

Report to / Rapport au:

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

27 September 2021 / 27 septembre 2021

Submitted by / Soumis par:

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

Contact Person / Personne ressource:

Inspector Hugh O'Toole, Professional Standards Branch

OtooleH@ottawapolice.ca

SUBJECT: REPORT ON SIU INVESTIGATION – 2 JANUARY 2021

OBJET: RAPPORT SUR L'ENQUÊTE DE L'UES - 2 JANVIER 2021

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 January 2, 2021, patrol officers were dispatched to an address on Elgin Street for an intoxicated man falling down on the street in front of the building. Officers arrived and offered assistance to the obviously intoxicated man. He accepted their assistance and tried to stand. The officers helped him to their car and placed him in the back seat, out of the cold. He indicated he was trying to get to the third floor of the Salvation Army. The officers were unable to identify the man and decided to take him to a local shelter as

there was a nurse on staff as part of the Targeted Emergency Diversion program. This is consistent with OPS policy on obtaining assistance for intoxicated persons.

Once at the shelter, shelter staff attempted to assist officers in identifying the man and confirmed they had space for him. While this administration was occurring, one of the officers remained in the police vehicle with the man. The officers noticed the man's responsiveness decline and then colour fading from his face as he was in and out of sleep. The officers immediately called for paramedics on a priority. The man became unresponsive and officers monitored his breathing and pulse while awaiting paramedics. When paramedics arrived seven minutes later, the man lost vital signs while being transferred to the ambulance. Life-saving measures were performed but the man was pronounced deceased in the ambulance.

The scene was secured, and the coroner and SIU were notified.

The death was deemed to be an overdose and several toxic substances were determined to be present in the man's body.

INVESTIGATION

SIU Investigation

On April 21, 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 Officers.

The OPS received and reviewed a copy of the SIU investigative report. The SIU determined that the officers were duty-bound to assist the man, and that they were engaged in this duty to protect and preserve life when the death occurred. An independent civilian witness reported to SIU that the officers treated the man with care and compassion. There was no evidence or allegation that officers used force and this was not a custody incident.

Professional Standards Investigation

Pursuant to Section 11(1) of Ontario Regulation 267/10 of the Police Services Act (PSA), the PSU initiated an investigation into this incident to review the policies and service provided by the OPS, and to review the conduct of the involved officers.

The response of the OPS was consistent with legislation and policy and no conduct issues were identified.

Conduct Findings – No misconduct identified

Service Findings – No service issues identified

Policy Findings - No policy issues identified

CONCLUSION

PSU has completed its Section 11 investigation into this incident and no further action is required.