

Timmins Police Service Board



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TO: Timmins Police Service Board

FROM: Chief Sydney Lecky

CC: Deputy Chief Darren Dinel, CHRE Paula Del Guidice

DATE: October 2nd, 2026

RE: Chief's Report on Special Investigations Unit Investigation - SIU File # 26-OCI-091

Purpose

This report is provided to the Board regarding an investigation that was conducted by the Special Investigations Unit (SIU) pursuant to section 15 of the *Special Investigations Unit Act, 2019*.

In accordance with the *Community Safety and Policing Act*, once an investigation is conducted by the SIU, the Chief shall conduct an investigation to determine the following:

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

The Chief shall then report the findings of that investigation to the Board, who shall publish the report.

Background

On the morning of January 3, 2026, Timmins Police Service was dispatched to the area Ross Avenue East and Hemlock Street following a call to police about a domestic disturbance unfolding outside the residence. On the officer's arrival, the officer observed

a male straddling the Complainant and holding her down on the roadway. Police ordered the male to remove himself from the Complainant. The male did so while explaining to the officer that she had damaged his property and assaulted him. The officer decided to arrest the Complainant for assault and mischief.

During the arrest the situation escalated into a physical altercation between the three parties where the officer was punched in the face, knocked to the ground and kicked in the head. A civilian onlooker intervened to assist police in the apprehension of the Complainant and male. During the altercation the police officer also punched the Complainant and deployed a Conductive Energy Weapon (CEW) on both the Complainant and the male. The Complainant and male were handcuffed, taken into custody, and transported to the Timmins Police Station.

The officer brought the Complainant into the police station and turned her over to the supervisor to be lodged in the cell block to process charges. She was tended to by the supervisor at the police station. The supervisor assessed her level of injury and did not note any apparent injuries. The complainant requested medical attention but did not present with any visible injuries, was conscious, verbally responsive, and had no apparent need for acute medical attention. The supervisor subsequently decided that medical attention was not required at that time. The Complainant remained in custody while release documents were prepared and released approximately five hours later on an Undertaking to attend court.

On January 10th, 2026 the Complainant sought medical attention and was diagnosed with a concussion. Then, on January 19th, 2026 the Complaint contacted the SIU to report that officers from the Timmins Police Service had injured her in an arrested which included the use of a CEW. She reported that she sustained a concussion as a result of her arrest and that she was denied medical attention.

The SIU conducted their investigation and concluded that there were no reasonable grounds to believe that the Complainant's injury was attributable to the unlawful conduct on the part of the police ([policehttps://www.siu.on.ca/en/directors_report_details.php?drid=5151](https://www.siu.on.ca/en/directors_report_details.php?drid=5151)). However, the SIU Directors Report noted potential violations of Police Officer Code of Conduct sections 19 and 27. The SIU published the report on their website on June 22, 2026.

The Chief ordered an investigation into the required conduct, service, and policy considerations. The investigation was conducted by the Professional Standards Bureau. The investigation included all available evidence and information such as:

1. Witness Statements;
2. Police Reports;
3. SIU Investigative Report;
4. 9-1-1 Recordings;

5. Radio Transmission Recordings;
6. Cell block audio/video; and
7. Medical Records.

Additionally, there were seven Standard Operating Procedures that were reviewed in considering the circumstances of this incident which include:

1. SOP 6.12 – Use of Force;
2. SOP 2.05 – Arrest;
3. SOP 8.38 – Special Investigation Unit;
4. SOP 2.01 – Community Patrol;
5. SOP 2.12 – Search of Persons;
6. SOP 2.26 - Prisoner Care and Control; and
7. SOP 2.22 – Officer Note Taking.

Legislation

Community Safety and Policing Act, 2019; s. 81 – provides direction to the Chief for conducting an investigation and reporting SIU investigations.

Community Safety and Policing Act, 2019; s. 8 *Ontario Regulation 90/24* – provides direction to the Board on the publication of the Chief's report.

Community Safety and Policing Act, 2019; *Ontario Regulation 407/23* – Code of Conduct for Police Officers.

Analysis

The initial officer responded to a domestic disturbance that was in progress. The officer attempted to conduct an arrest, but became engaged in a volatile and dangerous altercation that required an onlooker to intervene and assist the officer to gain control of the situation. The SIU concluded the arrest of the two people involved was lawful and the use of force in this instance was also lawful. There were no conduct issues raised in the arrest of the individuals. This review did not note any concerns for conduct of the officer involved in the arrest or use of force.

The SIU Director noted a potential conduct violation related to the care of persons in custody once the Complainant was at the police Station. Internal policies direct supervisors to accept persons in custody and to assess their health and determine if further medical assistance is required. After further internal review, the Chief's investigation into this matter determined that a supervisor attended the cell block to receive the Complainant into custody. During that interaction the supervisor received custody of the complainant and conducted an assessment of their health with specific attention to injury. During the assessment the following observations were noted and recorded on audio/video:

- The Complainant was conscious and verbally responsive;
- There were no visible signs of injury;
- The complainant initially indicated she did not want medical attention, but changed her mind;
- There was no indication of a loss of consciousness or acute medial distress.

The supervisor conducting the visual assessment of the Complainant confirmed she was conscious and specifically inquired as to whether she required medical attention. In response, she indicated she did not require care unless charges were proceeding. In forming the assessment, the supervisor relied on direct observation, the absence of visible injury and the Complainant's responses. This approach is consistent with the discretion afforded to officers under custody care policies, which rely on a combination of observation and inquiry rather than a prescribed medical screening script.

While it is acknowledged that further or more detailed questioning regarding potential head injury symptoms such as headache, dizziness, or mechanism of injury would have been helpful in this instance, the absence of such additional questioning does not, in itself, establish a breach of policy or violation of the Code of Conduct. The policies do not mandate a structured medical questionnaire, and officers are entitled to rely on reasonably available information at the time. In the absence of visible injury, reported symptoms, or other immediate indicators suggesting evolving head trauma, the decision not to pursue more detailed inquiry remained within the range of reasonable professional judgement.

In conducting this investigation, I have not identified any conduct issues related to this matter. I believe the officers involved provided adequate and effective policing services in responding to the call for service and conducting the arrest of the persons involved. Further, the policies and practices have been reviewed to ensure proper direction and standards are maintained. I believe those policies provide the necessary direction expected under the circumstances. However, additions will be made to the prisoner care and control policy to consider additional symptoms and injury when determining the need for medical attention to ensure a more informed approach to decision making in this area is considered.

Accordingly, I do not find any misconduct or lack of police services, however there will be changes made to SOP 2.26 - Prisoner Care and Control to ensure additional information is considered when providing care and control of people in custody.

Recommendation

I recommend accepting the report as submitted and directing it be published on the Timmins Police Service website.

Sydney Lecky
Police Chief