

## Public Complaints and Chief's Complaints

January 1, 2016 to December 31, 2016

As of January 20, 2017

### 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

<b>Total Complaints</b>			
	<b>2016</b>	<b>2015</b>	<b>2014</b>
Public Complaints <small>(including Policy/Service Complaints, Customer Service Resolutions and Local Resolutions)</small>	44	51	45
Chief's Complaints	8	13	21
Chief's Complaints – Red Light Infractions	14	6	8
<b>Total Complaints</b>	<b>66</b>	<b>70</b>	<b>75</b>

## 3. CHIEF'S COMPLAINTS

<b>Total Chief's Complaints</b>			
	<b>2016</b>	<b>2015</b>	<b>2014</b>
Chief's Complaints	8	13	21
Chief's Complaints – Red Light Infractions	14	6	8
<b>Total Chief's Complaints</b>	<b>22</b>	<b>19</b>	<b>29</b>

<b>Status of Total Chief's Complaints</b>			
	<b>2016</b>	<b>2015</b>	<b>2014</b>
Substantiated	14	10	16
Unsubstantiated	0	1	3
Not Completed	8	8	10
<b>Total Status re Chief's Complaints</b>	<b>22</b>	<b>19</b>	<b>29</b>

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.

<b>Allegation by Type of Misconduct re Chief's Complaints</b>			
	<b>2016</b>	<b>2015</b>	<b>2014</b>
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	2	0	5
Discreditable Conduct	14	7	15
Insubordination	1	3	7
Neglect of Duty	1	2	4
Unlawful or Unnecessary Exercise of Authority	0	0	0
Secondary Activity	0	0	0
Unsatisfactory Work Performance	0	0	0
<b>Total Allegations re Chief's Complaints</b>	<b>18</b>	<b>12</b>	<b>31</b>

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

<b>Disposition of Chief's Complaints</b>			
	<b>2016</b>	<b>2015</b>	<b>2014</b>
Police Services Act Hearing	1	0	1
Informal Resolution	10	10	14
Otherwise Resolved	2	1	4
Performance Tracking	2	0	2
Disposition Without a Hearing	0	0	0
<b>Total Dispositions re Chief's Complaint</b> (Total <u>does not</u> include PSA Hearings)	<b>14</b>	<b>11</b>	<b>20</b>

#### 4. PUBLIC COMPLAINTS

<b>Total Public Complaints</b>			
	<b>2016</b>	<b>2015</b>	<b>2014</b>
Conduct	36	44	36
Policy/Service	3	1	2
Customer Service Resolution	5	5	7
Local Resolution	0	1	0

Note: Included in the public complaints (conduct), 7 investigations were retained by OIPRD for investigation by their investigators.

<b>Status of Public Complaints (Conduct Only)</b>			
	<b>2016</b>	<b>2015</b>	<b>2014</b>
Under Investigation	8	13	7
Substantiated	3	1	0
Unsubstantiated	25	30	39
<b>Total Status re Public Complaints</b>	<b>36</b>	<b>44</b>	<b>46</b>

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.

<b>Allegation by Type of Misconduct re Public Complaints</b>			
	<b>2016</b>	<b>2015</b>	<b>2014</b>
Breach of Confidence	0	0	0
Consuming Alcohol in a Manner Prejudicial to Duty	0	0	0
Corrupt Practice	4	0	0
Damage to Police Equipment	0	0	0
Deceit	0	0	0
Discreditable Conduct	26	36	32
Insubordination	1	4	2
Neglect of Duty	12	6	7
Unlawful or Unnecessary Exercise of Authority	25	24	11
Secondary Activity	0	0	0
Unsatisfactory Work Performance	0	0	0
<b>Total Allegations re Public Complaints</b>	<b>68</b>	<b>70</b>	<b>52</b>

<b>Disposition of Public Complaints</b>			
	<b>2016</b>	<b>2015</b>	<b>2014</b>
Police Services Act Hearing	2	0	0
Informal Resolution Agreement (OIPRD)	3	0	5
Informal Resolution (PSA)	2	0	0
Otherwise Resolved	22	30	24
Performance Tracking	0	0	0
Disposition Without a Hearing	1	1	0
<b>**Total Dispositions re Public Complaints</b> (Total <u>does not</u> include PSA Hearings)	<b>28</b>	<b>31</b>	<b>29</b>

\*\*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, 2016, are:

- a. Resulting from a Chief's Complaint commenced in 2010 – 1
- b. Resulting from Public Complaints commenced in 2015 – 2
- c. Resulting from Chief's Complaints commenced in 2016 – 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. There is currently 5 outstanding OIPRD review as of December 31, 2016.

## **7. CONTACT SHEETS and SCREENED OUT PUBLIC COMPLAINTS**

<b>Contact Sheets and Screened Out Public Complaints</b>			
	<b>2016</b>	<b>2015</b>	<b>2014</b>
Contact Sheets	96	119	72
OIPRD – Screened Out Complaint	52	52	33
<b>Total Contacts and Screened Out Complaints</b>	<b>148</b>	<b>171</b>	<b>78</b>