

**Report to / Rapport au:**

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

**23 October 2017 / 23 octobre 2017**

**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: COMPLAINTS REPORT – PART V - *POLICE SERVICES ACT*: THIRD  
QUARTER 2017**

**OBJET: RAPPORT SUR LES PLAINTES DU TROISIÈME TRIMESTRE 2017 :  
PARTIE V**

**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".

The following report will provide comparisons on 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 third quarter of 2017, a total of 94 complaints (Chief's and Public) were received representing a decrease of 21% when compared to the same time period in 2016.

By the end of the third quarter of 2017, a total of 34 public complaints were received representing a decrease of 51% when compared to the same time period in 2016 (70).

Table 1 (below) outlines the number of complaints received in Q3 compared to the same time period in 2016 as well as the 5-year average.

**Table 1 - New Complaints**

	Q3 2016	Q3 2017	5 YR AVG YTD
<b>Public Complaint (Conduct)</b>	67	26	44
<b>Public Complaint (Policy or Service)</b>	3	8	3
<b>Chief's Complaints</b>	49	60	49
<b>TOTAL</b>	<b>119</b>	<b>94</b>	<b>96</b>

### Classification of Complaints

The PSA provides the mechanism for dealing with complaints related to the conduct of police officer(s) as well as complaints related to the policies or services provided by the police service.

#### Conduct Complaints:

Conduct complaints are classified within 4 categories.

Conduct complaints decreased by 30 in Q3 2017 compared to Q3 2016 statistics (see Table 2 below).

**Table 2- Conduct Complaints**

	Q3 2016	Q3 2017	5 YR AVG YTD
<b>Improper Conduct</b>	87	71	75
<b>Excessive Force</b>	9	3	6
<b>Neglect of Duty</b>	18	12	12
<b>Firearm Discharge</b>	2	0	1
<b>TOTAL</b>	<b>116</b>	<b>86</b>	<b>94</b>

### Policy/Service Complaints

Seven service complaints were received in Q3 2017. One complaint was completed within the quarter, along with four carried over from the previous quarter. One complaint was withdrawn by the complainant, while the other five complaints remain outstanding.

There was one policy complaint received in Q3 2017. This complaint remains outstanding.

The details of the completed service complaints are attached to this report as Document 1.

Table 3 (below) outlines the number of policy and service complaints received in Q3 compared to the same time period in 2016 as well as the 5-year average.

**Table 3 - Policy and Service Complaints**

	Q3 2016	Q3 2017	5 YR AVG YTD
<b>Policy</b>	0	1	0
<b>Service</b>	3	7	3
<b>TOTAL</b>	<b>3</b>	<b>8</b>	<b>3</b>

### 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. In order to proceed by way of CSR, both the complainant and respondent officer(s) must agree to this option. If they do not agree to this option, the complaint is returned to the screening process and it is either screened in for investigation or screened out. Three CSR files were received in Q3 2017. Two matters proceeded through the CSR process; one was withdrawn by the complainant and one

returned to the screening process as a resolution was not reached. The remaining file did not proceed through CSR, as the criteria was not met.

### Complaint Status

All public complaints are processed through the OIPRD. The OIPRD may choose not to have matters investigated after a review of the facts in issue by classifying them to be: frivolous, vexatious; more than six months after the facts on which it is based occurred; or not directly affected.

Chief's complaints are initiated by the Chief's office and relate to allegations of officer misconduct and non 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 Q3 2017, 86 conduct complaints were received (public & chief). The following outlines the status of these complaints at the end of Q3:

- 34 cases completed
- 14 resulted in informal discipline
- 4 were withdrawn by the complainant
- 16 were determined to be either frivolous, vexatious, were over 6 months after the facts on which it was based occurred, were third party where complainant was not affected or were deemed to not be in the public interest to pursue
- 52 investigations are ongoing

Of the 60 Chief's complaints in Table 1, it should be noted that 28 are related to motor vehicle collisions and 25 are red light camera infractions.

Table 4 (below) outlines the above mentioned complaint status in Q3 compared to the same time period in 2016 as well as the 5-year average.

**Table 4- Complaint Status- Conduct Complaints**

RESOLUTION	Q3 2016	Q3 2017	5 YR AVG YTD
Unsubstantiated	0	0	0
Vexatious/Frivolous/Bad Faith	3	3	6
Informal Resolution	0	0	1
Informal Resolution - VADRP	0	0	0
No Further Action	38	12	22
Withdrawn by Complainant	3	4	3
Withdrawn by Complainant - VADRP	0	0	0
Over Six Months	3	1	1
Third Party - Not Directly Affected	4	0	1
<b>Complaints Not Resulting in Discipline Total</b>	<b>51</b>	<b>20</b>	<b>34</b>
Informal Discipline	6	14	4
Disciplinary Hearing	0	0	0
<b>Complaints Resulting in Discipline total</b>	<b>6</b>	<b>14</b>	<b>4</b>
<b>Complaints Outstanding total</b>	<b>59</b>	<b>52</b>	<b>53</b>
<b>TOTAL</b>	<b>116</b>	<b>86</b>	<b>91</b>

#### Special Investigations Unit (SIU) Investigations

The PSA provides that the SIU shall conduct criminal investigations into circumstances involving police where serious injury or death has occurred or where there are allegations of sexual assault.

The Police Services Board receives a separate report on each SIU case. The SIU invoked their mandate twice in Q3 2017, which decreased by two from Q3 2016.

Table 5 (below) provides a comparator of SIU investigations between 2016 and 2017 as well as the 5-year average.

**Table 5 - Special Investigations Unit Investigations**

TYPES OF INVESTIGATIONS	Q3 2016	Q3 2017	5 YR AVG YTD
<b>Death</b>	1	1	1
<b>Serious Injury</b>	2	1	2
<b>Sexual Assault</b>	1	0	0
<b>TOTAL</b>	<b>4</b>	<b>2</b>	<b>3</b>

### Complaint Reviews

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

In Q3 2017, four request for reviews from complainants were received by the OIPRD. This is an increase from the two received in Q3 2016. All four reviews remain outstanding.

### Policy/Service Complaint Reviews

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

Two requests for policy/service complaint reviews by the Police Services Board were received in Q3 2017. Both complaints were reviewed by the Board and pursuant to section 63(6) of the Police Services Act, no further action was taken.

## **SUPPORTING DOCUMENTATION**

Document 1 Summary of Policy and/or Service Complaints

## **CONCLUSION**

The Professional Standards Section continues to identify and address issues that arise from complaints. The OPS is committed to ensuring accountability of officers for their individual actions and strives to uphold the highest standards of conduct for its members. The Professional Standards Section remains committed to fair and objective investigations completed in a timely fashion.

**Document 1****PUBLIC COMPLAINTS****PART V - POLICE SERVICES ACT****DETAILS OF SERVICE COMPLAINT INVESTIGATION**

**Complaint #:** 17-0152  
**Date of Incident:** August 2016-April 2017  
**Date of Complaint:** 27 April 2017  
**Date Completed:** 21 July 2017

**Summary of Complaint:**

The complainant alleges she has been making complaints to police about an illegal marijuana storefront operating since August 2016 and the police have permitted the establishment to operate.

**Summary of Findings and Actions Taken:**

The investigation determined that there were no service or policy breaches related to this complaint.

**PART V - POLICE SERVICES ACT****DETAILS OF SERVICE COMPLAINT INVESTIGATION**

**Complaint #:** 17-0168  
**Date of Incident:** 11 April 2017  
**Date of Complaint:** 12 May 2017  
**Date Completed:** 21 July 2017

**Summary of Complaint:**

The complainant alleges she attempted to report an incident of harassment and the call centre operator refused to take a report.

**Summary of Findings and Actions Taken:**

It was determined that there are no service related issues identified as a result of the complaint. The Ottawa Police is following its policies and procedures with regards to the Call Centre and the submission of reports.



**PART V - POLICE SERVICES ACT****DETAILS OF SERVICE COMPLAINT INVESTIGATION**

**Complaint #:** 17-0174  
**Date of Incident:** 04 April 2017  
**Date of Complaint:** 15 May 2017  
**Date Completed:** 14 July 2017

**Summary of Complaint:**

The complainant made a service complaint related to the lengthy wait times in obtaining a police records check.

**Summary of Findings and Actions Taken:**

The complainant chose to withdraw her complaint after being informed that the Service was working to rectify the situation.

**PART V - POLICE SERVICES ACT****DETAILS OF SERVICE COMPLAINT INVESTIGATION**

**Complaint #:** 17-0226  
**Date of Incident:** 22 April 2017  
**Date of Complaint:** 15 June 2017  
**Date Completed:** 29 August 2017

**Summary of Complaint:**

The complainant alleges she was defrauded of rent monies. Since it took too long for Ottawa Police Fraud Section to look at her file and investigate it, the statute of limitations expired.

**Summary of Findings and Actions Taken:**

The complainant chose to withdraw her complaint after she was able to convey her concerns and recommendations to the Ottawa Police Fraud Section.

**PART V - POLICE SERVICES ACT****DETAILS OF SERVICE COMPLAINT INVESTIGATION**

**Complaint #:** 17-0276  
**Date of Incident:** 01 July 2017  
**Date of Complaint:** 14 July 2017  
**Date Completed:** 31 August 2017

**Summary of Complaint:**

The complainant alleges Ottawa Police showed a complete disregard in enforcing Canada Day traffic when they permitted motor vehicles to turn down the Colonel By Drive Parkway when it was supposed to be closed off due to high pedestrian traffic.

**Summary of Findings and Actions Taken:**

The complainant chose to withdraw her complaint after an informal review with the PSS investigator. She felt her concerns to ensure safety of citizens were properly addressed.

**PART V - POLICE SERVICES ACT****DETAILS OF SERVICE COMPLAINT INVESTIGATION**

**Complaint #:** 17-0310  
**Date of Incident:** 07 July 2017  
**Date of Complaint:** 09 August 2017  
**Date Completed:** 21 September 2017

**Summary of Complaint:**

The complainant alleges police officers have not followed up with her in regards to her harassment allegations against former colleagues.

**Summary of Findings and Actions Taken:**

The investigation determined the complaint is with the Government of Ontario; not with Ottawa Police. It appears the complaint was filed in error with the Office of the Independent Police Review Director (OIPRD). The complainant has been referred back to the Provincial Government to address her concerns.