

Report to / Rapport au:

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

25 January 2021 / 25 janvier 2021

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: REPORT ON SIU INVESTIGATION – SIU20-OCI-081

OBJET: RAPPORT SUR L'ENQUÊTE DE L'UES – SIU20-OCI-081

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 police interaction that resulted in the Special Investigations Unit (SIU) invoking their mandate. The background of the incident, along with SIU findings and recommendations are provided. The Professional Standards Unit (PSU) completed an investigation into the policy, services and conduct of the involved members of the Ottawa Police Service (OPS).

DISCUSSION

On April 12, 2020, at approximately 7:30 a.m., patrol officers responded to a 911 call in the Cardinal Creek area for a family dispute. An adult male was refusing to leave his parents' property after arriving intoxicated and threatening them with bodily harm for not returning his dog.

Officers arrived to find the male standing on the porch with his mother. Officers made attempts to discuss the situation and have him leave per his parents' wishes, until he could return when sober to retrieve the family dog. After an extended period of conversation, the intoxicated male tried to walk past police and enter the residence. Officers were left no option other than to place the male under arrest for trespassing given his intoxication, refusal to leave, and threatening behaviour.

The officers advised the male he was under arrest. He responded by tensing up and refusing to cooperate with the officers. He would not allow the officers to handcuff him and physically resisted. The officers put the male on the ground on the lawn. Two knee strikes were delivered by one of the officers while the male continued to resist. The officers were then successful in handcuffing and controlling the male and no further force was used.

When the officers attempted to assist the male to his feet, he complained of pain in his right leg. Paramedics were called to the scene and as a result the male was transported to hospital where he was diagnosed with a fracture to his right hip.

The SIU was contacted at that time and invoked its mandate.

INVESTIGATION

SIU Investigation

On June 10, 2020, the OPS received a letter from the Director of the SIU concerning the outcome of its investigation. In his letter, Mr. Martino stated the file has been closed and no further action was contemplated. He was satisfied that there were no grounds in the evidence to proceed with criminal charges against the Subject Officer.

The SIU investigation included a review of video of the arrest.

The SIU determined that the use of force was lawful and reasonable in the circumstances.

Professional Standards Investigation

Pursuant to Section 11(1) of Ontario Regulation 267/10 of the Police Services Act, PSU initiated an investigation into this incident to review the policies and service provided by the OPS, and to determine if the conduct of the involved police officers was appropriate.

After a careful review of the information in this case, it has been determined that there is no evidence of misconduct on the part of the involved officers.

Conduct Findings – No conduct issues identified.

Service Findings – No service issues identified

Policy Findings - No policy issues identified

CONCLUSION

PSS has completed its Section 11 investigation into this incident and no further action is required.