

**Report to / Rapport au:**

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

**23 April 2018 / 23 avril 2018**

**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: COMPLAINTS REPORT – PART V, *POLICE SERVICES ACT* – FIRST  
QUARTER 2018**

**OBJET: PLAINTES PARTIE V – *LOI SUR LES SERVICES POLICIERS*:  
PREMIER TRIMESTRE DE 2018**

**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 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".

The following report will provide comparisons on specific complaint types over those reported during the same time period for the previous year.

## DISCUSSION

### New Complaints

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.

By the end of the first quarter of 2018, a total of 94 complaints (Chief's and Public) were received representing an increase of 15% when compared to the same time period in 2017.

By the end of the first quarter of 2018, a total of 48 public complaints (Conduct, Service and Policy) were received representing a decrease of 4% when compared to the same time period in 2017 (50).

Table 1 (below) outlines the number of complaints received in Q1 2018 compared to the same time period in 2017, together with the total number of complaints received in 2017 and the 5 year averages.

**Table 1 - New Complaints**

	Q1 2017	Q1 2018	2017 Total	2017 5 YR AVG YTD	2018 5 YR AVG YTD
<b>Public Complaint (Conduct)</b>	46	43	169	51	50
<b>Public Complaint (Policy or Service)</b>	4	5	23	3	3
<b>Chief's Complaints (Other)</b>	5	8	24	9	8
<b>Chief's Complaints (Red Light Camera Infractions)</b>	6	9	59	8	9
<b>Chief's Complaints (Motor Vehicle Collisions)</b>	21	29	78	23	24
<b>TOTAL</b>	<b>82</b>	<b>94</b>	<b>353</b>	<b>94</b>	<b>94</b>

Of the 48 public complaints received by the Ottawa Police Service by the end of Q1 2018, 30 of these complaints were referred to PSS for investigation and 1 was referred to the O.P.P. for investigation, as the respondent officer is seconded to that Service. The remaining 17 complaints received in Q1 2018 were dismissed by the OIPRD on the basis they were determined to be frivolous, vexatious, over the six months limitation, or no further action as it was not in the best interest of the public to proceed. There were no complaints retained by the OIPRD for investigation in Q1 2018.

As noted in Table 1 (above), Chief's complaints include both red light camera infractions and motor vehicle collisions.

Table 2 (below) outlines both the Chief's and Public complaints referred and/or retained for investigation in Q1 2018 compared to the same time period in 2017, together with the total number of complaint investigations in 2017 and the 5 year averages.

**Table 2 – Complaint Investigations**

	Q1 2017	Q1 2018	2017 Total	2017 5 YR AVG YTD	2018 5 YR AVG YTD
<b>Public Complaint (Conduct)</b>	26	28	103	28	27
<b>Public Complaint (Policy or Service)</b>	3	3	20	2	2
<b>Chief's Complaints (Other)</b>	5	8	24	9	9
<b>Chief's Complaints (Red Light Camera Infractions)</b>	6	9	59	8	9
<b>Chief's Complaints (Motor Vehicle Collisions)</b>	21	29	78	23	24
<b>TOTAL</b>	<b>61</b>	<b>77</b>	<b>284</b>	<b>70</b>	<b>71</b>

#### Classification of Complaints

The PSA provides the mechanism for dealing with complaints related to the conduct of police officer(s) as well as complaints related to the policies or services provided by the police service.

#### Conduct Complaints:

Conduct complaints are classified within 4 categories.

The total conduct complaints received in Q1 2018 increased by 11 compared to Q1 2017 statistics (see Table 3 below).

**Table 3 - Conduct Complaints**

	Q1 2017	Q1 2018	2017 Total	2017 5 YR AVG YTD	2018 5 YR AVG YTD
<b>Improper Conduct</b>	56	79	249	68	69
<b>Excessive Force</b>	4	2	21	4	4
<b>Neglect of Duty</b>	18	8	59	19	18
<b>Firearm Discharge</b>	0	0	1	0	0
<b>TOTAL</b>	<b>78</b>	<b>89</b>	<b>330</b>	<b>91</b>	<b>91</b>

Table 4 (below) outlines conduct complaints referred and/or retained for investigation in Q1 2018 compared to the same time period in 2017, together with the 5 year averages, as well as the total number of conduct complaint investigations for 2017.

**Table 4 - Conduct Complaint Investigations**

	Q1 2017	Q1 2018	2017 Total	2017 5 YR AVG YTD	2018 5 YR AVG YTD
<b>Improper Conduct</b>	47	66	130	55	56
<b>Excessive Force</b>	4	2	20	4	4
<b>Neglect of Duty</b>	9	6	32	9	8
<b>Firearm Discharge</b>	0	0	1	1	1
<b>TOTAL</b>	<b>60</b>	<b>74</b>	<b>183</b>	<b>69</b>	<b>69</b>

**Policy/Service Complaints:**

Five service complaints were received in Q1 2018. Two of these complaints were screened out by the OIPRD on the basis that they were determined not to be in the public's interest to proceed, while the other three service complaint investigations remain outstanding.

The details of the two screened out complaints, together with three completed complaints that were carried over to Q1 2018 from previous quarters, are attached to this report as Document 1.

There were no policy complaints received in Q1 2018.

Table 5 (below) outlines the total number of policy and service complaints received in Q1 2018 compared to the same time period in 2017, together with the 5 year averages, as well as the total number of policy and service complaints received for 2017.

**Table 5 - Policy and Service Complaints**

	Q1 2017	Q1 2018	2017 Total	2017 5 YR AVG YTD	2018 5 YR AVG YTD
Table					
<b>Policy</b>	0	0	1	0	0
<b>Service</b>	4	5	22	2	2
<b>TOTAL</b>	<b>4</b>	<b>5</b>	<b>23</b>	<b>2</b>	<b>2</b>

(below) outlines policy and service complaints referred for investigation in Q1 2018 compared to the same time period in 2017, together with the 5 year averages, as well as the total number of policy and service complaints referred for investigation for 2017.

**Table 6 - Policy and Service Complaint Investigations**

	Q1 2017	Q1 2018	2017 Total	2017 5 YR AVG YTD	2018 5 YR AVG YTD
<b>Policy</b>	0	0	1	0	0
<b>Service</b>	3	3	22	2	2
<b>TOTAL</b>	<b>3</b>	<b>3</b>	<b>23</b>	<b>2</b>	<b>2</b>

#### 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. In order to proceed by way of CSR, both the complainant and respondent officer(s) must agree to this option. If they do not agree to this option, the complaint is returned to the screening process and it is either screened in for investigation or screened out. Five CSR files were received in Q1 2018. Two files are proceeding through the CSR process; both of which were outstanding at the end of Q1, while the remaining three files did not proceed through CSR, as the criteria was not met.

#### Complaint Status

All public complaints are processed through the OIPRD. The OIPRD may choose not to have matters investigated after a review of the facts in issue by classifying them to be: frivolous, vexatious; more than six months after the facts on which it is based occurred;

not in the public's interest to proceed; more appropriately dealt with another Act or Law, or not directly affected.

Chief's complaints are initiated by the Chief's office and relate to allegations of officer misconduct and non 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 and informal or formal discipline.

#### Conduct Complaint Status:

In Q1 2018, 89 conduct complaints were received (public & chief). The following outlines the status of these complaints at the end of Q1:

- 44 cases completed
- 3 resulted in informal discipline
- 8 were withdrawn by the complainant
- 33 were determined to be either frivolous, vexatious, were over 6 months after the facts on which it was based occurred, were third party
- where complainant was not affected or were deemed to not be in the public interest to pursue
- 45 investigations are ongoing

Table 7 (below) outlines the above mentioned complaint status in Q1 2018 compared to the same time period in 2017, as well as the 5 year average.

**Table 7 - Complaint Status - Conduct Complaints**

RESOLUTION	Q1 2017	Q1 2018	5 YR AVG YTD
Unsubstantiated	0	0	3
Vexatious/Frivolous/Bad Faith	8	6	10
Informal Resolution	0	0	1
Informal Resolution - VADRP	0	0	0
No Further Action	26	25	24
Withdrawn by Complainant	2	8	4
Withdrawn by Complainant - VADRP	0	0	0
Over Six Months	0	2	1
Third Party - Not Directly Affected	0	0	0
<b>Complaints Not Resulting in Discipline Total</b>	<b>36</b>	<b>41</b>	<b>43</b>
Informal Discipline	4	3	4
Disciplinary Hearing	0	0	0
<b>Complaints Resulting in Discipline total</b>	<b>4</b>	<b>3</b>	<b>4</b>
<b>Complaints Outstanding total</b>	<b>38</b>	<b>45</b>	<b>44</b>
<b>TOTAL</b>	<b>78</b>	<b>89</b>	<b>91</b>

#### Special Investigations Unit (SIU) Investigations

The PSA provides that the SIU shall conduct criminal investigations into circumstances involving police where serious injury or death has occurred or where there are allegations of sexual assault.

The Police Services Board receives a separate report on each SIU case. The SIU invoked their mandate three times in Q1 2018, which increased by one from Q1 2017. All three investigations remain ongoing.

Table 8 (below) provides a comparator of SIU investigations between 2017 and 2018 as well as the 5 year average.

**Table 8 - Special Investigations Unit Investigations**

TYPES OF INVESTIGATIONS	Q1 2017	Q1 2018	5 YR AVG YTD
<b>Death</b>	0	1	0
<b>Serious Injury</b>	1	2	1
<b>Sexual Assault</b>	1	0	0
<b>TOTAL</b>	<b>2</b>	<b>3</b>	<b>2</b>

### Complaint Reviews

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

In Q1 2018, three requests for review from complainants were received by the OIPRD. This is an increase from the two received in Q1 2017. All three reviews remain outstanding.

### Policy/Service Complaint Reviews

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

One request for a service complaint review by the Police Services Board was received in Q1 2018. The complaint was reviewed by the Board and pursuant to section 63(6) of the Police Services Act, no further action was taken.

### **SUPPORTING DOCUMENTATION**

Document 1 Summary of Policy and/or Service Complaints completed in Q1 2018

### **CONCLUSION**

The Professional Standards Section continues to identify and address issues that arise from complaints. The OPS is committed to ensuring accountability of officers for their individual actions and strives to uphold the highest standards of conduct for its members. The Professional Standards Section remains committed to fair and objective investigations completed in a timely fashion.



Document 1

**PUBLIC COMPLAINTS**  
**PART V - POLICE SERVICES ACT**  
**DETAILS OF SERVICE COMPLAINT INVESTIGATION**

**Complaint #:** 17-0334  
**Date of Incident:** 01 July 2017  
**Date of Complaint:** 24 August 2017  
**Date Completed:** 09 January 2018

**Summary of Complaint:**

The complainant, who resides in Vanier, alleged OPS is not providing adequate service in her neighbourhood.

**Summary of Findings and Actions Taken:**

The complainant chose to withdraw her OIPRD complaint after speaking to the Professional Standards investigator.

**PART V - POLICE SERVICES ACT****DETAILS OF SERVICE COMPLAINT INVESTIGATION**

**Complaint #:** 17-0422  
**Date of Incident:** 01 July 2017  
**Date of Complaint:** 30 October 2017  
**Date Completed:** 05 January 2018

**Summary of Complaint:**

The complainant alleged there was an increase in unsavoury characters moving back into the Vanier community. They further alleged that there was more illegal activity and police presence was lacking in the area since January 2017 when OPS underwent significant changes.

**Summary of Findings and Actions Taken:**

It was determined that there are no service related issues identified as a result of the complaint. No recommendations.

**PART V - POLICE SERVICES ACT****DETAILS OF SERVICE COMPLAINT INVESTIGATION**

**Complaint #:** 17-0466  
**Date of Incident:** 19 September 2017  
**Date of Complaint:** 01 December 2017  
**Date Completed:** 15 February 2018

**Summary of Complaint:**

The complainant alleged police discriminated against them because of their gender and mental health. Specifically, they alleged they woke up on numerous occasions to find needle pin-pricks on their body and police have failed to update them on their case.

**Summary of Findings and Actions Taken:**

After discussions with OPS, the OIPRD have reconsidered their screening of the matter and have opted to screen the complaint out. No further action to be taken.

**PART V - POLICE SERVICES ACT****DETAILS OF SERVICE COMPLAINT INVESTIGATION**

**Complaint #:** 18-0087  
**Date of Incident:** 01 July 2017  
**Date of Complaint:** 24 January 2018  
**Date Completed:** 24 January 2018

**Summary of Complaint:**

The complainant alleged incorrect information was placed on their case file. When they attempted to seek the assistance from Courts, they were told they would not help him.

**Summary of Findings and Actions Taken:**

The OIPRD opted not to proceed with the complaint as it was determined to be not in the public interest to do so. No further action to be taken.

**PART V - POLICE SERVICES ACT****DETAILS OF SERVICE COMPLAINT INVESTIGATION**

**Complaint #:** 18-0121  
**Date of Incident:** 22 May 2017  
**Date of Complaint:** 29 March 2018  
**Date Completed:** 29 March 2018

**Summary of Complaint:**

The complainant alleged OPS have failed to take their report of an organized group breaking into their home to poison their food seriously.

**Summary of Findings and Actions Taken:**

The OIPRD opted not to proceed with the complaint as it has been determined to be not in the public interest to do so. No further action to be taken.