

RELEASE DATE: June 4, 2026



Manitoba

THE PROVINCIAL COURT OF MANITOBA

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

AND IN THE MATTER OF: David Rainville, Deceased

(DATE OF DEATH: August 27, 2022)

**Report on Inquest of
Judge J. Frederickson
Issued this 1st day of June, 2026**

APPEARANCES:

K. Bueti K.C, Counsel to the Inquest

K. Carswell and A. Derwin, Counsel for Winnipeg Police Service

M. Rainville, For the Family



Manitoba

THE FATALITY INQUIRIES ACT, C.C.S.M. c. F52

REPORT BY PROVINCIAL JUDGE ON INQUEST

RESPECTING THE DEATH OF: DAVID RAINVILLE

Having held an Inquest respecting the said death on December 9, 2025 and January 13, 2026 at the City of Winnipeg in Manitoba, I report as follows:

The name of the deceased is: David Rainville.

The deceased came to his death at 3:04 a.m. on the 27th day of August 2022, at the City of Winnipeg, in the Province of Manitoba.

The deceased came to his death 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 4th day of June 2026.

“Original Signed By:”

Judge J. Frederickson

Provincial Court of Manitoba

Copies to:

1. Dr. John Younes, Chief Medical Examiner (2 copies)
2. Chief Judge Ryan Rolston, Provincial Court of Manitoba
3. Honourable Matt Wiebe, Minister Responsible for *The Fatality Inquiries Act*.
4. Mr. Jeremy Akerstream, Deputy Minister of Justice and Deputy Attorney General
5. Mr. Michael Conner, Assistant Deputy Attorney General
6. Ms. Jennifer Mann, Executive Director of the Manitoba Prosecution Service
7. Ms. Kathy Bueti, K.C., Counsel to the Inquest
8. Ms. Kimberly Carswell and Ms. Allie Derwin, Counsel for Winnipeg Police Service
9. Mr. Rainville, Counsel for the family
10. Exhibit Coordinator, Provincial Court of Manitoba
11. Ms. Aimee Fortier, Executive Assistant and Media Relations, Provincial Court of Manitoba



Manitoba

THE FATALITY INQUIRIES ACT, C.C.S.M. c. F52
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RESPECTING THE DEATH OF: DAVID RAINVILLE

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EXHIBIT LIST

I. INTRODUCTION

[1] David Rainville refused to stop for a Winnipeg Police Service (WPS) checkstop. He drove home, with his route being tracked by the WPS helicopter Air 1. When he got out of his vehicle, he immediately charged at the arriving officer with a baseball bat in hand. He refused to drop the bat and ignored commands to stop. He was shot by police and died.

II. MANDATE OF THIS INQUEST

[2] On July 27, 2023, an Inquest into the death of David Rainville was called by Dr. John K. Younes, the Chief Medical Examiner of the Province of Manitoba. In his letter to Chief Judge Ryan Rolston of the Provincial Court of Manitoba, 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. Rainville’s death; and
3. To determine what, if anything, can be done to prevent similar deaths from happening in the future.

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

[4] Section 26(1) of the Act requires that a provincial court judge be assigned to conduct the Inquest 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.

[5] 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 identity of the deceased, 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.

III. STANDING

[6] Ms. Kathy Bueti, K.C. was appointed as Inquest Counsel.

[7] The WPS was granted standing, and was represented through their counsel, Ms. Kimberly Carswell and Ms. Allie Derwin.

[8] The family of Mr. Rainville was granted standing, and was represented by his father, Mr. Marcel Rainville.

IV. CIRCUMSTANCES OF MR. RAINVILLE'S DEATH

[9] In the early morning hours of August 27, 2022, the WPS were operating what is commonly referred to as a checkstop, to check motorists for sobriety. The checkstop was located at Portage Avenue and Empress Street in the city of

Winnipeg. The WPS officers operating the checkstop were in full uniform, with marked police vehicles with lights activated.

[10] Mr. Rainville was driving his car, a red Camero with the vanity plate VROOOM. Although he was directed to stop for the checkstop, he did not. He kept driving west and turned south onto Kenaston Boulevard shortly after.

[11] Initially, WPS officers Coulthard and Hilmerich followed the Camero in an unmarked police vehicle. It was equipped with lights and sirens, which they activated. Coulthard and Hilmerich ran the licence plate and confirmed the name and address of the registered owner. Mr. Rainville's name and home address were broadcast over the WPS West District radio channel. Shortly after, WPS officer Hoel, who was at the checkstop and had also conducted computer checks on the VROOM licence plate, broadcast over the radio channel that the registered owner of the vehicle had cautions for being a "police hater".

[12] Based on the direction Mr. Rainville was driving, the officers surmised that he may be driving home. Air 1 was engaged and was also following him. Since Air 1 was following Mr. Rainville, the decision was made to call off the police vehicle.

[13] As was observed on the Air 1 video, Mr. Rainville continued to drive his car south on Kenaston, turning east on what is now called Abinojii Mikanah. He was following the speed limit and the rules of the road.

[14] Because of the location of Mr. Rainville's home, the primary responsibility for police resources switched from the WPS West District to the WPS East District. Based on the assumption that Mr. Rainville was driving towards his home, the WPS East District dispatch requested that officers stage in the area close to his home.

[15] WPS Officers Boehm and Lockhart were each operating in a supervisory role as Patrol Sergeants in the WPS East District. No two-person cars were available to assist. Boehm was assigned and Lockhart was asked to be back up. They each staged their marked police vehicles near Halliday Bay and Speers Road, close to Mr. Rainville's home address.

[16] As he got nearer to home, Mr. Rainville's driving became more erratic. He began speeding and passing vehicles. Boehm saw Mr. Rainville drive past him at a high rate of speed. Boehm started to follow Mr. Rainville and saw him make an abrupt turn into the back lane behind his home address.

[17] Mr. Rainville pulled into the parking pad behind his home. Boehm pulled up at a slight angle behind Mr. Rainville's car. On the Air 1 video, Mr. Rainville is observed getting out of his car and holding an object (which turned out to be a baseball bat) in his hands. Boehm is seen getting out of his vehicle. Mr. Rainville charged at Boehm. Boehm is seen running away down the back lane, with Mr. Rainville in pursuit, holding the bat above his head.

[18] Lockhart's vehicle is seen driving towards Boehm and Mr. Rainville. He accelerated towards Mr. Rainville in an effort to distract him. Mr. Rainville retreated towards his car and he is seen looking for something in the front driver's seat area.

[19] Boehm walked back towards Mr. Rainville, shielded by Lockhart's car. Both Lockhart and Boehm are observed to have their handguns out and pointed at Mr. Rainville. Mr. Rainville ran towards Boehm, with the baseball bat held with both hands and in a position that appears to be ready to swing at Boehm.

[20] Flashes from Boehm's firearm are seen. Mr. Rainville continued to move toward Boehm, still holding the bat. More flashes are seen from both officers' firearms and Mr. Rainville eventually drops to the ground.

[21] An ambulance was called for by the Air 1 officers. Other officers arrived on scene and first aid for Mr. Rainville was started.

[22] Mr. Rainville was transported to the Health Sciences Centre, where he was declared deceased at 3:04 a.m. The cause of death was noted as gunshot wounds.

[23] An autopsy was conducted by Dr. Morin on August 29, 2022. The autopsy report noted that 13 indeterminate-range gunshot wounds to the torso and upper extremities were observed, with corresponding injuries to organs and arteries. No injuries consistent with a Taser barb were identified, and no Taser barbs were found in Mr. Rainville's clothing.

[24] Toxicology results from blood collected at the autopsy showed the presence of ethanol (alcohol) and breakdown products of cannabis, acetaminophen, pseudoephedrine and dextromethorphan.

V. EVIDENCE CONSIDERED AT THE INQUEST

A. *WPS Helicopter Air 1 Video*

[25] Video from Air 1 was shown in court at the start of the Inquest proceedings. As indicated, the video captured the interactions between Mr. Rainville and the police. The video started as he was driving on Kenaston Boulevard towards his home and ended after the shots were fired and Mr. Rainville was on the ground.

[26] The video clearly shows what happened during the interaction between Mr. Rainville and WPS officers Boehm and Lockhart.

B. *Testimony from Officers Boehm and Lockhart*

[27] Boehm and Lockhart each testified at the Inquest. Their testimony was consistent with what was observed on the Air 1 video.

[28] Each testified that they were unaware of the police hater flag that had been voiced over the radio channel earlier. They explained that there are different radio channels that are used for each police district. When the police hater flag was broadcast, it was done over the WPS West District channel. It wasn't until later that the WPS East and West district channels were patched together, based on the unfolding of the incident.

[29] Although the information would have been in the dispatch information available to them in their police vehicles, they each said that they had not seen it.

[30] When asked if knowing about the police hater flag would have changed how they engaged with Mr. Rainville, both indicated that it would not have. They each said that they may have changed their approach if the flag had been about Mr. Rainville possessing weapons.

[31] They each testified about their understanding of the WPS use of force doctrine and their training and recertification in use of force, firearms, and first aid.

[32] Boehm and Lockhart testified that they are trained to apply a level of force in relation to the level of resistance being offered by the subject. It is a one plus one doctrine, with officers applying a level of force one up from the level of resistance being demonstrated.

[33] 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.

[34] 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.

[35] When Boehm arrived, he said he decided to have his Taser out and ready based on the risk, in his mind, that Mr. Rainville might run into his house. Mr. Rainville had already refused to stop for police, was driving dangerously and was suspected of impaired driving.

[36] 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.

[37] Although Boehm ended up deploying his Taser as Mr. Rainville advanced on him with the baseball bat, he said he did so on a “hope and a prayer”. He did not know whether any contact was made with the Taser probes and threw the weapon away as he ran from Mr. Rainville.

[38] 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.

[39] Boehm and Lockhart each used lethal force. They each testified that, in their assessment, the threat assessment was complete. Mr. Rainville was in possession of

a baseball bat, he was holding it in a way such that it could be used to strike Boehm, and through his actions he demonstrated an intention to use the bat. The risk of grievous bodily injury to Boehm was real.

C. Submissions from Mr. Rainville's family

[40] Mr. Marcel Rainville provided the Inquest with information about their loved one, David. It was clear that he was a much-loved member of their family, and he loved them as well.

[41] Mr. Rainville had a stable childhood, growing up with close extended family. He was a good student, musician and athlete. He was protective of his brother, who lives with cerebral palsy, attentive to his parents and grandparents, and had a wide circle of friends. He was community-minded, volunteering his time at community events and was a regular blood donor.

[42] He worked hard to support himself, taking on part time work in addition to his full time job to save money to purchase a house. He adopted a puppy, taking on the responsibility of caring for something other than himself.

[43] There was nothing in his family's interactions with him that even hinted at the behaviour observed on the Air 1 video. They were understandably distressed at what occurred, as well as at the police hater label that was attached to their son.

D. Exhibits

[44] In addition to the Air 1 video, the testimony from Boehm and Lockhart, and the submissions made by Mr. Marcel Rainville, other materials were before the Court and considered as part of the Inquest proceedings.

[45] A binder of materials was filed as Exhibit 1. It contained notes and narratives from all involved officers, details of the WPS investigation and the Chief Medical Examiner information.

[46] An email from Inquest Counsel dated December 9, 2025, was referred to during the second day of hearings. This email noted two proposed “areas of interest” to be explored. Given that the email was referred to as part of the submissions, I asked that it also be marked as an exhibit for completeness of the record.

VI. PROPOSED RECOMMENDATIONS

[47] Although no formal recommendations were put forward, two proposed areas of interest were discussed. They both involved whether the officers would have acted differently had they had additional information.

[48] The email describing the areas of interest was clarified during submissions of counsel. The first proposal as written in the email was clarified to be referring to whether Boehm would have waited for a two-person car to arrive; not whether supervisors should be in two-person vehicles.

[49] Boehm testified that had he known Mr. Rainville had weapons, he may have waited for a two-person car to arrive before approaching Mr. Rainville. Boehm and Lockhart were each in one-person cars that evening, consistent with their supervisory roles. No two-person cars were available to attend.

[50] Given that Mr. Rainville persisted in his aggression towards Boehm even after Lockhart arrived, it is difficult to say whether waiting for a two-person car would have changed the outcome. In any event, there was no information available to police to warn them of the possibility that Mr. Rainville was known to possess weapons.

[51] The second area of interest involved how information, such as the police hater flag, should be communicated.

[52] An officer in the West District communicated on that district's radio channel that Mr. Rainville was a known police hater. Boehm and Lockhart were on the East District channel and did not hear this flag.

[53] Both officers testified that they were unaware of this flag. They each said that had they known, it would not have changed how they reacted to the situation.

[54] The comment was available on the dispatch information, making it possible for the officers to have read about the flag.

[55] Communication of important information relevant to the calls officers are attending is to be encouraged. The better prepared officers are going into a situation

can only be a good thing. It may not change the outcome, but it will at least ensure they are not taken by surprise.

[56] In this case, the officers were responding to a dynamic situation. Mr. Rainville's driving was becoming more erratic. He sped past Boehm and Lockhart, who were staged near his home. Given his decision to not stop for the checkstop, impaired driving was suspected.

[57] Officers need to act with the urgency called for by the situation, which may mean not reading through entire call histories before acting. This is not a situation where critical information was withheld or not available, the officers were simply not aware of it.

[58] In addition to these two areas set out in the email, the family asked why police had to act when they did, as opposed to waiting until the following day to confront Mr. Rainville.

[59] As was explained, the police were obligated to ensure that he was not posing a danger to himself or others. He was acting erratically. He disobeyed a requirement to stop for an impaired driving checkstop. This was not a situation where police could have or should have waited to engage at a later time.

[60] There is nothing arising from the areas of interest identified that result in recommendations for changes to policies or programs.

VII. CONCLUSION

[61] It is clear from the Air 1 video that Mr. Rainville's actions left the officers with no choice but to fire their guns. Why he chose to confront the officers in the manner he did remains a mystery.

[62] There are no recommendations I can make that would assist in preventing other deaths in similar circumstances.

[63] It is my sincere hope that the Rainville family's memories of who David was to them are not overshadowed by his actions that night.

[64] Finally, I acknowledge the impact this incident has had on officers Boehm and Lockhart. We call on officers to protect us and to enforce the laws. Although they accept the job knowing the possibility of personal risk, it is another thing to experience it.

[65] I respectfully conclude and submit this Report on this 4th day of June, 2026, at the City of Winnipeg, in the Province of Manitoba.

"Original Signed by:"
Judge Frederickson
Provincial Court of Manitoba



Manitoba

THE FATALITY INQUIRIES ACT, C.C.S.M. c. F52
REPORT BY PROVINCIAL JUDGE ON INQUEST

RESPECTING THE DEATH OF: David Rainville

EXHIBIT LIST

| <u>Exhibit No.</u> | <u>Description</u> |
|--------------------|--|
| 1 | Binder of materials, including USB drive |
| 2 | Email dated December 9, 2025 |