



REPORT TO THE OWEN SOUND POLICE SERVICES BOARD

SUBJECT: CSPA Aggregate Disciplinary Report

TO: Chair and Members of the Owen Sound Police Services Board

DATE: December 1st, 2024

REPORT:

The Community Safety and Policing Act (CSPA) which came into effect on April 1st, 2024, contains new requirements at Section 215(1) which states that;

A chief of police shall report, in accordance with the regulations, to the police service board or, in the case of the Commissioner, to the Minister regarding the aggregate disciplinary measures the chief has taken under this Part.

Regulation 90/24 of the CSPA then states at Section 9(1);

A chief of police shall, at a minimum, provide a report to the police service board or the Minister under subsection 215 (1) of the Act by June 1 and December 1 of every year.

The report shall contain the following information respecting the period covered by the report:

- 1. Each provision of Ontario Regulation 407/23 (Code of Conduct for Police Officers) made under the Act under which a disciplinary measure was imposed, which type of measure was imposed, and the number of times that each type of measure was imposed in relation to the provision.*
- 2. The number of times a disciplinary measure was imposed,*
 - i. under section 200 of the Act, without a hearing under section 201 of the Act,*
 - ii. under section 200 of the Act, following a hearing under section 201 of the Act, or*
 - iii. following a hearing under section 202 of the Act.*
- 3. If a disciplinary measure referred to in paragraph 1, 2 or 3 of subsection 200 (1) of the Act was imposed, for each paragraph,*
 - i. the average number of days or hours, and*
 - ii. the total number of days or hours.*
- 4. Any imposition of a disciplinary measure under section 200 of the Act without a hearing under section 201 of the Act in a previous period that was upheld, varied or overturned following a hearing during the*

period covered by the report, and information respecting any consequent effect on information included in a previous report.

(3) If the police service is divided into detachments or other sub-units, the information listed in subsection (2) shall be presented separately with respect to each detachment or sub-unit.

(4) The police service board or Minister shall publish each report on the Internet within 30 days of receiving it.

The Board received its first report under this section in June of 2024 and at that time there were **no instances** of reportable disciplinary measures taken by the Chief of Police.

This report will cover the time period from June 1st, 2024, through December 1st, 2024.

During this time period, the Chief of Police imposed a disciplinary measure on **two** occasions under section 200 of the Act, without a hearing.

In the first case, the Chief determined that a misconduct had been substantiated under Section 19 of Ontario Regulation 407/23 (Code of Conduct for Police Officers)

Section 19 of that Regulation states;

19. A police officer shall not, by act or omission, fail to perform their duties appropriately without lawful excuse if, at the time, they know or reasonably ought to know that their act or omission would amount to a failure to perform their duties appropriately.

The Chief in this incident imposed a penalty of written reprimand as authorized under Section 200 (1)(4) of the CSPA.

In the second case, the Chief determined that a misconduct had been substantiated under Section 28 of Ontario Regulation 407/23 (Code of Conduct for Police Officers)

Section 28 of that Regulation states

28. A police officer shall not lose or cause damage to clothing, equipment or other property issued to them, or obtained or made available to them, in the course of their duties, except as may be necessary to perform their duties as a police officer.

The Chief in this incident imposed a penalty of written reprimand as authorized under Section 200 (1)(4) of the CSPA.

In compliance with Section 9(4) of Regulation 90/24 it is recommended that the Board, on approval, publish this report to the Service's website within 30 days of receipt.

SUBMITTED BY:

Inspector D. Bishop