



DATE: 27 July 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:
 SECOND 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.

During the second quarter of 2015, a total of 102 complaints (Chief's and Public) were received representing an increase of one when compared to the same time period in 2014.

Year to date, public complaints have decreased by 10% compared to the same time period in 2014 and Chief's complaints have decreased by 1%.

Table 1 (below) outlines the number of complaints received in Q2 compared to the same time period in 2014 and the 5 year average.

Table 1- New Complaints

	Q2 2014	Q2 2015	5 YR AVG
Public Complaint (Conduct)	52	47	51
Public Complaint (Policy or Service)	5	3	4
Chief's Complaints	44	52	44
TOTAL	101	102	99

The Chief's complaints can be broken down to reflect 31 at fault force vehicle collisions, 11 red light camera infractions, one firearm discharge and nine other Chief's complaints related to officer conduct.

Classification of Complaints

The *Police Services Act* 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 have increased by three when compared to Q2 2014 and have slightly surpassed the five year average.

Table 2- Conduct Complaints

	Q2 2014	Q2 2015	5 YR AVG
Excessive Force	8	5	8
Improper Conduct	67	76	68
Neglect of Duty	21	17	18
Firearm Discharge	0	1	1
TOTAL	96	99	95

While improper conduct represents a large portion of the Public and Chief's complaints received, it should be noted that this category is used for many different types of allegations, including inappropriate actions, at fault motor vehicle collisions and red light camera infractions. Improper conduct complaints increased by nine complaints when

compared to Q2 2014. One sub-category that saw an increase was 'abuse of authority' which increased by five; however, it should be noted that nine 'abuse of authority' complaints received in Q2 2015 were screened out by OIPRD.

Policy/Service Complaints:

Three policy/service complaints were received in Q2 2015. The two service complaints surround issues of OPS failing to provide services in French and the policy complaint is about the policies of the Background Clearance Section.

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

Table 3- Policy and Service Complaints

	Q2 2014	Q2 2015	5 YR AVG
Policy	1	1	0.4
Service	4	2	4
TOTAL	5	3	4

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. Six CSR files were received in Q2 2015. One resulted in the complainant withdrawing the complaint, three did not proceed through the CSR process, and two remain outstanding.

In Q2 2014, the Professional Standards Section (PSS) arranged for the Director of the OIPRD, Mr. Gerry McNeilly, to attend the OPS Professional Development Centre (PDC) and provide Customer Service Resolution Training to seven interested Sergeants and Staff Sergeants across the Service. These seven members have since facilitated five CSR files.

Complaint Status

All public complaints are processed through the OIPRD. The OIPRD may choose not to have the matters investigated after a review of their merit by determining them to be: frivolous, vexatious; over six months; not directly affected. In total, 25 public complaints were screened out by OIPRD in Q2 2015.

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 or informal/formal discipline.

Conduct Complaint Status:

In Q2 2015, 99 conduct complaints were received. The following is a breakdown of those complaints:

- 55 cases completed
 - 27 resulted in no further action or were unsubstantiated
 - 25 were determined to be either frivolous, vexatious, did not identify any breach of the *Police Services Act* or its Code of Conduct, were over six months, or were deemed to not be in the public interest to pursue
 - Two were withdrawn by the complainant
 - Two resulted in informal resolution
- 45 investigations ongoing

Table 4 (below) outlines the manner in which complaints have been resolved.

Table 4- Complaint Status- Conduct Complaints

RESOLUTION	Q2 2014	Q2 2015	5 YR AVG
Unsubstantiated/no further action	15	27	20
Screened out by OIPRD	24	25	25
Informal Resolution	0	2	2
Informal Resolution - VADRP	0	0	0
Withdrawn by Complainant	1	2	1
Withdrawn by Complainant - VADRP	0	0	0.6
Complaints Not Resulting in Discipline	35	56	49
Informal Discipline	0	0	0.4
Disciplinary Hearing	0	0	0
Complaints Resulting in Discipline	0	0	0
Complaints Outstanding	61	43	46
TOTAL	96	99	95

Policy/Service Complaint Status:

There were three policy/service complaints received in Q2 2015; all three remain outstanding.

The policy/service complaints completed in the quarter are attached to this report as Attachment 1. Both complaints were unsubstantiated and neither complainant requested a review from the Police Services Board.

Special Investigations Unit (SIU) Investigations:

The *Police Services Act* provides that the SIU shall conduct criminal investigations into circumstances involving police and civilians 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 Q2 2015 decreased by two from Q2 2014; however, year to date, six SIU investigations took place in both 2014 and 2015.

Table 5 (below) outlines that the Special Investigations Unit investigations are in line with the five year average.

Table 5- Special Investigations Unit Investigations

TYPES OF INVESTIGATIONS	Q2 2014	Q2 2015	5 YR AVG
Death	0	1	0.2
Serious Injury	4	1	3
Sexual Assault	1	1	0.4
TOTAL	5	3	3
Investigations Resolved	1	1	0.6
Investigations Ongoing	4	2	2
TOTAL	5	3	3

Public Complaint Reviews

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

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

Conduct Complaint Reviews:

In Q2 2015, five requests for reviews from complainants were received by OIPRD. This is one higher than the four received in Q2 2014 and higher than the five year average of 4. All five of these reviews remain outstanding.

In the carried over reviews from previous quarters, OIPRD confirmed the decision of PSS in four cases and in one case the OIPRD Director overturned the decision of PSS and substituted the decision for his own.

Policy/Service Complaint Reviews:

No requests for policy/service complaint review by the Police Services Board were received in Q2 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

Attach. (1)

Responsible for report: Inspector Chris Rheaume