

Report to / Rapport au:

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

26 September 2022 / 26 Septembre 2022

Submitted by / Soumis par:

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

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SUBJECT: REPORT ON SIU INVESTIGATION 21-OCD-296

OBJET: RAPPORT SUR L'ENQUÊTE DE L'UES 21-OCD-296

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

The attached document outlines a police interaction that resulted in the Special Investigations Unit (SIU) invoking their 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 September 7, 2021 at about 12 p.m., the Ottawa Police Service (OPS) responded to the rural area near Andrewsville, southwest of Ottawa, in relation to a 48-year old male who was believed to be suicidal (the Complainant). The OPS received a call from the Complainant's girlfriend indicating he was planning to commit suicide and was most likely at his hunting camp. He did not show up for work that day, and she located his

truck in a wooded area nearby which contained his personal effects and money. The girlfriend confirmed that the Complainant had a history of mental health issues and recently expressed suicidal ideation. She also confirmed that he was the owner of a long gun.

Given the urgency of the situation, the OPS response included the Tactical Unit, Emergency Search Unit (ESU), Canine, Crisis Negotiators and Paramedics, and also involved the use of a robot, armoured vehicle and drones. Tactical officers conducted a ground search and subsequently located the male alive and in possession of a rifle that had been rigged to discharge. Police negotiators engaged in dialogue with the Complainant, and a telephone and cigarettes were provided at his request to facilitate surrender. By 9 pm communications appeared to be going well and the Complainant gave the impression he would surrender, but minutes later a single gunshot was heard.

Tactical officers were able to approach in safety and confirmed that the complainant had shot himself in the chest and appeared to be VSA. Paramedics attended to the Complainant and transported him to hospital where he was pronounced deceased.

The SIU was contacted and invoked their mandate.

INVESTIGATION

SIU Investigation

On January 5, 2022 the OPS received a letter from the Director of the SIU concerning the outcome of their investigation. In his letter, Director Martino stated the file has been closed and no further action contemplated. The SIU concluded there were no reasonable grounds to believe that any of the involved officers committed a criminal offence in connection with the Complainant's death, nor was there any want of care that would attract criminal sanction.

They further concluded that the responding officers were in the lawful execution of their duties throughout, the foremost duty being the protection and preservation of life. Having been apprised by the Complainant's girlfriend of her concerns about the Complainant, the officers were duty bound in doing what they could to prevent harm from coming to him. The SIU were satisfied that the OPS officers "comported themselves with due care and regard for the Complainant's well-being, and that adequate resources were deployed to the scene and effectively utilized to locate the complainant and attempt to reach a peaceful resolution".

Less lethal weapons were available to be used, but the opportunity to deploy them did not present itself given the environment in which the officers were operating. As for the negotiations, the SIU concluded that there was nothing to suggest indiscretions or

misjudgments. “Although the officers were unable to prevent the Complainant from taking his own life, it was not for any want of reasonable efforts on their part.”

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 involved officers. The Complainant had a history of suicidal ideation. The officers were lawfully situated, and duty bound to act and make all efforts to preserve life. The OPS members involved in this incident responded promptly, professionally, and in accordance with legislation, OPS policies and training. Every effort was made to achieve a peaceful and safe resolution. When these efforts failed, the officers continued to perform their duties by attending to the Complainant, documenting their involvement, and cooperating with the resulting investigations.

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

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