

Report to / Rapport au:

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

25 April 2016 / 25 avril 2016

Submitted by / Soumis par:

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

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**SUBJECT: COMPLAINTS REPORT – PART V, *POLICE SERVICES ACT* - FIRST
QUARTER 2016**

**OBJET: PLAINTES PARTIE V - *LOI SUR LES SERVICES POLICIERS*:
PREMIÈRE TRIMESTRE 2016**

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 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".

This report provides comparisons for 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 2016, a total of 114 complaints (Chief's and Public) were received representing an increase of 35 when compared to the same time period in 2015, this is above the five year average of 98.

Total public complaints (53) increased by 10% when compared to the same time period in 2015 (48) and are three percent higher than the five year average (51). Table 1 (below) outlines the number of complaints received in Q1 compared to the same time period in 2015 and the 5 year average.

Table 1- New Complaints

	Q1 2015	Q1 2016	5 YR AVG YTD
Public Complaint (Conduct)	47	53	51
Public Complaint (Policy or Service)	1	0	1
Chief's Complaints	31	61	46
TOTAL	79	114	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 2015	Q1 2016	5 YR AVG YTD
Excessive Force	2	6	3.8
Improper Conduct	56	84	73
Neglect of Duty	19	24	18
Firearm Discharge	2	0	0.6
TOTAL	79	114	95

Policy/Service Complaints:

No policy/service complaints were received in Q1 2016.

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

Table 3- Policy and Service Complaints

	Q1 2015	Q1 2016	5 YR AVG YTD
Policy	1	0	0.6
Service	0	0	2
TOTAL	1	0	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 2016. Two did not proceed through the CSR and three remain 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 2016, 114 conduct complaints were received. The following is a breakdown of the complaints:

- 64 cases completed
 - 11 resulted in informal discipline
 - 35 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
 - 2 were withdrawn by the complainant
 - 16 were unsubstantiated at the conclusion of the investigation.
- 50 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 2015	Q1 2016	5 YR AVG YTD
Unsubstantiated	0	16	3.2
Vexatious/Frivolous/Bad Faith	5	10	8
Informal Resolution	1	0	2
Informal Resolution - VADRP	0	0	0
No Further Action	18	25	25
Withdrawn by Complainant	5	2	4.6
Withdrawn by Complainant - VADRP	0	0	0
Over Six Months	3	0	1.6
Third Party - Not Directly Affected	0	0	0
Complaints Not Resulting in Discipline	32	53	44
Informal Discipline	0	11	2.4

Disciplinary Hearing	0	0	0
Complaints Resulting in Discipline	0	11	2.4
Complaints Outstanding	46	50	49
TOTAL	78	114	95

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 2016 increased by one from Q1 2015.

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

Table 6- Special Investigations Unit Investigations

TYPES OF INVESTIGATIONS	Q1 2015	Q1 2016	5 YR AVG YTD
Death	0	0	0.4
Serious Injury	3	1	1.6
Sexual Assault	0	1	0.6
TOTAL	3	2	2.6

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 2016, five requests for reviews from complainants were received by OIPRD. This is an increase of three from the two reviews received in Q1 2015. Both reviews remain ongoing.

Policy/Service Complaint Reviews:

No requests for policy/service complaint review by the Police Services Board were received in Q1 2016.

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.