Williams was resisting giving officers his hands, and so he was briefly shin-pinned across his belt line. Shin-pinning is a manner of restraint used by officers, where they place a knee across the body part of an individual to gain compliance. Basin testified that once the handcuffs were secured, Mr. Williams was rolled over, and first aid began to be administered.

[32] Constable Erin Brolley heard the events unfold over the police radio. She heard "shots fired" and arrived shortly thereafter. She brought a red first aid kit from her police cruiser car and assisted Basin and Maiers with providing first aid to Mr. Williams. She asked Mr. Williams his name, to which he responded "John".

[33] Paramedics arrived and took over. Brolley accompanied Mr. Williams in the ambulance to Health Sciences Centre. He underwent several surgeries, and was pronounced dead at 5:45 a.m. on January 12, 2019.

Civilian Witnesses

[34] Four civilian witnesses provided written statements as part of the IIU investigation. These transcripts were filed as an Exhibit. In addition, a DVD of video footage taken by John Lee and Jordan Nepinak was also filed.

[35] Daphne Keeper told the IIU investigators that she was driving on Sargent Avenue when she saw a person she described as a “young Native guy” in front of a pawn shop between Furby and Sherbrook. She saw a WPS K9 unit stop, and two officers in police uniforms motioned or called out to the young man. He shook his head “no” and started running towards Safeway.

[36] Keeper said one of the officers ran after the young man, while the other followed in the police cruiser. She followed them to Maryland, and saw the young man and officer chasing him run behind the Safeway. She also saw the police cruiser following them in the same direction.

[37] She described three or four “black SUVs” driving the wrong way down Sherbrook, with their police lights flashing but no sirens.

[38] Very shortly thereafter, she received a call from her daughter, who told her about Facebook messages stating that a “young guy” was shot in front of Safeway because he was driving a stolen car.

[39] When asked about the young man, Keeper said he was young, referring to her nephew but not providing an age. She also referred to him several times as a “little guy”, estimating him to be 5’5” or 5’6” in height.

[40] Todd McMillan saw the shooting unfold from across the street and a couple of houses down. He was in the front yard of 545 Sherbrook. He heard police sirens and saw police vehicles driving and parking in the wrong direction on Sherbrook. He told investigators he saw police chasing someone, screaming at him to stop. He said he heard the man repeatedly say “Fuck you” to officers, not complying with their commands.

[41] McMillan saw the man try to get through the yard of the apartment block at 522 Sherbrook, but it was fenced off. He then saw the man moving toward 536 Sherbrook, running backward with his hands up. He heard police telling the man to “go down”.

[42] McMillan did not see anything in the man’s hands. He saw what he thought was the man reaching for a weapon in his waistband. He heard four “pops” and saw the man drop. Officers approached the man, and an ambulance arrived a short time later.

[43] McMillan said that he knew Mr. Williams, and knew him to be a user of methamphetamine. He told the IIU investigators that Mr. Williams becomes a “different guy” when he is high.

[44] Storm Raduenz was on the third floor of a building at 533 Sherbrook. Hearing sirens, he looked out his window and saw five or six officers in a “u-shape” in a yard. He described Mr. Williams as “trapped” with no where to escape. He said that Mr. Williams was not pointing a weapon.

[45] He saw wires from a Taser hanging from an officer’s belt and heard four to five shots. He said officers approached Mr. Williams, grabbed his arm, “roughly” lifted him up and pushed him back down. He said officers then gave him “a few knees”, started to take his clothes off, and then positioned themselves so that his view was blocked. In Raduenz’s opinion, the police “murdered” Mr. Williams.

[46] John Lee provided both a statement and a video. He told investigators that he was in his room in the house next door to 536 Sherbrook. He said that he heard a lot of sirens, and when they appeared to stop nearby, he looked out his window. He saw four to five officers with their guns drawn. He then saw three to four shots fired, officers approach the victim, and attempts at first aid.

[47] Lee heard what he described as “muffled sounds” leading up to the shooting. He thinks he heard the word “weapon” said by police, and speculates that the person shot either had a weapon or was reaching for one.

[48] He was shocked by what he saw, and decided to take a video. In his statement, he refers to a couple of videos along with photos. The video provided to the Court was taken from his room, which appears to be on the second floor of the neighbouring building. Although sirens can be heard, there is no other sound or commentary. The video starts after Mr. Williams is shot.

[49] In the video, several officers can be seen standing and shining their flashlights towards the ground. The view as to what they are shining their lights on is blocked by an adjacent building. An officer runs toward the group carrying a red first aid bag. Another officer is seen using snow to wash his hands.

[50] An officer is observed picking up something from the sidewalk close to the fence between 534 and 536 Sherbrook. Following what appears to be a discussion among other officers, the item is returned to its place on the sidewalk. An ambulance is seen further up the street.

[51] From where the video was taken, the word “Police” is visible in reflective tape on either the front vest or back of jackets on most officers. Marked police cars have their lights and sirens activated. There is no mistaking that the people involved are police officers.

[52] Jordan Nepinak made a Facebook video. It was taken from a property further north of John Lee’s location. Comments from Nepinak and others present with him are heard, but there is no sound from the events unfolding on the street.

[53] As with John Lee’s video, the Nepinak video starts sometime after the shooting. Several police vehicles with flashing lights are seen, and police officers can be seen standing around a dark form on the ground.

[54] An ambulance arrives, and the attendant approaches the officers.

[55] Nepinak and the others with him make comments about the number of police officers on scene, and speculate that the individual is dead.

Medical Evidence and Toxicology Report

[56] The autopsy report, medical examiner’s report and toxicology report were filed by consent.

[57] Dr. Rahaman, a pathologist, performed the autopsy at St. Boniface Hospital on January 14, 2019. In addition to an Autopsy Technical Assistant, two officers from the Winnipeg Police Service Forensic Identification Section and a senior investigator from the Independent Investigation Unit were also present.

[58] Mr. Williams’ weight was recorded as 107 kg (approximately 235 pounds) and his height as 195 cm (approximately 6 feet, 4 inches).

[59] The cause of death was gunshot wounds. There were no other conditions that contributed to his death.

[60] The autopsy report noted seven gunshot wounds. Three were penetrating wounds to Mr. Williams’ right arm and right side of the back. Three were perforating wounds: one to his right forearm (which upon re-entry penetrated the lower right quadrant of his abdomen), one through his right thigh, and one through his left thigh.

The seventh was a graze wound to his right arm. Various surgical interventions related to these wounds were identified.

[61] A sample of Mr. Williams' blood was sent to the RCMP Forensic Science and Identification Services Laboratory for analysis. Methamphetamine, amphetamine, diazepam (Valium), nordiazepam, citalopram (Celexa, Cipralex) and midazolam were detected.

[62] In the toxicology report, methamphetamine is described as a potent central nervous system stimulant that is used recreationally for its euphoric and energizing effects. The acute stimulant effects may last eight hours or longer. Higher doses are associated with feelings of more intense euphoria, rapidly flowing thoughts and feelings of increased abilities, along with an increased risk of users experiencing hallucinations and delusions. Physiological effects of use include pupil dilation, increased heart rate and increased blood pressure. Binge use of methamphetamine may extend over several hours or days.

[63] Amphetamine is an active metabolite of methamphetamine, and is also available as a prescription medication for the treatment of ADHD. If abused, the effects of amphetamine are similar to those described for methamphetamine.

[64] Forensic specialist Christopher Keddy noted in the report that the levels of methamphetamine (greater than 1600ng/mL) and amphetamine (218 ng/mL) detected in Mr. Williams' blood may be associated with high-dose and/or binge methamphetamine use.

[65] Diazepam and nordiazepam are benzodiazepines, and can cause dose-dependent central nervous system depression. Citalopram is a selective serotonin reuptake inhibitor used to treat clinical depression, anxiety and obsessive-compulsive behaviour. Keddy noted that the levels of diazepam, nordiazepam and citalopram found in Mr. Williams' blood may be associated with the therapeutic use of those drugs.

[66] The detection of midazolam may be associated with its use in a pre-operative setting.

[67] Counsel referred the Court to the Russell Spence Inquest Report, dated April 24, 2020. In conducting that inquest, my colleague the Honourable Judge Brent Stewart heard expert evidence from Dr. Gary Glavin, an international expert in pharmacology. In addition to his testimony, Dr. Glavin prepared a report on the

make-up and effects of methamphetamine, both generally and specifically to Russell Spence. Regarding the general effects of methamphetamine, Judge Stewart wrote at paragraph 20:

“As to the general background of methamphetamine use, Dr. Glavin indicated that methamphetamine is either injected or smoked which gives an intense euphoria or rush. It is a cheap street drug which can go as little as \$10 a hit. For a dose of methamphetamine to completely clear from a person’s body, if no further drug is ingested, amounts to 60 hours. However, because of the high intense rush from the use of the drug, which can last up to 24 hours in duration, multiple dosing is frequently observed. Methamphetamine is sympathomimetic which means it stimulates a sympathetic nervous system response. This system is active in times of stress i.e. a fight or flight response in relation to psychological (fear or anxiety) or physical exertion or in the presence of physical danger. With methamphetamine the response is simply drug induced without cause. Symptoms of a methamphetamine user include elevated heart rate, elevated blood pressure, pupil dilation, increased body temperature, feelings of power and control, euphoria and sense of well-being.”

[Emphasis added]

WPS Use of Force and Threat Assessment

[68] The officers who testified indicated that they are trained and regularly re-certified in the areas of use of force, mental health and first aid. All who testified indicated that they were up to date in their training as of January 11, 2019.

[69] It was explained by the officers that they are trained to apply a level of force in relation to the level of resistance being offered by the subject. De-escalation is always the goal.

[70] Levels of force which may be employed by officers are:

1. police presence;
2. verbal direction;
3. soft empty hand control;
4. hard empty hand control;
5. intermediate weapons; and
6. lethal force.

[71] These levels of force are part of a control continuum. Multiple levels of force, such as police presence and verbal direction, may be used at the same time as higher levels of control. Once compliance is achieved, the level of force decreases.

[72] A Taser is an intermediate weapon. When deployed successfully, it will “lock out” an individual, immobilizing them. It allows officers an opportunity to neutralize the level of resistance being displayed.

[73] Constable Matt Creighton is the master Taser instructor with the WPS. His report and statement were filed as an Exhibit. In his statement, Creighton explains the data that was downloaded from Basin and Southby’s Tasers. He explained that the Tasers have two cartridges, and when the trigger is pulled one cartridge is deployed at a time. Each deployment lasts for five seconds. Once the trigger is pulled, it is possible to toggle to the second cartridge and deploy it almost immediately after the first.

[74] In the case of Southby’s Taser, Creighton confirmed that only one cartridge was deployed, and the charge associated with the cartridge was jumping around. The fact that the charge was jumping around told Creighton that it was not a good deployment.

[75] Regarding Basin’s Taser, Creighton confirmed that both cartridges were deployed, four seconds apart. With the first, the data shows a small initial charge to a conducive surface, followed by a complete loss of charge. The second cartridge was also not a good deployment, and did not result in a consistent charge.

[76] Lethal force is only used when there is a complete threat assessment. A complete threat assessment occurs when a subject has a potentially lethal weapon, a delivery system, and demonstrates an intent to follow through on the delivery system.

[77] The hatchet carried by Mr. Williams was a potentially lethal weapon. The handle was 11 inches long, and the head was 5.5 inches. The delivery system was his ability to throw or strike out with the hatchet. When he, at various times, raised the hatchet or tapped the butt end of it on his palm, he was not displaying a complete threat assessment. There was no intent on his part to follow through on the delivery system. The officers testified that they viewed these actions as acts of aggression, warning officers to keep away.

[78] All officers testified that, if given the opportunity, they would have waited Mr. Williams out.

[79] When Mr. Williams suddenly changed his stance, and moved his arm with the hatchet above his head as if to throw it, the threat assessment was complete. He demonstrated an intent to follow through with throwing the hatchet. This provoked the lethal force response.

[80] The events happened quickly. The WPS Service Call Log was filed as an Exhibit. It indicates that the event, starting with Aitkin voicing the foot pursuit, started at 19:50:33. At 19:51:01, Aitkin voiced that Mr. Williams had a weapon, and at 19:51:03 “drop the axe” was noted. Shots were fired at 19:52:02, and an ambulance on a rush was requested at 19:52:05.

OBSERVATIONS

[81] What unfolded over the course of less than two minutes was an urgent situation, beginning with an officer in a foot pursuit of a man armed with a hatchet, suspected of being involved in a domestic assault with a weapon.

[82] It may be easy for members of the public to question or be cynical of police response in situations like this. This attitude is expressed in the Nepinak video and in the statement of Raduenz. Adding to this is the speed with which misinformation – like the comments Keeper’s daughter reported on Facebook – circulates on social media.

[83] The civilian witnesses – those who gave statements and those who made videos – were observing what was unfolding from a distance. Most could not hear what was being said. None observed the interaction from beginning to end. Despite this, their observations corroborate many aspects of the police evidence, such as: the foot chase, the arrival of multiple officers on Sherbrook, the locations of Mr. Williams, when and how shots were fired, the administering of first aid, and the arrival of the ambulance.

[84] Mr. Williams was high on meth. The toxicology report indicates the levels found in his blood were consistent with high-dose or binge use.

[85] The behaviours he was exhibiting, such as taunting police with the hatchet, ignoring their commands, erratic movements, incoherent mumbling and glazed eyes, were consistent with the effects of methamphetamine use described by both forensic specialist Keddy and Dr. Glavin.

[86] Although the civilian witnesses did not see a weapon, it is undisputed that Mr. Williams had a hatchet and was brandishing it at officers. This is confirmed not only through the testimony of the officers, but also captured in images taken from security cameras in the area. These images are included in the final IIU Report, filed as an Exhibit.

[87] The hatchet was ultimately located on scene, between where Mr. Williams fell upon being shot and where the officers were standing.

[88] Mr. Williams' actions, by attempting to throw the hatchet, dictated the police response.

[89] Based on the evidence, I am satisfied that it was a genuine attempt to throw, and not simply to drop the weapon. The officers used various sports analogies to describe Mr. Williams' change in physical stance just before throwing. Each of these descriptors is indicative of using strength and momentum to achieve a physical goal.

CONCLUSIONS

[90] Methamphetamine is a terrible and dangerous drug. It causes people to act in unpredictable, and often violent, ways.

[91] While I did not have the benefit of hearing about who Mr. Williams was as a person, the facts before me established that his actions and response to police was influenced by the drugs in his system.

[92] WPS officers are faced with trying to keep individuals under the influence of this drug safe, while at the same time ensuring public safety as well as their own.

[93] The levels of force used by officers (police presence, verbal commands, intermediate weapons) to control and contain the threat posed by Mr. Williams was consistent with their training and appropriate in the circumstances.

[94] The use of lethal force was in response to the very real threat that Mr. Williams was about to throw the hatchet at officers. If the throw had been completed, it was foreseeable that one of the officers could have been struck and seriously injured.

[95] There was no delay in medical aid being provided on scene, nor in calling for an ambulance.

[96] Given the circumstances, I respectfully make no recommendations.

“Original signed by:”

Judge Julie Frederickson
Provincial Court of Manitoba

APPENDIX “A” - WITNESS LIST

1. Andrew Aitkin
2. Steven Thompson
3. Scott Southby
4. Jensen Novak
5. Rene Basin
6. Michael Temple
7. Erin Brolley

APPENDIX “B” - EXHIBIT LIST

<u>Exhibit No.</u>	<u>Description</u>
1.	Civilian Witness Transcripts <ul style="list-style-type: none">• Tab 1: Transcript of interview of Daphne Keeper, dated February 13, 2019• Tab 2: Transcript of interview of John Lee, dated January 14, 2019• Tab 3: Transcript of interview of Todd McMillan, dated February 21, 2019• Tab 4: Transcript of interview of Storm Raduenz, dated January 14, 2019
2.	Inquest Documents <ul style="list-style-type: none">• Tab 1: Toxicology Services Report by Christopher Keddy, dated May 17, 2019• Tab 2: Autopsy Report by Dr. D. Rhee, autopsy date: January 14, 2019• Tab 3: Report of the Medical Examiner by Dr. P. Rahman, dated July 10, 2019• Tab 4: Taser Report: X29003TXF and X3001PY2 generated by Cst. Matthew Creighton on January 14, 2019• Tab 5: Internal Investigation Unit – transcribed interview of Cst. Matthew Creighton, dated March 19, 2019• Tab 6: Winnipeg Police Service – Report of Cst. Ricky Maiers #2024• Tab 7: Winnipeg Police Service – Identification Exhibit Report of Cst. Brigitte Foidart #2567, dated January 11, 2019• Tab 8: DVD – civilian video footage – Jordan Nepinak (Facebook video) and John Lee’s video footage• Tab 9: Winnipeg Police Service – Route of police foot pursuit of Chad Williams• Tab 10: Winnipeg Fire Paramedic Service – Patient Care Report – Chad Williams
3.	Winnipeg Police Service Call History
4.	Internal Investigation Unit Final Report – August 26, 2019