

# Report on the Inspection of the Ottawa Police Service

## August 2013

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Ministry of Community  
Safety and Correctional  
Services

# ACKNOWLEDGEMENTS

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The Ministry would like to thank members of the Police Services Board, the Police Service and the Association(s) for their assistance and cooperation during this inspection process.

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# OVERVIEW OF INSPECTIONS

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## Legislative Responsibilities

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### Ministry of Community Safety and Correctional Services

The *Police Services Act* (PSA) sets out the statutory responsibilities of the Minister of Community Safety and Correctional Services under section 3. Included are requirements that the Minister shall:

- monitor police forces to ensure that adequate and effective police services are provided at the municipal and provincial levels;
- monitor boards and police forces to ensure that they comply with prescribed standards of service;
- develop and promote programs to enhance professional police practices, standards and training;
- conduct a system of inspection and review of police forces across Ontario;
- assist in the coordination of police services;
- provide to boards, community policing advisory committees and municipal chiefs of police information and advice respecting the management and operation of police forces, techniques in handling special problems and other information calculated to assist;
- issue directives and guidelines respecting policy matters; and,
- develop and promote programs for community-oriented police services.

### Police Services Board

The Police Services Board is responsible for the provision of adequate and effective police services in the municipality, including the determination of the objectives and priorities respecting police services, after consultation with the Chief of Police. The Board fulfills one of its governance responsibilities by establishing policies for the effective management of the police service.

### Chief of Police

The Chief of Police is responsible for the administration and operation of the police service and overseeing its operation in accordance with the objectives, priorities and policies established by the Board. This includes:

- developing procedures to address specific policies established by the Board along with additional procedures to address operational needs;
- ensuring that members of the police force carry out their duties in accordance with the PSA and the regulations and in a manner that reflects the community; and,
- maintaining discipline in the police force.

## Inspection Program

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The Ministry conducts inspections and monitors compliance with legislative and regulatory requirements. Inspections are based on relevant legislation, regulations and guidelines contained within the Ministry's Policing Standards Manual.

All guidelines have been developed under the mandate of a committee made up of representatives from the Association of Municipalities of Ontario, Ontario Association of Chiefs of Police, Ontario Association of Police Services Boards, Police Association of Ontario, Ontario Senior Officers' Police Association, Ontario Provincial Police, Ontario Provincial Police Association, Toronto Police Services Board, Toronto Police Service, Toronto Police Association and the Ministry.

The guidelines contained in the Policing Standards Manual are one of the mechanisms used by the Ministry to meet the statutory requirements set out in section 3 of the PSA. The guidelines are also one of the primary tools to assist boards, chiefs, local police associations and municipalities with their understanding and implementation of the PSA and its regulations.

In particular, the guidelines:

- set out the Ministry's position in relation to policy matters;
- provide information and advice respecting the management and operation of police forces;
- provide recommendations for local policies, procedures and programs;
- promote coordination in the delivery of police services;
- promote the delivery of community-oriented police services; and,
- promote professional police practices, standards and training.

Ministry guidelines are advisory in nature. Boards and chiefs may also consider comparable equivalents when addressing compliance with the PSA and its regulations. No recommendations will be made if the Ministry is satisfied that the equivalent procedure meets the requirements as set out in the guidelines.

## Inspection Process

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The 2012-2017 inspection cycle identifies four areas of critical provincial interest which support police service in maintaining service excellence and promoting relationships with the Ministry's policing partners.

Inspections determine the extent to which the Board and Chief of Police have incorporated the Ministry's guidelines into their policies and procedures. Actual practices are examined to determine conformity with the Board's policies and the procedures established by the Chief of Police.

The Inspection Team reviews relevant policies and procedures before meeting with the Board, the Chief of Police and the Association(s) to provide an overview of the process.

Once on-site, police service records and operational practices are reviewed and staff interviewed. Findings are based upon compliance with legislation and regulations, consistency with Ministry guidelines and the effectiveness of organizational processes. Regular updates are provided to the Chief of Police and senior command staff. At the conclusion of the on-site phase, a verbal debriefing of the preliminary findings is provided to the Board and the Chief of Police.

Recommendations, based on the findings of the inspection, are set out in a final report, which is then provided to the Board, Chief of Police, Police Association(s) and to the Ontario Civilian Police Commission.

The Ministry considers the Inspection Report to be a confidential document and limits distribution as noted above. However, disclosure of this report is subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

### **Response to Inspection Recommendations**

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The Board and the Chief of Police are requested to provide the Ministry with a coordinated response within 90 days of receipt of the Inspection Report. The response to the recommendations may be captured in the Service Improvement Plan (SIP) template provided by the Ministry.

The Inspection Team Lead and/or your Police Services Advisor are available to meet with the Board and the Chief of Police to discuss the findings and recommendations, and to assist with the development of the SIP.

# AREAS OF INSPECTION

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## Ottawa Police Service

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The inspection of the Ottawa Police Service commenced on August 12, 2013. Police Services Advisors Thompson, Preston and Haggith were assigned to conduct this inspection. The primary Service contact to assist with this inspection was Mr. Randy Mar.

The 2012-2017 inspection cycle includes the following areas:

- Bail and Violent Crime;
- Police Response to High Risk Individuals;
- Preliminary Perimeter Control and Containment; and
- Missing Persons.

The accuracy of the information in the draft Inspection Report is subject to a factual review by the Service prior to the dissemination of the final report. In the event the Service has acted upon any of the recommendations prior to the release of the final report, the recommendations will be reflected in the final report and outlined in the SIP for final verification by the Ministry.

## Police Service Profile

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Police Services Board:	Councillor Eli El-Chantiry, Chair
Chief of Police:	Chief Charles Bordeleau
Police Officers:	1,339
Civilian (including Special Constables):	580
Total Staff:	1,919

## Region Profile

Population:	935,070
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## Bail and Violent Crime

### Police Services Board - Policy

Sections 29 and 13(1)(k) of the Adequacy and Effectiveness of Police Services Regulation require a police services board to have a policy on bail and violent crime. Ministry Guideline LE-023 includes a recommended sample board policy.

#### **Findings**

The Ottawa Police Services Board has a policy on Bail and Violent Crime, Policy # LE-023 (Approved July 25, 2005, Reviewed September 2007 and October 2010), which is consistent with the Ministry's sample board policy.

#### **Recommendations**

##### **Legislative and/or Regulatory:**

No Recommendation.

##### **Advisory/Good Practice:**

No Recommendation.

### Chief of Police - Procedures

Section 13(1)(k) of the Adequacy and Effectiveness of Police Services Regulation requires a chief of police to establish procedures and processes with respect to bail and violent crime. Ministry Guideline LE-023 sets out relevant recommendations.

#### **Findings**

The Chief of Police has established procedures on bail and violent crime, Policy No: 6.08: section: arrest/courts/custody (Approved July 25, 2013, amendment approved July 25, 2013), as required by the Regulation.

The Chief's procedures were reviewed and found to be consistent with Ministry guideline LE-023.

#### **Recommendations**

##### **Legislative and/or Regulatory:**

No Recommendation.

##### **Advisory/Good Practice:**

No Recommendation.



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## Police Response to High Risk Individuals

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### Police Services Board - Policy

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The Ministry's guideline on the Police Response to High Risk Individuals (LE-047) provides assistance to police services in managing the risk to public safety by individuals who pose a high risk of harm to other persons or property. A partnership approach with the Crown, federal and provincial Corrections, health care providers, municipal officials and victim services is recommended. Areas addressed include bail opposition, dangerous and long-term offender applications, judicial restraint orders, victim assistance, and information disclosure for the purposes of community notification and safety planning. Guideline LE-047 includes a recommended sample board policy.

#### Findings

The Ottawa Police Services Board has a policy on the Police Response to High Risk Individuals, Policy LE-047, (Approved July 25, 2005, Reviewed September 2007 and October 2010), which is consistent with the Ministry's sample board policy.

#### Recommendations

##### **Legislative and/or Regulatory:**

No Recommendation.

##### **Advisory/Good Practice:**

No Recommendation.

### Chief of Police - Procedures

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Ministry Guideline LE-047 includes recommendations on procedures addressing the management of high risk individuals, including disclosures of personal information pursuant to section 41(1.1) of the *Police Services Act*.

#### Findings

The Chief of Police has established procedures on the Police Response to High Risk Individuals, policy section: criminal Investigations Policy No: 5.42. (Approved June 27, 2013).

The Chief's procedures were reviewed and found to be consistent with Ministry guideline LE-047.

#### Recommendations

##### **Legislative and/or Regulatory:**

No Recommendation.

**Advisory/Good Practice:**

No Recommendation.

## **Preliminary Perimeter Control and Containment**

### **Police Services Board - Policy**

Sections 29 and 22 of the Adequacy and Effectiveness of Police Services Regulation require a police services board to establish a policy with respect to the provision of preliminary perimeter control and containment functions prior to the deployment of a tactical unit. The board policy must address general procedures on preliminary perimeter control and containment, the option to establish a containment team and the requirement for containment team procedures if established. In addition, policy must prohibit police officers who are not members of a tactical unit from employing offensive tactics unless the conditions of section 22(3) are met.

If a board decides that the police service will include a containment team, section 29 further requires the board to have a policy addressing:

- the section 24(2) requirement for the chief of police to ensure that every team member is a police officer and has successfully completed Ministry accredited training or has equivalent Ministry approved qualifications and skills;
- the section 25(2) requirement for the chief of police to establish procedures for the team that, at minimum, set out the circumstances in which the team will be deployed, and;
- the section 25(3) requirement for the chief of police to ensure that team procedures are contained in a manual that is available to each team member.

Ministry Guideline ER-001 includes a recommended sample board policy.

### **Findings**

The Ottawa Police Services Board has a policy on preliminary perimeter control and containment, Board Policy # ER-001 (effective – July 25, 2005), which is consistent with the Ministry's sample board policy.

### **Recommendations**

#### **Legislative and/or Regulatory:**

No Recommendation.

#### **Advisory/Good Practice:**

No Recommendation.

### **Chief of Police - Procedures**

Section 22(1) of the Adequacy and Effectiveness of Police Services Regulation requires a chief of police to establish procedures on preliminary perimeter control and containment functions performed prior to the deployment of a tactical unit.

If the police service includes a containment team using police officers, the Regulation requires the chief of police to:

- develop procedures for the team pursuant to section 22(2);
- establish procedures that set out the circumstances in which the team will be deployed pursuant to section 25(2)(a);
- include procedures for the team in a manual available to each team member pursuant to section 25(3);
- ensure that every team member is a police officer and has successfully completed Ministry accredited training or has equivalent Ministry approved qualifications and skills.

Section 22(3) of the Regulation prohibits police officers who are not members of a tactical unit from employing offensive tactics unless the police officers believe, on reasonable grounds, that to do so is necessary to protect against the loss of life or serious bodily harm.

Ministry Guideline ER-001 sets out relevant recommendations.

### **Findings**

The Chief of Police has established a procedure on Preliminary Perimeter Control and Containment, (Emergency/Support Units – Policy # 9.16 (approved – July 18, 2013), as required by the Regulation.

The Chief of Police also has related procedures:

- Tactical – Policy # 9.11 (approved – July, 2002; amended July 18, 2013)
- Major Incidents – Policy # 7.10 (approved – July, 2002; amended June 5, 2006)
- Hostage & Barricaded Persons – Policy # 7.08 (approved -July, 2002; amended August 08, 2012)
- Immediate Action Rapid Deployment – Policy # 7.14 (approved – June 5, 2006; amended February 5, 2007)
- Tactical Unit Manual – (approved – July 15, 2013)

The Chief's procedures were reviewed and found to be consistent with Ministry guideline ER-001

### **Recommendations**

#### **Legislative and/or Regulatory:**

No Recommendation.

#### **Advisory/Good Practice:**

No Recommendation.

## Police Service - Practices

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### Findings

In the City of Ottawa, police preliminary perimeter control and containment is initially provided by uniform patrol officers. On duty members of the Ottawa Police Service Tactical Unit (TU) will attend and assume control of the inner perimeter as soon as possible. Tactical officers are in control until the arrival of the Tactical Staff Sergeant, Sergeant or designate. Depending on the situation, the occurrence may require additional police resources, resulting in the duty Inspector attending the scene and assuming the role as the incident commander.

The primary responsibility of the TU is to assume control of the inner perimeter and ensure the crisis point is contained thereby reducing danger to the public, police and suspect(s). Ottawa Police Service procedure directs that patrol officers deployed in a containment function with members of the TU, shall not employ offensive tactics unless necessary to protect against the loss of life, or to prevent serious bodily harm.

The Inspection Team determined that in the year 2011 the TU responded to 128 calls for service, 121 of which involved some form of containment function. In the year 2012, the unit responded to 96 calls for service, 93 of which involved some form of containment function. These incidents were all resolved successfully. A review of randomly selected incident reports and interviews with staff confirmed that all containment events were debriefed upon completion and the process documented.

The Adequacy and Effectiveness of Police Services Regulation requires the chief of police to ensure that every TU member has successfully completed Ministry-accredited training or has equivalent Ministry-approved qualifications and skills. The Inspection Team confirmed that the Ottawa Police Service Basic Tactical Officer Course (BTOC) is accredited by the Ministry (effective February 26, 2013 to February 26, 2015). The course includes preliminary perimeter control and containment training.

The Ottawa Police Service was able to demonstrate that 31 of the current 34 TU officers had received accredited training. The remaining three officers were subsequently certified by the Chief of Police during the inspection process as having the equivalent knowledge, skills and abilities.

Ministry guideline ER-001, section 3 recommends that where a police service has established its own containment team or has its officers participate in a joint containment team, the chief of police should ensure that the police service's skills development and learning plan includes the following:

- at least two days of maintenance training occurring on average every six months;
- annual participation, wherever possible, in a joint training exercise involving crisis negotiators, major incident commanders, public order units, tactical units, other police personnel and outside emergency services deemed appropriate or subject of service delivery agreements; and
- annual re-qualification to a task-specific fitness standard.

The Inspection Team review of TU training records confirmed on-going maintenance of preliminary perimeter control and containment training during the regular tactical training. The Ottawa Police Service conducts 52 ten-hour training sessions yearly and each TU member must attend a minimum of 30 sessions. Two one-week cross training exercises are conducted each year, one in the spring and one in the fall. The 2011 and 2012 training records were reviewed and confirmed that training requirements and training attendance of individual officers was monitored by the Training Sergeant to

ensure officer attendance and participation. The TU skills development and learning plan was examined and found to address skills maintenance as recommended by the Ministry's guideline.

Ministry guideline ER-001, section 2, and Ottawa Police Services Board Policy both require the Chief of Police to develop and maintain a manual on containment team services and make it available to members of the team. The TU does have a manual which addresses the team mandate and function, general procedures for containment, reporting relationships, communications, operational linkages between the team and other emergency people, and various procedures specific to the members of that tactical team. The manual was available in hard copy and in electronic format on the Ottawa Police Service intranet to members of the TU.

Ministry guideline ER-001, section 4, sets out the required equipment and facilities for a containment team. The Inspection Team determined that all requirements under section 4 of the guideline had been met and all the equipment appeared to be in good working order.

### **Recommendations**

#### **Legislative and/or Regulatory:**

No Recommendation.

#### **Advisory/Good Practice:**

1. The Chief of Police develop a training record management system to assist the Ottawa Police Service in demonstrating Ministry accredited training has been successfully completed. Ref: Good Practice.

## Missing Persons

### Police Services Board - Policy

Sections 29 and 12(1)(l) of the Adequacy and Effectiveness of Police Services Regulation requires a police services board to have a policy on investigations into missing persons. Ministry Guideline LE-026 includes a recommended sample board policy.

#### Findings

The Ottawa Police Services Board has a policy on investigations into missing persons, Policy LE-026, (approved July 25, 2005, amended April 26, 2010), which is consistent with the Ministry's sample board policy.

#### Recommendations

##### **Legislative and/or Regulatory:**

No Recommendation.

##### **Advisory/Good Practice:**

No Recommendation.

### Chief of Police - Procedures

Section 12(1)(l) of the Adequacy and Effectiveness of Police Services Regulation requires a chief of police to develop and maintain procedures and processes for undertaking and managing investigations into missing persons. Ministry Guideline LE-026 sets out relevant recommendations.

#### Findings

The Chief of Police has established procedures on investigations into missing persons, Missing Persons - Policy Section: Criminal Investigation: Policy No.5.23. (Approved: July 2002, amendment approved July 2010, amendment approved May 2013 and amendment approved July 11, 2013), as required by the Regulation.

The Chief also has related procedures:

- Ground Searches (Policy No: 7.07);
- Parental and Non-Parental Abductions (Policy No. 5.01);
- and • Criminal Investigation and Management Procedures (Policy No: 5.09).

The Chief's procedures were reviewed and found to be consistent with Ministry guideline LE-026 with one exception. Ministry guideline LE-026 s.1 (d) recommends that the Chief's procedure should require that interviews with the reporting individual(s) and associates of a missing person be conducted as soon as practicable. The police service's policy on missing persons, procedure B.1, does not provide that direction.

## **Recommendations**

### **Legislative and/or Regulatory:**

No Recommendation.

### **Advisory/Good Practice:**

2. The Chief of Police revise Policy No: 5.23 to include direction to ensure that interviews with the reporting individual(s) and associates of a missing person be conducted as soon as practicable.

## **Police Service - Practices**

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### **Findings**

Reports of missing persons come to the attention of the members of the Ottawa Police Service via a phone call to the Ottawa Police Call Centre, by walk-in reporting at a police facility or by an approach to an officer on the street.

Call Centre staff handle the phone-in reports in accordance with a Call Centre Sectional Procedure on Missing Persons Assessment Tool that may indicate an immediate police response is required or may permit the Call Center civilian staff to take the report.

When an officer receives a missing person complaint at the scene, the missing persons procedure provides comprehensive direction. The required completion of a Search Urgency Analysis Form guides the response progression; from basic report taking through to a full-scale ground search conducted by members of the specially trained and equipped Emergency Services Unit (ESU).

With the exception of the Missing Persons Unit (MPU) Sergeant, the duties attached to the various positions included in the missing person response progression (i.e., Communications Center, Responding Officer, Patrol Supervisor, Duty Inspector, and ESU Search Manager) are clearly articulated. The direction for the MPU Sergeant position contains elements that the Sergeant is responsible to perform; however, these elements may more appropriately be defined as items the Sergeant is responsible to ensure are completed.

The Ottawa Police Service delivery model includes a Missing Person Investigative Unit (MPU). The MPU has the overall responsibility for the investigation of reports of all missing persons (which averaged 42 per week between January 1, 2012 and August 11, 2013). The unit is usually staffed by



one supervisor and two investigators but was supplemented early in 2013, and at the time of the inspection, by additional personnel.

The Inspection Team was advised that the supervisory position in the MPU belongs to a Sergeant who is currently assigned elsewhere in the organization and is unlikely to return. The present position-tenure policy only allows an acting sergeant to fill the position. If that acting sergeant is promoted, he or she must leave the unit to follow the assignment path designated for new sergeants. Observations by the Inspection Team and interviews with staff indicate that greater consistency in the supervisory role may have a beneficial effect on unit performance, aid in the retention of assignment-specific knowledge and skills, and place the supervisor in a better position to mentor and supervise investigators assigned to the unit.

The inspection included interviews with police service members. The interviews, along with observations made by the Inspection Team, revealed an awareness of the Service's procedures relating to the investigation of missing persons and confirmed that the most recent version of the procedure was readily accessible to officers on their vehicle mobile data terminals, as well as throughout the police facilities on the computer work stations.

Although the MPU has mandated responsibility for the investigation of all missing persons, its small size requires the support of Divisional District Investigative Sections when MPU members are off-duty or unavailable. The Inspection Team was advised that there is cooperation between Uniform Patrol, the MPU, District Investigators, and the ESU. The Inspection Team visited the ESU facilities, observed the vehicles and equipment and reviewed the training records. The human resources, training and equipment necessary to accomplish extensive and effective ground and swift water searches was in place and supplementary trained volunteer resources were available to be utilized if necessary.

The Ottawa Police Service records management system indicated that between January 01, 2012 and August 11, 2013 a total of 3,538 incidents related to missing persons were reported. The files of a statistically relevant sample of the total incidents were examined for compliance with the Chief's procedure.

The Chief's procedure dictates that, in each instance when a missing person report is taken by an officer at the scene, the officer complete a Search Urgency Assessment Form (SUAF). Officers are instructed on the form to forward it to the Records Section. Forms arriving at the Records Section are then scanned and attached to the electronic report file. The Inspection Team determined that inclusion of a SUAF with the electronic file was rare. Only 7% of the files selected for review had SUAF's attached. Another 4% included notations that the SUAF had been completed but no form was included with those files. Similar issues appeared to be attached to the Lost Person Questionnaire (which is required when an immediate search is to be undertaken); however, these numbers were not tracked.

The Inspection Team found that, with the exception of the failure to include SUAF's in missing person files, the incidents reviewed had been handled in accordance with the Chief's procedures and in a manner generally consistent with accepted police practices.

In addition to this review, all 26 older and unresolved missing person files (the oldest dated 1981) were examined. A number of those investigations had been originally handled by component area police services that had been amalgamated into the Ottawa Police Service (Nepean Police, Vanier Police, Gloucester Police and the Ontario Provincial Police). It was apparent that recent administrative and investigative remedial action had brought some of those cases much closer to compliance with

the current police service procedure than they had previously been. Interviews with staff indicated that those efforts had been made possible with the temporary assignment of additional personnel to the unit.

**Recommendations**

**Legislative and/or Regulatory:**

No Recommendation.

**Advisory/Good Practice:**

3. The Chief of Police review the operation of the Missing Persons Unit to ensure adequate and effective staff are in place to meet organizational requirements.