



NIAGARA REGIONAL POLICE SERVICE

Police Service Board Report

PUBLIC AGENDA

Subject: Quarterly Report – Administration of the Public Complaints System
– January 1 to March 31, 2024

Report To: Chair and Members, Niagara Police Service Board

Report Date: 2024-03-31

Recommendation(s)

That the Niagara Police Service Board (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 January 1, 2024, to March 31, 2024 (Q1), compared to Q1 of 2023.
- 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 (NRPS) are investigated by the Professional Standards Unit.

Financial Considerations

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

Analysis

Policy/Service Complaints – January 1 to March 31, 2024 (Q1)

New Complaints:

- There was a total of 2 policy/service complaints received in Q1, 2024, compared to 3 in Q1, 2023.

Open Complaints:

- There were 2 policy/service complaints open for investigation at the conclusion of Q1, 2024, compared to 1 open for investigation at the conclusion of Q1, 2023.

Concluded Complaints:

- There were 2 policy/service complaint investigations concluded in Q1, 2024. These complaints were concluded as “No Further Action”. There were 5 policy/service complaint investigations concluded in Q1, 2023.

Complaint Duration:

- It took an average of 52.5 days to conclude a policy/service complaint investigation in Q1, 2024, compared to 52 days in Q1, 2023.
- 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 Q1, 2024. Comparatively, there was 1 time extension requests in Q1, 2023.

Requests for Review:

- Requests for Review by complainants regarding the conclusion of policy/service complaint investigations are made to the Board, as opposed to the OIPRD. There were no Requests for Review filed with respect to a policy/service complaint investigation concluded in Q1, 2024. This compares one Request for Review in Q1, 2023.

Conduct Complaints – January 1 to March 31, 2024 (Q1)

New Complaints:

- In Q1, 2024, there were a total of 49 conduct complaints received, compared to 50 received in Q1, 2023.

Open Complaints:

- There were 21 conduct complaint investigations open at the conclusion of Q1, 2024, compared to 22 open for investigation at the conclusion of Q1, 2023.

Concluded Complaints:

- There were 37 conduct complaint investigations concluded in Q1, 2024, compared to 44 in Q1, 2023. These numbers can include case closures carried over from the previous quarter/year.

Complaint Duration:

- It took an average of 125 days to conclude a conduct complaint investigation in Q1, 2024, compared to 91 days in Q1, 2023.
- 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 were no time-extension requests in Q1, 2024, compared to 2 extension requests in Q1, 2023.

Complaints Screened Out:

- In Q1, 2024, 1 conduct complaint was classified by the OIPRD as frivolous, vexatious, or made in bad faith and was screened out. This compares to 2 complaints screened out in this manner in Q1, 2023. These numbers can include case closures carried over from the previous quarter/year.
- In Q1, 2024, 0 conduct complaints were classified as being more than 6 months old and screened out. This compares to 0 screened out in this manner in Q1, 2023. These numbers can include case closures carried over from the previous quarter/year.
- In Q1, 2024, 18 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 17 complaints screened out in this manner during Q1, 2023. These numbers can include case closures carried over from the previous quarter/year.

Resolutions:

- In Q1, 2024, there were 2 recommendations for an Early Resolution by the OIPRD. In Q1, 2024, no complaints were closed as ER Successful (from a previous quarter). 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 two Early Resolutions recommended in Q1, 2023.

Withdrawn Complaints:

- In Q1, 2024, 2 conduct complaints were 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 Q1, 2023, conduct complaints were withdrawn on 6 occasions. These numbers can include case closures carried over from the previous quarter/year.

Unsubstantiated Complaints:

- In Q1, 2024, 10 conduct complaint investigations were concluded as unsubstantiated compared to 13 in Q1, 2024. These numbers can include case closures carried over from the previous quarter/year.

Substantiated Complaints:

- In Q1, 2024, no conduct complaint investigations were concluded as substantiated and are awaiting penalty. These numbers can include case closures carried over from the previous quarter/year. In Q1, 2023, 5 conduct complaints were concluded as substantiated.

Request for Review:

- In Q1, 2024, 3 complainants requested 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 6 requests for review in Q1, 2023.
- In Q1, 2024, the OIPRD concluded 1 request for review, resulting in the OIPRD confirming the decision of the Inspector. In Q1, 2023, the OIPRD concluded 2 reviews that had been initiated in previous quarters. These numbers can include case closures carried over from the previous quarter/year.
- There are currently 4 Request for Reviews pending with the OIPRD.

Informal Resolution:

- In Q1, 2024, no conduct complaints resulted in an Informal Resolution before the completion of an investigation, compared to 0 complaints in Q1, 2023. These numbers can include case closures carried over from the previous quarter/year.

Less Serious Misconduct:

- In Q1, 2024, no conduct complaints were concluded as less serious misconduct following an investigation and resolved by way of an informal resolution or disposition without a hearing. This compares to 0 complaint resolved in this manner in Q1, 2023. These numbers can include case closures carried over from the previous quarter/year.

Serious Misconduct:

- In Q1, 2024, there were no conduct complaints substantiated as serious misconduct and referred to as a Police Services Act, Part V: Complaints and Disciplinary Hearing. This compares to no disciplinary hearing referrals in Q1, 2023.

Part V: Complaints and Disciplinary Hearing:

- In Q1, 2024, no conduct complaints were concluded after a Police Services Act, Part V: Complaints and Disciplinary Hearing. This compares to no disciplinary hearings concluded in this manner in Q1, 2023.

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

8.3.2023.04.27 - Quarterly Report – Administration of Public Complaints System – October 1 – December 31, 2023.

This report was prepared and reviewed by Lynda Hughes, Acting Superintendent, Executive Services. Recommended by Luigi Greco, Deputy Chief, Support Services.



Submitted by:

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Chief of Police

Appendices

None.