

Public Complaints and Chief's Complaints

January 1, 2015 to December 31, 2015

1. DEFINITIONS

- a. *Chief's Complaint* – Chief's Complaints cover all scenarios where potential misconduct comes to the attention of the Chief of Police outside of the Office of the Independent Police Review Director (OIPRD) process. In some cases, a complainant will advise the Service of a complaint, but may be unwilling to pursue their complaint with the OIPRD. In such cases, the complaint is reviewed and a Chief's Complaint may be initiated.
- b. *Public Complaint* – The Office of the Independent Police Review Director (OIPRD) is an independent civilian body tasked with the intake, classification and investigation of public complaints against police officers in Ontario. The OIPRD receives and reviews all complaints from the public to determine whether they are policy, service or conduct complaints and makes decisions on whether the complaints will be accepted and merit further investigation. Once accepted, the OIPRD may assign the involved Service to investigate (in most cases), or alternatively, they can assign their own investigators or an outside Police Service to investigate.
- c. *Screened Out Public Complaints* - OIPRD has the option of "screening out" formal complaints. Public Complaints may be screened out if it is more than six months since the date of the incident, the Director feels it is better dealt with under another act or the complaint is frivolous in nature.
- d. *Customer Service Resolution* - The OIPRD's Customer Service Resolution (CSR) program provides an opportunity for complainants and respondent officers to voluntarily resolve complaints before they are formally screened under the Police Services Act. CSR is an option for less serious complaints, i.e. incivility, miscommunication, aggression. It is a confidential process where the parties exchange perspectives to understand what happened, discuss their concerns and take an active part in resolving the issues.
- e. *Local Resolution (OIPRD)* – The complainant initiates their concerns directly with the Service (after having been informed of options with the OIPRD) and an agreement on how to resolve the concerns locally is entered into. If an agreement is reached, a Local Resolution Agreement is executed and filed with the OIPRD. This averts a formal Public Complaint.
- f. *Contacts* - Contacts are a discussion or exchange with a potential complainant who, after being informed of local complaint and public complaint options, wishes only to express a concern, seek explanation and/or information or discuss a customer service issue.

- g. *Police Services Act Hearing* - Refers to misconduct which the Chief of Police deems to be serious in nature and a hearing is warranted.
- h. *Informal Resolution* - A form of resolution with respect to Chief's Complaints and Public Complaints (deemed less serious), which may include PSA reprimands, forfeiture of hours, a discussion with the officer and complainant, facilitating an apology from the officer, additional training, counselling or referring the matter to Alternative Dispute Resolution.
- i. *Otherwise Resolved* - Chief's Complaints and Public Complaints that are found to be unsubstantiated in which a final report is completed or the complaint itself was withdrawn or abandoned.
- j. *PSA Reprimand / Performance Tracking* - A written documentation for less serious misconduct.
- k. *Disposition Without a Hearing* - Refers to complaints in which a Notice of Hearing was issued, however the matter was resolved prior to a formal hearing. It can be resolved by way of a reprimand, forfeiture of hours, training, counseling, etc. This also refers to complaints where an Informal Resolution of the matter is attempted, but not achieved, resulting in the imposition of a penalty by the Chief of Police.

2. COMPLAINTS

Total Complaints			
	2015	2014	2013
Public Complaints <small>(including Policy/Service Complaints, Customer Service Resolutions and Local Resolutions)</small>	51	46	38
Chief's Complaints	13	21	20
Chief's Complaints – Red Light Infractions	6	8	27
Total Complaints	70	75	85

3. CHIEF'S COMPLAINTS

Total Chief's Complaints			
	2015	2014	2013
Chief's Complaints	13	21	20
Chief's Complaints – Red Light Infractions	6	8	27
Total Chief's Complaints	19	29	47

Status of Total Chief's Complaints			
	2015	2014	2013
Substantiated	10	16	33
Unsubstantiated	1	3	5
Not Completed (Still Under Investigation) (this includes 1 red light)	8	10	9
Total Status re Chief's Complaints	19	29	47

The table below, "Allegation by Type of Misconduct re Chief's Complaints", identifies all misconduct allegations for each Chief's Complaint as it relates to the total number of **completed** investigations. Complaints frequently include multiple allegations. Statistics for complaints are determined at the conclusion of the investigation.

Allegation by Type of Misconduct re Chief's Complaints			
	2015	2014	2013
Breach of Confidence	0	0	0
Consuming Alcohol in a Manner Prejudicial to Duty	0	0	0
Corrupt Practice	0	0	0
Damage to Police Equipment	0	0	0
Deceit	0	5	0
Discreditable Conduct	7	15	31
Insubordination	3	7	5
Neglect of Duty	2	4	2
Unlawful or Unnecessary Exercise of Authority	0	0	0
Secondary Activity	0	0	0
Unsatisfactory Work Performance	0	0	0
Total Allegations re Chief's Complaints	12	31	38

The table below, "Dispositions of Chief's Complaints", identifies the disposition for **completed** Chief's Complaints.

Disposition of Chief's Complaints			
	2015	2014	2013
Police Services Act Hearing	0	1	0
Informal Resolution	10	14	30
Otherwise Resolved	1	4	5
Performance Tracking	0	1	2
Disposition Without a Hearing	0	0	1
Total Dispositions re Chief's Complaint	11	20	38

4. PUBLIC COMPLAINTS

Total Public Complaints			
	2015	2014	2013
Conduct	44	36	35
Policy/Service	1	2	2
Customer Service Resolution	5	7	1
Local Resolution	1	1	0

Note: Included in the public complaints (conduct), 14 investigations were retained by OIPRD for investigation by their investigators.

Status of Public Complaints (Conduct Only)			
	2015	2014	2013
Under Investigation	13	7	8
Substantiated	1	0	1
Unsubstantiated	30	39	29
Total Status re Public Complaints	44	46	38

The table below, “Allegation by Type of Misconduct re Public Complaints”, identifies all misconduct allegations for each Public Complaint as it relates to the total number of **completed** investigations. Complaints frequently include multiple allegations. Statistics for complaints are determined at the conclusion of the investigation.

Allegation by Type of Misconduct re Public Complaints			
	2015	2014	2013
Breach of Confidence	0	0	0
Consuming Alcohol in a Manner Prejudicial to Duty	0	0	0
Corrupt Practice	0	0	0
Damage to Police Equipment	0	0	0
Deceit	0	0	0
Discreditable Conduct	36	32	14
Insubordination	4	2	0
Neglect of Duty	6	7	6
Unlawful or Unnecessary Exercise of Authority	24	11	7
Secondary Activity	0	0	0
Unsatisfactory Work Performance	0	0	0
Total Allegations re Public Complaints	70	52	27

Disposition of Public Complaints			
	2015	2014	2013
Police Services Act Hearing	0	0	2
Informal Resolution Agreement	0	5	4
Otherwise Resolved	30	24	11
Performance Tracking	0	0	0
Disposition Without a Hearing	1	0	1
**Total Dispositions re Public Complaints	31	29	18

Total Public Complaint Dispositions **do not include Customer Service Resolutions, Policy/Service Complaints or Local Resolutions.

5. POLICE SERVICES ACT HEARINGS

Outstanding Police Services Act Hearings currently scheduled as of December 31, 2015, are:

- a. Resulting from a Chief's Complaint commenced in 2010 – 1

6. PUBLIC COMPLAINT REVIEWS

At the completion of an OIPRD investigation, if unsatisfied with the outcome of an investigation, the Complainant has the option of requesting a review.

- a. There is currently 1 outstanding OIPRD review as of December 31, 2015.
- b. As a result of reviews, 2 investigations are being re-investigated by OIPRD.

7. CONTACT SHEETS and SCREENED OUT PUBLIC COMPLAINTS

Contact Sheets and Screened Out Public Complaints			
	2015	2014	2013
Contact Sheets	119	74	42
OIPRD – Screened Out Complaint	52	33	36
Total Contacts and Screened Out Complaints	171	107	78