

Report to / Rapport au:

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

26 July 2021 / 26 juillet 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

OBJET: RAPPORT SUR L'ENQUÊTE DE L'UES

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 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 October 8, 2020, police attended an apartment in the Pinecrest area to execute a Form 47 Mental Health Act warrant for a woman living in a fourth-floor apartment. This type of warrant is issued by a physician when a patient is non-adherent to a plan laid out in a Community Treatment Order. This type of warrant requires the patient be brought to a healthcare facility by a police officer.

Officers attended the apartment and knocked but no one answered. After several more knocks and no sound heard from the apartment, officers canvassed neighbouring apartments. During this time, officers were advised by the communications center it received a call reporting a man had jumped from a balcony.

Officers located the man limping outside the building. He stated he slipped on the west side of the building. The level of injury did not appear consistent with a slip-and-fall. Further investigation revealed a visible hole in the pigeon netting off the balcony of the apartment attended by the officers. Paramedics were called and it was determined that the injured man likely had been in the apartment attended by officers. While being treated by paramedics, the man admitted he slipped off a balcony and fell to the ground. He refused to confirm if he had been in the associated fourth-floor apartment.

Police entered the apartment with the assistance of building management. The subject of the Form 47 was not located on this date. The man was transported to hospital and diagnosed with a broken leg at which point the SIU was contacted and invoked its mandate.

INVESTIGATION

SIU Investigation

On April 9, 2021 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 OPS received and reviewed a copy of the SIU investigative report. The SIU determined that the OPS was not responsible for the injuries suffered by the man.

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.

The response of the OPS was consistent with legislation and policy and no conduct issues were identified related to any of the involved officers. The OPS policy is consistent with the provisions of the Mental Health Act of Ontario which requires the assistance of police in the apprehension of persons subject to a Community Treatment Order warrant.

After a careful review of the information in this case, it was determined that there was no conduct, service or policy issues identified.

Conduct Findings – No misconduct 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.