

Report to / Rapport au:

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

25 October 2021 / 25 octobre 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

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 and recommendations 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 June 24, 2019 at approximately 4:50 am, an officer travelling east on Hwy. 417 in an unmarked cruiser conducted a traffic stop on a Toyota SUV in the area of Hunt Club Road. The officer had queried the licence plate and discovered the plates should have been on an Infinity brand vehicle. It was ultimately determined that the vehicle was

stolen. As the officer exited his cruiser, the vehicle sped away eastbound on the Highway prior to the officer being able to identify the driver. Supervisors were engaged in and monitoring the pursuit. The pursuit continued for approximately 20 kilometers before exiting on St. Guillaume Rd. Ontario Provincial Police officers became involved as the pursuit entered their jurisdiction. The pursuit continued for another 8 kilometers before the driver failed to negotiate a roundabout at Highway 3 and the vehicle rolled over.

The driver was arrested and taken to hospital where he was diagnosed with minor injuries. He was transported to cellblock where he continued to complain of pain. He was returned to the hospital and was diagnosed with a 'burst fracture' of his spinal cord.

The SIU was contacted at that time and invoked their mandate.

INVESTIGATION

SIU Investigation

On July 2, 2020 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 SIU Director's report was reviewed which identified concerns with the speed of the pursuit and the supervisory oversight. The director identified that the risk to public safety versus the need to stop the vehicle in this case was problematic.

Professional Standards Investigation

Pursuant to Section 11(1) of Ontario Regulation 267/10 of the Police Services Act, the Professional Standards Unit (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 review of the conduct of pursuing officers and monitoring supervisors revealed issues of non-compliance with pursuit policy and regulations concerning communications and the evaluation of risk factors while the pursuit was ongoing.

Specifically, it was found the risk to public safety was not continuously reassessed by supervisors or the pursuing officer as is required in regulation, policy, and training. The reporting of the pursuit by supervisors was also found to be lacking detail contrary to note-taking policy. These issues are being addressed through performance management and remedial training measures.

OPS pursuit policy will be reviewed particularly with respect to supervisory control and continual risk assessment when initiating and continuing pursuits. Supervisors must remain objective and focussed when overseeing a pursuit and should not be directly engaged in the pursuit except in life-threatening exigent circumstances.

No issues were identified specific to service delivery.

Conduct Findings – Conduct issues identified in the actions of the pursuing officer and supervisor. These issues are being addressed through internal performance management and training measures.

Service Findings – No service issues identified

Policy Findings – A policy recommendation is being reviewed and implemented in relation to pursuit supervision.

CONCLUSION

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