



# **NIAGARA REGIONAL POLICE SERVICE**

## **Police Services Board Report**

### **PUBLIC AGENDA**

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**Subject:** Quarterly Report – Administration of the Public Complaints System  
– April 1 to June 30, 2022 (Q2)

**Report To:** Chair and Members, Niagara Police Services Board

**Report Date:** 2022-08-24

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### **Recommendation(s)**

**That the Niagara Police Services Board receives the report for information.**

### **Key Facts**

- The purpose of this report is to provide the Board with statistics that represent public complaints received for the periods of April 1, 2022, to June 30, 2022, (Q2), compared to Q2 of 2021.
- The public complaints process is administered by the Office of the Independent Police Review Director (OIPRD).
- Public complaints are received and reviewed by the OIPRD, and a determination is made regarding the complaint, including whether it is a Policy / Service Complaint or a Conduct Complaint and whether it is screened in for investigation, or screened out for a variety of reasons as determined by the OIPRD.
- Complaints can be retained for investigation by the OIPRD or referred to a Police Service for investigation.
- Public complaints that have been referred by the OIPRD to the Niagara Regional Police Service are investigated by the Professional Standards Unit.

### **Financial Considerations**

There are no financial implications relating to the recommendations in this report.

### **Analysis**

#### **Policy / Service Complaints – April 1 to June 30, 2022 – Q2**

##### **New Complaints:**

- There was a total of two Policy / Service Complaints received in Q2, 2022, compared to seven in Q2, 2021.

Open Complaints:

- There was one Policy / Service Complaint open for investigation at the conclusion of Q2, 2022, compared to none open for investigation at the conclusion of Q2, 2021.

Concluded Complaints:

- There was one Policy / Service Complaint received in Q2, 2022, deemed by the OIPRD, as Not in the Public Interest.
- Comparatively, there were eight Policy / Service Complaint investigations concluded in Q2, 2021.

Complaint Duration:

- It took an average of 0 days to conclude a Policy / Service Complaint investigation in Q2, 2022, compared to 33 days in Q2, 2021.
- During Policy / Service Complaint investigations, a time extension is requested from the OIPRD when an investigation is anticipated to take significantly longer than 60 days to complete. There were no time extensions requested in Q2, 2022, as well, there were no time extension requests in Q2, 2021.

Requests for Review:

- Requests for Review by complainants regarding the conclusion of Policy / Service Complaint investigations are made to the Police Services Board, as opposed to the OIPRD. There were no Requests for Review filed with respect to a Policy / Service complaint investigation concluded in Q2, 2022. This compares to no Requests for Review in Q2, 2021.

**Conduct Complaints – April 1 to June 30, 2022 – Q2**

New Complaints:

- In Q2, 2022, there was a total of 45 Conduct Complaints received, compared to 31 received in Q2, 2021.

Open Complaints:

- There were 15 Conduct Complaint investigations open at the conclusion of Q2, 2022, compared to seven open for investigation at the conclusion of Q2, 2021.

Concluded Complaints:

- There were 39 Conduct Complaint investigations concluded in Q2, 2022 (including investigations from previous quarters) compared to 30 in Q2, 2021.

Complaint Duration:

- It took an average of 55 days to conclude a Conduct Complaint investigation in Q2, 2022, compared to 45 days in Q2, 2021.
- During Conduct Complaint investigations, a time extension is requested from the OIPRD when an investigation is anticipated to take significantly longer than 120 days

to complete. There was one time extension request in Q2, 2022, compared to one request in Q2, 2021.

#### Complaints Screened Out:

- In Q2, 2022, one Conduct Complaint was classified by the OIPRD as frivolous, vexatious, or made in bad faith and was screened out. This compares to four complaints screened out in this manner in Q2, 2021.
- In Q2, 2022, one Conduct Complaint was classified as being more than six months old and screened out. This compares to zero screened out in this manner in Q2, 2021.
- In Q2, 2022, 24 Conduct Complaints were screened out by the OIPRD for a variety of other reasons, including no misconduct alleged in the complaint, referral to the applicable court to dispute a charge, or an investigation was deemed not to be in the public interest by the OIPRD. This compares to 14 complaints screened out in this manner during Q2, 2021.

#### Resolutions:

- In Q2, 2022, there were five recommendations for an Early Resolution by the OIPRD. In cases involving minor complaints, a Professional Standards Unit investigator attempts to resolve the complaint prior to a formal investigation. If successful, the matter is concluded. If unsuccessful, the matter is returned to the OIPRD for re-screening. The matter may then be concluded by the OIPRD or assigned for investigation. This compares to one Early Resolution in Q2, 2021.

#### Withdrawn Complaints:

- In Q2, 2022, one Conduct Complaint was withdrawn by a complainant. This usually involves a Professional Standards Unit investigator meeting with a complainant at the commencement of a complaint investigation and providing answers to questions and explanations with respect to police procedures, officer safety concerns or charge processes and procedures that subsequently addressed the complainant's concerns. In Q2, 2021, Conduct Complaints were withdrawn on one occasion.

#### Unsubstantiated Complaints:

- In Q2, 2022, nine Conduct Complaint investigations were concluded as Unsubstantiated compared to nine in Q2, 2021. These numbers can include case closures carried over from the previous quarter / year.

#### Requests for Review:

- In Q2, 2022, two complainants requested that the OIPRD conduct a review of the Professional Standards Inspector's decision regarding the conclusion of an investigation via the Request for Review process. This compares to one Request for Review in Q2, 2021.
- In Q2, 2022, the OIPRD concluded two Requests for Review that had been initiated in a previous quarter. One resulting in the OIPRD confirming the decision of the Inspector and one being sent back for further investigation. In Q2, 2021, the OIPRD

concluded two reviews that had been initiated in previous quarters. There are currently three Requests for Review pending with the OIPRD.

Informal Resolution:

- In Q2, 2022, no Conduct Complaints resulted in an Informal Resolution before the completion of an investigation, compared to no complaints in Q2, 2021.

Less Serious Misconduct:

- In Q2, 2022, no Conduct Complaints were concluded as less serious misconduct following an investigation and resolved by way of Informal Resolution or Disposition without a Hearing. This compares to one complaint resolved in this manner in Q2, 2021.

Serious Misconduct:

- In Q2, 2022, there were no Conduct Complaints substantiated as serious misconduct and referred to a *Police Services Act* Part V Disciplinary Hearing. This compares to no Disciplinary Hearing referrals in Q2, 2021.

Part V Disciplinary Hearing:

- In Q2, 2022, no Conduct Complaints were concluded after a *Police Services Act* Part V Disciplinary Hearing. This compares to zero Disciplinary Hearings concluded in this manner in Q2, 2021.

**Alternatives Reviewed**

Not applicable.

**Relationship to Police Service/Board Strategic Priorities**

Not applicable.

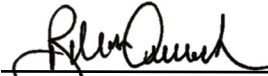
**Relevant Policy Considerations**

This report is submitted to provide the Board with the necessary and required information pursuant to By-law 301-2010 - Administration of the Public Complaints System, and in compliance with Provincial Adequacy Standards Regulations.

**Other Pertinent Reports**

8.6.2022.05.19 – Quarterly Report – Administration of Public Complaints System – January 1 to March 31, 2022

*This report was prepared by Inspector Lynda Hughes, Professional Standards Unit and reviewed by Superintendent David Meade, Executive Services. Recommended by Bill Fordy, Deputy Chief of Police, Support Services.*



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**Submitted by:**

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Chief of Police

**Appendices**

Not applicable.