

Public Complaints and Chief's Complaints

January 1, 2014 to December 31, 2014

1. DEFINITIONS

- a. *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.
- b. *Chief's Complaint* – Chief's complaints cover all other scenarios where potential misconduct comes to the attention of the Chief outside of the 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 these cases, their complaint is reviewed and a Chief's complaint may be initiated.

2. COMPLAINTS

Table A: Total Complaints		
Public Complaints <small>(including Policy/Service Complaints, Customer Service Resolutions and Local Resolutions)</small>	46	61%
Chief's Complaints	21	28%
Chief's Complaints – Red Light Infractions	8	11%
Total Complaints	75	

Table B: Total Complaints by Type		
Policy/Service	2	3%
Customer Service Resolution	7	9%
Local Resolution	1	1%
Conduct <small>(Chief's Complaints, Red Lights, Public Complaints)</small>	65	87%

Table C: Status of Complaints		
	Number of Allegations	
Under Investigation	25	26%
Substantiated	21	22%
Unsubstantiated	50	52%
Total	96	

See Appendix "A" for a comparison of above statistics for 2012, 2013 and 2014.

Table “D” below identifies all misconduct allegations for each 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.

Table D: Allegation by Type of Misconduct		
	Chief’s Complaints	Public Complaints
Breach of Confidence	0	0
Consuming Alcohol in a Manner Prejudicial to Duty	0	0
Corrupt Practice	0	0
Damage to Police Equipment	0	0
Deceit	5	0
Discreditable Conduct	15	32
Insubordination	7	2
Neglect of Duty	4	7
Unlawful or Unnecessary Exercise of Authority	0	11
Secondary Activity	0	0
Unsatisfactory Work Performance	0	0
Total Allegations	31	52

Table “E” identifies the disposition for completed Chief’s and public complaints. As 18 complaints remain under investigation, the statistics reported below reflect the 47 completed investigations.

Of the 18 outstanding complaints, 9 relate to Chief’s complaints, 1 relates to a red light camera infraction and 8 relate to OIPRD matters.

Table E: Disposition of Complaints	
Police Services Act Hearing	1
Informal Resolution (PSA)	15
Informal Resolution (OIPRD)	5
Otherwise Resolved (PSA & OIPRD)	25
Performance Tracking (PSA & OIPRD)	1
Disposition Without a Hearing	0
Total Dispositions **	47

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

Notes on Table “E” – Disposition of Complaints

- a. *Police Services Act Hearing* - Refers to misconduct which the Chief of Police deems to be of a serious nature and a hearing is warranted.
- b. *Informal Resolution* - A form of resolution with respect to Chief’s 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.
- c. *Local Resolution (OIPRD)* – The complainant initiates their concerns directly with the local police 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.
- d. *Otherwise Resolved (PSA and OIPRD)* - Chief’s and Public complaints that are found to be unsubstantiated in which a final report is completed or the complaint itself was withdrawn or abandoned.
- e. *Performance Tracking (PSA and OIPRD)* - A written form of informal resolution for less serious misconduct.
- f. *Disposition Without a Hearing* - Refers to complaints where 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.

3. DISPOSITIONS

a. Chief’s Complaints

Between January 1 and December 31, 2014, of 21 Chief’s complaints initiated (not including red light infractions), 10 remain under investigation. Of the 11 Chief’s complaints that have been concluded:

- 2 were found to be unsubstantiated.
- 8 substantiated allegations of less serious misconduct were resolved by way of an Informal Resolution which included forfeiture of time or a Police Services Act reprimand.
- 1 substantiated allegation resulted in a Performance Track.
- No substantiated allegations resulted in a Disposition without a Hearing.

b. Chief's Complaints - Red Light Camera Infractions

Unless otherwise stated, red light camera infractions are included as part of the statistics captured for Chief's complaints. Between January 1 and December 31, 2014, 8 red light infraction investigations were initiated; 1 red light camera infraction remains outstanding.

Seven (7) infractions were resolved by way of an Informal Resolution pursuant to the Police Services Act.

c. Public Complaints

Between January 1 and December 31, 2014, the Service received 46 Public complaints which included 2 Policy/Service complaints, 7 Customer Service Resolutions and 1 Local Resolution. No local complaints were received. Six (6) public complaints remain under investigation. Of the 30 formal public complaints concluded:

- Five (5) complaints have been resolved by way of an Informal Resolution Agreement (OIPRD), prior to completion of investigation. An informal resolution to a public complaint may include a letter of explanation, apology or an exchange of information.
- Sixteen (16) complaints were unsubstantiated.
- No complaints were substantiated.
- Nine (9) complaints were resolved through a withdrawal by the complainant.
- No complaints were abandoned.
 - These dispositions include 2 Public complaints retained by the OIPRD for investigation by their agency and 1 complaint investigated by our Service involving another police service. One (1) complaint remains under investigation by OIPRD.

4. POLICE SERVICES ACT HEARINGS

Outstanding Police Services Act Hearings currently scheduled as of December 31, 2014, are:

- a. Resulting from a Chief's Complaint commenced in 2010 – 1
- b. Resulting from a Chief's Complaint commenced in 2012 – 1
- c. Resulting from a Public Complaint commenced in 2013 – 1
- d. Resulting from a Chief's Complaint commenced in 2014 – 1

Currently the Service has 4 appeals waiting to be heard by Ontario Civilian Police Commission (OCPC). In addition, 1 appeal has been heard by OCPC which resulted in the decision of the Hearing Officer being upheld (ie. officer dismissed); a further appeal has also been heard and the Service is waiting for the decision of OCPC.

5. CONTACTS TO DECEMBER 31, 2014

Not captured in these statistics is the number of contacts the Police Service has received from members of the public. These may be better described as concerns brought forward by members of the public which often do not escalate to the public complaint level. They may include a letter sent to the Service, an inquiry made over the phone or by email by a member of the public or a face to face meeting with a Professional Standards investigator, Staff Sergeant or Senior Officer of any branch.

Included in these contacts are 33 complaints the OIPRD has screened out and determined to be better dealt with in another manner or by way of a more relevant Act.

Contacts are documented and kept on file as a method for tracking public dissatisfaction matters which are resolved outside of the public complaints forum. In most instances the contact resolves the matter.

Total Contacts as of December 31, 2014 = 107

Appendix “A”

Three Year Comparison 2012- 2014

Table A: Total Complaints			
	2014	2013	2012
Public Complaints <small>(including Policy/Service Complaints, Customer Service Resolutions and Local Resolutions)</small>	46	38	23
Chief’s Complaints	21	20	36
Chief’s Complaints – Red Light Infractions	8	27	N/A
Total Complaints	75	85	59

Table B: Total Complaints by Type			
	2014	2013	2012
Policy/Service	2	2	1
Customer Service Resolution	7	1	N/A
Local Resolution	1	0	0
Conduct <small>(Chief’s Complaints, Red Lights, Public Complaints)</small>	65	82	58

Table C: Status of Complaints			
	Number of Allegations		
	2014	2013	2012
Under Investigation	25	17	13
Substantiated	21	34	23
Unsubstantiated	50	34	23
Total	96	85	59

Notes:

1. Table A: Statics for Red Light Camera infractions were not reported to the Police Services Board in 2012
2. Table B: OIPRD Customer Services Resolutions came into effect in 2013.
3. Table C: In 2014, the number of allegations reflects multiple allegations and possibly involving multiple officers. However in 2013 and 2012, the number of allegations reflects one allegation per file, that being the more serious allegation.