

 <p>OTTAWA POLICE SERVICE SERVICE DE POLICE D'OTTAWA</p> <p><i>The Trusted Leader in Policing</i> <i>Le chef de file de confiance dans la police</i></p>	<p>REPORT RAPPORT</p>
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DATE: 27 April 2015

TO/DEST: Executive Director, Ottawa Police Services Board

FROM/EXP: Chief of Police, Ottawa Police Service

SUBJECT/OBJET: **COMPLAINTS REPORT – PART V, POLICE SERVICES ACT - FIRST QUARTER 2015**

RECOMMENDATION

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

BACKGROUND

The process for dealing with police complaints (Public and Chief's) regarding the Ottawa Police Service's (OPS) policies, the delivery of service, and officer conduct is outlined in Part V of the Ontario *Police Services Act (PSA)*, titled "Complaints and Disciplinary Proceedings".

The following report will provide comparisons in specific complaint types over those reported during the same time period for the previous year.

DISCUSSION

New Complaints

Complaints about policy, service or conduct are received from members of the public through the Office of the Independent Police Review Director (OIPRD) and may also be initiated internally as Chief's complaints.

By the end of the first quarter of 2015, a total of 79 complaints (Chief's and Public) were received representing a decrease of 23 when compared to the same time period in 2014 which is below the five year average of 94.

Total public complaints decreased by 27% when compared to the same time period in 2014 and are two percent lower than the five year average.

Table 1 (below) outlines the number of complaints received in Q1 compared to the same time period in 2014 and the 5 year average.

Table 1- New Complaints			
	Q1 2014	Q1 2015	5 YR AVG YTD
Public Complaint (Conduct)	61	47	48
Public Complaint (Policy or Service)	4	1	3
Chief's Complaints	37	31	47
TOTAL	102	79	98

Classification of Complaints

The *PSA* provides the mechanism for dealing with complaints in relation to the conduct of an individual officer(s) and complaints related to the policies or services provided by the police service.

Conduct Complaints:

The category of 'conduct complaints' is broken down to reflect specific allegation types that are tracked.

Table 2 (below) reveals that the conduct complaints are in line with the five year average.

Table 2- Conduct Complaints			
	Q1 2014	Q1 2015	5 YR AVG YTD
Excessive Force	6	2	4.8
Improper Conduct	72	56	50.6
Neglect of Duty	20	19	23.2
Firearm Discharge	0	2	0.8
TOTAL	98	79	79.4

Policy/Service Complaints:

The policy/service complaints received in Q1 2015 decreased by three when compared to Q1 2014.

Table 3 (below) distinguishes between policy complaints and those relating to service.

Table 3- Policy and Service Complaints			
	Q1 2014	Q1 2015	5 YR AVG YTD
Policy	1	1	1
Service	3	0	2
TOTAL	4	1	3

Customer Service Resolution (CSR)

The OIPRD's CSR program provides an opportunity for complainants and respondent officers to voluntarily resolve complaints before they are formally screened in as a public complaint under the *PSA*. Five CSR files were received in Q1 2015. One resulted in the complainant withdrawing the complaint, three did not proceed through the CSR and one remains outstanding.

Complaint Status

All public complaints are processed through the OIPRD. The OIPRD may choose not to have matters investigated after a review of their merit by determining them to be: frivolous, vexatious; over six months; not directly affected.

Chief's complaints are investigated to determine officer misconduct and compliance with OPS policy.

Both public and Chief's complaints can be finalized as substantiated or unsubstantiated. Once substantiated, they can be resolved through informal resolution and informal or formal discipline.

Conduct Complaint Status:

In Q1 2015, 78 conduct complaints were received. The following is a breakdown of the complaints:

- 32 cases completed
 - 1 resulted in informal resolution
 - 23 were determined to be either frivolous, vexatious, did not identify any breach of the *PSA* or its Code of Conduct, or were deemed to not be in the public interest to pursue
 - 3 over six months
 - 5 were withdrawn by the complainant
- 46 investigations ongoing.

Table 4 (below) outlines the manner in which complaints have been resolved. The bolded areas reflect subtotals and total number of complaints.

Table 4- Complaint Status- Conduct Complaints			
RESOLUTION	Q1 2014	Q1 2015	5 YR AVG YTD
Unsubstantiated	0	0	0.2
Vexatious/Frivolous/Bad Faith	21	5	10
Informal Resolution	3	1	2.2
Informal Resolution - VADRP	0	0	0
No Further Action	25	18	23.6
Withdrawn by Complainant	4	5	4.6
Withdrawn by Complainant - VADRP	0	0	0
Over Six Months	2	3	2.4
Third Party - Not Directly Affected	0	0	0
Complaints Not Resulting in Discipline	55	32	43
Informal Discipline	0	0	0.2
Disciplinary Hearing	0	0	0
Complaints Resulting in Discipline	0	0	0.2
Complaints Outstanding	43	46	47.6
TOTAL	98	78	90.8

Policy/Service Complaint Status:

There was one service complaint received in Q1 2015 which remains outstanding.

Special Investigations Unit (SIU) Investigations:

The *PSA* provides that the SIU shall conduct criminal investigations into circumstances involving police that have resulted in serious injury or death and allegations of sexual assault.

The Police Services Board receives a separate report on each SIU case. The number of SIU investigations received in Q1 2015 increased by two from Q1 2014.

Table 6 (below) outlines that the Special Investigations Unit investigations are above the five year average. All three investigations remain ongoing.

Table 6- Special Investigations Unit Investigations			
TYPES OF INVESTIGATIONS	Q1 2014	Q1 2015	5 YR AVG YTD
Death	1	0	0.4
Serious Injury	0	3	1.8
Sexual Assault	0	0	0.2
TOTAL	1	3	2.4

Public Complaint Reviews

The *Police Services Act* provides that complainants may seek a review of the Professional Standards Section's decision on a conduct complaint by the OIPRD.

Complainants dissatisfied with the resolution of a policy/service complaint may seek a review by the Police Services Board.

Conduct Complaint Reviews:

In Q1 2015, two requests for reviews from complainants were received by OIPRD. This is unchanged from the two reviews received in Q1 2014 which is also the five year average. In one review the OIPRD confirmed the decision of the OPS and in the other, OIPRD specified direction.

Policy/Service Complaint Reviews:

No requests for policy/service complaint review by the Police Services Board were received in Q1 2015.

CONCLUSION

The Professional Standards Section continues to analyse and address issues that arise from complaints. The OPS uses innovative approaches to resolve complaints and ensure accountability. The Professional Standards Section remains committed to fair, objective investigations completed in a timely fashion.

(original signed by)

Charles Bordeleau
Chief of Police

Responsible for the report: Director General Debra Frazer