

**Report to / Rapport au:**

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

**27 November 2023 / 27 novembre 2023**

**Submitted by / Soumis par:**

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

**Contact Person / Personne ressource:**

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**SUBJECT: REPORT ON SIU INVESTIGATION 23-OFI-071**

**OBJET: RAPPORT SUR L'ENQUÊTE DE L'UES 23-OFI-071**

**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 board report summarizes an investigation by the Professional Standards Unit (PSU) into an incident that occurred on March 4<sup>th</sup>, 2023, for which the Special Investigations Unit (SIU) invoked their mandate. This investigation is required by legislation once the SIU have completed their involvement, and assesses the incident against our policies, services, and the conduct of our officers.

A brief synopsis of the incident and findings of the SIU are provided below, as well as the conclusions of the PSU review.

**DISCUSSION**

On March 4<sup>th</sup>, 2023, at 9:38 p.m., the Ottawa Police Service (OPS) received a 911 call from the complainant's co-worker. The complainant was in his residence, suffering from

an apparent mental health crisis and was walking around with firearms. Further, he had made comments to his friends which indicated he had suicidal thoughts.

Upon police arrival, a perimeter was set up and containment established. The OPS's Tactical Unit was called to assist with this situation and arrived on scene shortly after. Members of the Tactical Unit took over the inner perimeter and redeployed patrol officers to the outer perimeter and to the rear of the residence.

The complainant had two registered firearms registered to him. A plan was formulated by the Tactical Unit and approved by the Duty Inspector to contact the complainant and help him deal with his mental health crisis. The overall mission was to safely apprehend the affected person for a mental health assessment. To do this, police were first required to contact the complainant.

Police telephoned the complainant to persuade him to come out of his residence voluntarily, however, he did not answer his phone which prompted a door knock by the Tactical Unit members. This did not yield a response either. A second door knock was proposed and approved by the Duty Inspector. During this door knock, members of the Tactical Unit observed through the window next to the front door, a male holding a handgun. The Tactical members began to retreat to a place of cover. While doing so, the complainant opened his front door, stuck his right arm out of the doorway, and fired his 45. Caliber pistol at police officers.

Three members of the Tactical team returned fire with their OPS issued carbines, striking him in the right arm and leg before he retreated inside his residence, shutting the door behind him. The Tactical team members took a position of cover and concealment nearby while continuing to observe the complainant's residence.

A short time later, the complainant's mother attended the scene and informed officers of her son's injuries. The complainant had contacted his mother immediately after the shooting took place and complained of his injuries which prompted her arrival on scene. The OPS's mission had now changed from the original mental health to a medical assistance call and a criminal investigation.

The on-scene crisis negotiators contacted the complainant by telephone and finally convinced him to exit his residence so that paramedics could render first aid. The complainant complied with the request and exited his residence, where he was secured and subsequently transported to the hospital's trauma unit with two bullet wounds to his right forearm and right calf area.

The SIU was contacted and invoked its mandate.

## **INVESTIGATION**

- **SIU Investigation**

On June 30<sup>th</sup>, 2023, the OPS received a letter from the Director of the SIU concerning the outcome of the investigation. In his letter, Director Martino stated “the file has been closed and no further action is Contemplated”. He is satisfied that there were no reasonable grounds in the evidence to proceed with criminal charges against the three subject officials.

The OPS received a copy of the SIU report and reviewed it carefully as part of their assessment. Although the Subject Officials were responsible for the injuries inflicted on the complainant, the SIU indicated the subject officials were lawfully placed and in the exercise of their duties at the time of the gunfire. Further, they were satisfied that the force used by the subject officials was reasonable to protect themselves and others. The subject officials acted within the limit of criminal law.

- **Professional Standards Investigation**

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

The response of the OPS was consistent with legislation and policy, and no conduct issues were identified for any involved officers.

After a careful review of all information and evidence for this incident by PSU investigators, no policy, service or conduct issues have been identified.

### **Conduct Findings**

– No misconduct identified.

### **Service Findings**

– No service issues identified.

### **Policy Findings**

– No policy issues identified.

## **CONCLUSION**

PSU completed Section 34 (formerly Section 11) investigation into this incident and concluded that no further action is required.