



Resolution 2015-04

Timelines to Conclude Special Investigations Unit Investigations Approved at the 64th Annual General Meeting, June 17th, 2015

Preamble:

Police services across the Province are experiencing unprecedented delays in the completion of Special Investigations Unit (SIU) investigations. On average, it takes approximately nine months for the SIU to complete an investigation and for the SIU Director to issue his closing report. Based on an informal survey of police services, the SIU investigation backlog across the province may be as high as 110 to 120 cases.

Chiefs of Police and the OPP Commissioner are unable to conclude their investigations, under section 11 of O. Reg. 267/10, until the Director reports the findings of the SIU investigations to the Attorney General. These undue delays are compromising the Chiefs' and the Commissioner's ability to properly manage risks and determine if any measures need to be taken in these various matters with respect to equipment, training or discipline.

Any allegations of misconduct arising out of these SIU related incidents will require a delay application to the Police Services Board or the Commissioner before a Notice of Hearing may be served since the six month period prescribed in Section 83(17) of the Police Services Act will have long since expired.

These extended SIU investigations are creating undue stress for citizens and police officers alike. Citizens involved in these incidents as well as the public at large are left to wonder if and when the SIU will provide them with answers. Meanwhile, the specter of a criminal investigation hangs over the heads of the subject officers, their colleagues and their families for an inordinate length of time. Ultimately, police and public confidence in the system itself is eroding as rumour and innuendo fills the informational void.

WHEREAS the SIU is responsible for the conduct of investigations into the circumstances of serious injuries and deaths that may have resulted from criminal offences committed by police officers in Ontario, and

WHEREAS the mandate of the SIU is to maintain confidence in Ontario's police services by assuring the public that police actions resulting in serious injury, death, or allegations of sexual assault are subjected to rigorous, independent investigations, and

WHEREAS it is in the public interest, in the interests of justice, and in the interest of involved police officers for the SIU to complete its investigations in a thorough and timely fashion, and

WHEREAS unduly prolonged SIU investigations may erode the public's confidence in policing and in civilian police oversight and may have a negative impact on the wellbeing of police officers who are the subjects of these SIU investigations, and

WHEREAS police services across Ontario are experiencing unprecedented delays in the completion of SIU investigations such that there is a considerable backlog of cases where police services are awaiting a decision from the SIU Director, and

WHEREAS, in the absence of timely decisions from the Director of the SIU and the closing of the SIU's investigations, police services are unable to complete critical after action reviews of major incidents and Chiefs of Police/OPP Commissioner are unable to perform their statutory duties to cause their own investigations to be conducted forthwith into these incidents with respect to which the SIU has been notified to review the policies of or services provided by the police force and the conduct of its police officers, and

WHEREAS it is incumbent upon the Ministry of the Attorney General to ensure that the SIU has the resources necessary to effectively and efficiently carry out its mandate.

THEREFORE BE IT RESOLVED that the Ontario Association of Chiefs of Police calls upon the Attorney General of Ontario to take such measures as may be necessary to improve the timeliness of SIU investigations including, but not necessarily limited to providing such additional and other resources to the SIU as may be necessary to effectively and efficiently carry out its mandate.

Submitted May 28th, 2015 by Chief Eric Jolliffe, York Regional Police