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Special Investigations Unit

# Annual Report

*2021-2022*



[www.siu.on.ca](http://www.siu.on.ca)

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## A Message from the SIU Director

It is a pleasure to present the Annual Report of the Special Investigations Unit for 2021-2022.

The SIU is Ontario's civilian oversight agency charged with investigating the conduct of police officers when it results in death, serious injury, a firearm discharge at a person or a sexual assault allegation. Its mandate is limited to a consideration of criminal liability. Thus, if the investigation gives rise to a reasonable belief that a criminal offence has been committed, the SIU will lay the appropriate criminal charge against the police officer and the matter will proceed through the court system for a final determination of guilt or innocence. Alternatively, where there are no reasonable grounds to believe a criminal offence was committed, the SIU cannot proceed with criminal charges. In this instance, a full report of the investigation is prepared and posted on the SIU's website.

The theme of this year's Annual Report is the SIU's efforts in the areas of diversity, inclusivity and anti-racism. The pages that follow highlight the efforts made to reflect these values in the work of the agency. A more representative and equitable SIU is a better SIU. While much remains to be done, I am pleased to report that real progress was made this year towards these ends. The reader will gauge for themselves.

2021-2022 was the first full year of operations under the *Special Investigations Unit, Act, 2019*. Despite a record-high caseload, the members of the SIU, in all areas and at all levels, performed exemplary. Because of their talents, hard work and professionalism, the SIU continues to close the vast majority of its cases within the statutorily-imposed deadline of 120 days. As the reader will learn, the office has also increased its capacity under the legislation to deal with the needs of persons impacted by the events giving rise to SIU cases, as well as the demands of the media for information. Despite the vigilance of SIU staff in staying on top of the caseload, it should be recognized that the new category of cases introduced by the legislation – police firearm discharges at persons – has materially increased the SIU's yearly caseload and placed significant stresses on current resources.

Late last year, I was honoured to accept a five-year appointment as the Director of the SIU, effective January 1, 2022. I would not have done so had there been any doubt about the ability of the people at the SIU to meet their mission of ensuring police accountability through rigorous, independent investigations. I very much look forward to working with them to continue to improve the SIU for the benefit of all Ontarians.

Sincerely,



Joseph Martino, Director

# Terminology

## Director

The SIU is led by a Director who must never have served as a police official. The Director oversees all the SIU's operations. They can be appointed to serve a maximum of two five-year terms by Order in Council.

## Subject official

The subject official is defined as an official whose conduct, in the Director's opinion, may have caused the death, serious injury, firearm discharge or alleged sexual assault under investigation.

Subject officials are invited, but cannot be compelled, to present themselves for an interview with the SIU, nor do they have to submit their notes to the SIU. Once they become the focus of an investigation and, therefore, under criminal jeopardy, the subject official is granted the same rights as any citizen under the *Charter of Rights and Freedoms* to protect against self-incrimination.

## Witness official

A witness official is an official who, in the opinion of the SIU Director, is involved in the incident under investigation but is not a subject official.

Witness officials have a duty under the *Special Investigations Unit Act, 2019*, to submit to interviews with SIU investigators at the earliest opportunity. The SIU is also entitled to a copy of their notes.

## Affected person

An affected person is the individual who may have died, suffered serious injury, been subject to a sexual assault or been fired at in a police-involved incident. Affected persons and their families are provided support and updates by the SIU.

## Affected Persons Coordinator

Through the Affected Persons Program, the SIU's Affected Persons Coordinators provide support, information and guidance, and updates to those affected by SIU-involved incidents. The Affected Persons Program provides the opportunity for the Coordinators to work one-on-one with the affected persons and/or their families.

### Director's Report

In cases where the Director finds no evidence to proceed with criminal charges against the police official(s) involved, a Director's Report is published on the SIU website. The Director's Report provides a summary of the investigation, evidence gathered and the findings of fact by the Director that led to the decision.

### Memo

In cases found to fall outside the SIU's jurisdiction, such as in cases where the affected person did not suffer a serious injury, the Director will terminate the investigation and issue a memo that outlines the reasons for the decision. Cases can be re-opened if new evidence comes to light.

### Serious Injury

A person sustains a serious injury if the injury in question is likely to interfere with the person's health or comfort and is not transient or trifling in nature. A serious injury includes:

- an injury that results in admission to a hospital
- a fracture to the skull, or to a limb, rib or vertebra
- burns to a significant proportion of a person's body
- the loss of any portion of a person's body
- a loss of vision or hearing

## The Unit: What It Does

The SIU is a civilian law enforcement agency in Ontario that has jurisdiction over municipal, regional and provincial police officers, as well as special constables employed by the Niagara Parks Commission and peace officers with the Legislative Protective Service. Anyone the SIU is mandated to investigate is referred to as an 'official'.

The SIU – independent of any police service and operating at arm's length from the Ministry of the Attorney General – investigates incidents involving officials where they are implicated in the following cases:

- The death of a person
- The serious injury of a person
- The discharge of a firearm at a person
- The sexual assault of a person, as reported by the person

The SIU conducts investigations to determine whether there are grounds to charge an official in relation to the incident under review. If the SIU Director determines that there are reasonable grounds to believe that an official has committed an offence under *Canada's Criminal Code*, the SIU Director is compelled to charge the official.

Where the grounds do not exist to lay a charge, the Director will instead issue a public report – the Director's Report - summarizing the investigation and reasons for the decision.

All investigations are conducted by SIU civilian investigators, who are peace officers.

## 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 the SIU.

### OUR VALUES

Integrity

Teamwork

Accountable

Communication

Excellence

Unbiased

Dedicated

# SIU Commitment to Anti-Racism and Diversity

The agency strives to reflect the diverse, multiracial, and multicultural society it serves. It does so through its outward facing programs, such as the Outreach Program, the First Nations, Inuit and Métis Liaison Program and the Affected Persons Program. It also does so via inward looking efforts, including recruitment, succession planning and training opportunities.

Over the past year, the agency worked on the following initiatives in support of this commitment.

## Race-Based Data Collection

As of October 1<sup>st</sup>, 2020, the SIU began collecting personal information from affected persons and subject officials about their age, ethnicity, race, religion and gender. Participation is voluntary.

Personal Information collected from affected persons and subject officials, over the period October 2020 to September 2021, has been recorded, de-identified and readied for analysis. SIU has partnered with the Wilfrid Laurier University to analyze this data. The outcome of this analysis, to be made public, will assist the SIU in its efforts to build anti-racism competency and inform program changes.

## Diversifying Staff Complement

A more inclusive and diverse workforce brings a variety of perspectives to the work of the SIU and allows for a better understanding of the communities it serves. Towards this end, over the past year:

- The organization has increased its proportion of civilian Investigators with no former police background: 45% of its current investigative staff have never been a police officer; 55% are former police officers.
- The agency has adopted strategies leveraging diverse job boards and websites, the Director's Resource Committee, targeted internships, and broader outreach for diversity referrals. As a result, the agency recruited five new employees with various racialized backgrounds.
- The SIU continued its Rotation Initiative of seconding Investigators in an Acting Manager of Investigations position to support professional development and build a talent pool of potential managers from within the organization. The SIU now has an Indigenous Investigative Manager in large measure owing to this initiative.
- The Unit's recruitment practices have increased the staffing complement of women on its staff. In 2021, these included four Investigators, one Forensic Manager, one Affected Persons Coordinator and one additional Communications Coordinator.

- The organization’s management team reflected a mix of males and females, and Black, Indigenous and other racialized persons. The SIU also currently has five Francophone employees.

### Anti-Racism Training

The SIU has a comprehensive training program to onboard and orient all new staff, support professional development and build capacity. This year, the focus was expanded to include a number of courses on diversity, anti-racism, and Indigenous culture.

The Management team completed anti-racism training and improved their competency in the areas of unconscious bias, anti-Black racism and Indigenous culture.

### Outreach Efforts

The SIU’s First Nations, Inuit and Métis Liaison Program engaged with the Ministry of Indigenous Affairs and others in connection with its outreach to Indigenous persons, organizations and communities. These efforts were aimed at fostering understanding of the SIU and Indigenous perspectives on matters relating to police oversight.

### Truth and Reconciliation

September 30, 2021, marked the first National Day for Truth and Reconciliation, a day that honours the lost children and survivors of residential schools, their families and communities. Recognizing that commemoration of the tragic history and its ongoing impacts is a vital component of the reconciliation process, SIU staff spent time learning and reflecting on the history of Indigenous persons and their challenges, past and present, on these lands.

“We attended a celebration in Fort Frances at the Tribal Area Health Services, and had the opportunity to take part in a Sacred Fire Ceremony. Later we attended the Fort Frances Indian Residential School located in Couchiching First Nation. We spoke to an individual with the Tribal council whose mother went to the school from 5 years old till after high school. Although she was from the community, she was not allowed to see her parents till after the school year. We learned of the ongoing land claims disputes on First Nations communities in the area.” *Claude and Jocelyn, Investigators*

“I viewed a webinar entitled “Learning & Legacy: Understanding the past to build a brighter future for Indigenous children” The first speaker, David Luggi, former Tribal Chief of the Carrier Sekani Tribal Council and former Chief of the Stellat’én First Nation, is a residential school survivor and spoke about the abuse and hardships he endured and witnessed. The second speaker, Mary Teegee, is a Hereditary Chief and child and family services advocate and spoke about the history of the residential school system, the recent landmark compensation order for First Nations children, and the impact of residential schools on subsequent generations of her community.” *Joe, Director*

“I did some research about the name of my Etobicoke community and learned about the different groups of First Nations people that lived on this land throughout history. The name ‘Etobicoke’ derives from the Mississauga word wah-do-be-kang (wadoopikaang), meaning ‘place where the alders grow’. This was how they described the area between Etobicoke Creek and the Humber River.” *Kathleen, Administrative Manager*

**Employee Profile: Investigator  
Nouman Ahmad**

*I am an Ahmadi Muslim, and a proud Pakistani Canadian. I believe in the good in people, Love for All, Hatred for None. We have more in common than differences. Differences that shape the beautiful social fabric, reflect the makeup of today’s workplace. When everyone is included in today’s dialogue, that strategic contribution leads to an ‘everyone wins’ outcome.*

*Diversity in the workplace, to me, is the presence of a collage of factors, that are a mix of ethnicity, culture, religion among others. Inclusion is to ensure a sense of connection, and encouragement is adapted within a workplace, promoting an environment where people with diverse backgrounds can thrive, and their impact is seen at all levels of an organization.*

*I was fortunate to take part in various platforms that promulgated diversity. As a teenager I was selected by the Hamilton Board of Education to work on an anti-racism project that promoted strategies to fight racism. In university, I assisted in seminars/conferences that promoted peace, and awareness for racial, cultural differences. Awareness for and understanding varied viewpoints that are different from your own builds empathy.*

*I was with the Royal Canadian Mounted Police (RCMP) and served throughout Canada. In this capacity, I was awarded commendations from the Commanding Officer and the Prime Minister. I have worked closely with Aboriginal communities, ethnic communities, people of colour, persons in crisis, and members of the community from various socioeconomic backgrounds.*

*I know that embracing diversity, and promoting its value, leads to creativity and innovative ideas. Here at the SIU, we have a diverse workforce that brings a wealth of knowledge and experiences. There is an appreciation for diversity, dialogue and an evolving focus on building a culture that promotes discussion of difficult topics. With that said, change is the only constant in today’s evolving society. We can do better, and we must do better. Similarly, we must not stop, and we must continue to build a platform of sharing, and employee dialogue. Leaders inspire when they can connect with people, and for that we must inculcate stronger relationship building at all levels of the SIU, guided by its vision, mission and values.*

*Nouman Ahmad, Investigator*

# Making Connections to Enhance Oversight

An effective oversight agency depends on the continual evolution of its operations to ensure best practices in investigations and other program areas, as well as a sensitivity to the socio-political questions that frame issues of policing and policing oversight. The SIU does this by connecting with, and learning from, community groups, organizations in other jurisdictions, and sister agencies – at home and abroad. Over the past year, these initiatives have included:

## Director's Resource Committee

The Director's Resource Committee 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 telecommunications on issues as they arise. The Committee has regularly provided valuable advice on all manners of SIU operations.

## SIU Speaks at NACOLE Conference

On September 10, 2021, the SIU Director took part in an online panel discussion at NACOLE's annual conference. NACOLE is the National Association for Civilian Oversight of Law Enforcement, an umbrella organization bringing together policing oversight agencies in the United States. The panel - *The Independent Critical Incident Investigation Agency: A New Form of Oversight for the U.S.* – involved an examination of offices, such as the SIU, that conduct independent investigations of critical incidents involving the police. Such a model of oversight, today common across Canada's provinces, is very nascent in the United States, with only two jurisdictions – Washington and Maryland – recently introducing reforms along these lines.

## SIU Meets with State Inspector's Service of Republic of Georgia

On August 24, 2021, the SIU Director met virtually with the Deputy State Inspector of the Georgian State Inspector's Service. The State Inspector's Service was a relatively new oversight agency in Georgia tasked with a broad mandate that included the investigation of certain police conduct. Ms. Jiadze had earlier visited the SIU in December 2019, then on a fact-finding mission to study the office as the Georgian office was being established.

## Meetings with Nishnawbe Aski Nation and Nishnawbe Aski Police Service

On July 26, 2021, the SIU met with representatives of the Nishnawbe Aski Nation, Nishnawbe Aski Police Service (NAPS) and the Ministry of the Solicitor General to discuss oversight of NAPS. The purpose of the meeting was to increase understanding of the SIU - its mandate, staffing and investigative processes – and the needs of the community.

In November 2021, upon the invitation of NAPS Police Chief, the SIU Executive Officer and a SIU Investigative Manager delivered presentations to NAPS senior command and non-commissioned officers about the *Special Investigations Unit Act*, providing the police officials information about the investigative process and answering their questions.

## Investing in Youth

### Student Program

During the fall and winter months, the SIU engages in various cooperative student placements to give youth a chance to work in their field of study. In 2021-2022, the SIU partnered with the University of Toronto and the University of Ottawa to support students with undergraduate degrees in Criminology and Journalism. At least one student was successful in obtaining a full-time position with the federal government.

The agency also participated in the Ontario Public Service Summer Employment Opportunity Program with two summer students in 2021.

Although the types of assignments given to students vary from year to year, some examples of skills and experiences gained over the placement include:

- Collecting data and supporting administrative functions
- Researching and writing legal memos
- Assisting with the SIU case management system
- Attending court and observing proceedings
- Attending training and outreach sessions
- Learning about investigative processes and forensic investigations
- Participating in investigation-related exercises (mock interviews, preparation of investigative reports, etc.)
- Observing investigations

### Take Our Kids to Work Day

On November 3, 2021, the SIU participated in the Take Our Kids to Work Day. This annual event allows grade nine students to step into their future for a day and peer into the working world. Due to COVID-19 measures, the two-hour event was held virtually. Forty-nine students from Michael Power/St. Joseph High School attended. The agenda consisted of:

- Introductions
- Presentation on what the SIU does and its history
- Walk-through by a lead investigator of an investigation
- Discussion with a forensic investigator on

- police use of force options
- causes of injury and death
- the physical evidence process
- connection between science and SIU investigations
- alternate light sources

The event ended with the students meeting the SIU Director and participating in a quiz.

**Employee Profile: Summer Student  
Miles Narinesingh**

*I had the pleasure of working with the SIU in the Summer of 2021. The position was part of my work placement requirement for the Public Administration Postgraduate Program at Humber College that I was enrolled in at the time. Over the course of my summer employment opportunity at the SIU, I was given many opportunities to utilize and further develop the knowledge and skills that I had learned over the course of my undergraduate and postgraduate education, while also picking up many new skills related to working within the OPS.*

*I am grateful for the opportunity, as the skillset I developed as a Summer Student allowed me to return to the Unit, firstly as an Administrative Secretary and currently as a Central Registry Clerk.*

*In addition to my professional development, I was also fortunate enough to meet and speak with many members of the SIU staff, from investigators to administrative staff to managers, to get a firsthand look at the important work the SIU performs.*

*Finally, I was able to see and play a small role in the SIU's current ongoing drive to modernize and digitize many of its internal systems and procedures, and to aid in meeting the 120-day case closure time limit mandated in the Special Investigations Unit Act, 2019, giving me a unique perspective on what it takes to implement public policy and legislation from the side of the OPS.*

*Miles Narine Singh, Summer Student*

# Communications

## Communication with the Media

The SIU recognizes the importance of providing timely information to the public. That's why the SIU's Communications team is available day and night, including weekends. To bolster that commitment, the SIU Communications team has grown from one to two staff.

Between April 1, 2021, and March 31, 2022, the SIU received approximately 600 requests from members of the media.

SIU Communications was particularly busy during the protests in Ottawa in February 2022. During that time, dozens of reporters from across Canada and internationally contacted the SIU for comment.

### **SIU Twitter: @SIUOntario**

Twitter continues to be a valuable platform for the SIU to quickly share information on the Unit's investigations: <https://twitter.com/SIUOntario>

Most notably, a tweet in relation to the SIU's investigation into a reported serious injury of a woman involving a police horse at the protests in Ottawa garnered more than 441,000 impressions (times people saw the tweet on Twitter), nearly 800 comments and more than 1,300 retweets. In response to the tweet, which asked any witnesses to come forward, the SIU received more than 600 tips from the public.

In February 2022, the SIU Twitter account officially obtained verified status and since last year has gained thousands of new followers.

### **SIU Website**

The SIU has made several improvements to its website: <https://www.siu.on.ca/>

For members of the public who wish to contact the SIU to provide tips or make a complaint about a police official, there is now the ability to electronically submit photos, videos or audio files within all contact forms. There are also new and improved data fields to better collect essential information, including:

- Phone number
- Email address
- A drop-down menu that lists the type of injury/sexual assault allegation
- The police service involved

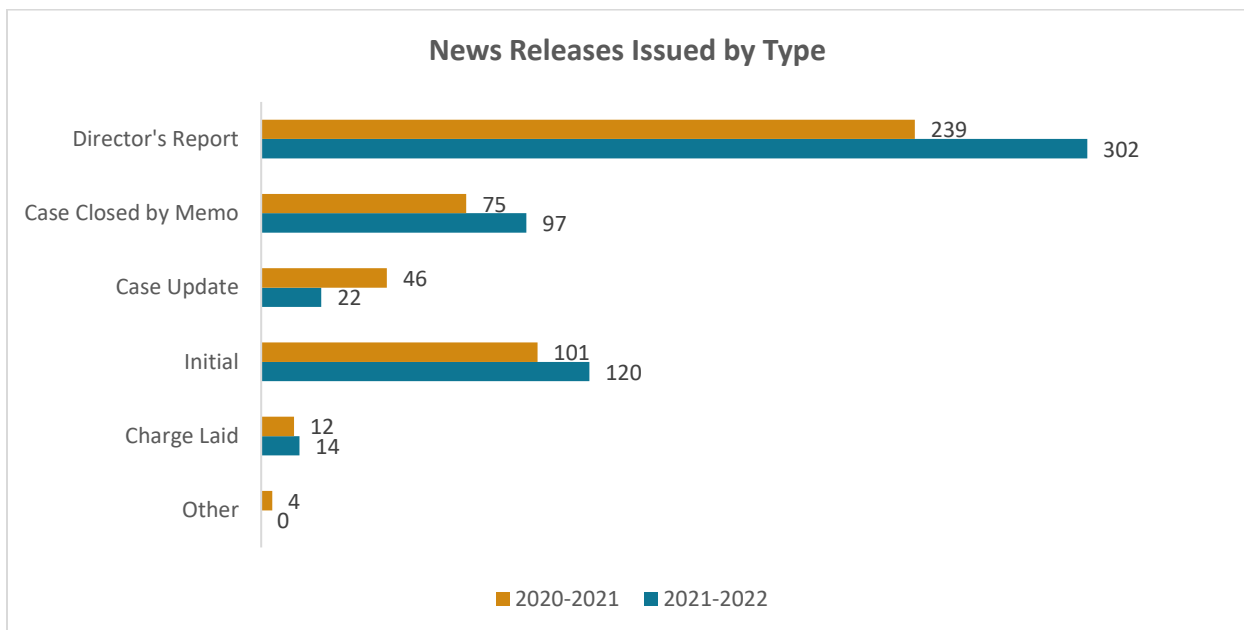
The Contact Us page also now includes more details on the SIU's jurisdiction.

Additionally, when a message is sent to the SIU via the website, the sender automatically receives an email acknowledgement that their inquiry has been sent successfully, as well as a copy of their message.

### News Releases

Keeping the public informed about the SIU’s investigations is a key part of the organization’s commitment to transparency. News releases may be issued when the SIU initially invokes its mandate or provides an update on an ongoing investigation. A news release is typically issued at the conclusion of an investigation, whether it was concluded via a criminal charge, Director’s Report or a case closure by memo.

Over the 2021-2022 fiscal year, the SIU issued 555 news releases, 78 more than the previous fiscal year. The increase is due to the SIU’s record caseload over the last fiscal year – 430 cases, which is 40 more than the previous fiscal year.



### News Release Types

**Director’s Report:** In 2021-2022, the agency published 302 news releases accompanying the Director’s Report. In cases where the Director found no evidence to proceed with criminal charges against the police official(s) involved, a Director’s Report is published on the SIU website as well as an accompanying news release. The Director’s Report provides a summary of the investigation, evidence gathered and the findings of fact by the Director that led to the decision.

**Case Closed by Memo:** In cases found to fall outside the SIU’s jurisdiction, such as when the affected person did not suffer a serious injury, the Director will terminate the investigation and issue a memo that outlines the reasons for the decision. A news release is issued in every case closed by memo; 97 news releases of this type were published in 2021-2022.

**Case Update:** During an investigation, an update to the status of the investigation may be provided via a news release. During 2021-2022, 22 news releases were issued to provide status updates in the course of an investigation

**Initial:** At the beginning of an investigation, an initial news release will be issued for cases involving a death, a firearm discharge at a person, major collision, or other high-profile matter. In 2021-2022, 120 initial news releases were issued.

**Charge Laid:** If the Director finds evidence to lay criminal charges against a police official, charges will be laid and a news release issued with the official's name, charge(s) and court date. Fourteen news releases were issued of this nature in 2021-2022.

**Other:** Non-case related news releases may be issued for various reasons, such as legislative updates or other news. None of this type were issued during this fiscal period.

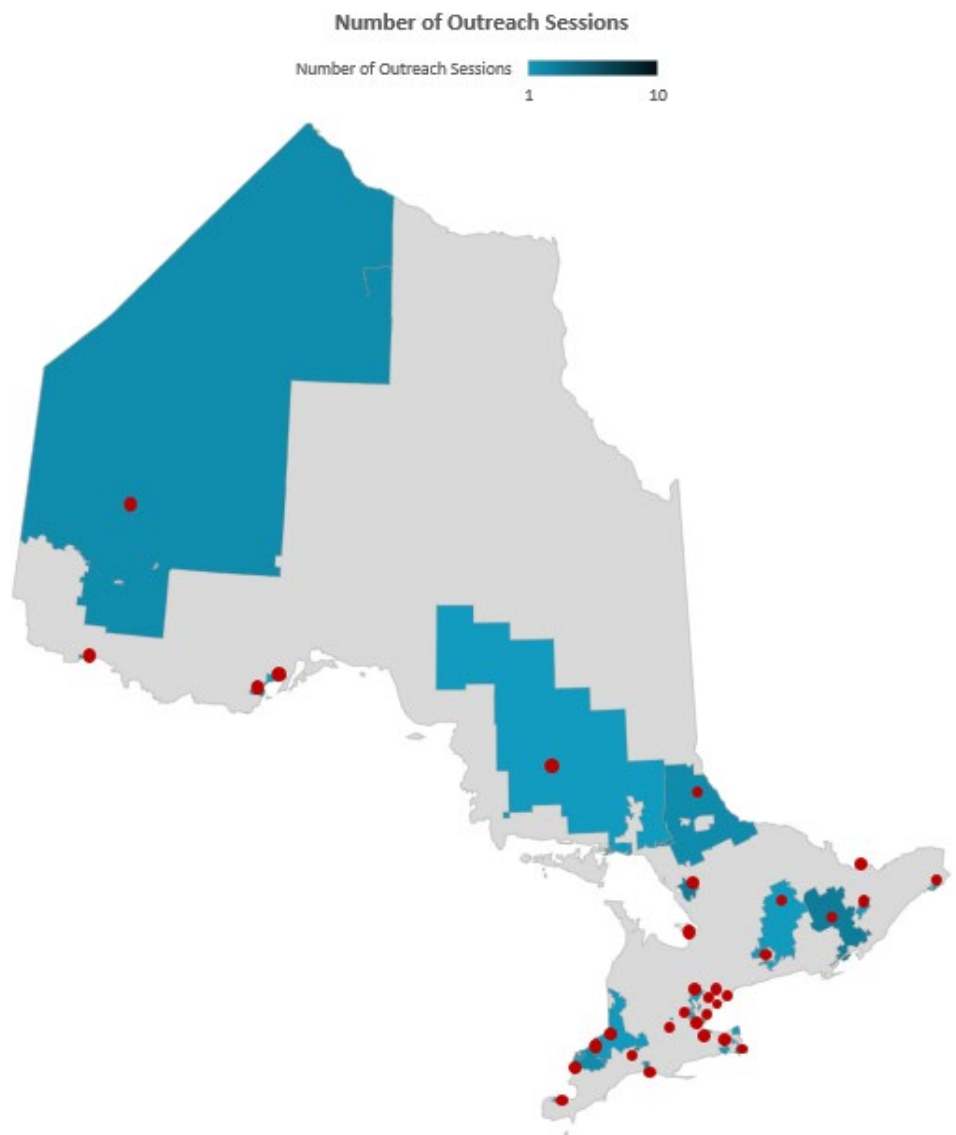
### Reporting on Allegations of Sexual Assault

In cases involving allegations of sexual assault, the SIU, as a general matter, will not release details to the public which could potentially identify the individual alleging a sexual assault occurred or the officer who is the subject of the allegation. This is due to the release of information related to investigations of sexual assault allegations being 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 affected persons. The SIU hopes that by not releasing identifying information in these cases, potential affected persons will be encouraged to come forward. As with other types of cases, once a sexual assault investigation is underway, it is denoted on the Status of SIU Cases chart on the SIU website.

# Outreach

The SIU's Outreach Program aims to engage with Ontario's diverse communities to increase public awareness and understanding of the SIU, and to nurture relationships between the SIU and the communities it serves. For 2021-2022, the SIU met with a broad spectrum of groups across the province. Due to the COVID-19 pandemic, many of the outreach presentations continued to be delivered virtually.

| City           | Outreach Sessions |
|----------------|-------------------|
| OTHER*         | 6                 |
| OUT OF COUNTRY | 2                 |
| WINDSOR        | 1                 |
| TORONTO        | 10                |
| THUNDER BAY    | 1                 |
| THORNHILL      | 1                 |
| SUDBURY        | 1                 |
| ST. CATHARINES | 1                 |
| SARNIA         | 2                 |
| RICHMOND HILL  | 1                 |
| RED LAKE       | 2                 |
| PETERBOROUGH   | 3                 |
| PERTH          | 1                 |
| PARRY SOUND    | 3                 |
| OTTAWA         | 2                 |
| NORTH YORK     | 3                 |
| NORTH BAY      | 2                 |
| NISHNAWBE ASKI | 3                 |
| NATION         |                   |
| NIAGARA        | 1                 |
| MISSISSAUGA    | 2                 |
| MIDLAND        | 1                 |
| MILTON         | 1                 |
| LONDON         | 3                 |
| KITCHENER      | 2                 |
| KINGSTON       | 3                 |
| KAWARTHA LAKES | 1                 |
| HURON          | 1                 |
| HAMILTON       | 2                 |
| HALTON REGION  | 1                 |
| FORT FRANCES   | 1                 |
| CORNWALL       | 1                 |
| CALEDON        | 1                 |
| AYLMER         | 2                 |
| AAMJIWNAANG    | 1                 |
| FIRST NATION   |                   |



# First Nations, Inuit and Métis Liaison Program

The First Nations, Inuit and Métis Liaison Program was created in early 2006 to address the unique needs and concerns of Indigenous people and communities as it relates to police oversight. It does so principally by relationship-building between the SIU and Indigenous communities with the aim of facilitating SIU investigations involving and/or impacting Indigenous persons or interests.

The First Nations, Inuit and Métis Liaison Program has seen a significant expansion and is presently staffed by two Investigative Managers, seven Investigators, and a member of the Affected Persons Program stationed in Northern Ontario.

The members of the First Nations, Inuit and Métis Liaison Program have the following responsibilities:

- Attend First Nations training at least once per year
- Assist the SIU Training Coordinator with the development and implementation of First Nations-based cultural competency training for all SIU staff
- Assist the SIU's Outreach Coordinator with the development and delivery of outreach initiatives to Indigenous persons, organizations and communities, and developing and maintaining a positive professional relationship with leaders and representatives of Indigenous organizations and communities
- Track investigative and outreach activities to assist with reporting stats bi-annually and for the annual report

Whenever possible, a member of the program leads or participates in investigations involving Indigenous peoples or communities to ensure that investigations are conducted with respect and sensitivity.

In the 2021-2022 fiscal year, members of the program were involved in 38 cases involving Indigenous peoples. Of those 38 cases, 22 were closed by Director's Report, 9 investigations were terminated by memo and seven investigations are ongoing.

**Employee Profile: Investigative Manager  
Dean Seymour**

*I have been a founding member of the SIU's First Nations Inuit & Métis Liaison Program since its launch in 2006. The intent of the program is to help address the unique needs and concerns of Indigenous people in Ontario within the SIU's mandate.*

*The team and I do this through the development and delivery of outreach initiatives to Indigenous persons, organizations, and communities, and building positive relationships with First Nations, Inuit and Metis organizations and communities. The group also develops and implements First Nations-based cultural and racial sensitivity training for all SIU staff. It is vital work that, as a First Nations member, I am honoured to be a part of.*

*My familiarity with First Nations communities brings valuable insight to the imperative work of the SIU and builds trust with Indigenous communities.*

*I am pleased that the SIU has recognized the value of this essential program, such as by expanding its members from two to ten staff. Its membership now includes two Investigative Managers, seven Investigators, and an Affected Persons Manager, who lives in Northern Ontario.*

*With the implementation of the Special Investigations Unit Act, 2019, the SIU has new in-roads to engage with the various First Nations police services in Ontario as the Act now allows for investigating incidents involving First Nations Police officials pursuant to agreement between the parties. The ability to conduct these sensitive investigations may provide the SIU with future opportunities to do community outreach, thereby increasing awareness of the SIU.*

*I have been pleased to have recently met with the Nishnawbe Aski Police Service, and the First Nations Chiefs of Police Association (FNCPA) to help educate them about the legislative changes. I look forward to continuing to work on strengthening relationships with First Nations territories and agencies in Northern Ontario.*

*Dean Seymour, Investigative Manager*

# Affected Persons Program

## About the Program

The Affected Persons Program (APP or the Program) is a crucial component of the SIU, providing support services to anyone directly or indirectly impacted by incidents investigated by the Unit. The APP aims to respond to the emotional and practical needs of affected persons, family members and loved ones of affected persons, witnesses or anyone negatively affected by offering immediate crisis support, information, guidance, advocacy, resources and referrals.

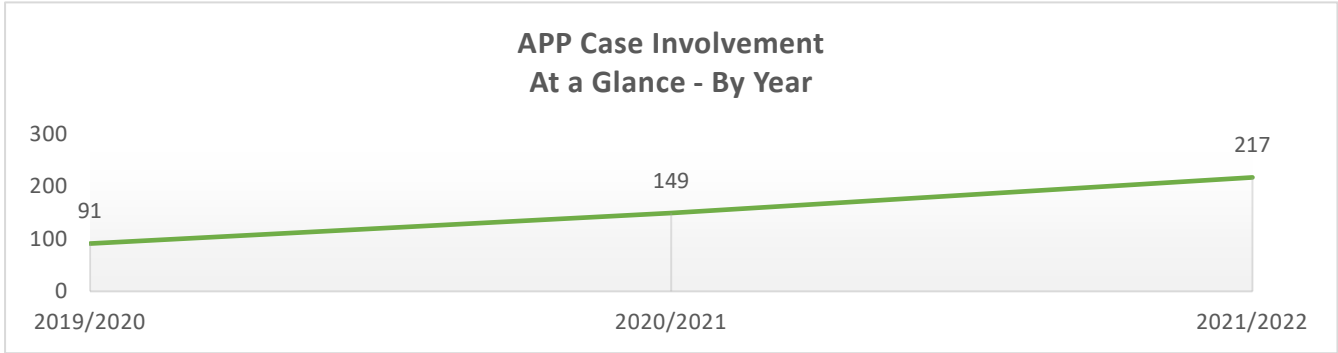
APP staff are available to support affected persons from the outset of the investigation, throughout the investigative process and its conclusion, as well as during criminal justice and inquest proceedings, when applicable. During the COVID-19 pandemic, APP staff have remained available to respond to the needs of affected persons 24 hours a day, 7 days a week.

2021 was an exciting year for the Program as it continued to grow. Two regional Affected Persons Coordinators (APCs) joined the APP team in the North and West regions. The APP team will be complete with the final addition of the East region APC. The recruitment effort to fill the position is in its final stages. A total APP staff complement of five, dispersed throughout the province, allows affected persons in more remote areas to receive support services in a timely and compassionate manner.

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. Relationships are built through formal and informal outreach activities, consultative work and committee participation. These efforts continued throughout 2021-2022 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. These collaborative relationships have been solidified with the establishment of a Memorandum of Understanding (MOU) with several Victim Service agencies. The purpose of the MOU is to clarify the roles of Victim Services and the APP when the SIU has invoked its mandate, in an effort to avoid service gaps/overlaps.

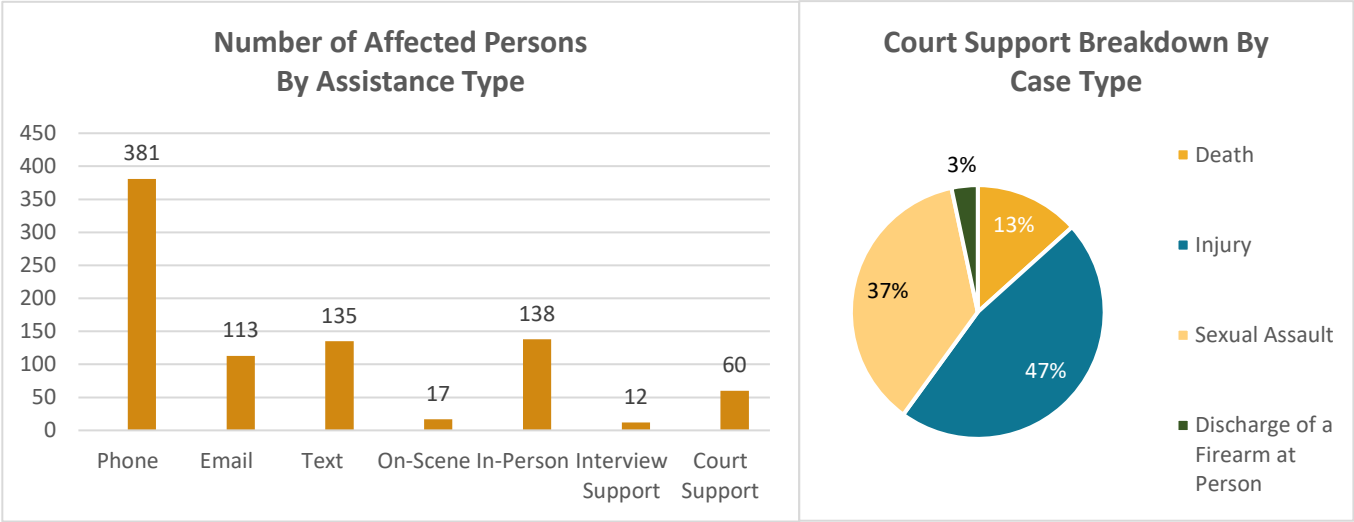
## Affected Persons Program Statistics

From April 1, 2021 – March 31, 2022, the Affected Persons Program was involved in 217 cases including 30 cases that required court support services. This represents a 46% increase in Affected Persons Program case involvement when compared to the previous 12-month reporting period.



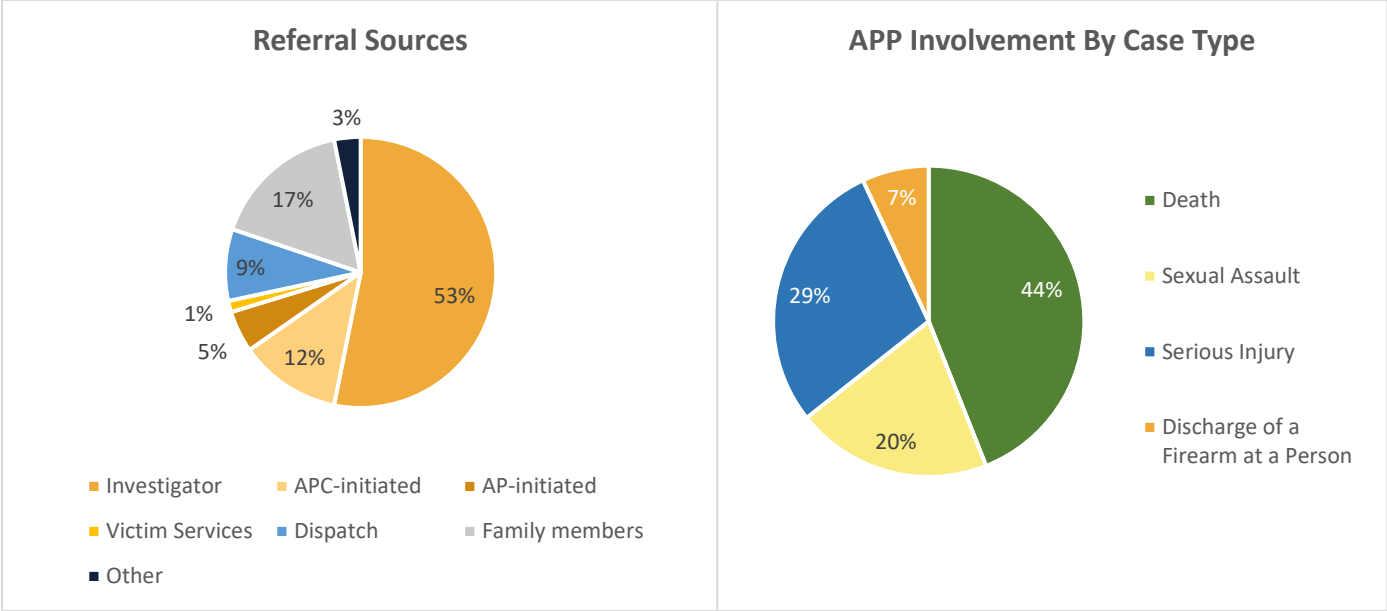
Note: Some cases are referred to the Program outside of the year they occurred and/or support is provided by Affected Persons Program staff beyond the year the investigation was launched. Each case may include providing support to more than one affected person.

In 2021-2022, the Program supported a total of 408 affected persons, including assisting with the completion of 13 in-person death notifications. This is an increase of 62% in the number of persons supported compared to the previous year.



\*Affected persons may have received more than one assistance type.

The Affected Persons Program is engaged in all death and sexual assault cases.



# Training

The SIU is committed to the continuous training of its staff in the areas of investigative best practices, cultural competency, administration, management, law, and information technology.

Despite the challenges of developing and conducting the courses online because of the COVID-19 pandemic restrictions, SIU personnel participated in approximately 2,000 hours of learning and development initiatives, the majority (85%) of which was devoted to investigative training.

| <b>2021-2022 SIU Training Hours Completed (# of Staff)</b> | <b>Total Hours</b> |
|--|--------------------|
| Full-time Investigators (14)                               | 712                |
| Regular On-Call Investigators (26)                         | 1,033              |
| Administrative / Professional Staff (19)                   | 125                |
| Management Staff (10)                                      | 183                |
| <b>Total SIU</b>   | <b>2,053</b>       |

### Specialized Investigative Training Courses

A number of SIU Investigators were trained in the following areas during the past year:

- Drafting and reviewing search warrants
- Data collection
- Death investigation
- Electronic onboarding
- Firearms-related investigations
- Sexual assault allegation investigations

- Vicarious trauma awareness
- Building resilience
- Crown Brief preparation

### Mandatory Training

As part of the Unit's mandatory training for new investigative staff, the SIU tapped into the resources of the Ontario Police College to offer investigators the 10-day Criminal Investigators Training certificate, which focused on the following courses:

- Theory of criminal investigations
- Crime scene security and management
- Basic investigative skills
- Handling of physical evidence
- Victim issues - handling third party records
- Search and seizure with and without warrant
- Death investigation
- Informant development and handling
- Sexual assault investigations

### Affected Persons Program Staff Training

SIU staff engaged in the work of supporting those impacted by SIU investigations with their emotional and practical needs received specialized training in:

- SIU cooperation with child welfare authorities
- Safeguarding your mental health
- Death notifications for new investigators
- SIU Affected Persons Program (overview)
- SIU data collection protocols and procedures
- Strategies for resolving the impact of post-traumatic stress

### Onboarding and Orientation

The SIU held three training sessions in 2021-2022 to onboard and orient nineteen new staff. This was done over a 3-week period with an average of 85 training hours per investigator.

Training sessions included:

- Overview of investigator orientation (Unit initiatives, mandate, policies)
- Processing cases expeditiously without sacrificing quality
- Authority for SIU investigators
- Introduction to information technology
- Administration & Investigative Records Management
- Note-taking and use of official memo books
- SIU First Nations, Inuit and Métis Liaison Program
- Collision reconstruction
- Briefings and debriefings
- Firearms, sexual assault allegation, and custody-related investigations

## Anti-Racism and Diversity

The SIU continues to make progress in educating staff about race, racial discrimination and human rights protections under Ontario's Human Rights Code. The Unit created an Anti-Racism Road Map to address systemic racism, as well as to prioritize its commitment to a fair and diverse workforce. As a result, most staff have completed the mandatory anti-racism training which aims to increase staff awareness of unconscious bias and racism in both policing and policing oversight, while equipping staff with anti-racism competencies. The learning modules included:

- Unconscious Bias
- Workplace Discrimination and Harassment Prevention
- Bimickaway (Indigenous cultural competency training)

Management also completed over 40 hours of anti-racism training as part of its commitment to advancing anti-racism in the workplace and a culture of racial equity. Learning modules included:

- Exploring the Roots of Racism
- Call it out: Racism, racial discrimination and human rights
- Anti-Black racism training for leaders: Addressing & eliminating anti-Black racism within the Ontario Public Service
- Inclusive Leadership

## Investigations

The SIU invokes its mandate when notified of an incident that falls within its jurisdiction. Investigations begin at the time of notification and entail a number of actions, including:

- Quick response to an incident
- Examining and securing all physical evidence
- Seeking and interviewing witnesses
- Forensic testing
- Consulting with the coroner when required
- Completing investigative file reports for Director's review and decision

2021-2022 was the busiest in the history of the SIU with the caseload at its highest. Investigation files were opened in 430 cases -- an increase of 10% from the previous year's 390 cases, and a 20% increase since the new legislation was implemented.

The *Special Investigations Unit Act, 2019*, which came into force in December 2020, expanded the SIU's jurisdiction to include incidents involving the discharge of a firearm by the police at a person. This includes the discharge of less-lethal shotgun projectiles and ARWENs. This category of cases was up about 400% from the previous fiscal period.

With the shift to increased digitization in society and policing – cellphones, body-worn cameras, various types of security cameras and the increasingly large volume of related audio and video evidence – investigators are dealing with more complex high-tech investigations.

Central to the work of the SIU is forensics – the collection and analysis of physical evidence. The Forensics Team, quite often the face of the organization as the first to respond to any given scene, is critically important to the conduct of thorough investigations. At any given scene, the team could be taking photographs, collecting blood samples, firearms, projectiles and cartridge cases, and measuring the spaces in which an incident has occurred.

In 2021-2022, the Forensics Team of nine certified Forensic Investigators and one Collision Reconstructionist responded to 204 cases or 47% of all cases. Even though the province was dealing with a pandemic, it was business as usual for Forensic Investigators who continued to respond to scenes to document and collect vital evidence.

### Increased Caseload

| Number of Occurrences by Type |            |            |            |            |            |
|-------------------------------|------------|------------|------------|------------|------------|
| Types of Occurrences          | 2017-18    | 2018-19    | 2019-20    | 2020-21    | 2021-22    |
| Firearm Injuries              | 5          | 12         | 15         | 12         | 12         |
| Firearm Deaths                | 9          | 5          | 9          | 12         | 11         |
| Firearm Discharge at Person*  |            |            |            | 7          | 34         |
| Custody Injuries              | 251        | 192        | 172        | 201        | 209        |
| Custody Deaths                | 22         | 31         | 22         | 34         | 29         |
| Vehicle Injuries              | 42         | 38         | 32         | 49         | 46         |
| Vehicle Deaths                | 7          | 3          | 6          | 8          | 8          |
| Sexual Assault Complaints     | 65         | 57         | 58         | 63         | 73         |
| Other Deaths                  | 9          | 17         | 5          | 3          | 6          |
| Other Injuries                | 2          | 0          | 0          | 1          | 2          |
| <b>Totals</b>                 | <b>412</b> | <b>355</b> | <b>319</b> | <b>390</b> | <b>430</b> |

Firearm Discharge at Person category had the largest case increase from last year – seven cases to 34 cases. This new category of cases has placed significant pressures on existing SIU resources.

This was in large part due to the fact that this category was introduced on December 1, 2020.

The Custody Injuries cases accounted for approximately half of the total occurrences.

## Non-Jurisdictional Cases

Non-jurisdictional cases (NJs) are those in which no investigation file is ever opened at the SIU. This is because it is apparent, at the time the case is reported to the SIU, that the incident does not fall within the mandate of the SIU. These cases are not counted as SIU occurrences and do not form part of the SIU caseload

In 2021-2022, there were 143 NJs at the SIU.

## Case Closures

In 2021-2022, the SIU closed 469 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 2022.

| Case Closures  | 2021-2022    |
|--|--------------|
| Number of cases closed                                   | 469          |
| Number of cases closed by memo                           | 145<br>(31%) |
| Number of cases closed by Director's Report              | 310<br>(66%) |
| Average number of days to close all cases                | 101.9        |
| Average number of days to close a memo case              | 35.6         |
| Average number of days to close a Director's Report case | 132.3        |
| Number of cases closed in 120 days or less               | 408          |
| Percentage* of cases closed in 120 days or less          | 86%          |
| Number of cases in which criminal charges were laid      | 14           |
| Number of officers charged                               | 14           |

## Cases Closed by Memo

The number of cases closed in this period by memo were 145, or 31%. After the opening of an investigation file, these cases were eventually 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.

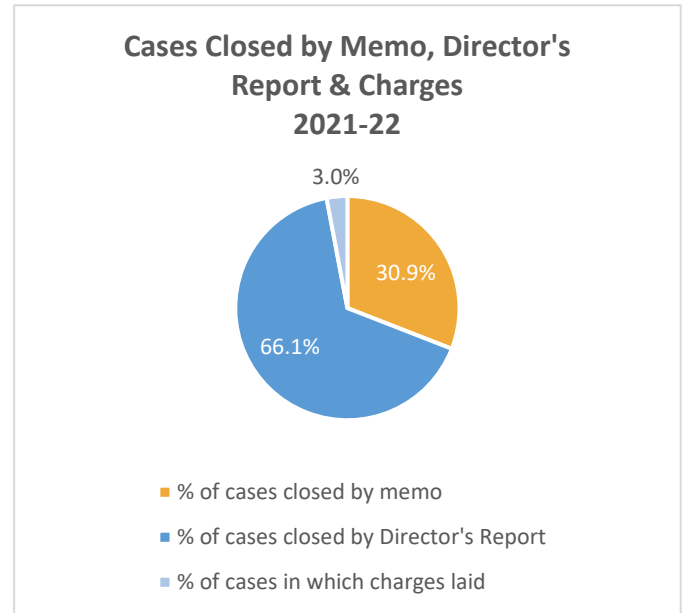
\* *This figure includes cases that were received prior to the implementation of the Special Investigations Unit Act, 2019, and therefore not subject to a deadline of 120 days. Of the cases that were subject to the deadline, 94% of them were closed within 120 days.*

## Charge Cases

Criminal charges were laid by the SIU Director in 14 cases, against a total of 14 officers, representing about 3% of the 469 cases that were closed for the fiscal year. The charges do not represent a finding of criminal wrongdoing – only that there were reasonable grounds to believe that an offence was committed. A court hearing the charges ultimately determines guilt or innocence.

## Total Closed Cases

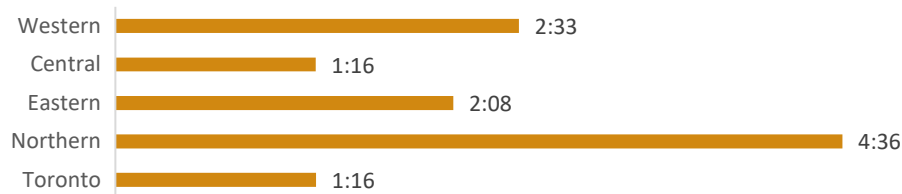
Of the 469 cases closed, 66% (310 cases) resulted in no charges (Director’s Report cases), 31% were closed by memo or terminated, 3 % resulted in charges laid against the officers.



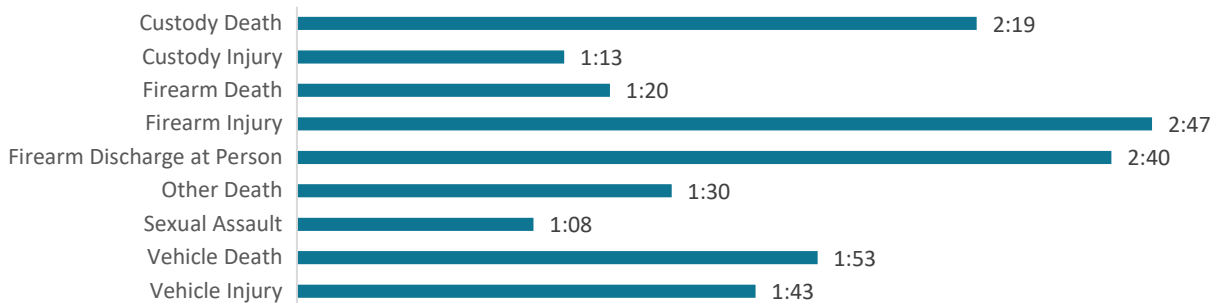
## Investigative Response

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

**Average Response Time by Region (Hours:Minutes)**



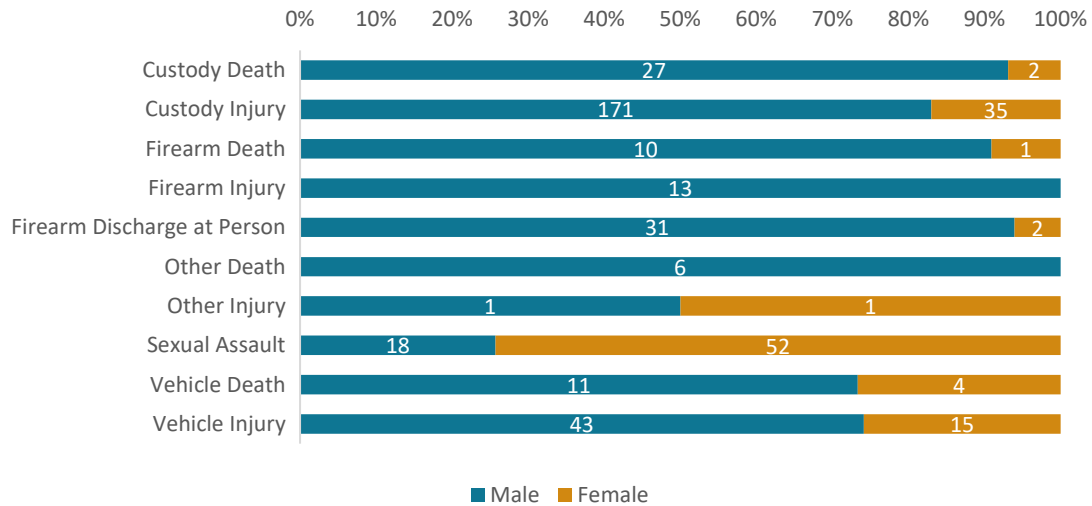
**Average Response Time by Case Type (Hours:Minutes)**



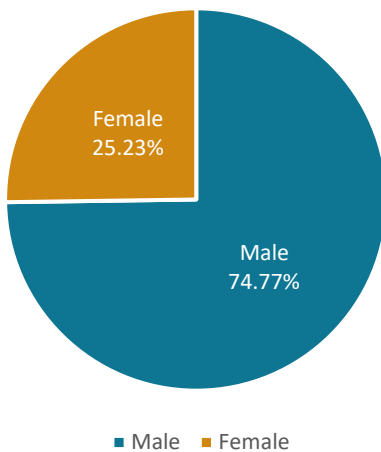
## Information about Affected Persons

Affected Persons are individuals who are directly involved in an occurrence investigated by the SIU as a result of interactions with police. There may be more than one Affected Person per SIU case.

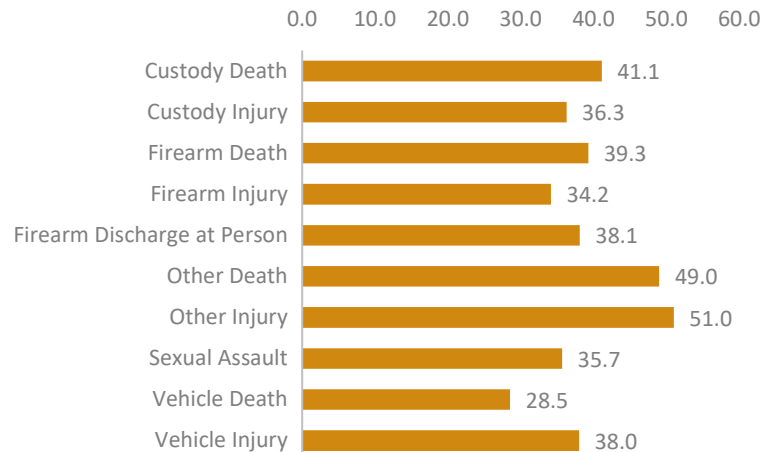
### Number of Male & Female Affected Persons by Case Type



### Percentage of Affected Persons by Gender



### Average Age of Affected Person by Case Type (Years)



# Performance Measures

| Performance Measures  | Target | Actual<br>2021-2022 |
|---|--------|---------------------|
| Average Number of Days to Close a Case: 120 Days or Less                            | 80%    | 86.4%               |
| The Affected Persons Program engaged in all Death and Sexual Assault Cases          | 100%   | 100%                |
| Media releases, at minimum, at the beginning and end of all Death and Firearm Cases | 100%   | 100%                |

## **Average Number of Days to Close a Case**

The SIU aims to complete its investigations within 120 days.

- In 2021-2022, it took 35.59 days to close a case by memo and 132.26 days to close by Director's Report. There were 408 cases that were closed in less than 120 days, or 86.4% of total cases.

## **Affected Persons Program Engaged in all Death and Sexual Assault Cases**

The SIU aims to support all affected persons in all death and sexual assault investigations through its Affected Persons Program.

- With two Affected Persons Program coordinators added to the team and spread out across a broader geographic area, the Unit was able to offer support in 100% of all death and sexual assault cases.

## **News Release in all Death and Firearm Cases**

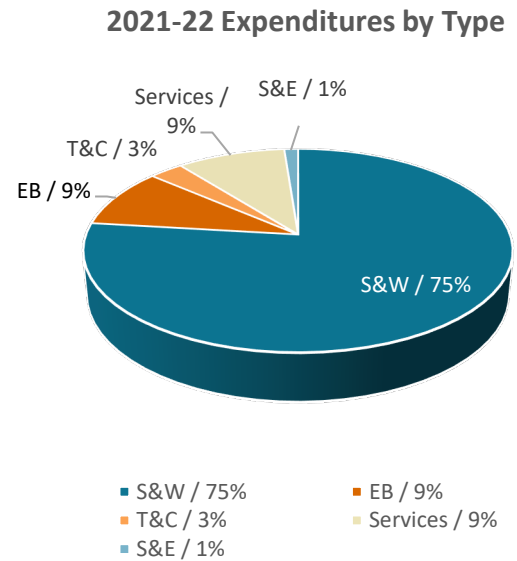
The Unit is committed to issuing a news release at the start of any investigation where there was a death or where an official discharged a firearm, as well as at the end to make the public aware of the results of the investigation.

- In 2021-2022, the agency fully met this performance target.

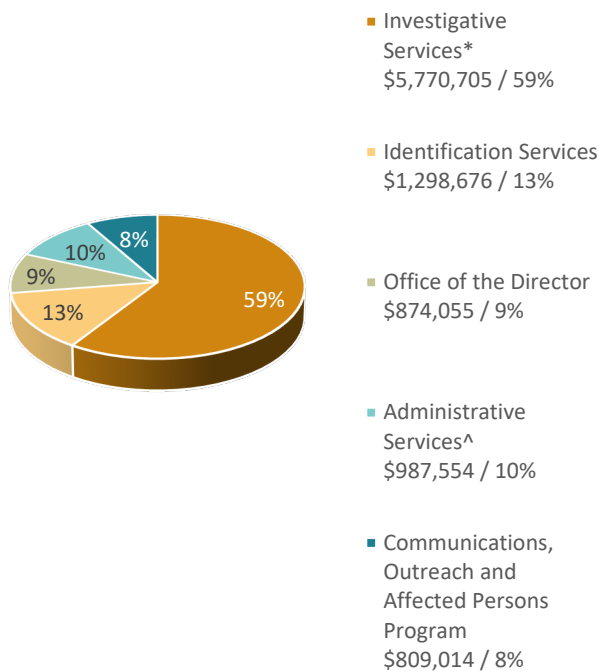
# 2021-2022 Financials

Total Expenditures for the year ended March 31, 2022, were \$9,740,003.78

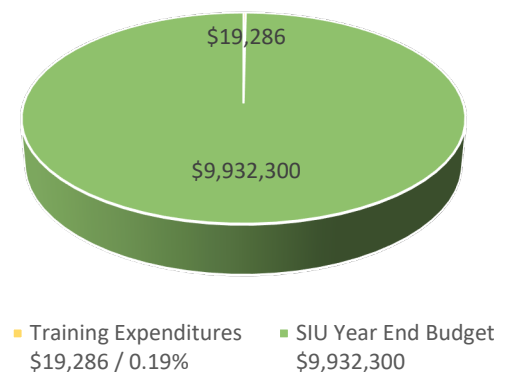
| 2021-22 Expenditures by Type           | Annual Expenditures | % of Final Budget |
|--|---------------------|-------------------|
| Salaries and Wages (S&W)               | \$7,487,118         | 77.0%             |
| Employee Benefits (EB)                 | \$917,675           | 9.4%              |
| Transportation and Communication (T&C) | \$292,033           | 3.0%              |
| Services                               | \$924,803           | 9.4%              |
| Supplies and Equipment (S&E)           | \$118,375           | 1.2%              |
| <b>Total Annual Expenditure</b>        | <b>\$9,740,004</b>  | <b>100%</b>       |



## 2021-22 Expenditures by Section



## Staff Training Expenditures in 2021-22 were 0.19% of the SIU's Year End Budget



\*Includes staff Salaries/Wages & Benefits for Administrative Manager - Investigations, Transcribers, Central Registry and Investigative Secretary

^Includes Unit Training Services

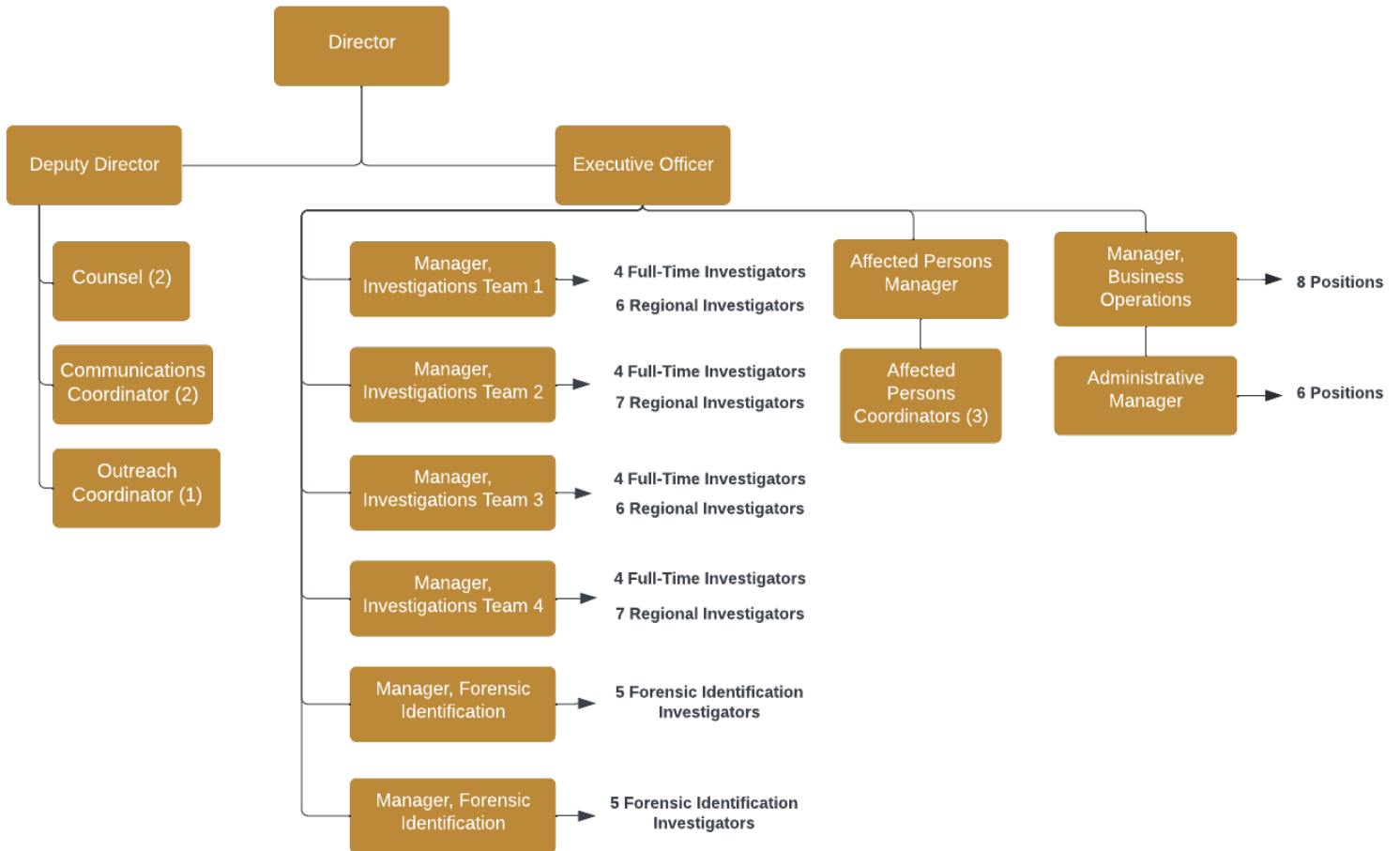
**SIU Director’s Expense Information and Remuneration**

The release of expense information ensures that taxpayer dollars are used prudently and responsibly with a focus on accountability and transparency. The Travel, Meal and Hospitality Expenses Directive requires the posting of expense information by designated individuals and appointees in every provincial agency.

As a provincial agency, the SIU is required to post the Director’s expense report. In fiscal 2021/22, the director did not incur any travel expenses.

| <b>Total Annual Remuneration</b> |                                  |                                   |
|----------------------------------|----------------------------------|-----------------------------------|
| <b>Appointee</b>                 | <b>Total Annual Remuneration</b> | <b>Per Diem Remuneration Rate</b> |
| <b>Joseph Martino, Director</b>  | \$235,000                        | N/A                               |

# SIU Organization Chart



Investigators make up most of the SIU staff, with a complement of 16 lead investigators, ten of which have never worked as police officers in Ontario.

In addition to the Lead, or 'Full-Time', Investigators, the SIU currently has a roster of 26 As-Required, or 'Regional', Investigators based throughout the province, and a Forensics Team comprised of ten As-Required Forensic Investigators, including one Collision Reconstructionist.