



# NIAGARA REGIONAL POLICE SERVICE

## Police Service Board Report

### CONFIDENTIAL AGENDA

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**Subject:** Special Investigations Unit – Case Number 24-OCI-466 – Incident of October 31, 2024

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

**Report Date:** 2025-04-16

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### Confidential Report

Confidential Report with respect to the legal matter of an identifiable individual – *Community Safety and Policing Act, s. 44(2)(b)* “personal matters about an identifiable individual, including members of the police service or any other employees of the board” and *Community Safety and Policing Act 2019, s.44(2)(e)* “litigation or potential litigation affecting the Board, including matters before administrative tribunals.”

### Recommendation(s)

1. That the Niagara Police Service Board (Board) receive this report for information.
2. That the Board makes the report available to the public.

### Key Facts

- The purpose of this report is to advise the Board of the findings and any action taken or recommended by the Chief of Police following a notification and investigation of an incident by the Special Investigations Unit (SIU). Section 81 of the Community Safety and Policing Act, 2019 (CSPA) requires that the Chief of Police initiate an investigation following a notification to the SIU.
- The purpose of the Chief's investigation is to review the member's conduct in relation to the incident, the policing provided by the member in relation to the incident, and the procedures established by the Chief of Police as they related to the incident.
- On November 1, 2024, a notification was made to the SIU regarding a male who had suffered a serious laceration as a result of a bite from a Niagara Regional Police Service (NRPS) police service dog (PSD), resulting in the incident meeting the investigative mandate of the SIU.
- On February 24, 2025, the SIU notified the Service that their investigation had concluded and advised that there were no grounds for criminal charges against the Subject Official.

- The subsequent section 81 investigation by the Professional Standards Unit (PSU) determined there were no issues with respect to officer conduct, policies or services provided by the NRPS.

## **Financial Considerations**

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

## **Analysis**

On October 31, 2024, uniform officers with the NRPS attended a campground in Jordan in response to a suicidal male. The male had ingested a quantity of drugs and was holding a knife to his throat. Officers set up a perimeter and attempted to establish communication with the male. The male entered a motor vehicle and proceeded to the exit of the park where officers were positioned. The male stopped his vehicle and charged toward the officers. A struggle ensued, during which a PSD bit the male's right leg and an arm. He was apprehended under the Mental Health Act and transported to the hospital. It was determined that the wounds required 20 staples and 6 stitches.

The SIU was notified and invoked their mandate.

The SIU designated three members as Witness Officials.

The SIU designated one member as a Subject Official.

On February 24, 2024, the SIU closed its investigation into this matter. In his decision letter, SIU Director, Mr. Joseph Martino wrote, " The file has been closed and no further action is contemplated. In my view, there were no reasonable grounds in the evidence to proceed with criminal charges against the subject official."

A copy of the SIU report was publicly posted on the SIU's website.

In accordance with section 81, the Service's PSU conducted an investigation and review of this incident, which considered the following 3 areas:

1. The member's conduct in relation to the incident;
2. The policing provided by the member in relation to the incident; and
3. The procedures established by the chief of police as they related to the incident.

The section 81 investigation encompassed a compliance review of applicable provincial legislation, which governs members of the Service, as well as General Orders, policies and procedures, and the conduct of the involved officers.

Where available, investigations include a review of communication recordings, Service occurrence reports, forensic evidence and reports, officer interviews conducted by the SIU, and all duty book notes. SIU documentation including the Director's decision letter and report, statements of civilian witnesses gathered and released by the SIU at the conclusion of their investigation upon the consent of the civilian witnesses, and any other information and evidence available on a case-by-case basis.

1. Conduct of NRPS Officers

There were no officer conduct issues identified during the SIU investigation or the PSU investigation and review of this incident regarding compliance with General Orders or legislation.

2. Services Provided by the NRPS

There were no issues identified relating to the services provided by NRPS during this incident.

3. The Procedures of the NRPS

PSU investigators determined that the following General Orders had primary relevance in this matter, and they have been reviewed accordingly in the context of this incident.

- 1) General Order 079.10 – Special Investigations Unit
- 2) General Order 168.06 – Officer Note Taking
- 3) General Order 077.13 – Canine Unit
- 4) General Order 167.08 – Mentally Ill Persons

Upon review, it was determined that the direction and guidance provided by the relevant General Orders was sufficient in its governance for members of the Service and no issues were identified.

The PSU investigation and review of this incident was undertaken in compliance with section 81 of the CSPA. The relevant procedures of the Service, the services provided, and the conduct of the involved Service members was the focus of this review and investigation.

In conclusion, there were no issues identified as it pertains to services provided, the conduct of the involved Service members, or the existing General Orders governing these situations.

## **Alternatives Reviewed**

- 1) To not receive the report.
- 2) To not make the report available to the public.

The CSPA provides that meetings of the Board shall be open to the public subject to exceptions that are set out in subsection 44. The applicable exception to be considered in this case is the subject matter being considered includes, “personal matters about an identifiable individual, including members of the police service or any other employees of the board.”

In considering whether or not to make this report available to the public, it is respectfully submitted that the Board consider the following factors:

- 1) There are no public security matters revealed in this report.
- 2) This report does not reveal any intimate financial or personal matters.

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

Not applicable.

### **Relevant Policy Considerations**

Not applicable.

### **Other Pertinent Reports**

C8.11 - 2025.04.24 – Request for Legal Indemnification – SIU Case 24-OCI-466  
Incident of October 31, 2024.

*This report was prepared by Lynda Hughes, Inspector, Professional Standards.  
Reviewed by Paul Kosciński, Superintendent, Executive Services. Recommended by  
Luigi Greco, Deputy Chief, Support Services.*



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#### **Submitted by:**

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Chief of Police

### **Appendices**

Not applicable.