

Report

Subject: Administrative Review of SIU Investigation (SIU #23-OVI-30)
From: Inspector Heidi Becks
To: The Chair and Members of the Woodstock Police Services Board
Date: June 14th, 2023

Recommendation

For Information only.

Summary

On January 25, 2023, Woodstock Police Service (WPS) received a call for service in relation to a report of a hit and run motor vehicle collision involving a stolen vehicle. The driver of the stolen vehicle was arrested as a result of the police investigation. During the interaction with officers, the driver suffered a Special Investigations Unit (SIU) reportable injury.

The SIU investigated the incident and determined that there was no criminal conduct by the *subject official*.

This report summarizes the required review pursuant to section 34 of *Ontario Regulation 268/10 of the Police Service Act*.

Report

On January 25, 2023, WPS received a call for service to the area of Dundas St. and Waterloo St. for reports of a hit and run motor vehicle collision involving a stolen vehicle.

Police attended the area and were advised by the caller that the stolen vehicle was travelling southbound on Wellington St, and proceeded to turn westbound onto Peel St. At this time the driver lost control and struck a pickup truck. The stolen vehicle continued westbound on Peel St., then across Mill St. onto Waterloo St. and followed Waterloo St. N across Dundas St. onto Winniett St.

The caller advised the stolen vehicle continued northbound on Winniett St. until it once again lost control and struck a construction fence at the corner of Drew and Winniett St. The caller further advised that they attempted to block the stolen vehicle in, however the stolen vehicle collided with the truck once again and then began driving southbound on Winniett St.(the wrong way down a one-way street). The stolen vehicle continued southbound until it came to Dundas St., where it turned westbound.

Directions were transmitted over the radio advising all officers that if they observe the vehicle they were not to engage in a pursuit as this was a property crime. Responding officers advised that they could observe a vehicle matching the description of the stolen vehicle from

approximately 500 m away and further advised that the vehicle appeared to be travelling at a high rate of speed continuing westbound on Dundas St., losing control and swerving into on coming eastbound traffic. At this time Police did not have their emergency lights activated.

The stolen vehicle then veered southwest onto Ingersoll Rd., where it continued to swerve into eastbound and westbound lanes colliding with both curbs, and spinning 360 degrees on multiple occasions.

The stolen vehicle then entered the S drive of the Westmount Motel located at 585076 Beachville Rd.

Officers were instructed not to enter the Westmount Motel. The caller, who had continued to follow the stolen vehicle entered the driveway of the Westmount Motel. The stolen vehicle then took off from the Westmount Motel, nearly colliding with the caller, and continued eastbound towards Dundas Street.

Responding Officers then observed the stolen vehicle approaching them at a high rate of speed on Ingersoll Rd. As the stolen vehicle approached the area of Park Row, the stolen vehicle mounted the curb nearly colliding with two civilian vehicles. This caused the driver of the stolen vehicle to lose control and begin a sideways slide at approximately 80km/hr towards a police cruiser, resulting in the stolen vehicle colliding with the police cruiser. The stolen vehicle struck the center front area of the police cruiser. The impact caused the air bags to deploy in the police cruiser.

Two officers approached the driver of the stolen vehicle and instructed the driver to show his hands, but the driver immediately dug his hands into his waistband area. He again was instructed to remove his hands from that area, and exit the vehicle, which he did not comply with. The two officers delivered closed hand strikes to the facial region and shoulder in attempts to gain compliance. This had no affect, and as a result, two additional officers approached the passenger side, opened the door, and observed that the driver was not wearing a seatbelt. These two officers then removed the driver from the vehicle, and grounded him in attempts to gain compliance.

Once on the ground the driver concealed his hands underneath him, and would not comply with police. Knee strikes were delivered to the torso of the driver by one officer. The driver continued to be uncooperative and resistive. Two officers were able to take control of the driver's hands in order to place him in handcuffs. Once in handcuffs, one officer observed a knife that was concealed under the driver's right arm.

EMS was called for both the driver and the officer operating the police cruiser involved in the collision. Both were transported to Woodstock General Hospital. The driver was diagnosed with a minor fractured vertebrae that required no medical treatment. He was released back into the custody of WPS to await a Show Cause Hearing.

WPS notified the Special Investigations Unit (SIU) and the SIU invoked their mandate. One officer was designated as the *subject official*, and has been unable to report for duty since this

incident due to injuries sustained. Three other officers were designated as *witness officials*, and all have remained on active duty.

On May 26, 2023, the SIU advised, in a letter from the Director, Joseph Martino, the file had been closed and no further action was contemplated. In the Director's view, there were no reasonable grounds in the evidence to proceed with criminal charges against the subject official.

Ontario Regulation 268/10, section 34 of the *Police Services Act* requires the Chief of Police to cause an investigation into any incident with respect to which the SIU has been notified. The purpose of this investigation is to determine if any changes are required to the policies or procedures of the service. The regulation also requires the police service to report the findings to the Police Services Board.

In the SIU Director's letter dated May 26, 2023, Mr. Martino notes that the SIU was not notified until the morning after the incident. This investigation has determined that the delay wasn't due to any concerning reasons. Steps will be made to mitigate the risk of late notifications in the future, however there are no recommendations for any changes to the Service's policies and/or procedures at this time.

Attachments

Nil

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Approved By: Chief Rod Wilkinson