

 <p>OTTAWA POLICE SERVICE SERVICE DE POLICE D'OTTAWA</p> <p><i>The Trusted Leader in Policing</i> <i>Le chef de file de confiance dans la police</i></p>	<p>REPORT RAPPORT</p>
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DATE: 26 October 2015

TO/DEST: Executive Director, Ottawa Police Services Board

FROM/EXP: Chief of Police, Ottawa Police Service

SUBJECT/OBJET: **COMPLAINTS REPORT – PART V, POLICE SERVICES ACT - THIRD QUARTER 2015**

RECOMMENDATION

That the Ottawa Police Services Board receive this report for 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." 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.

The following report provides comparisons in specific complaint types over those reported during the same time period for the previous year.

HIGHLIGHTS

Valuable information is gleaned from the analysis of the reported statistics. Here are a few highlights:

- Overall complaints are lower than the same time period in 2014.
- Total public complaints decreased when compared to the same time period in 2014.
- Chief's complaints have decreased slightly when compared to the same time period in 2014.
- Improper conduct complaints remain the highest category of complaints; however, that category has also decreased when compared to 2014.

Further details and statistical analysis are provided below with respect to the specific categories.

DISCUSSION

New Complaints

During the third quarter of 2015, a total of 77 complaints (Chief's and Public) were received representing a decrease of 17 when compared to the same time period in 2014. It should be noted that there is a significant decrease (of 33%) in public complaints in Q3 2015 when compared to Q3 2014.

Year to date, Chief's complaints have decreased by five when compared to the same time period in 2014 and remain slightly below the five year average.

Table 1 (below) outlines the number of complaints received in Q3 compared to the same time period in 2014 and the five year average.

Table 1- New Complaints

	Q3 2014	Q3 2015	2014 YTD	2015 YTD	5 YR AVG YTD
Public Complaint (Conduct)	43	29	160	124	147
Public Complaint (Policy or Service)	1	1	10	4	51
Chief's Complaints	50	47	133	128	129
TOTAL	94	77	303	256	327

Classification of Complaints

The *Police Services Act* 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 year to date remain below the five year average and there has been a decrease of 41 when compared to the year to date of 2014.

Table 2- Conduct Complaints

	Q3 2014	Q3 2015	2014 YTD	2015 YTD	5 YR AVG YTD
Excessive Force	1	5	15	12	19
Improper Conduct	87	62	231	192	205
Neglect of Duty	5	9	46	45	46
Firearm Discharge	0	0	1	3	2
TOTAL	93	76	293	252	272

While improper conduct represents a large portion of the Public and Chief's complaints received, it should be noted that this category is used for many different types of allegations, including inappropriate actions, at fault motor vehicle collisions and red light camera infractions.

Policy/Service Complaints:

One policy complaint was received in Q3 2015. This complaint was completed within the quarter, along with two carried over from previous quarters, and are attached to this report as Annex A.

Table 3 (below) outlines that the year to date statistics are below the five year average.

Table 3- Policy and Service Complaints

	Q3 2014	Q3 2015	2014 YTD	2015 YTD	5 YR AVG YTD
Policy	0	0	2	2	2
Service	1	1	8	2	9
TOTAL	1	1	10	4	11

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. Two CSR files were received in Q3 2015. One did not proceed through the CSR process and one remains outstanding.

Last year, the OPS Professional Standards Section (PSS) coordinated for the Director of the OIPRD, Mr. Gerry McNeilly, to attend the OPS Professional Development Centre and provide Customer Service Resolution Training to seven interested Sergeants and Staff Sergeants across the service. These members are continuing to facilitate the CSR files.

Complaint Status

All public complaints are processed through the OIPRD. The OIPRD may choose not to have the matters investigated after a review of their merit by determining them to be: frivolous, vexatious; over six months; or 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 or informal/formal discipline.

Conduct Complaint Status:

In Q3 2015, 76 conduct complaints were received. The following is a breakdown of those complaints:

- 24 cases completed
 - 14 resulted in no further action or were unsubstantiated.
 - 10 were screened out by OIPRD as they were determined to be either frivolous, vexatious, not in the public interest to pursue, or were over six months.
- 52 investigations ongoing.

Table 4 (below) outlines the manner in which complaints have been resolved in Q3 2015 and the complaints carried over from previous years which were resolved in Q3 2015.

Table 4- Complaint Status- Conduct Complaints

RESOLUTION	Q3 2014	Q3 2015	CARRYOVER PRIOR YEARS*
Unsubstantiated	0	1	31
Vexatious/Frivolous/Bad Faith	12	3	0
Informal Resolution	2	0	4
Informal Resolution - VADRP	0	0	1
No Further Action	22	19	18
Withdrawn by Complainant	2	0	3
Withdrawn by Complainant - VADRP	0	0	0
Over Six Months	1	1	0
Third Party - Not Directly Affected	0	0	0
Complaints Not Resulting in Discipline	39	24	57
Informal Discipline	1	0	13
Disciplinary Hearing	0	0	5
Complaints Resulting in Discipline	1	0	18
Complaints Outstanding	53	52	23
TOTAL	93	76	98

Special Investigations Unit (SIU) Investigations:

The *Police Services Act* provides that the SIU shall conduct criminal investigations into circumstances involving police and civilians 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 Q3 2015 remains the same as Q3 2014 and the year to date total has also remained at nine.

Table 5 (below) outlines that the Special Investigations Unit investigations are slightly below the five year average.

Table 5- Special Investigations Unit Investigations

TYPES OF INVESTIGATIONS			2014	2015	5 YR
	Q3 2014	Q3 2015	YTD	YTD	AVG YTD
Death	1	0	2	1	1
Serious Injury	2	3	6	7	7
Sexual Assault	0	0	1	1	1
TOTAL	3	3	9	9	9
Investigations Resolved	0	0	2	2	4
Investigations Ongoing	3	3	7	7	5
TOTAL	3	3	9	9	9

Public Complaint Reviews

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

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

Conduct Complaint Reviews:

In Q3 2015, 12 requests for review from complainants were received by OIPRD. This is a significant (75%) increase from the three received in Q3 2014. Two of the reviews resulted in OIPRD confirming the decision of OPS and ten remain outstanding.

Policy/Service Complaint Reviews:

One request for policy complaint review by the Police Services Board was received in Q3 2015.

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.

(Original signed by)

Charles Bordeleau
Chief of Police

Attach. (1)
Responsible for report: Inspector Chris Rheaume