

**Report to / Rapport au:**

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

**18 December 2017 / 18 décembre 2017**

**Submitted by / Soumis par:**

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

**Contact Person / Personne ressource:**

**Superintendent Scott Nystedt / Surintendant  
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**SUBJECT: REPORT ON SIU INVESTIGATIONS**

**OBJET: RAPPORT SUR LES ENQUÊTES DE LA U.E.S.**

#### **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 annex attached outlines calls for service that resulted in the Special Investigations Unit (SIU) being called and invoking their 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).

#### **SUPPORTING DOCUMENTATION**

Document A: SIU investigation file #16-OSA-103 Ontario Sexual Assault

Document B: SIU investigation file #16-OCI-120 Ontario Custody Injury

**Document A****SIU investigation file #16-OSA-103 Ontario Sexual Assault****BACKGROUND**

In April of 2016, the Ottawa Police Service received information from a southern Ontario police service that a person had reported they were a victim of sexual assault by an unknown OPS member. The person alleged that the assault took place in 2006 when they had contact with OPS. The information was provided during a 2016 sentencing hearing on an unrelated matter in southern Ontario.

The Special Investigations Unit was contacted and invoked its mandate.

**Special Investigations Unit Investigation**

On October 13, 2017 the Ottawa Police Service received a letter from Mr. Tony Loparco, Director of the Special Investigations Unit concerning the outcome of their investigation. In his letter, Mr. Loparco stated:

*“Pursuant to s. 11(4) of Regulation 267/10 under the Police Services Act, I advise you that the investigation by this unit into the alleged sexual assault that occurred approximately ten years ago has been completed. The file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges in this case.”*

**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.

*Conduct Findings - No service issue identified*

*Service Findings- No service issue identified*

*Policy Findings- No policy issue identified*

**CONCLUSION**

No further action is required as no Service, Policy, or Conduct issues have been identified.

## **Document B**

### **BACKGROUND**

In May of 2016, officers of the Ottawa Police Service attended an address on Blake Blvd in relation to a disturbance call for service. The complainant contacted police in an attempt to recover his vehicle from his ex-girlfriend. Officers spoke to both involved parties and found that the vehicle was in fact registered to the female, and advised the complainant that the issue was a civil matter and not a police matter. The officers left, but the complainant called 911 shortly after. The officers returned, provided him the same explanation again, and advised him not to abuse the 911 system.

The officers left and again the complainant called 911. The officers returned and arrested the complainant for mischief and causing a disturbance. The complainant was released at the scene and was then transported to hospital by ambulance, as he believed his 'pacemaker' was malfunctioning. The complainant left the hospital before being treated. He returned to the hospital later and was diagnosed with a broken arm.

The complainant contacted the Ottawa Police Professional Standards Section and advised that he had medical records indicating that his arm was broken, and alleged that the officers were responsible.

The Special Investigation Unit was contacted and invoke its mandate.

### **Special Investigations Unit Investigation**

On September 19, 2017 the Ottawa Police Service received a letter from Mr. Tony Loparco, Director of the Special Investigations Unit concerning the outcome of their investigation. In his letter, Mr. Loparco stated:

*"Pursuant to s. 11(4) of Regulation 267/10 under the Police Services Act, I advise you that the investigation by this Unit into the custody injury of (name removed) that occurred on May 10, 2016 has been completed. The file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officers."*

### **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.

After a 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 may have contributed to the injury suffered by the complainant.

*Conduct Findings - No service issue identified*

*Service Findings- No service issue identified*

*Policy Findings- No policy issue identified*

**CONCLUSION**

No further action is required as no Service, Policy, or Conduct issues have been identified.