



NIAGARA REGIONAL POLICE SERVICE

Police Service Board Report

CONFIDENTIAL AGENDA

Subject: Special Investigations Unit – Case Number 25-OSA-291 – Incident of June 16, 2025

Report To: Chair and Members, Niagara Police Service Board

Report Date: 2025-12-18

Confidential Report

Confidential Report with respect to the legal matter of an identifiable individual – *Community Safety and Policing Act, s. 44(2)(b)* “personal matters about an identifiable individual, including members of the police service or any other employees of the board” and *Community Safety and Policing Act 2019, s.44(2)(e)* “litigation or potential litigation affecting the Board, including matters before administrative tribunals.”

Recommendation(s)

- 1. That the Niagara Police Service Board (Board) receive this report for information.**
- 2. That the Board makes the report available to the public.**

Key Facts

- The purpose of this report is to advise the Board of the findings and any action taken or recommended by the Chief of Police following a notification and investigation of an incident by the Special Investigations Unit (SIU). Section 81 of the Community Safety and Policing Act, 2019 (CSPA) requires that the Chief of Police initiate an investigation following a notification to the SIU.
- The purpose of the Chief's investigation is to review the member's conduct in relation to the incident, the policing provided by the member in relation to the incident, and the procedures established by the Chief of Police as they related to the incident.
- On July 25, 2025 the Niagara Regional Police Service (NRPS) was contacted by the SIU after they received a referral through the Law Enforcement Complaints Agency (LECA). A female submitted a public complaint through LECA alleging that she was sexually assaulted by an officer during a call for service.
- The call for service occurred on June 16, 2025.
- On November 21, 2025, the SIU notified the NRPS that their investigation had concluded and advised that there were no grounds for criminal charges against the subject official.

- The subsequent section 81 investigation by the NRPS Professional Standards Unit (PSU) determined there were no issues with respect to officer conduct, policies or services provided by the NRPS.

Financial Considerations

There are no financial implications relating to the recommendations contained in this report.

Analysis

On Monday, June 16, 2025, NRPS members attended Short Hills Provincial Park in response to a person in crisis. Officers located the female in question and formed grounds to apprehend the female under the Mental Health Act (MHA).

During the apprehension, the female became uncooperative with the responding officers and uttered that she was going to say that someone raped her.

On July 25, 2025, Inspector Hughes was contacted by the SIU personnel, who advised that LECA had referred a file to the SIU. The female who was apprehended on June 16, 2025 made a complaint to LECA, where she stated she was sexually assaulted by an officer while being apprehended under the MHA.

SIU invoked their mandate and designated one officer as a subject official and four officers as witness officials.

On November 21, 2025, the SIU closed its investigation into this matter. In his decision letter SIU Director Mr. Joseph Martino wrote, "there were no reasonable grounds in the evidence to proceed with criminal charges in this case."

A copy of the SIU report was publicly posted on the SIU's website.

In accordance with section 81, the PSU conducted an investigation and review of this incident, which considered the following 3 areas:

1. The member's conduct in relation to the incident;
2. The policing provided by the member(s) in relation to the incident; and
3. The procedures established by the chief of police as they related to the incident.

The section 81 investigation encompassed a compliance review of applicable provincial legislation, which governs members of the NRPS, as well as General Orders, policies and procedures, and the conduct of the involved officers.

Where available, investigations include a review of communication recordings, NRPS occurrence reports, forensic evidence and reports, officer interviews conducted by the SIU and all duty book notes, SIU documentation including the Director's decision letter and report, statements of civilian witnesses gathered and released by the SIU at the conclusion of their investigation upon the consent of the civilian witnesses, and any other information and evidence available on a case by case basis.

1. Conduct of NRPS Officers

There were no officer conduct issues identified during the SIU investigation or the PSU investigation and review of this incident regarding compliance with General Orders or legislation.

2. Services Provided by the NRPS

There were no issues identified relating to the services provided by NRPS during this incident.

3. The Procedures of the NRPS

The PSU investigators determined that the following General Orders had primary relevance in this matter, and they have been reviewed accordingly in the context of this incident.

- 1) General Order 079.10 – Special Investigations Unit
- 2) General Order 167.08 – Mentally Ill Persons
- 3) General Order 053.26 – Use of Force
- 4) General Order 100.10 – Powers of Arrest
- 5) General Order 018.21 – Persons in Custody
- 6) General Order 168.06 – Officer Note Taking

Upon review, it was determined that the direction and guidance provided by the relevant General Orders was sufficient in its governance for members of the NRPS and no issues were identified.

The PSU investigation and review of this incident was undertaken in compliance with section 81 of the CSPA. The relevant procedures of the NRPS, the services provided, and the conduct of the involved NRPS members, was the focus of this review and investigation.

In conclusion, there were no issues identified as it pertains to services provided, the conduct of the involved NRPS members, or the existing General Orders governing these situations.

Alternatives Reviewed

- 1) To not receive the report.
- 2) To not make the report available to the public.

The CSPA provides that meetings of the Board shall be open to the public subject to exceptions that are set out in subsection 44. The applicable exception to be considered in this case is the subject matter being considered includes, "personal matters about an identifiable individual, including members of the police service or any other employees of the board."

In considering whether or not to make this report available to the public, it is respectfully submitted that the Board consider the following factors:

- 1) There are no public security matters revealed in this report.
- 2) This report does not reveal any intimate financial or personal matters.

Relationship to Police Service/Board Strategic Priorities

Not applicable.

Relevant Policy Considerations

Not applicable.

Other Pertinent Reports

*This report was prepared by Jason Myers, Acting Superintendent, Executive Services.
Recommended by Luigi Greco, Deputy Chief, Support Services.*



Submitted by:

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Chief of Police

Appendices

Not applicable.