

Report to / Rapport au:

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

24 January 2022 / 24 janvier 2022

Submitted by / Soumis par:

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

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SUBJECT: REPORT ON SIU INVESTIGATION – 4 APRIL 2021

OBJET: RAPPORT SUR L'ENQUÊTE DE L'UES – 4 AVRIL 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

This report outlines a police interaction that resulted in the Special Investigations Unit (SIU) invoking its 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 April 4, 2021 at approximately 3:30 a.m., patrol officers responded to several 911 calls about a man in the area of Montreal and Ogilvie Roads behaving strangely and carrying a large knife.

Officers arrived on scene and found the man in the roadway brandishing a sword. The first officer to arrive approached the male in his cruiser at which point the male quickly

approached the cruiser and struck the driver's window with the sword. The officer disengaged and moved away from the male while awaiting further officers.

Two additional officers arrived on scene from different directions and the officers attempted to isolate and contain him given the imminent public safety risk. The officers attempted to communicate with the male, however the attempts met with negative results. The situation was unfolding quickly and there was serious risk to the public if the officers could not immediately isolate him. It was impractical to wait for tactical officers, therefore one of the officers exited his cruiser to try to communicate with the male from a distance of 15 to 20 metres. Less than a minute after this officer exited his cruiser, the male turned and ran toward the officer with the sword. The officer, while attempting to disengage, backtracked several meters while directing the male to stop. When the male was within two to three metres of the officer and still running toward him, the officer discharged his firearm at the male four times in quick succession.

The male fell to the ground and dropped the sword. The three officers on scene immediately called for paramedics and conducted first aid on the male. Paramedics attended and transported the male to hospital where he was treated for his injuries.

The SIU was contacted and invoked its mandate.

INVESTIGATION

SIU Investigation

On July 29, 2021 the OPS received a letter from the Director of the SIU concerning the outcome of its investigation. In his letter, Mr. Joseph 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 Director's report. The report articulated that the use of force was necessary and lawful in the circumstances. No issues related to OPS policy or service were identified in the report or the Director's correspondence.

Professional Standards Investigation

Pursuant to Section 34 of Ontario Regulation 268/10 of the Police Services Act (PSA), the Professional Standards Unit (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.

The history of the male's interactions with the OPS was reviewed as well as the OPS' commitment to identify and respond to issues of community safety and well-being. It was determined that the OPS had no previous interactions with this male that suggested a mental health issue or illness. In this case, responding officers were also not aware of the male's identity and did not have an opportunity to review any information concerning the male given the imminent public safety issue they were attending.

The OPS is committed to working with community partners to protect vulnerable members of our community and those suffering from mental illness and will continue to seek out progressive methods for protecting them and other community members from harm.

Conduct Findings – No misconduct identified

Service Findings – No service issues identified

Policy Findings - No policy issues identified

CONCLUSION

The PSU has completed its Section 34 review into this incident and no further action is required.