

**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**

**Contact Person / Personne ressource:**

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**SUBJECT: REPORT ON SIU INVESTIGATION 21-OCD-023**

**OBJET: RAPPORT SUR L'ENQUÊTE DE L'UES 21-OCD-023**

**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 January 19, 2021 at 4:45 p.m., the Ottawa Police Service (OPS) executed a search warrant at 2062 Carling Avenue in Ottawa. The complainant was arrested and transported to OPS Central Cells located at 474 Elgin Street and lodged in a cell. At approximately 9:30 pm, the complainant was found unresponsive and Emergency Medical Services (EMS) were called. OPS members tended to the complainant and

aided until EMS attended and transported to the Ottawa Civic Hospital. The complainant was found without vital signs and was later pronounced deceased.

The SIU was contacted at that time and invoked their mandate.

A post-mortem ultimately concluded that the Complainant died from a drug overdose.

## **INVESTIGATION**

### **SIU Investigation**

On April 20<sup>th</sup>, 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. He was satisfied that there were no grounds in the evidence to proceed with criminal charges against the two Subject Officials who were involved in the call.

Specifically, the SIU concluded that “The Complainant had been arrested in the course of the execution of a facially valid warrant authorizing the search of his residence for illicit substances and drug paraphernalia. Moreover, once in police custody, there is no evidence to suggest that the Complainant was the recipient of substandard care by his custodians. The record indicates that he was checked about every half-hour from the moment he was placed in a cell, which seems a reasonable schedule given the Complainant appeared unimpaired and in good condition when he was arrested and then booked, and had denied consuming any drugs or alcohol”.

The Director went on to conclude that, “In all of this, it should be noted that there is no evidence that the Complainant had drugs with him in the cell; that is to say, his drug consumption, ultimately resulting in his death, occurred before he was arrested”.

The Director further noted that when an OPS member noticed the complainant sitting up, fidgeting, and unresponsive, officers quickly notified one of the Subject Officials and promptly provided medical attention.

### **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. Members of the OPS executed a warrant lawfully and followed procedures in placing the Complainant under arrest when he was found inside the residence. The Complainant was transported to

Central Cells where he was given the opportunity to speak freely about any consumption of alcohol or drugs to which he denied. The complainant was searched and processed as per OPS policy and placed in a cell.

OPS members working in the Cell Block monitor those in their custody by video as well as physical checks on each cell. When an OPS member observed the Complainant to be acting abnormally and not responding, they proceeded to advise others and render medical aid to him. EMS was called, and while en-route to the Cell Block OPS members administered first aid and CPR to the Complainant. Once EMS arrived, the Complainant was transported to the hospital and his death was pronounced.

The Professional Standards review found that the officers involved in this incident responded in a proper manner and provided care and aid to the Complainant who was in medical distress.

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.