**The Regional Municipality of York**
**Police Service Board**

Private Board Meeting
October 30, 2024
For Information

Report of the Chief of Police

## Section 81 Review into the actions of Detective Constable ▮▮▮▮▮ ▮▮▮▮

## 1. Recommendation

That the Board receive this report pursuant to section 81 of the *Community Safety and Policing Act, 2019 (CSPA).*

## 2. Purpose

On April 3, 2024, the Special Investigations Unit (SIU) began an investigation into a custody injury stemming from an arrest made by York Regional Police (YRP) in the City of Vaughan. This prompted the SIU to designate Detective Constable ▮▮▮▮▮▮▮ as a Subject Official.

On July 31, 2024, the SIU Director notified me in writing that the SIU investigation was complete and no further action was being considered against the Subject Official. In accordance with section 81 of the *CSPA,* I caused the matter to be investigated by the Professional Standards Bureau (PSB). I subsequently determined that the involved officers complied with all relevant YRP procedures.

This report is being considered in private as it relates to section 44(2)(b) of the *Community Safety and Policing Act, 2019* and contains information related to personal matters about identifiable individuals.

Key Points:

- Subject Official; Detective Constable ▮▮▮▮▮▮
- SIU determined there were no grounds to lay charges against the officer

- The PSB investigation revealed no misconduct or procedural breaches

## 3. Background

On April 2, 2024 Mr. ███████████, attended a Mercedes Benz dealership in Markham and took a test drive of a Mercedes Benz, while an employee rode in the passenger seat. While on Highway 407, Mr. █████ pulled over to the side of the road and pushed the employee out and drove away.

The Mercedes Benz dealership assisted police by providing GPS location information of the stolen vehicle. Officers located Mr. █████ and three other suspects operating the stolen vehicle along with a second stolen Range Rover. Police followed both vehicles until they parked in an underground parking lot in Vaughan. When the suspects exited the stolen vehicles, officers moved in and arrested all parties.

During his arrest, Mr. █████ was observed holding a screwdriver which he refused to drop. Detective Constable █████ tackled Mr. █████ and landed on top of him. Mr. █████ continued to resist arrest but Detective Constable █████ and another investigator were able to handcuff him. Once in custody, Mr. █████ complained of a sore chest and difficulty breathing. He was transported to the hospital where he was diagnosed with a non-displaced fracture of a single rib.

On April 3, 2024, the SIU invoked their mandate and designated Detective Constable █████ as a Subject Official. On July 31, 2024, after completing their investigation, the SIU cleared Detective Constable █████ of any wrong doing, indicating there were no grounds to proceed with criminal charges.

In accordance with section 81 of the *CSPA,* I caused the matter to be investigated by the PSB. The purpose of the investigation was to review the policies of and/or services provided by YRP and the conduct of its police officers. I subsequently determined that all involved officers adhered to all provisions of the YRP procedures.

The following procedures were reviewed during the course of the investigation.

## 4. Analysis

### YORK REGIONAL POLICE POLICIES AND PROCEDURES

| Procedure Name | Description | Compliance |
|---|---|---|
| AI 012/AI 014 | Use of Force | Yes |
| LE 045 | Suspect Apprehension Pursuits | Yes |

| Procedure Name | Description | Compliance |
| --- | --- | --- |
| LE 016 | Prisoner Care and Control and Prisoner Transportation | Yes |
| LE 022 | Officer Notes and Notebook Control | Yes |
| LE 365 | Special Investigations Unit | Yes |
| LE 005 | Processing the Offender – Arrest, Provincial Offences and Release | Yes |
| LE 042 | Robbery | Yes |
| LE 025 | Supervision | Yes |

## 5.  Financial Considerations

Not applicable.

## 6.  Local Impact

Not applicable.

## 7.  Conclusion

This section 81 investigation revealed that Detective Constable ███████ and all responding officers adhered to all related procedures.

Alternative formats or communication supports are available upon request.

Approved for Submission:     Jim MacSween, M.O.M., B.A.A.
                             Chief of Police