
Special Investigations Unit

Annual Report

2020-2021



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A MESSAGE FROM THE SIU DIRECTOR

It is my privilege to present the Annual Report of the Special Investigations Unit for 2020-2021.

The SIU is Ontario's oversight agency tasked with conducting investigations of the circumstances around serious injuries, allegations of sexual assault, firearm discharges, and deaths in cases involving the police.

Staffed with civilian investigators and completely separate from the province's police services, the SIU conducts independent investigations to determine whether there are grounds to charge a police officer in relation to the incident under review. Where such grounds exist, the SIU Director is compelled to charge the officer. Conversely, where the grounds do not exist, the SIU Director cannot lay charges, and instead issues a public report – the Director's Report - summarizing the investigation and their reasons for decision. The purpose giving rise to the SIU is clear – police accountability and public confidence in its policing services.

From the coming into force of new legislation governing the work of the SIU - to the heightened scrutiny of policing and policing oversight sparked by the death of George Floyd and the protest movement it spawned in the United States, Canada and elsewhere - and doing business under the COVID-19 pandemic - it has, to say the least, been an eventful year for the office. The pages that follow will provide the reader a sense of how the SIU responded to these and other challenges.

On December 1, 2020, for the first time since its inception in 1990, the SIU began operations under its own constituting legislation with the coming into force of the *Special Investigations Unit Act, 2019*. The Act promises to make for more effective and transparent investigations in a number of ways. There is now a duty on police services and officers to comply with all lawful SIU requests. A breach in the duty constitutes an offence with penalties consisting of a fine or imprisonment. Where possible, SIU investigations must also now be completed within 120 days. In addition, the legislation requires that the SIU publish on its website reports of all SIU investigations that have not resulted in criminal charges. I am pleased to report that the SIU has made a good start transitioning into this new legal framework.

The realities of dealing with a pandemic have meant some fundamental changes to the way we work. With few exceptions, and then only where necessary because of the nature of the investigation, witness interviews have been conducted over the phone or via video conferencing platforms. The support staff at the SIU have also had to adapt to working remotely from their homes, continuing to offer services in administration, victim services, training, information technology, law, communications and outreach. In all of this, the staff have risen to the occasion, keeping themselves safe while ensuring that the work of the SIU goes on. A special tip of the

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hat to the Unit's forensic investigators who, unlike the rest of the team, have continued to regularly respond to scenes to gather and process vital physical evidence.

Events south of the border and incidents within Ontario have focused attention on systemic discrimination involving racialized communities, policing, and policing oversight. The SIU is committed to dealing these issues on all fronts. This includes a renewed effort in recruitment and hiring to ensure that the SIU reflects the diversity of the communities it serves. During the period of this report, the Unit made strides in this area by hiring a cohort of investigators without any policing backgrounds. It also involves training to address issues of cultural competency in our interactions with each other and the public, as well as anti-Black and anti-Indigenous racism. And, it requires an honest look at the numbers to gauge where we and other justice institutions are at in dealing with these questions. Toward this end, the SIU started collecting race-based data from affected persons in its investigations during the period of this Annual Report. The objective is to publish the data and have them evaluated by experts in the field.

Before closing, I would be remiss in not acknowledging the efforts made by members of the community, including the members of the SIU's Director's Resource Committee, to help the SIU with its mission by lending their advice, voicing their concerns, and pushing the Unit to do better. This office was borne of public activism for independent investigation of police and continues today at the service of all Ontarians.

Finally, my term as director of the SIU concludes at the end of 2021. In the circumstances, I would be remiss in not taking this opportunity to once again thank in these pages the people of the SIU for their inspiring efforts in the cause of police oversight.

Sincerely,

A handwritten signature in cursive script that reads "Joseph Martino".

Joseph Martino,

Director

NEW LEGISLATION: *SPECIAL INVESTIGATIONS UNIT ACT, 2019*

The SIU now has its own governing legislation after more than 30 years of operating under the *Police Services Act*. The new legislation – the *Special Investigations Unit Act, 2019* (the Act) - is based on recommendations from the Tulloch report released March 2017. The Honourable Michael Tulloch of the Ontario Court of Appeal produced the report having been appointed by the provincial government to review Ontario’s policing oversight agencies.

The Act was passed into law in March 2019 and came into effect on December 1, 2020 (<https://www.ontario.ca/laws/statute/19s01>).

EXPANDED MANDATE

In addition to police officers, the SIU is now also mandated under the Act to investigate the conduct of special constables with the Niagara Parks Commission and peace officers of the Legislative Protective Services. Collectively, these persons are known as “officials” under the Act.

Moreover, the Act expands the SIU’s jurisdiction by authorizing the investigation of incidents in which officials have discharged a firearm at a person. This is in addition to the SIU’s historical mandate over incidents of death, serious injury and alleged sexual assault.

OFF-DUTY OFFICERS

With respect to the SIU’s statutory jurisdiction, the former legislation did not differentiate between on-duty and off-duty police officers. That is, the SIU was statutorily authorized to investigate on-duty and off-duty police conduct.

Under the Act, the SIU is limited to investigating on-duty conduct, and can only investigate off-duty incidents in limited circumstances, such as cases in which an official was engaged in the investigation, pursuit, detention or arrest of a person or otherwise exercised the powers of a police officer, special constable or peace officer.

STATUS OF CASES

The Act requires the SIU to endeavour to complete its investigations within 120 days. Where the SIU cannot conclude a case within the timeline, as can occur when the SIU must wait for the results of forensic testing or the completion of a post-mortem report, it must make a public statement respecting the status of the investigation every 30 days past the 120-day deadline.

This is accomplished through the Status of Cases chart posted on the Unit’s website: https://www.siu.on.ca/en/case_status.php. In effect since 2017, the chart provides the public with updated information regarding the progress of all SIU ongoing cases, not just those exceeding 120 days.

DIRECTOR'S REPORTS

Though it had been posting Director's Reports on its website prior to the coming into effect of the Act in December 2020, the Act now requires that all such reports be published on the website.

A Director's Report sets out the course of the investigation, a summary of the evidence and the findings of fact by the Director, and the reasons for the Director's decision not to proceed with criminal charges. There are no Director's Reports in relation to cases resulting in criminal charges by the SIU. In those instances, charges are laid by the SIU and referred to the Crown's Office for prosecution, and a news release to that effect is issued.

SIU Director's Reports can be accessed via the following link:

<https://www.ontario.ca/page/special-investigations-unit-siu-directors-reports>.

DUTY TO COMPLY

The former "duty to cooperate" that bound police officers in relation to SIU requests is now a "duty to comply" under the Act. Unlike the duty to cooperate, an official who fails to comply is guilty of an offence and subject to imprisonment and/or fine upon conviction.

THE UNIT: WHAT WE DO

The SIU is an independent government agency that investigates the conduct of officials (police officers as well as special constables with the Niagara Parks Commission and peace officers with the Legislative Protective Service) that may have resulted in death, serious injury, sexual assault and/or the discharge of a firearm at a person. All investigations are conducted by SIU civilian investigators. Under the *Special Investigations Unit Act, 2019*, the Director of the SIU must:

- consider whether the official has committed a criminal offence in connection with the incident under investigation
- depending on the evidence, cause a criminal charge to be laid against the official where grounds exist for doing so, or close the file without any charges being laid; and
- publicly report the results of its investigations.

These incidents must be reported to the SIU by the organization which employs the involved official and may be reported by any other person or organization.

The Unit is independent of any police service and operates as an agency of the Ministry of the Attorney General.

SIU VISION, MISSION AND VALUES



SIU

Our Vision

The essence of the SIU is our conviction and belief in our role demonstrated by all.

- We are always striving for understanding of the SIU by community and law enforcement throughout Ontario;
- We strive for stability through shared leadership and individual empowerment in a continually changing environment;
- We believe in open, respectful communication in all directions to promote common understanding;
- We inspire excellence through teamwork;
- We invest where it matters: in our talent, tools and training;
- We are committed to be a great place to work.

Our Mission

We are a skilled team of civilians dedicated to serving Ontario's diverse communities. We conduct thorough and unbiased investigations where someone is the subject of a firearm discharge, is seriously injured, alleges sexual assault, or dies during an encounter with law enforcement agencies, including police, the Legislative Protective Service and the Niagara Parks Commission.

Our independence in seeking and assessing all the evidence ensures law enforcement accountability, inspiring the confidence of all in the work of SIU.

Our Values

- Integrity • Teamwork • Communication • Excellence
- Accountable • Unbiased • Dedicated

THE PANDEMIC: COVID – 19 IMPACT ON BUSINESS

SIU PREPAREDNESS

During the provincial stay-at-home orders and throughout the coronavirus pandemic, staff at the SIU continued to provide essential services, including rigorous investigations within its mandate, victim support services, community engagement via online platforms, and timely responses to media and public inquiries.

Working collaboratively with the organization’s Joint Health and Safety Committee and following Ontario Public Service, ministry and public health recommendations and guidelines, the following measures were put in place:

- The SIU investigative staff were issued protective equipment and supplies such as personal hand sanitizers, protective eye wear, masks, gloves and shoe coverings;
- Switch to teleconference interviewing of witnesses in order to protect investigative staff and the public;
- All outreach activities and training sessions were delivered via telecommunication and online conferencing platforms;
- In-person work was limited to the bare essentials and staff were equipped to work remotely from home; and
- Increased frequency of communications with staff conveying public health information.

COMMUNICATIONS

THE MEDIA

Communication with the media is critical in fostering an SIU that is responsive, transparent and accountable to the public it serves. The SIU takes on cases at all hours of the day and night across the province. To the extent possible, SIU communications has made it a priority to answer media questions 24 hours a day, seven days a week.

Over the past year, SIU communications responded to inquiries from the media via phone, email, text, Twitter and in-person appearances. While the questions were many and varied, the media generally sought the following types of information:

- Updates on SIU cases;
- General statistics; and
- Backgrounder information to get a better understanding of SIU policies and procedures.

NEWS RELEASES

Public reporting is an important aspect of the organization's commitment to transparency and accountability. In delivering on this commitment, Director's Reports, which detail the course of the investigations, the relevant findings of fact, and the reasons for the Director's decision on whether criminal charges were warranted, are published on its website. Along with the published Director's Reports, the SIU issues news releases at various stages of an investigation for the public to easily access.

Over the 2020-21 fiscal year, the SIU issued 477 news releases, almost 60 more compared to the previous fiscal year including:

101 News releases were issued in the early stages of an investigation

The SIU is committed to issuing news releases at the beginning of investigations in cases where a death has occurred, a firearm has caused serious injury, there has been a major vehicle collision, or there is otherwise a significant public interest associated with an incident.

46 News releases were issued to update the status of various investigations

239 News releases were issued in cases where the evidence did not satisfy the SIU Director that there were reasonable grounds to lay charges

At the conclusion of an SIU investigation, if the evidence does not satisfy the Director that there are reasonable grounds to lay criminal charges, a Director's Report is produced and posted to the SIU's website. Each time a report is published, the SIU notifies the public of the report by issuing a news release.

75 News releases were issued for cases terminated by memo

In order to promote transparency in relation to investigations that are terminated because the mandate of the SIU is not engaged, including instances in which it is determined that no serious injury was sustained, the SIU issues a news release.

12 News releases were issued in cases where charges were laid

In the fiscal period, charges were laid in 12 cases, and a news release was issued each time.

4 News releases were issued for non-case-related reasons (e.g. noting the release of the annual report, announcing new legislation for the SIU, reporting the SIU's collection of race-based data, etc.).

INFORMATION RELEASE IN CASES INVOLVING ALLEGATIONS OF SEXUAL ASSAULT

In cases involving allegations of sexual assault, the SIU did not release details to the public which could potentially identify the individual alleging a sexual assault occurred or the officer who was the subject of the allegation. This was because the release of information related to investigations of sexual assault allegations is associated with a risk of further deterring what is already an under-reported crime and undermining the heightened privacy interests of the involved parties, most emphatically, the complainants.

OUTREACH PROGRAM

The SIU's Outreach Program seeks to maintain engagement with Ontario's diverse communities to increase public awareness and understanding of the role of the SIU, and to nurture relationships between the SIU and the communities it serves.

SIU outreach initiatives are geared to four broad groups: community members and organizations, the police community, media, and academia.

Outreach is conducted in various ways, including:

- Information/education sessions;
- Community events; and
- Consultations and issue-specific meetings.

OUTREACH HIGHLIGHTS

SIU DIRECTOR APPEARS BEFORE WASHINGTON STATE, HOUSE PUBLIC SAFETY COMMITTEE

On January 26, 2021, Director Martino addressed an online hearing of the State of Washington's House Public Safety Committee. The Committee had convened to consider a bill – HB 1267 – which would create an independent investigation office in connection with serious incidents involving the police.

HB 1267 was the result of the work of the Governor's task force, established last year to make recommendations for the independent investigation of police use of force. SIU staff worked closely with Washington State officials by providing information about SIU operations and administration, making appearances before the Governor's Task Force charged with making recommendations for a new model of oversight, and providing evidence at their House of Representative and Senate committee hearings about the bill.

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On March 15, 2021, at the invitation of the Governor’s Office, the SIU Director once again appeared before a Senate committee hearing to make brief remarks about the history, mandate and impact of the SIU.

Southeast Asian Legal Clinic. Around 100 representatives from various legal clinics and community organizations attended the training.

CHINESE & SOUTHEAST ASIAN LEGAL CLINIC TRAINING SESSION

The SIU Director was invited to speak on the Changes to Police Oversight Legislation in Ontario. The virtual training session held on November 24 was hosted by the Chinese &

NEW SIU BROCHURE

The SIU created a new information brochure which outlines the Unit’s mandate, provides a general overview of the investigation process, and sets out additional services offered by the Unit.

The brochure is available in English and French, as well as 12 other languages: <https://www.siu.on.ca/en/brochures.php>

OUTREACH BY THE NUMBERS

Despite the Pandemic, the SIU continued its outreach efforts and delivered over 70 presentations to various organizations and community groups.

Of note, a significant number of presentations were delivered to law enforcement services to discuss the new legislation and its impact on SIU investigations.

The following chart sets out the number of presentations made to different types of audiences.

Outreach Presentations Organization	2020										2021			Total
	April	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar		
High Schools									1		6	7	14	
Universities/Colleges								9	2	2		6	19	
Community Groups					2		2	1	1		1	1	8	
Law Enforcement*								2	21	2			25	
Libraries							1						1	
Others (Washington State, Law offices, legal aid, etc.)								2		1		1	4	
Total					2		3	14	25	5	7	15	71	

The provincial stay-at-home orders created an opportunity for the SIU outreach initiatives to be delivered online, enabling the SIU to connect with schools, community groups and police services across broader geographic areas within the province.

SIU DIRECTOR'S RESOURCE COMMITTEE (DRC)

The DRC is comprised of representatives from various community groups. It meets with the SIU Director and staff formally during the year and, more frequently, between meetings via email and telecommunications on issues as they arise.

The Committee has regularly provided valuable advice on all manner of SIU operations. For example, in the fiscal period, the Committee was consulted and provided feedback that informed the SIU's current framework for the collection and analysis of race-based data.

AFFECTED PERSONS PROGRAM

The Affected Persons Program (APP) is a crucial component of the SIU, providing support services to those negatively impacted by incidents investigated by the Unit. The APP aims to respond to the emotional and practical needs of complainants, their family members and witnesses by offering immediate crisis support, information, guidance, advocacy and referrals to community resources.

During the fiscal period, the SIU approved a pilot to expand the program with three new part-time APP coordinators in various geographic locations across the province. This project will allow the APP to have a greater reach throughout the North, East and West regions by offering support services in a timely and compassionate manner to affected persons in those areas.

The Program also updated and implemented a new operations policy to support a more standardized approach to the internal referral processes for affected persons. The objective is to ensure that affected persons in all death and sexual assault investigations are offered support by the Affected Persons Program. The policy also mandates the in-person response of the APP coordinator to assist investigators with the delivery of next-of-kin death notifications within certain geographic parameters.

The SIU's Affected Persons Court Support Program continued to provide direct support services to SIU victims and witnesses throughout the court process, which is often difficult and confusing. Court support services are offered to all SIU victims and available to Crown witnesses when an investigation results in criminal charges.

The creation and maintenance of collaborative relationships with government and community partner agencies across the province continues to be a core value of the APP, which directly

contributes to the success of the Program. These efforts continued throughout 2020-2021, in coordination with the member agencies of the Victim Services Alliance of Ontario, Ontario Network of Victim Service Providers, the Victim Witness Assistance Program, and the Office of the Chief Coroner.

AFFECTED PERSONS PROGRAM STATISTICS

Case Type and Court Support Program Case Breakdown:

Case Type	Number of Cases	Number of Court Support Program Cases
Death	70	5
Injury	58	14
Sexual Assault	21	7
Total Cases	149	26

From April 1, 2020 to March 31, 2021, the APP supported 251 affected persons across 149 cases. Of the 149 cases, 26 cases required court support services. This represents a 64% increase in APP case involvement when compared to the previous 12-month reporting period.

Some cases were referred to the APP outside of the year they occurred and/or support was provided by APP staff beyond the year the investigation was launched.

DATA COLLECTION

On October 1, 2020, the Special Investigations Unit began collecting personal information from complainants and subject officials about their age, Indigenous identity, ethnic origin, race, religion and gender identity. This collection of personal information is part of the Ontario government’s initiative to address systemic racism within the justice sector.

Race-based data collection, analysis and reporting is authorized under the *Anti-Racism Act, 2017*, which has the goal of tackling systemic racism and advancing racial equity.

The SIU’s objectives when collecting race-based data are to:

- Identify and monitor potential racial disparity in access to the SIU’s services and outcomes;
- Increase transparency and accountability through public reporting;
- Identify and remove barriers within the SIU; and
- Publish de-identified data for the purpose of informing the evaluation, management and improvement of policing in Ontario.

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Public reporting of the analysis and de-identified data serves a dual role. First, it enhances transparency which keeps the SIU accountable and helps build public trust. Second, it recognizes that SIU data may be valuable when used to inform changes outside the SIU, especially in police services.

All participation is premised on voluntary and express consent. This means there is no legal obligation requiring complainants or subject officials to provide the SIU with this information.

Participation, or lack thereof, has no impact on the availability of the SIU's services or the outcomes of its investigations. Consent to the use of personal information for future analysis can also be withdrawn at any time.

TRAINING

The SIU is committed to timely and high-quality investigations by training its employees and keeping up to date on new developments in the areas of administration, management, criminal and evidence law, investigative best practices, and cultural competency.

The coronavirus pandemic drastically changed how the SIU conducted its training events. The Unit was unable to hold any in-person seminars – all sessions were held virtually.

SIU personnel participated in learning and development initiatives totaling approximately 2,700 hours in 2020-21, the majority (85%) of which was devoted to investigative and forensic training.

A considerable amount of time went to supporting the Unit's transition to operations under the new legislation – the *Special Investigations Unit Act, 2019*.

2020-21 SIU Training Hours Completed	Total Hours
Full-time Investigators (15)	234
As-needed Investigators (33)	1,858
Forensic Investigators (9)	225
Administrative Staff (11)	188
Management Staff (13)	210
Total SIU	2,715

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Investigators were trained in the following areas during the past year:

- Drafting and reviewing search warrants
- Data collection
- Death investigation
- Electronic onboarding
- Firearms
- The work of the Joint Health and Safety Committee
- Indigenous criminal law post Gladue
- Sexual assault law

As part of the Unit's mandatory training for new investigative staff, the SIU tapped into the resources of the Canadian Police Knowledge Network (CPKN) and the following online courses:

- Arrest (Ontario Specific)
- Basic Investigative Skills
- Courtroom Testimony Skills
- General Investigative Training
- Introduction to Major Case Management
- Introduction to Trauma
- Investigative Detention
- Note Taking
- Search and Seizure
- Sexual Assault Investigations

To ensure a healthy working relationship within the Unit, as well as with the diverse population that the Unit serves, SIU staff participated in the following skills training over the past year:

- Cultivating A People First Culture
- Indigenous Canada (12-Module online program through the University of Alberta)
- Ontario Human Rights Commission – Call It Out: Racism, Racial Discrimination and Human Rights
- Ontario Public Service Day of Unity Against Racism
- Racial Trauma: Towards Understanding and Resilience
- Review of the Report of the National Inquiry on Missing and Murdered Indigenous Women and Girls
- The Black Ontario Public Service Employees Network (BOPSers) 16th Annual Black History Month Event
- Vicarious Trauma Awareness

Over the past year, Affected Persons Program staff participated in the following training initiatives through the Crisis and Trauma Resource Institute:

- Applied Suicide Prevention Skills
- Critical Incident Group Debriefing
- De-escalating Potentially Violent Situations
- Depression: Practical Intervention Strategies
- Grief Focused Counselling Skills
- Harm Reduction
- Managing Difficult Phone Calls
- Providing Support Remotely
- Strategies for Resolving the Impact of Post-Traumatic Stress

FIRST NATIONS, INUIT AND MÉTIS LIAISON PROGRAM (FNIMLP)

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The SIU's First Nations, Inuit and Métis Liaison Program (FNIMLP) is geared to providing culturally sensitive guidance in the Unit's work involving First Nations, Inuit and Métis persons or communities.

Areas of focus include investigations, training, recruitment, policy development and reporting.

Members of the Program also serve an outreach and liaison function by developing and maintaining positive relationships with leaders and representatives of First Nations, Inuit and Métis organizations and communities.

On a bi-annual basis, the SIU reports-out to Provincial Territorial Organizations with respect to the work of the FNIMLP.

To better understand key issues confronting Indigenous communities, the FNIMLP committee members took special training, some of which included:

- A review of the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls.
- Enrolment in the Indigenous Canada 12-module online course. Topics for the 12 lessons included the fur trade and other exchange relationships, land claims and environmental impacts, legal systems and rights, political conflicts and alliances, Indigenous political activism, and contemporary Indigenous life, art and its expressions.

STATISTICS

NUMBER OF OCCURRENCES BY TYPE: 2020-21

This chart breaks down the types of occurrences by cases in the past 5 fiscal years:

Types of Occurrences	2016-17	2017-18	2018 - 19	2019 - 20	2020-21
Firearm Injuries	6	5	12	15	12
Firearm Deaths	4	9	5	9	12
Firearm Discharge*	-	-	-	-	7
Custody Injuries	175	251	192	172	201
Custody Deaths	26	22	31	22	34
Vehicle Injuries	37	42	38	32	49
Vehicle Deaths	9	7	3	6	8
Sexual Assault Complaints	49	65	57	58	63
Other Deaths	1	9	17	5	3
Other Injuries	0	2	0	0	1
Totals	307	412	355	319	390

In 2020-21, **390 total cases** were opened for investigation, representing a 22% increase from the previous year's 319 cases.

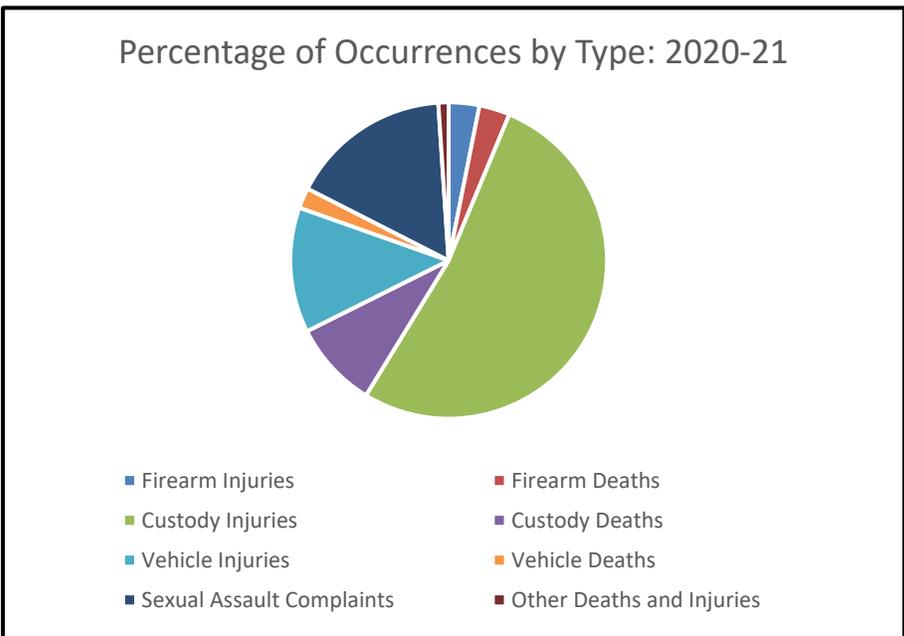
Custody Injuries had the largest case increase of 29 from last fiscal, followed by Vehicle Injuries, increasing by 17 cases.

***Firearm Discharge** at Person is a new category of occurrences introduced on December 1, 2020. There were 7 total occurrences in the fiscal period.

201 custody injuries were reported to the SIU between April 2020 and March 2021, accounting for 52% of total occurrences.

The second highest number of cases was sexual assault complaints, 16% of the total occurrences.

Vehicle injuries was the third highest number of cases, 13% of the total occurrences.



CASE CLOSURES

From April 1, 2020 to March 31, 2021, the SIU closed 397 cases, including re-opened cases. This figure consisted of all occurrences from previous years that were closed during this fiscal year and excluded cases that remained open at the end of March 2021.

CASE CLOSURES	2020-21
Number of cases closed	397
Number of cases closed by memo	104 (26%)
Number of cases closed by Director's Report	281 (71%)
Average number of days to close all cases	106.34
Average number of days to close a memo case	28.26
Average number of days to close a Director's Report case	132.32
Number of cases closed in 30 days or less	82
Number of cases in which criminal charges were laid	12
<i>Number of officers charged</i>	14
Percentage of cases in which charges laid	3.0%

Charge Cases

Criminal charges were laid by the SIU Director in 12 cases, against a total of 14 officers, representing 3.0% of the 397 cases that were closed for the fiscal year.

Total Closed Cases

70.8% (281 cases) of total cases closed resulted in no charges (Director's Report cases), 26.2% were closed by memo or terminated, 3% resulted in charges laid against the officers.

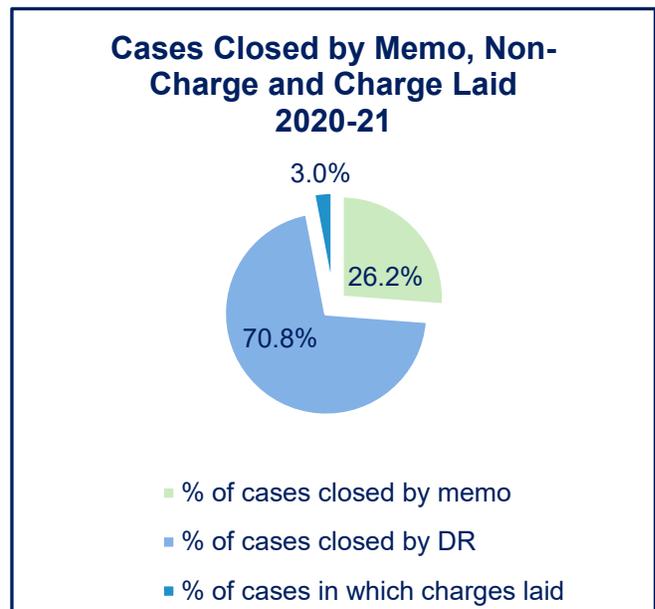
Note: The SIU formally received Agency status under the new legislation that took effect December 1, 2020. SIU will be developing outcome-based performance measures to be introduced in the subsequent annual report.

Average Number of Days to Close a Case

For the fiscal year, it took 28.26 days to close a case by memo and 132.32 days to close by Director's Report. There were 82 cases that were closed in less than 30 days, or 21% of total cases.

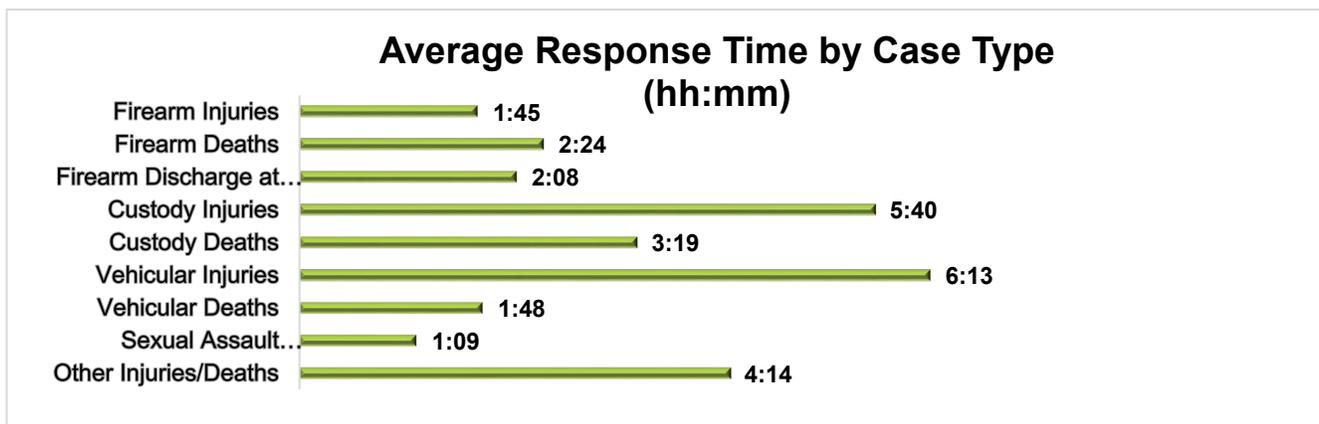
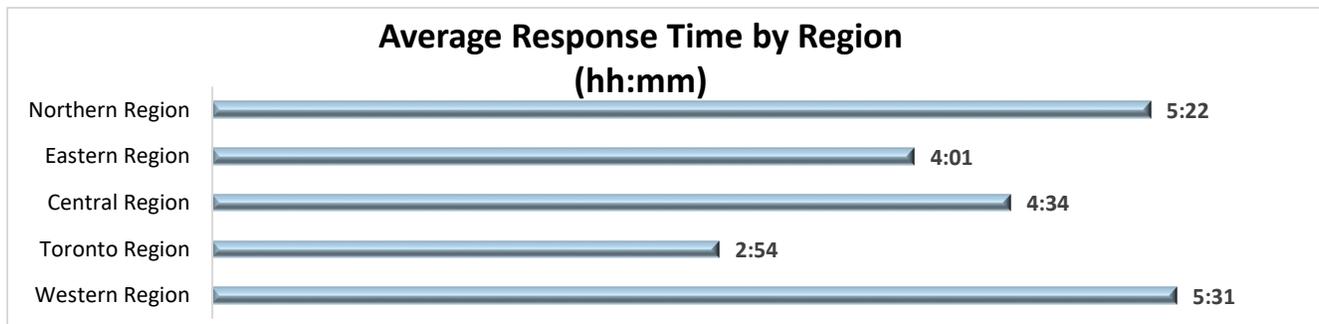
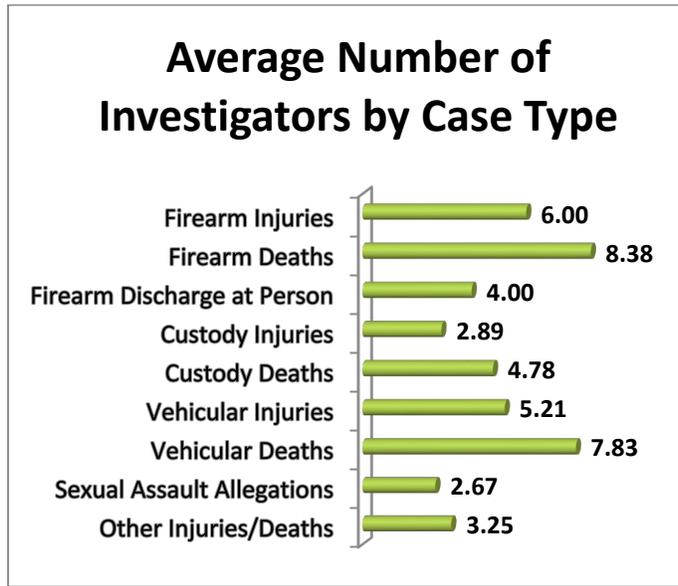
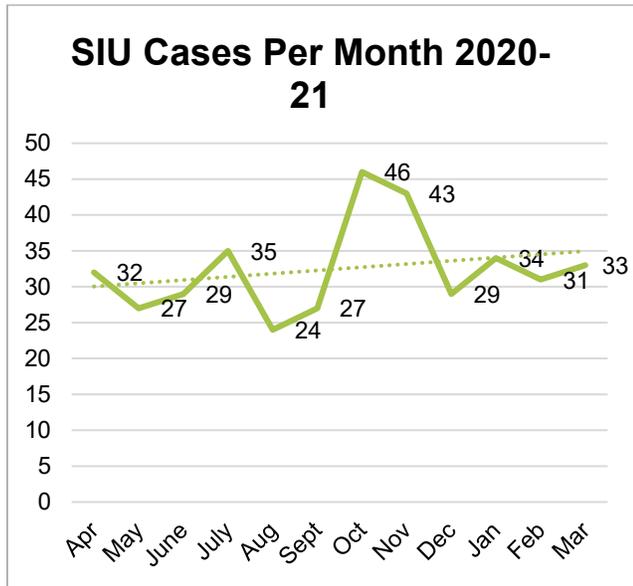
Cases Closed by Memo

104 cases were closed by memo for this period. These cases were deemed to not fall under the SIU jurisdiction. In these types of cases, the SIU Director exercises discretion and "terminates" all further SIU involvement, filing a memo to that effect with the Deputy Attorney General. When this occurs, the Director does not render a decision as to whether a criminal charge is warranted in the case or not. These matters may be referred to other law enforcement agencies for investigation.



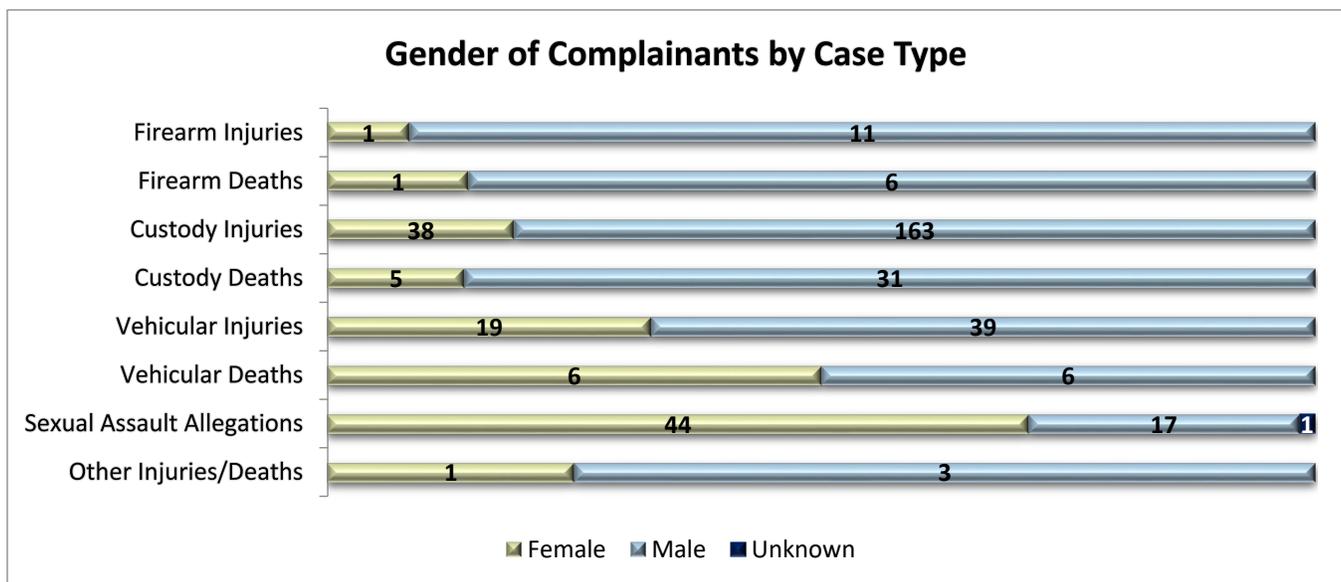
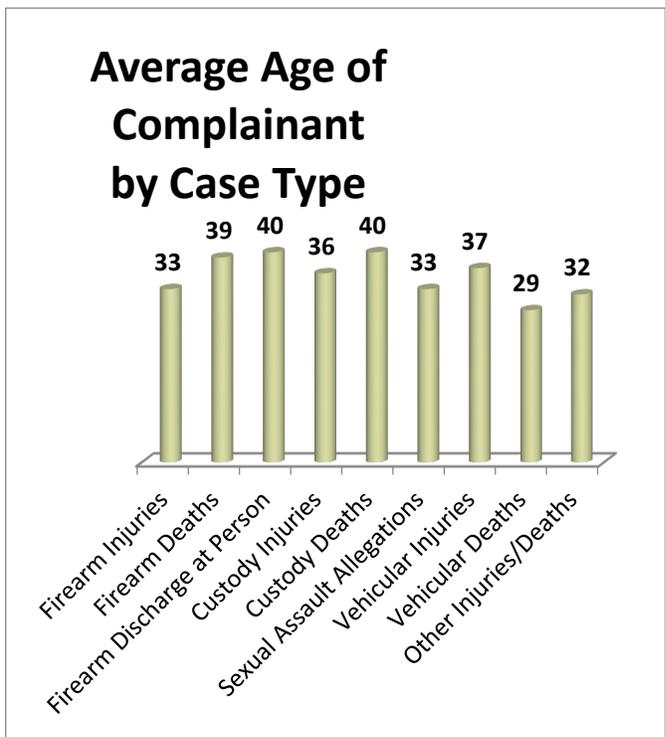
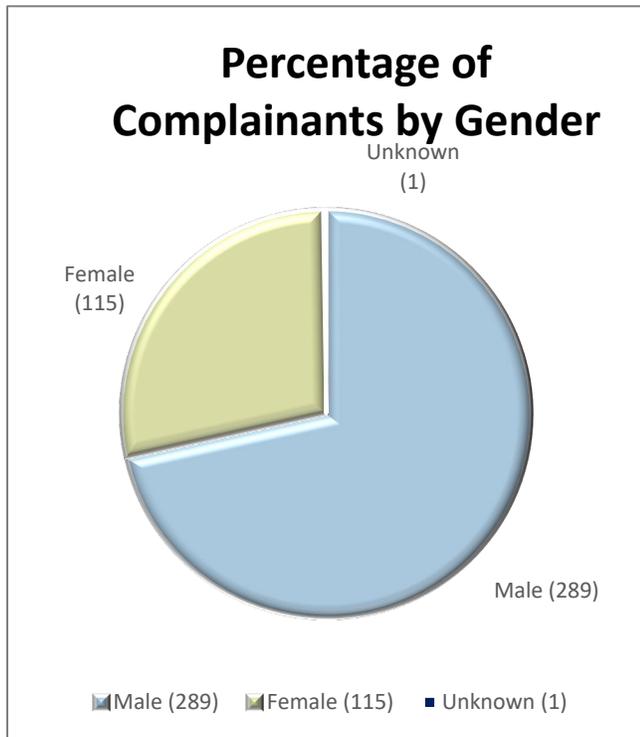
INVESTIGATIVE RESPONSE

The SIU tracks the time it takes for investigators to respond to an incident, and the number of investigators deployed to the scene.



INFORMATION ABOUT COMPLAINANTS

Complainants are individuals who are directly involved in an occurrence investigated by the SIU as a result of interactions with police, they have died, were seriously injured or shot at, or made an allegation of sexual assault. There may be more than one complainant per SIU case.



CASES AT A GLANCE

Charge: 20-OCI-116

Incident Overview

On May 19, 2020, two officers from Brockville Police Service (BPS) were dispatched to an apartment building located on Belvedere Place for a dispute call. In the backyard of the building, the officers became involved in an interaction with one of the individuals involved in the dispute. The man was arrested, and subsequently transported to hospital where he was diagnosed with serious injuries.

The Investigation

The SIU assigned four investigators to look into the incident. Four civilian witnesses and two witness officers were interviewed.

Director's Decision

The SIU has reasonable grounds to believe that the two BPS officers committed a criminal offence in relation to the arrest of a 59-year-old man on May 19th. BPS Constable Jordan Latham and BPS Constable Adam McNish have each been charged with one count of assault causing bodily harm, contrary to s. 267(b) of the Criminal Code.

Charge: 20-OSA-211

Incident Overview

On August 25, 2020, a woman contacted Peel Regional Police (PRP) alleging she had been sexually assaulted by an officer in the summer of 1992. PRP, in turn, contacted the SIU that same day resulting in the SIU invoking its mandate.

The Investigation

Two SIU investigators interviewed three witness officers and one civilian witness. The female complainant was interviewed by a PRP sergeant and subsequently by the SIU investigators.

Director's Decision

As a result of the SIU investigation, former Peel police detective Paul Chisholm is facing one count of sexual assault, contrary to s. 271 of the Criminal Code.

Closure Memo: 20-OCI-279

Incident Overview

On October 20, 2020, the man was arrested by Waterloo Regional Police Service officers in Kitchener on two counts of breaching an undertaking. The man was subsequently taken to the police station and lodged in a cell. The following day, the man attended WASH (weekend and statutory holiday) court and was then escorted back to the cell. He then slapped the stainless-steel sink/toilet in his cell, fracturing his right hand in the process.

The Investigation

The SIU conducted preliminary inquiries and gathered evidence including medical records, cell video recording and interview with the complainant.

Director's Decision

The Director terminated the investigation, saying, ““Based on the SIU’s preliminary inquiries, which included a review of the cell video, I am satisfied that there is patently nothing further to investigate as far as the potential criminal liability of any police officer is concerned in connection with the man’s injury. The evidence establishes that the man, and he alone, is responsible for what was a self-inflicted injury. In the circumstances, the investigation is hereby discontinued, and the file is closed.”

Closure Memo: 20-OCD-190

Incident Overview

At approximately 12:35 p.m. on July 29, 2020, North Bay Police Service officers, and Emergency Medical Services were dispatched to a residence in the area of Main Street and Mattawa Street in North Bay, for an adult male in medical distress. The male was a member of the First Nations community.

Police officers and EMS arrived and located a man, 35 years of age, unconscious. CPR was initiated by police and continued by EMS staff.

The man was transported to the North Bay Regional hospital and he was pronounced deceased.

The Investigation

Two investigators and two forensic investigators have been assigned to this investigation. One police officer has been designated as the subject officer and another a witness officer.

A civilian witness, a friend of the deceased, who is also a member of the same First Nations community was interviewed by the SIU investigators.

EMS and police notes were collected and reviewed as part of the preliminary inquiries.

Director's Decision

Director Martino said, "Based on the SIU's preliminary inquiries – which included a statement from a civilian eyewitness in whose apartment the man fell into medical distress and received care from the officer – I am satisfied that there is patently nothing to investigate as far as the potential criminal liability of the officer is concerned in relation to the man's death. The officer did not cause or contribute to the man's death in any fashion that could conceivably attract criminal sanction. His involvement was brief and consisted of emergency first aid. Accordingly, the SIU investigation is hereby discontinued, and the file is closed.

Non-Charge: 20-PFD-078

Incident Overview

At approximately 9 p.m. on April 9, 2020, Ontario Provincial Police officers responded to a residence in the area of Lakeshore Road North and Wedgewood Avenue after receiving a call about a suspected break and enter.

Three OPP officers who responded located the person of interest, a 42-year-old man. The officers approached the house and observed a male exiting the rear door of the house. The male was carrying a handgun. The officers confronted the male and told him to stop and drop the weapon. The male did not comply and was shot. Officers performed CPR until Emergency Medical Services (EMS) arrived and transported the male to Temiskaming Hospital where he was pronounced deceased.

The Investigation

Four investigators and two forensic investigators have been assigned to the case. The SIU interviewed four civilian witnesses and four witness officers.

Subject Officers (SO)

SO #1 Declined interview and to provide notes, as is the subject officer's legal right

SO #2 Interviewed, and notes received and reviewed

[Note: A subject officer is a police officer whose conduct appears, in the Director's opinion, to have caused the death or serious injury under investigation.

Subject officers are invited, but cannot be legally compelled, to present themselves for an interview with the SIU and they do not have to submit their notes to the SIU pursuant to Ontario Regulation 267/10 of the Police Services Act.]

Director's Decision

The SIU commenced an investigation and designated each of the officers as subject officers. On my assessment of the evidence, there are no reasonable grounds to believe that either officer committed a criminal offence in connection with the Complainant's death.

The Complainant was clearly not himself around the time of the shooting. He was variously aggressive, violent, paranoid and suicidal. Various drugs were detected in blood taken from the Complainant at autopsy, which may account for some if not all of this behaviour. Be that as it may, the subject officers were responding to an emergency situation in which they had good reason to believe that the Complainant represented a real and present danger to the life and health of someone inside the home.

Thereafter, face-to-face with the Complainant pointing what appeared to be a handgun in their direction, I am satisfied for the foregoing reasons that they acted within the scope of legally justified force when they discharged their weapons. Accordingly, there is no basis for proceeding with criminal charges in this case against either of SO #1 and SO #2, and the file is closed.

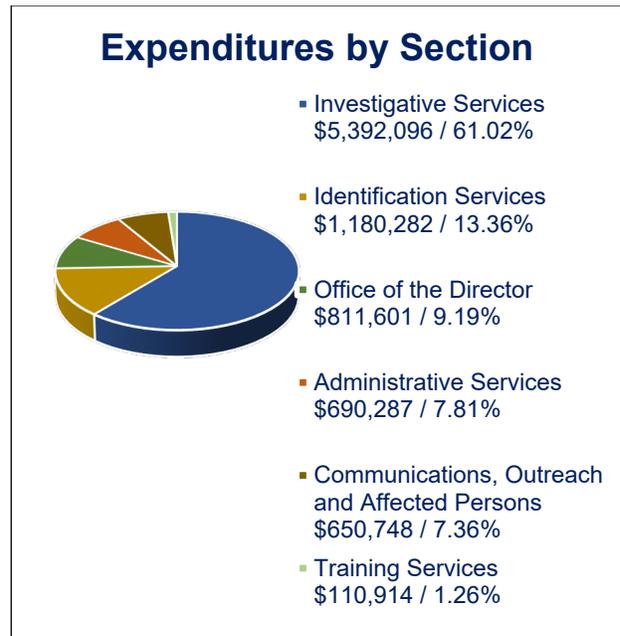
2020-21 SIU ANNUAL REPORT

The following chart breaks down this fiscal year annual expenditures by type, including the percentage of the budget spent.

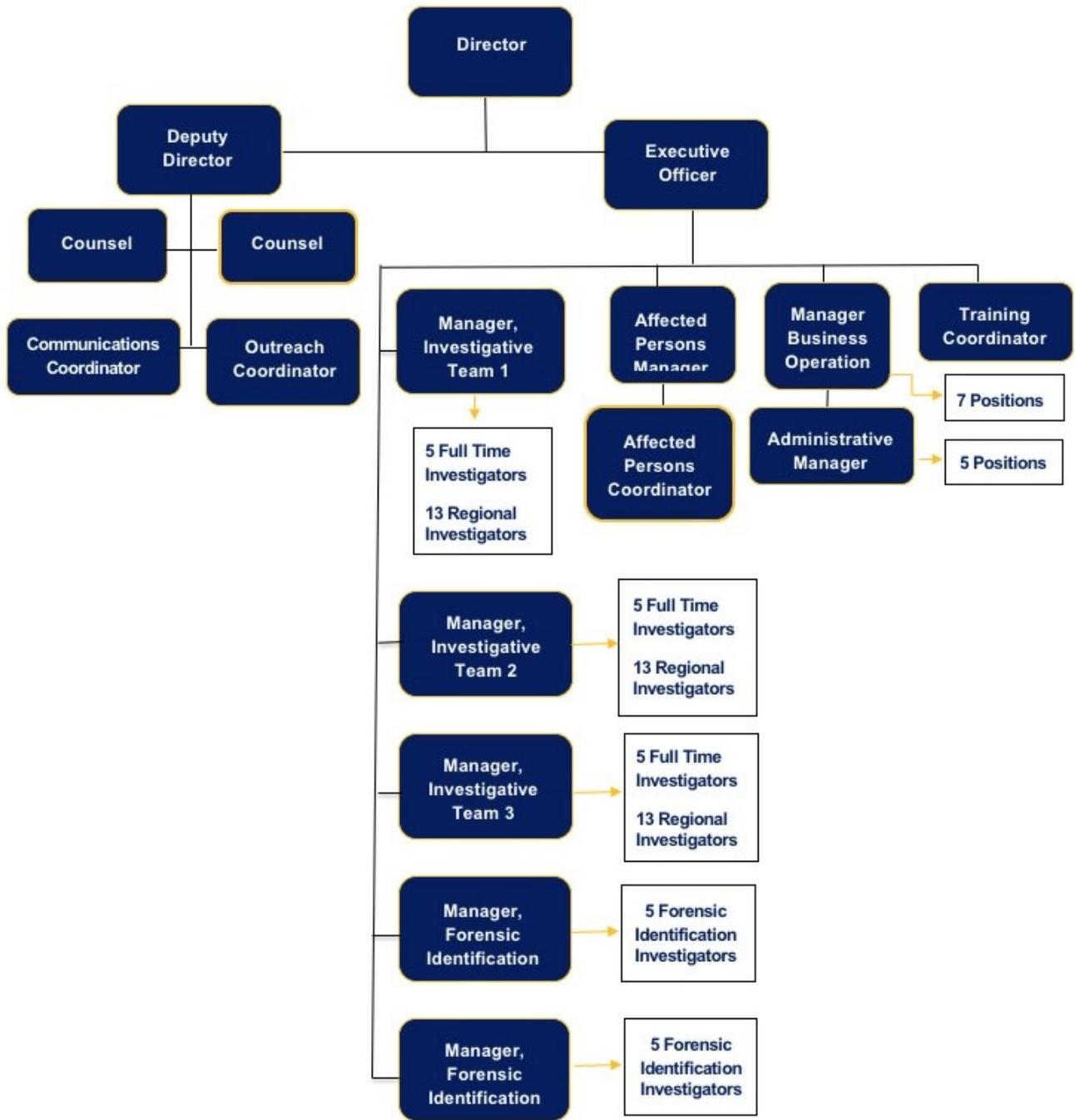
The SIU’s budget remained the same compared to fiscal year 2019-2020.

2020-21 Expenditures by Type	Annual Expenditures	% of Final Budget
Salaries and Wages	\$ 6,795,302	77%
Benefits	\$ 827,487	9%
Transportation and Communication	\$ 200,001	2%
Services	\$ 930,890	11%
Supplies and Equipment	\$ 82,248	1%
Total Annual Expenditure	\$ 8,835,928	100%

Total Annual Remuneration		
Appointee	Total Annual Remuneration	Per Diem Remuneration Rate
Joseph Martino	\$235,000	N/A



SIU ORGANIZATION CHART



APPENDIX:

2020-21 SIU CENTRAL REGION CASE BREAKDOWN BY COUNTY, POLICE SERVICE AND POPULATION

COUNTY	POP.*	POLICE SERVICE	TOTAL CASES	% OF TOTAL CASES	FIREARM	FIREARM	FIREARM	CUSTODY	CUSTODY	VEHICULAR	VEHICULAR	SEXUAL	OTHER
					IIJURIES	DEATHS	DISCHARGE AT PERSON	IIJURIES	DEATHS	IIJURIES	DEATHS	ASSAULT COMPLAINTS	
SIU CENTRAL REGION													
Haldimand-Norfolk	109,787	OPP Haldimand County Detachment	1	0.3%				1					
Haldimand-Norfolk		OPP Norfolk County Detachment	2	0.5%				1					1
Brant †	134,808	Brantford Police Service	7	1.8%				2		1	1		3
Brant †		OPP Brant County Detachment	2	0.5%						1			1
Halton	548,435	Halton Regional Police Service	6	1.5%			1	1		4			
Simcoe	479,650	Barrie Police Service	11	2.8%				8					3
Simcoe		OPP Barrie Detachment	1	0.3%				1					
Simcoe		OPP Collingwood Detachment	2	0.5%		1		1					
Simcoe		OPP Central Region Headquarters	1	0.3%							1		
Simcoe		OPP General Region Headquarters	2	0.5%				1					1
Simcoe		OPP Huronia West Detachment	1	0.3%				1					
Simcoe		OPP Nottawasaga Detachment	3	0.8%				2		1			
Simcoe		OPP Southern Georgian Bay Detachment	5	1.3%				2	1		1		1
Simcoe		OPP Orillia Detachment	3	0.8%				1	1				1
Niagara	447,888	Niagara Regional Police Service	15	3.8%	1	1		8	2				2 1
Hamilton	536,917	Hamilton Police Service	18	4.6%		1		13		1			3
Durham	645,862	Durham Regional Police Service	14	3.6%				7	2	4			1
York	1,109,909	York Regional Police Service	9	2.3%	2	1		2	2		1		1
York		OPP Aurora Detachment	1	0.3%				1					
Peel	1,381,739	Peel Regional Police Service	34	8.7%	4	2	3	16	1	5	1		2
Peel		OPP Caledon Detachment	1	0.3%						1			
Peel		OPP Port Credit Detachment	1	0.3%						1			
TOTAL SIU CENTRAL REGION	5,456,730 *	(% of Ontario's population = 40.5%)	140	35.9% †	7	6	4	69	9	19	5	20	1

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2020-21 SIU TORONTO AND EASTER REGION CASE BREAKDOWN BY COUNTY, POLICE SERVICE AND POPULATION

COUNTY	POP.*	POLICE SERVICE	TOTAL CASES	% OF TOTAL CASES	FIREARM	FIREARM	FIREARM	CUSTODY	CUSTODY	VEHICULAR	VEHICULAR	SEXUAL	OTHER
					INJURIES	DEATHS	DISCHARGE AT PERSON	INJURIES	DEATHS	INJURIES	DEATHS	ASSAULT COMPLAINTS	
SIU TORONTO REGION													
Toronto	2,731,571	Toronto Police Service	72	18.5%	4	2	2	31	7	11	1	14	
		OPP Toronto Detachment	1	0.3%						1			
TOTAL SIU TORONTO REGION	2,731,571 *	(% of Ontario's population = 20.3%)	73	18.7%	4	2	2	31	7	12	1	14	0
SIU EASTERN REGION													
Lennox and Addington	42,888	OPP Lennox and Addington County Detachment	4	1.0%				4					
		OPP Loyalist Detachment	2	0.5%				2					
		OPP Napanee Detachment	1	0.3%						1			
Prescott and Russell	89,333	OPP Rockland Detachment	3	0.8%				1	1	1			
		OPP Russell County Detachment	1	0.3%				1					
Leeds and Grenville	100,546	Brockville Police Service	4	1.0%				2	1			1	
Stormont, Dundas and Glengarry †	113,429	Cornwall Community Police Service	2	0.5%									2
		OPP Quinte West Detachment	6	1.5%				3		3			
Frontenac	150,475	OPP Frontenac Detachment	1	0.3%						1			
		Kingston Police Service	5	1.3%				4				1	
Ottawa	934,243	Ottawa Police Service	12	3.1%				6	3			2	1
Kawartha Lakes	75,423	OPP The City of Kawartha Lakes Detachment	1	0.3%		1							
Northumberland	85,598	OPP Northumberland Detachment	1	0.3%							1		
Renfrew	102,394	OPP Renfrew Detachment	1	0.3%				1					
Peterborough	138,236	Peterborough Police Service	4	1.0%				3				1	
		OPP Peterborough County Detachment	2	0.5%				1		1			
TOTAL SIU EASTERN REGION	2,080,505 *	(% of Ontario's population = 15.5%)	54	13.8% †	0	1	0	32	5	7	1	7	1

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2020-21 SIU NORTHERN REGION CASE BREAKDOWN BY COUNTY, POLICE SERVICE AND POPULATION

COUNTY	POP.*	POLICE SERVICE	TOTAL CASES	% OF TOTAL CASES	FIREARM INJURIES	FIREARM DEATHS	FIREARM DISCHARGE AT PERSON	CUSTODY INJURIES	CUSTODY DEATHS	VEHICULAR INJURIES	VEHICULAR DEATHS	SEXUAL ASSAULT COMPLAINTS	OTHER
SIU NORTHERN REGION													
Parry Sound	42,824	OPP Almaguin Highlands Detachment	1	0.3%									1
Muskoka †	60,599	OPP Bracebridge Detachment	5	1.3%		1		4					
Muskoka †		OPP Huntsville Detachment	1	0.3%				1					
Manitoulin	13,255	OPP Little Current	2	0.5%				1	1				
Manitoulin		OPP Gore Bay	1	0.3%		1							
Rainy River	20,110	OPP Atikoken Detachment	1	0.3%					1				
Timiskaming	32,251	OPP Temiskaming Detachment	2	0.5%		1		1					
Kenora †	65,533	OPP Dryden Detachment	1	0.3%					1				
Kenora †		OPP Kenora Detachment	1	0.3%				1					
Kenora †		OPP Red Lake Detachment	1	0.3%									1
Nipissing †	83,150	North Bay Police Service	5	1.3%				3	2				
Cochrane †	79,682	OPP Moosonee Detachment	1	0.3%				1					
Cochrane †		Timmins Police Service	1	0.3%	1								
Algoma †	114,094	Sault Ste. Marie Police Service	6	1.5%				4	1				1
Algoma †		OPP East Algoma Detachment	2	0.5%				1					1
Algoma †		OPP Elliot Lake Detachment	1	0.3%					1				
Algoma †		OPP Sault Ste. Marie Detachment	1	0.3%			1						
Thunder Bay †	146,048	Thunder Bay Police Service	7	1.8%				3	1	1			2
Thunder Bay †		OPP Marathon Detachment	1	0.3%						1			
Greater Sudbury	161,647	Greater Sudbury Police Service	4	1.0%				3	1				
TOTAL SIU NORTHERN REGION	840,739 *	(% of Ontario's population = 6.3%)	45	11.5% †	1	3	1	23	9	2	0	6	0

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2020-21 SIU WESTERN REGION CASE BREAKDOWN BY COUNTY, POLICE SERVICE AND POPULATION

COUNTY	POP.*	POLICE SERVICE	TOTAL CASES	% OF TOTAL CASES	FIREARM	FIREARM	FIREARM	CUSTODY	CUSTODY	VEHICULAR	VEHICULAR	SEXUAL	OTHER
					INJURIES	DEATHS	DISCHARGE AT PERSON	INJURIES	DEATHS	INJURIES	DEATHS	ASSAULT COMPLAINTS	
SIU WESTERN REGION													
Bruce	68,147	Saugeen Shores Police Service	2	0.5%									2
Bruce		OPP South Bruce Detachment	2	0.5%				1					1
Egin	88,978	OPP Egin County Detachment	2	0.5%					1	1			
Egin		St. Thomas Police Service	3	0.8%				3					
Grey	93,830	West Grey Police Service	1	0.3%				1					
Grey		Hanover Police Service	2	0.5%				2					
Grey		OPP Grey County Detachment	1	0.3%				1					
Oxford	110,862	OPP Oxford Detachment	3	0.8%				2					1
Oxford		Woodstock Police Service	1	0.3%				1					
Chatham-Kent	102,042	Chatham-Kent Police Service	3	0.8%				1		1			1
Lambton	126,638	Sarnia Police Service	4	1.0%				1		1	1		1
Lambton		OPP Lambton Detachment	2	0.5%					1				1
Wellington	222,726	Guelph Police Service	8	2.1%				5					3
Wellington		OPP South Wellington Operations Centre - Rockwood	1	0.3%				1					
Essex	398,953	Windsor Police Service	7	1.8%				5		1			1
Essex		OPP Essex Detachment	3	0.8%				3					
Essex		OPP Leamington Detachment	2	0.5%				2					
Essex		OPP Tecumseh Detachment	1	0.3%									1
Middlesex †	455,526	London Police Service	14	3.6%				8	2	2			2
Middlesex †		OPP Middlesex Detachment	1	0.3%				1					
Middlesex †		Strathroy-Caradoc Police Service	1	0.3%						1			
Waterloo	535,154	Waterloo Regional Police Service	9	2.3%				5		1			2
Waterloo		OPP Cambridge Detachment	1	0.3%				1					
Perth County	76,796	OPP Perth County Detachment	1	0.3%						1			
Perth County		Stratford Police Service	3	0.8%				2					1
TOTAL SIU WESTERN REGION	2,338,949 *	(% of Ontario's population = 17.4%)	78	20.0% †	0	0	0	46	4	9	1	16	2
TOTAL SIU REGIONS	13,448,494		390	100%	12	12	7	201	34	49	8	63	4

* Population information provided by 2016 Census Canada. Statistics Canada excludes First Nations data where enumeration was incomplete. For further information please refer to the Statistics Canada website. The total population for each region includes a population figure for counties in which no SIU cases took place, and therefore are not listed on the chart.

† Inconsistencies in total percentages are due to rounding.

