

Report to / Rapport au:

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

23 September 2019 / 23 septembre 2019

Submitted by / Soumis par:

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

Contact Person / Personne ressource:

**Inspector Murray Knowles, Professional Standards / Normes professionnelles
*KnowlesM@ottawapolice.ca***

SUBJECT: REPORT ON SIU INVESTIGATION

OBJET: RAPPORT SUR L'ENQUÊTE DE L'UES

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 call for service that resulted in the Special Investigations Unit (SIU) being called and invoking its mandate. The background of the incident, SIU findings and recommendations are provided. The Professional Standards Section completed an investigation into the policy, services and conduct of the involved members of the Ottawa Police Service (OPS).

DISCUSSION

BACKGROUND

On May 18, 2018, patrol officers attended an athletic club in the Barrhaven area in relation to an unwanted person to be removed. The subject left the premise at the direction of officers, only to return after officers had left and fraudulently enter the club.

Officers returned and again attempted to remove him but he fled and ran into the gym. The subject was arrested but physically struggled with the officers and resisted arrest. A Conducted Energy Weapon was deployed which resulted in the subject complying with officers and he was taken into custody. The subject was removed from the property, transported home by police and released to a family member.

The subject later attended hospital due to injuries sustained during his struggle with police and was diagnosed with a fractured orbital bone.

The injury was reported to the OPS and SIU was contacted and invoked its mandate.

INVESTIGATION

Special Investigations Unit Investigation

On June 21st, 2019 the Ottawa Police Service received a letter from Mr. Joseph Martino, Director of the Special Investigations Unit, concerning the outcome of its investigation. In his letter, Mr. Martino stated that the file has been closed and no further action is contemplated. He was satisfied that there were no grounds in the evidence to proceed with criminal charges against the Subject Officer.

Professional Standards Investigation

Pursuant to Section 11(1) of Ontario Regulation 267/10 of the Police Services Act, the Professional Standards Section initiated an investigation into this incident to determine if the policies of, or services provided by the OPS were adhered to at the time of this incident, and to determine if the conduct of the involved police officers was appropriate.

After a careful review of the evidence in this case, it has been determined that there is no evidence of any misconduct on the part of the involved officers that contributed to the subject's injuries.

The review did however identify a breach of internal policy in relation to the reporting of the incident which is being dealt with through internal disciplinary and remedial processes.

Conduct Findings – An administrative policy breach was identified and is being dealt with through internal processes.

Service Findings – No service issue identified

Policy Findings - No policy issue identified

CONSULTATION

N/A

FINANCIAL IMPLICATIONS

N/A

SUPPORTING DOCUMENTATION

N/A

CONCLUSION

As noted above, the Professional Standard's Section has completed its Section 11 investigation. Internal remedial and disciplinary action is being taken in relation to an identified policy breach.