

DISCLAIMER: In accordance with the *Community Safety and Policing Act* and the *Freedom of Information and Protection of Privacy Act*, the summary below has been de-identified to remove the personal information of individuals, including public complainants and persons who were the subject of the investigation.

DE-IDENTIFIED SUMMARY UNDER SECTION 167(2) OF THE CSPA

Original Police Service:

Date of Complaint: 07/19/2024

Type of Investigation:

Referred to Same Service:

Referred to Other Service:

Retained by LECA:

Service Investigations Referred to:

De-identified Summary of Complaint

On July 19, 2024, the complainant sought police assistance when her 17-year-old son, experiencing a mental health crisis, became physically violent. During the incident, he attacked both the complainant and her 13-year-old daughter, using objects such as a laundry basket and a hairbrush.

She shared video evidence of these attacks with the attending officers and openly communicated her son's mental health diagnoses, explaining his current psychotic state and her concerns for his safety. Her son also expressed suicidal thoughts, which she conveyed to the officers.

Despite these concerns, the officers declined to transport her son to the hospital for a mental health evaluation and dismissed the need for intervention. Instead, they appeared primarily focused on whether she intended to press charges, showing little regard for the urgent mental health needs involved. Additionally, the officers were reluctant to provide an incident number, which she eventually received.

This response contrasts sharply with previous encounters where law enforcement offered support and facilitated mental health evaluations under similar conditions. The inadequate response in this instance has left the complainant questioning the reliability of the system to protect her family in times of crisis.

Unsubstantiated Code of Conduct Allegations

Allegation #1

S. 19 YOU ARE ALLEGED TO HAVE COMMITTED MISCONDUCT IN THAT, BY ACT OR OMISSION, YOU FAILED TO PERFORM YOUR DUTIES APPROPRIATELY WITHOUT LAWFUL EXCUSE, THAT YOU KNEW, OR REASONABLY OUGHT TO HAVE KNOWN WOULD AMOUNT TO FAILURE TO PERFORM YOUR DUTIES APPROPRIATELY, contrary to Section 19 of the Schedule Code of Conduct of Ontario Regulation 407/23 and therefore, contrary to Section 195 (a) of the Community Safety Policing Act, R.S.O. 2019, as amended.

Decision and Reasons

Unsubstantiated

The following is a summary as to why the PSB found the complaint to be unsubstantiated

Mental Health Assessment

- The youth did not meet the criteria for apprehension under the Mental Health Act (MHA), as confirmed by the officers and the Mobile Crisis Team (MCT) member on-site.
- The youth displayed no suicidal ideations, plans, means, or timeline, nor did he exhibit psychotic behavior during the police interaction.
- The youth articulated his frustrations calmly and acknowledged his inappropriate actions.

Compliance with Policy and Legislation

- Officers adhered to the [REDACTED] policy regarding responses to persons in crisis, including consultation with the MCT.
- Section 17 of the MHA requires specific conditions to justify apprehension; these conditions were not met in this case.

Collaboration with the Mobile Crisis Team

- A member of the MCT, trained in mental health crisis management, assessed the situation alongside the officers and determined that involuntary apprehension was inappropriate.

Criminal Code Considerations

- Officers identified reasonable grounds to charge the youth for violent behavior but deferred to the complainant's preference not to pursue charges.
- [REDACTED] policy discourages using involuntary hospitalization under the MHA as a substitute for criminal charges unless compelling circumstances exist, which were not present.

De-escalation and Alternative Solutions

- Officers de-escalated the situation and prioritized safety by arranging for the youth to be transported to his relative's residence in Hamilton, with the permission of the complainant.
- This solution provided a safe resolution without apprehension or charges.

Provision of Resources

- The MCT provided the complainant with external resources to address ongoing mental health and family dynamics concerns. (During the incident and following the incident)

Professional Conduct

- The officers followed legislative requirements, internal policies, and best practices in mental health crisis management.
- No evidence of misconduct or failure to perform their duties appropriately was found.

Conclusion

- The officers acted within their authority, adhered to applicable laws and policies, utilized available resources, and resolved the situation in a manner that ensured the safety of all involved.