



BOARD REPORT

Date: February 11, 2025

To: Chair and Members
Brantford Police Services Board

From: Inspector Kevin Reeder

Subject: Report on Section 81(1) SIU Investigation
(SIU 24-OCI-429)

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PURPOSE:

Section 81(1) of the *Community Safety and Policing Act* directs that if the SIU Director causes an incident to be investigated under Section 15 of the *Special Investigations Unit Act, 2019* involving a member of a police service, other than a Deputy Chief of Police, the Chief of Police of the police service shall investigate:

- (a) the member's conduct in relation to the incident;
- (b) the policing provided by the member in relation to the incident; and
- (c) the procedures established by the chief of police as they related to the incident.

The Chief of Police shall report the findings and any action taken or recommendations based on the findings of the Section 81(1) investigation to the Police Service Board.

Section 8(3) of Ontario Regulation 90/24 directs that a Chief of Police who is required to report on an investigation under Section 81(1) shall give the report to the Police Service Board. If no criminal charges are laid against a member of the police service, the report shall be given within 90 days after the SIU Director publishes a final report.

Section 8(5) of Ontario Regulation 90/24 directs that a Police Service Board shall publish the report on the internet no later than 30 days after receiving the report.

BACKGROUND:

Members of the Brantford Police Service Tactical Intelligence Generated Enforcement and Response (TIGER) unit entered into a drug trafficking investigation in the month of October of 2022. The investigation concluded on November 8th, 2022, with the execution of a Section 11 Controlled Drugs and Substances Act Search Warrant with the assistance of member of the Emergency Response Team (ERT). The warrant was executed on a motel room on Colborne Street East.

Officers approached the front door to the unit that was to be breached and announced their presence. Upon entry, members observed a male, with his fists clenched and raised near his face in a fighting stance as he began to charge towards the door. This male attempted to close the door on officers, which was prevented. During that interaction, a conducted energy weapon (CEW) was deployed on this male who was demonstrating assaultive behaviour toward officers

One of the probes from the CEW struck this male in the face. This occurred when an officer was in the process of deploying his CEW and his arm was bumped by another officer. Officers entered the room and took this male into custody. There was a total of 4 persons located inside. The male who was struck by a probe from the CEW was taken to the Brantford General Hospital for medical assessment and treatment. He was cleared medically with no serious injuries being reported. As such, there was not requirement to notify the Special Investigations Unit (SIU) at that time.

In October of 2024 (2 years later) Brantford Police received information that the subject male may have suffered injuries that would be considered serious and would fall within the mandate of the SIU. As a result, the SIU was contacted and initiated an investigation.

On January 31, 2025 the SIU Director closed the investigation reporting the following decision:

Pursuant to section 25(1) of the Criminal Code, police officers are immune from criminal liability for force used in the course of their duties provided such force was reasonably necessary in the execution of an act that they were required or authorized to do by law.

The ERT had lawful authority, based on the warrant that had been issued, to enter the unit to conduct a search of the premises. Accordingly, when “the subject male” attempted to prevent them from entering, he rendered himself subject to arrest for obstructing justice.

With respect to the force used by the officers in effecting “the subject male’s” arrest, I am satisfied it was legally justified. The evidence indicates that “the subject male” pushed against the inside of the door to prevent the officers entering the room. While he made no mention of it, there is also evidence that “the subject male” attempted to push the officers away from the door’s threshold as he tried to close it shut. On this record, and in light of the need to move quickly to enter the room given the inherent risks associated with drug searches, I am unable to reasonably conclude that the use of the CEW was something other than a reasonable escalation in the officers’ use of force.

If it worked, “the subject male” would be sufficiently subdued so that the officers could open the door. That, in effect, is what happened. While it is regrettable that one of the weapon’s probes struck “the subject male” in the face, there is reason to believe the officer’s explanation that that was the unfortunate result of his aim being disrupted by the skirmish happening at the doorway. As for the strikes administered by two other officers, though not the focus of the SIU investigation, it would not appear that they were excessive given there is also evidence that “the subject male” physically resisted the officers’ efforts to arrest him once inside the room.

For the foregoing reasons, there is no basis for proceeding with criminal charges in this case. The file is closed.

CONCLUSION:

The ensuing Section 81(1) investigation found the conduct of the officers involved in this incident fell within the duties prescribed by the *Community Safety and Policing Act* and in accordance with Brantford Police Service policies and procedures.

No deficiencies were identified with the policies and procedures or services provided by members of the Brantford Police Service.

Also, the investigation did not reveal any evidence that members committed misconduct or unsatisfactory work performance.

As a result, no action is recommended to be taken.

RECOMMENDATIONS:

THAT the Board accepts this report as required under the *Community Safety and Policing Act*, and

THAT the Board directs the Chief of Police to post this report on the internet within 30 days of receiving the report.



BOARD REPORT

Date: January 30, 2025

To: Chair and Members
Brantford Police Services Board

From: Inspector Kevin Reeder

Subject: Report on Section 81(1) Investigation (SIU)
(SIU 24-OCI-433)

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PURPOSE:

Section 81(1) of the *Community Safety and Policing Act* directs that if the SIU Director causes an incident to be investigated under Section 15 of the *Special Investigations Unit Act, 2019* involving a member of a police service, other than a Deputy Chief of Police, the Chief of Police of the police service shall investigate:

- (a) the member's conduct in relation to the incident;
- (b) the policing provided by the member in relation to the incident; and
- (c) the procedures established by the chief of police as they related to the incident.

The Chief of Police shall report the findings and any action taken or recommendations based on the findings of the Section 81(1) investigation to the Police Service Board.

Section 8(3) of Ontario Regulation 90/24 directs that a Chief of Police who is required to report on an investigation under Section 81(1) shall give the report to the Police Service Board. If no criminal charges are laid against a member of the police service, the report shall be given within 90 days after the SIU Director publishes a final report.

Section 8(5) of Ontario Regulation 90/24 directs that a Police Service Board shall publish the report on the internet no later than 30 days after receiving the report.

BACKGROUND:

On October 10, 2024 Brantford Police Officers attended an address in the Pearl Street area to execute an apprehension order that had been issued under authority of the *Mental Health Act* and to bring this female to the hospital for treatment. A combination of Patrol, Mobile Crisis Rapid Response Team, Emergency Response Team, Supervisors and Paramedics responded.

When officers arrived, they found the female in a paranoid and delusional state. She had locked her family out of the residence, barricaded herself inside and refused to cooperate with police. Officers negotiated with the female attempting to deescalate her behavior and gain her compliance. However, the female armed herself with a screwdriver and made comments that she would rather die than go to the hospital.

Officers consulted the female's Doctor and learned the apprehension form that had been issued was invalid due to a procedural issue. However, the officers formed grounds to apprehend her based on their observations and concerns she posed a danger to herself.

With negotiations being ineffective and concerned for this female's safety, officers breached a glass door and gave verbal commands. This female ran into the kitchen and began going through drawers before turning and running up a flight of stairs towards the second level. One officer was able to grab the back of her shirt to prevent her from going upstairs. The female lost her balance and fell back towards the officer. She was successfully apprehended and handcuffed.

After the apprehension she was treated by paramedics on scene and found to have fractured her left knee and wrist. She was transported to the hospital and admitted for a psychiatric assessment and treatment for her injuries. Due to the injuries the SIU was contacted and investigated.

On his assessment of the evidence, SIU Director determined there were no reasonable grounds to believe that an officer committed a criminal offence in connection with the female's apprehension and injuries sustained. The SIU was satisfied that the force used by the officer was legally justified, reasonable in the circumstances and not excessive. No officers were charged.

CONCLUSION:

The ensuing Section 81(1) investigation found the conduct of the officers involved in this incident fall within the duties prescribed in the *Community Safety and Policing Act* and in accordance with Brantford Police Service policies and procedures.

No deficiencies were identified with the policies and procedures of the Brantford Police Service.

As a result, no action is recommended to be taken.

RECOMMENDATIONS:

THAT the Board accepts this report as required under the *Community Safety and Policing Act*, and

THAT the Board directs the Chief of Police to post this report on the internet within 30 days of receiving the report.



BOARD REPORT

Date: February 5, 2025

To: Chair and Members
Brantford Police Services Board

From: Inspector Kevin Reeder

Subject: Report on Section 81(1) Investigation (SIU)
(SIU 24-OVI-425)

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PURPOSE:

Section 81(1) of the *Community Safety and Policing Act* directs that if the SIU Director causes an incident to be investigated under Section 15 of the *Special Investigations Unit Act, 2019* involving a member of a police service, other than a Deputy Chief of Police, the Chief of Police of the police service shall investigate:

- (a) the member's conduct in relation to the incident;
- (b) the policing provided by the member in relation to the incident; and
- (c) the procedures established by the chief of police as they related to the incident.

The Chief of Police shall report the findings and any action taken or recommendations based on the findings of the Section 81(1) investigation to the Police Service Board.

Section 8(3) of Ontario Regulation 90/24 directs that a Chief of Police who is required to report on an investigation under Section 81(1) shall give the report to the Police Service Board. If no criminal charges are laid against a member of the police service, the report shall be given within 90 days after the SIU Director publishes a final report.

Section 8(5) of Ontario Regulation 90/24 directs that a Police Service Board shall publish the report on the internet no later than 30 days after receiving the report.

BACKGROUND:

On October 4, 2024, a Brantford Police Service officer was travelling eastbound on Henry Street in response to a serious motor vehicle collision. The emergency equipment (lights) on the officer's fully marked police cruiser was activated. As the officer approached Garden Avenue, a vehicle also traveling eastbound ahead of the cruiser proceeded to execute a U-turn. This vehicle went directly across the path of the cruiser. While the officer steered to the left to avoid striking the vehicle, the front right corner of the cruiser struck the front left portion of the other vehicle. The driver was transported to the hospital where he was treated for a fractured shoulder and the SIU was contacted.

Based on the SIU's preliminary inquiries, Director Martino was satisfied the investigation should be discontinued. On this record, it was apparent that the actions of the man in failing to yield to the approaching emergency vehicle caused his injury. There being nothing to investigate as far as the potential criminal liability of any police officer, the file has been closed.

CONCLUSION:

The ensuing Section 81(1) investigation conducted by the Professional Standards Section found the conduct of the officers involved in this incident were in accordance with the requirements prescribed in the *Community Safety and Policing Act* and the Brantford Police Service policies and procedures.

There was no evidence to suggest the officers involved committed misconduct or unsatisfactory work performance.

The officers involved did not violate any policies or procedures.

However, the Section 81(1) investigation identified one minor policy update. This was an update to the definition of "emergency equipment" under policy "Responding to Emergency and Non-Emergency Calls for Service" to include both emergency lights and/or sirens.

As a result, no action is recommended to be taken.

RECOMMENDATIONS:

THAT the Board accepts this report as required under the *Community Safety and Policing Act*, and

THAT the Board directs the Chief of Police to post this report on the internet within 30 days of receiving the report.



BOARD REPORT

Date: February 11, 2025

To: Chair and Members
Brantford Police Services Board

From: Inspector Kevin Reeder

Subject: Report on Section 81(1) Investigation (SIU)
(SIU 24-OCI-433)

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PURPOSE:

Section 81(1) of the *Community Safety and Policing Act* directs that if the SIU Director causes an incident to be investigated under section 15 of the *Special Investigations Unit Act, 2019* involving a member of a police service, other than a deputy chief of police, the chief of police of the police service shall investigate,

- (a) the member's conduct in relation to the incident;
- (b) the policing provided by the member in relation to the incident; and
- (c) the procedures established by the chief of police as they related to the incident.

The Chief of Police shall report the findings and any action taken or recommendations based on the findings of the Section 81(1) investigation to the police services board.

Section 8(3) of Ontario Regulation 90/24 directs that a Chief of Police who is required to report on an investigation under section 81(1) shall give the report to the police service board. If no criminal charges are laid against a member of the police service the report shall be given within 90 days after the SIU Director publishes a final report.

Section 8(5) of Ontario Regulation 90/24 directs that a Police Service Board shall

publish the report on the internet no later than 30 days after receiving the report.

BACKGROUND:

On October 16, 2024 officers and special constables from the Brantford Police Service responded to a report of a fight between two males in a financial institution located downtown.

Officer's formed reasonable and probable grounds to arrest the subject male with assault and attempt to make an arrest. Several officers and special constables assisted in attempting to secure him, and despite being given the opportunity to surrender voluntarily, he continued resisting. The male was delivered several knee strikes from a Special Constable and was eventually taken to the ground and arrested. He was released from the scene on an appearance notice with a future court date.

On October 17, 2024 this same male was re-arrested for another police investigation and was held for bail. While in police custody he notified officers that his ribs were sore which occurred when he was arrested on October 16, 2024. He was subsequently taken the Brantford General Hospital where it was learned he had suffered a fractured rib. The Special Investigations Unit was subsequently contacted and initiated an investigation.

On February 10, 2025 the SIU Director terminated the SIU investigation as it was determined that the fractured rib was caused by knees delivered by a Special Constable and as such the SIU does not have jurisdiction to proceed with the investigation.

CONCLUSION:

The ensuing Section 81(1) investigation found the conduct of the officers involved in this incident fell within the duties prescribed in the *Community Safety and Policing Act* and in accordance with Brantford Police Service policies and procedures.

No deficiencies were identified with the policies and procedures or services provided by members of the Brantford Police Service.

Further, there was no evidence discovered that suggested members committed misconduct or unsatisfactory work performance.

As a result, no further action is recommended to be taken.

RECOMMENDATIONS:

THAT the Board accepts this report as required under the *Community Safety and Policing Act*, and

THAT the Board directs the Chief of Police to post this report on the internet within 30 days of receiving the report.