



**OTTAWA POLICE SERVICE  
SERVICE DE POLICE D'OTTAWA**

*The Trusted Leader in Policing  
Le chef de file de confiance dans la police*

**REPORT  
RAPPORT**

DATE: 26 October 2015

TO/DEST: Executive Director, Ottawa Police Services Board

FROM/EXP: Chief of Police, Ottawa Police Service

SUBJECT/OBJET: **REPORT ON SPECIAL INVESTIGATION UNIT INVESTIGATION**

**RECOMMENDATION**

**That the Ottawa Police Services Board receive this report for information**

**BACKGROUND**

The annex attached outlines a call 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).

*(Original signed by)*

Charles Bordeleau  
Chief of Police

Responsible for report: Inspector Chris Rheaume

**Annex A: SIU investigation file # 15-OCD-130- Officer Custody Death****BACKGROUND**

On June 24, 2015, two OPS Neighbourhood Officers were on duty in the area of the Byward Market. Both officers were working in uniform, conducting area patrol on bicycles.

At approximately 16:05hrs both officers conducted a traffic stop on a suspicious vehicle observed stopped in front of 171 George Street, the Salvation Army. The area around the Salvation Army is a location known for drug trafficking and as such receives extra attention from police.

While investigating the occupants of the vehicle it became apparent to them that the driver was being evasive when asked for his identification and that both he and the passenger appeared very nervous. The driver then put the vehicle into reverse gear and accelerated quickly, striking one officer with the driver side mirror. The officers gave chase on foot and confronted the vehicle as it reversed onto Cumberland Street. At one point the driver stopped reversing, placed the vehicle into drive and headed back towards the officer he had struck, who drew his firearm and ordered the vehicle to stop. The driver did not stop and the officer was forced to jump out of the way; but, he was still struck by the vehicle as it accelerated past him and turned east onto George Street.

The officers advised dispatch what had transpired and as a result additional units began searching the area for the vehicle. The driver drove 100 km/hr into oncoming traffic to avoid officers who attempted to block the vehicle's path. The pursuit was terminated by the Patrol Sergeant. The passenger was located and arrested in a nearby neighbourhood, containment was set up and a canine track was initiated to locate the driver.

At 19:15hrs a call was received at 9-1-1 for a suspicious male hiding in a shed in the area previously searched by Canine and Patrol officers. Officers flooded the area and were directed towards the Rideau River by area residents who stated that the male had run in that direction.

Two Patrol officers arrived near the west shoreline of the river and observed a male in the middle of the river floundering and screaming for help. One officer, a strong swimmer, made the decision to enter the water and removed his body armour and gun belt before donning his issued personal floatation device. With the other officer directing him towards the male, the first officer swam out into the river. Two more officers arrived and another officer, also a strong swimmer, made the decision to enter the water to assist and removed his body armour and gun belt. He provided his issued personal floatation device to the initial officer to use on the male.

The male slipped under the surface of the water when the first officer was approximately one to two meters from his position. Both officers dove under the surface several times to try and locate the male; however, the river was very murky. Both officers remained in the area where the male was seen slipping under the surface in the hopes of locating him and were only removed from the water on the arrival of the Ottawa Fire Services rescue boat.

Ottawa Fire Services conducted a search of the river; but, were unable to locate the male. The Ottawa Police Service's Marine Dive and Trail (MDT) and Emergency Services Units (ESU) were activated to assist with locating the male.

The male's body was recovered from the Rideau River by the MDT Unit on Saturday June 27, 2015.

The Special Investigations Unit was contacted and invoked its mandate on June 26, 2015.

## INVESTIGATION

### Special Investigations Unit Investigation

The SIU completed its investigation and advised the following:

*There is no basis on this record to reasonably conclude that the subject officers committed a criminal offence in connection with Mr. Sultan's death. On the contrary, they acted valiantly by jumping into the river in an effort to save Mr. Sultan from drowning. They were tantalizingly close to reaching Mr. Sultan before he dipped out of sight below the water's surface. The officers remained in the river for a period of time and dove underwater to search for Mr. Sultan, but the water's murkiness made the effort a futile one. In the circumstances, I am satisfied that Mr. Sultan's death is the product of his own misadventure, and very likely the result of an ill-advised decision to enter the water in an effort to avoid police apprehension- a decision for which he and he alone is to blame. I thank you for the cooperation of all the members of your tactical team in the conduct of this investigation.*

### 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 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 may have contributed to the drowning death.

*Conduct Findings – No misconduct identified*

*Service Findings- No service issue identified*

*Policy Findings- No policy issue identified.*

### CONCLUSION

After a review of the facts in this case, it has been determined that there is no evidence of misconduct on the part of any of the involved officers. The Special Investigations Unit could not establish reasonable grounds to believe there was any criminal wrongdoing. The custody death was a result of the male's own decision to enter the Rideau River while attempting to evade arrest.