

**Report to / Rapport au:**

**OTTAWA POLICE SERVICES BOARD  
LA COMMISSION DE SERVICES POLICIERS D'OTTAWA**

**29 May 2023 / 29 mai 2023**

**Submitted by / Soumis par:**

**Chief of Police, Ottawa Police Service / Chef de police, Service de police d'Ottawa**

**Contact Person / Personne ressource:**

**Superintendent Robert Drummond, Executive Officer to the Chief of Police  
*Drummondr@ottawapolice.ca***

**SUBJECT: REPORT ON SIU INVESTIGATION 22-OCI-308**

**OBJET: RAPPORT SUR L'ENQUÊTE DE L'UES 22-OCI-308**

**REPORT RECOMMENDATIONS**

**That the Ottawa Police Services Board receive this report for information.**

**RECOMMANDATIONS DU RAPPORT**

**Que la Commission de services policiers d'Ottawa prenne connaissance du présent rapport à titre d'information.**

**BACKGROUND**

This document outlines a police interaction that resulted in the Special Investigations Unit (SIU) invoking its mandate. The background of the incident, along with SIU findings and recommendations are provided. As required by legislation, the Professional Standards Unit (PSU) subsequently completed an investigation into the policy, services and conduct of the Ottawa Police Service (OPS) in relation to this incident.

**DISCUSSION**

On December 3, 2022, at 3:40 p.m., the Ontario Provincial Police (OPP), Hawkesbury Detachment, requested assistance from the Ottawa Police Service (OPS) to locate the Complainant, as he was wanted for Intimate Partner Violence related charges. The OPP

further advised that the Complainant made suicidal comments prior to fleeing his residence.

The Complainant's cellular phone was "pinged" and showed the location to be in the area of Montreal Road and St. Laurent Boulevard in Ottawa. OPS officers attended that location and found the Complainant inside his vehicle, asleep in the driver's seat. Officers knocked on the window, and when he awoke, he was advised to step out of his vehicle, but he refused to comply with officers' demand. The Complainant produced a box-cutter knife and proceeded to cut his own throat. OPS officer reacted quickly by breaking the vehicle window, discharging a conducted energy weapon (CEW), and remove the complainant from vehicle. OPS officer rendered first-aid and called for paramedics immediately. The Complainant was transported to the Ottawa Civic Hospital where he received medical attention and was admitted under the Mental Health Act. He was later charged and released by the OPP in connection with the events in Hawkesbury.

On December 3, 2022, at 6:00 p.m. OPS contacted the SIU which subsequently invoked its mandate and opened an investigation.

### **SIU Investigation**

On March 31, 2023, the OPS received a letter from the Director of the SIU concerning the outcome of their investigation. In his letter, Director Joseph Martino stated the file has been closed and no further action contemplated. He was satisfied that there were no grounds in the evidence to proceed with criminal charges against the Subject Officers who were involved in this incident. The Director also released an investigative report that was sent along with the letter.

In his report, the Director explained the officers' lawful authority to act: "The officers that sought to take the Complainant into custody were engaged in the lawful execution of their duties. They had information from the OPP that the Complainant was suicidal and wanted for domestic assault."

The Director also commented on the amount of force used in this incident, "I am further satisfied that the officers used only legally justified force in effecting the Complainant's arrest. As soon as it became clear that the Complainant had retrieved a knife and used it to slash himself, they took immediate steps to incapacitate him to prevent further harm. In acting as they did, the officers' quick action might well have played a part in saving the Complainant's life."

Lastly, the Director concluded that, "In the result, there are no reasonable grounds to conclude that either subject officer comported himself other than lawfully in their dealing

with the Complainant, there is no basis for proceeding with criminal charges in this case. The file is closed.”

### **Professional Standards Unit Investigation**

Pursuant to Section 34(1) of Ontario Regulation 268/10 of the Police Services Act (PSA), PSU initiated an investigation into this incident to review the policies and services provided by the OPS, and to determine if the conduct of the involved police officers was appropriate.

After a careful review of the information in this case, it has been determined that there is no evidence of misconduct on the part of the Subject Officers. The OPS officers were on duty, in full uniform, occupying fully marked police vehicles. The OPS officers were given reasonable and probable grounds to arrest the Complainant by the OPP. Furthermore, the OPS officers were given a location where the Complainant was and advised that he made suicidal statements prior to fleeing from OPP jurisdiction. The OPS officers attempted to reason with the Complainant and have him exit his vehicle, but he did not comply and proceeded to cut his own throat with a box-cutter knife. The officers acted quickly and with enough force to detain the Complainant and subsequently provide medical assistance to save his life. All the details of the incident were corroborated by police and civilian witnesses and forensic evidence collected by the SIU.

It should be noted that the Complainant sent an email to OPS following this incident, thanking them for saving his life.

The PSU review found that the Subject Officer involved in this incident responded in a proper manner.

No issues were identified in relation to service delivery or corporate policy.

**Conduct Findings** – No conduct issues identified.

**Service Findings** – No service issues identified.

**Policy Findings** - No policy issues identified.

### **CONCLUSION**

PSU has completed its Section 34 investigation into this incident and no further action is required.