# Ottawa Police Service Discipline Hearing

In the Matter of Ontario Regulation 268/10

Made Under the Police Services Act, R.S.O. 1990,

And Amendments thereto:
And
In The Matter Of

The Ottawa Police Service

And

**Constable Goran Beric #1815** 

Charge: Discreditable Conduct (Three Counts)
Insubordination (Two Counts)

Before:

Superintendent (Retired) M.P.B. Elbers Ontario Provincial Police Adjudicator

Appearances:

Counsel for the Prosecution: Ms. Jessica Barrow

Ottawa Police Service

Counsel for the Defense: Ms. Pamela Machado

**Ottawa Police Association** 

### **Penalty Disposition with Reasons**

# The Hearing:

Constable Goran Beric #1815 was found guilty of Two (2) Counts of Discreditable Conduct pursuant to Section 2 (1) (a) (xi) of the Code of Conduct, One (1) Count of Discreditable Conduct pursuant to section 2 (1) (a) (ix) of the Code of Conduct and Two (2) Counts of Insubordination pursuant to Section 2 (1) (b) (ii) contained in the Schedule to Ontario Regulation 268/10 as amended on march 24, 2025 in Ottawa, Ontario.

#### Background:

On October 11, 2023, Constable Beric was found guilty of criminal offences that are indictable offences or offences punishable upon summary conviction of Assault with a Weapon and Assault before Justice Janet O'Brien, Ontario Court of Justice Ottawa, Ontario.

The charges that Constable Beric pled guilty to relate to his attendance on August 04, 2021 at 10.26 PM at a Ottawa Community Housing Complex (21-192220) where he failed to take accurate and sufficient notes in regard to the call breaching Ottawa Police Service Policy. In addition he authored an RMS report titled "Investigation Action 6" and "Investigation Action 3" under RMS occurrence number 21-192220 each of which was lacking important details of Constable Beric's actions.

In addition to the above Constable Beric failed to submit a Use of Force report for incident 21-192220 breaching Ottawa Police Service Policy.

An Agreed statement of Facts were filed by Counsel to the Tribunal and marked as Exhibit #6.

#### AGREED STATEMENT OF FACTS

#### **BACKGROUND**

- 1. Constable Goran Beric has been a member of the Ottawa Police Service ("OPS") since 2006 and, at the material time, was a member of the patrol directorate.
- 2. On August 4, 2021, Cst. Beric was in full police uniform with all use of force options.

3. Cst. Beric most recently received use of force requalification training on May 3, 2021, during which he was trained on, and passed, a 'defensive tactics' module, including instruction on the use of the baton. A copy of the OPC "Defensive Tactics Study Guide" is attached as Appendix A. A copy of the 2021 Baton Lesson Plan is attached as Appendix B.

#### CALL FOR SERVICE ON AUGUST 4, 2021

- 4. At 10:26PM, Cst. Beric was dispatched to attend a call for service at 506C Bronson Avenue along with four other OPS members. The call for service was in relation to AA who was reportedly causing a disturbance by yelling and screaming in the hallway of the apartment building, which was operated by Ottawa Community Housing ("OCH").
- 5. AA is a homeless man who, at the time of the call for service, was either suffering from a mental health crisis or was intoxicated by drugs or alcohol. The call for service resulted in the apprehension of AA under the Mental Health Act. In the course of the apprehension, Cst. Beric used force on AA. In the course of this use of force, Cst. Beric deployed his police-issued baton.
- 6. Upon attendance at the apartment building, AA was located in a bathroom on the first floor of the building. He was covered in blood and was yelling incoherently and not responding to the officers. Officers attempted to communicate with AA for about 2 minutes and 45 seconds.
- 7. AA then advanced on Cst. Beric and another officer and AA was taken to the ground. At this time, Cst. Beric delivered a baton strike to AA's leg. Cst. Beric began giving verbal instructions to AA to get him to leave the hallway in an attempt to get him treated by paramedics.
- 8. AA got up and began walking towards the door but then stopped and stepped towards Cst Beric in a manner that could be perceived as assaultive. At that time, Cst. Beric delivered a front kick to AA's torso. AA grabbed Cst. Beric's foot and held his leg in the air. Cst. Beric swung towards AA's head using a closed fist and his closed baton in hand. The punch did not make contact.
- 9. Another officer then pushed AA to the ground. AA was held down for approximately 4 minutes and 48 seconds before he was placed in handcuffs.
- 10. After being pushed to the ground by the other officer, Constable Beric used his closed baton to strike AA in the head area three times. Shortly thereafter, Constable Beric placed his foot on AA's neck for 2 minutes and 5 seconds to hold him down.

- 11. After being apprehended under the Mental Health Act, AA was taken to the hospital and was treated for a hand laceration, severed tendon and multiple lacerations to the head. Responding OPS officers later determined that AA had broken a window on the second floor, causing lacerations to his hand. AA's injuries were not attributed to the use of force by Cst. Beric.
- 12. AA was not under suspicion of having committed a criminal offence, nor was he apprehended pursuant to the Criminal Code.
- 13. On August 5, 2021, two OPS officers brought concerns forward about the level of force used by Cst. Beric in his interactions with AA the previous day.
- 14. On August 17, 2021, OPS initiated an internal investigation. It was soon identified that a criminal investigation was required, and the Waterloo Regional Police Service ("WRPS") was tasked with taking over a criminal investigation. Upon completion of its investigation WRPS charged Cst. Beric criminally with one count of assault and one count of assault with a weapon.
- 15. Surveillance footage from inside the apartment building recorded, in part, the interaction between AA and Cst. Beric. A copy of this surveillance footage is attached as Appendix C. Attached as Appendix D is a floorplan depicting the location of the cameras which recorded the surveillance footage.
- 16. Cst. Beric participated in a compelled interview on February 7, 2024 in respect of the events giving rise to these charges. A copy of Cst. Beric's compelled interview in both audio and transcript format is attached as Appendix E. In his compelled interview, Cst. Beric expressed the view that the criminal judgment was wrong in its conclusions. Notwithstanding the criminal judgment, summarized below, Cst. Beric believes he acted appropriately in respect of AA.

#### CRIMINAL PROCEEDINGS

- 17. Cst. Beric pleaded not guilty to the charges laid by WRPS and a criminal trial proceeded on May 1-4, 2023 and August 8-10, 2023 before Justice O'Brien. Cst. Beric testified at the criminal trial, testifying that his use of force was justified in the circumstances. Cst. Beric's evidence was not believed by Justice O'Brien.
- 18. Justice O'Brien rendered her judgment on October 11, 2023, wherein she found Cst. Beric guilty of one count of Assault and one count of Assault with a weapon. A copy of Justice O'Brien's trial judgment is attached as Appendix F. Justice O'Brien's judgment sets out, in detail, the findings of fact upon which the convictions are based. In summary, Justice O'Brien's findings of fact include the following:

- a. On August 4, 2021, the police were called to an OCH building in response to male covered in blood who was screaming in the building.
- b. Cst. Beric was one of five officers who responded to the call and one of two who had a physical interaction with the male.
- c. The building's video security system captured some of the interactions. It did not show, however, what occurred when Cst. Beric and another officer first found AA in the back hallway of the building. The two officers had a short physical interaction with AA that was not proven unlawful.
- d. Cst. Beric then backed away and directed AA to leave the building. As AA passed Constable Beric, he stepped quickly forward toward Cst. Beric bringing his face quickly forward. Cst. Beric kicked AA, but AA caught and held Cst. Beric's foot. AA was then pushed to the ground by another officer. This portion of the interaction was not deemed unlawful.
- e. Cst. Beric then attempted to restrain AA to search him. AA tried to get up and rose to his hands and knees. Constable Beric then brought his closed baton into contact with AA's head area three times within a 30 second period.
- f. A minute and a half later, Cst. Beric used his foot on AA's face and neck area to hold his head to the ground for just over two minutes while another officer stood on AA's feet.
- g. This force was not necessary or proportionate and therefore was unlawful.
- 19. A sentencing hearing was held on January 8, 2024. On January 16, 2024, Justice O'Brien rendered his judgment with respect to sentencing. A copy of this sentencing decision is attached as Appendix G.
- 20. After a discussion relating to the applicable mitigating and aggravating facts, set out at pages 15-22, Justice O'Brien ruled that Cst. Beric's actions constituted a "callous disregard for [AA] generally, and in particular, his well-being".
- 21. Justice O'Brien imposed a suspended sentence with 30 months of probation. A copy of the probation order, setting out the conditions of probation, is attached as Appendix H.

# **COUNT ONE: DISCREDITABLE CONDUCT**

- 22. Cst. Beric used his closed baton to strike AA in the head three times. These actions were contrary to OPS training standards, which teach that baton strikes to the head should only be used in cases where there is an imminent threat of serious bodily harm or death.
- 23. Justice O'Brien ruled that Cst. Beric's use of force in delivering the three baton strikes to AA's head was unnecessary, unlawful, and constituted Assault with a weapon contrary to s. 267(a) of the Criminal Code of Conduct.

24. Cst. Beric's finding of guilt for Assault with a weapon contrary to the Criminal Code of Canada constitutes Discreditable Conduct pursuant to s. 2(1)(a)(ix) of the Code of Conduct, Ontario Regulation 268/10.

#### **COUNT TWO: DISCREDITABLE CONDUCT**

- 25. Cst. Beric used his foot on AA's face and neck area to hold his head to the ground for just over two minutes.
- 26. Cst. Beric was taught in training about the risk of positional asphyxia, the risk of utilizing neck compressions, and the need to avoid the neck area for the safety of the apprehended person. A copy of this training session is attached as Appendix I.
- 27. Cst. Beric's actions in using his foot on AA's face and neck area were contrary to OPS training, were a risk to the safety of AA, and, pursuant to Justice O'Brien's findings constituted an unlawful and unnecessary use of force, pursuant to which Cst. Beric was found guilty of Assault contrary to s. 266 of the Criminal Code of Canada.
- 28. Cst. Beric's finding of guilt for Assault contrary to the Criminal Code of Canada constitutes Discreditable Conduct pursuant to s. 2(1)(a)(ix) of the Code of Conduct, Ontario Regulation 268/10.

#### **INSUBORDINATION**

- 29. Cst. Beric was required to take effective notes in respect of his actions during the call for service on August 4, 2021. More specifically, OPS Policy No. 2.02 Duty Books / Note Taking requires all officers to take notes as soon as reasonably possible after the events and to include "all details of the occurrence" including answering the "what? When? Where? Who? How? Why?". A copy of OPS Policy No. 2.02 is attached as Appendix J.
- 30. In addition to OPS Policy No. 2.02, OPS officers are trained on effective note-taking procedures and are expected to complete fulsome notes which include all relevant details of an on-duty interaction.
- 31. Cst. Beric's notes with respect to this incident, a copy of which are attached as Appendix K are insufficient. Cst. Beric's notes are very minimal and contain no reference to the physical interactions that occurred between Cst. Beric or any other member and AA. Cst. Beric's notes do not reveal what occurred during this call for service.

32. Cst. Beric's actions in failing to take adequate notes constitute a failure to take accurate and sufficient notes, breaching OPS Policy No. 2.02 – Duty Books / Note Taking, and constituting Insubordination contrary to s. 2(1)(b)(ii) of the Code of Conduct.

### **COUNT FOUR: DISCREDITABLE CONDUCT**

- 33. Cst. Beric prepared an RMS report 21-192220 in connection with this incident. A copy of RMS Report 21-192220 is attached as Appendix L.
- 34. Justice O'Brien ruled as follows (at page 18 of the Reasons for Sentence) with respect to the RMS report comparatively to the evidence found at trial:

It is aggravating that Constable Beric authored a false report regarding this incident. In the report he exaggerated [AA]'s aggressiveness and omitted mention of striking him with the baton and standing on his neck. He made his report before he knew there was a recording, and his report was false.

- 35. Cst. Beric used exaggerated language in the RMS report including, for example, referring the scene like one out of "the Shining", which was not suitable for an RMS report and was not professional.
- 36. Cst. Beric overemphasized the risk he perceived from the scene and deemphasized the use of force he utilized in response to the scene, rendering the report misleading.
- 37. OPS Use of Force Policy 6.07, a copy of which is attached as Appendix M, requires officers to report all details of any use of force in the General Occurrence report. Cst. Beric, in contravention of this policy, makes no reference to the use of force which gave rise to the criminal charges and findings of guilt.
- 38. Cst. Beric's misleading and incomplete RMS report, and its noncompliance with OPS Use of Force Policy 6.07, constitute Discreditable Conduct pursuant to s. 2(1)(a)(xi) of the Code of Conduct.
- 39. As per policy, supervisors are responsible for approving the narrative quality and investigative content of RMS reports. Critiques are to be provided to identify any deficiencies including incomplete notes. Cst. Beric's RMS report was signed off on by a supervisor as having been completed.

#### **COUNT FIVE: INSUBORDINATION**

- 40. Use of Force Policy 6.07 requires officers to submit a report to the chief of police by way of a Use of Force Report on each occasion where they have used a weapon on another person. This requirement flows from the statutory requirements set by the Police Services Act.
- 41. Having deployed his baton in respect of AA, Cst. Beric was required to complete a Use of Force report pursuant to Use of Force Policy 6.07 and applicable legislation.
- 42. Cst. Beric failed to complete a Use of Force Report in connection with his interaction with AA on August 4, 2021. Cst. Beric's noncompliance with this requirement constitutes Insubordination pursuant to s. 2(1)(b)(ii) of the Code of Conduct.

Ms. Barrow, representing the Ottawa Police Service has asked for a penalty of dismissal.

Ms.Machado representing Constable Beric has asked for a range of Demotion to Third Class Constable for twelve months and upon completion will be returned to Second Class Constable for twelve months and then return to First Class Constable. She has also recommended an updated Use of Force Training and any other training the Ottawa Police Service deems appropriate.

In Williams and the Ontario Provincial Police, the Commission identified three key elements a Hearing Officer must take into account when imposing a penalty. These include: the nature of the seriousness of the misconduct, the ability to reform or rehabilitate the officer and the damage to the reputation of the Police Force that will occur if the officer remained on the force.

Counsel in total has provided the Tribunal with sixty two (62) cases to offer assistance in determining an appropriate disposition.

They are found in Exhibits # 10 (a) and (b) for the Prosecution and Exhibits 12 (a) and (b) for the Defense.

I will not recite the cases in there totality, however I have read and considered the cases that I was provided by Counsel. As learned Counsel have stated, there are no cases found which parallel the case that is before me at present. There are cases with some similarity. The cases as provided are for guidance to the disposition penalty that Counsel has sought to be appropriate for the findings of guilt on the Discreditable Conduct and Insubordination counts rendered on March 24, 2025.

### **Evidence:**

The first and only witness called by the Prosecution was Superintendent David Zackrias a twenty four year member of the Ottawa Police Service. The last three years of his career has been the Director of Respect, Inclusion and Values Directorate of the Ottawa Police Service. This unit reports directly to the Office of the Chief of Police and focuses on Equity and Inclusion in marginalized communities and provides a positive culture in the Ottawa Police Service organization.

The unit needs to reflect the community that the organization serves in policing. The unit provides training and development, removes barriers and makes recommendations to the Training Center where gaps are identified.

Zackrias testified that the police alone cannot fix everything and that the community is responsible as well. He stated that the unit ensures the community is on board. This requires collaboration and legitimacy as there is a lack of trust in policing in the Ottawa community. He stated the trust takes decades to build. When there is no trust this leads to issues. How we act is very important in policing.

Prior to 2016 there was a great relationship with the key leaders in the community. He testified since 2021 the EDI developed a huge role with the recommendation of mandatory training. His role is to make sure that the strategic priorities are implemented, have a leadership team to senior level and organize a vision and mission for the Service. His role is to maintain relationships that have been built in the community, be a direct line with the key leaders and bring attention to their concerns and mitigate the issues that have been presented. There have been many changes in the needs for the community due to inside and outside issues. (Eg.. George Floyd).

He stated that everything his unit touches has a community development component. He stated that post George Floyd there were a lot of tensions initially with the Ottawa Police Service. The presence of the Service was not welcomed at the community table and the OPS were not always welcomed due to the strained relationship. Zackrias testified this was a challenge for the OPS. They had to develop a plan. This plan was implemented in 2020 thru 2022.

One of the developed issues was Mental Health. An alternate response was required to deal with this issue. MHA calls were not accurately depicted. Zazkrias believes this has changed and is progressing. Use of Force reports are collected for race data. A use of Force Panel was created to analyze the data submitted.

If one sees something than you say something. This was a culture not prevalent to the police. Training was developed for officers to report Misconduct. This would help to promote wellness.

He testified information needs to flow as there was a fatigue in the community with police especially in the MHA area.

With the Abdi Inquest in Ottawa there were fifty seven recommendations in relation to MHA crisis. The OPS takes the recommendations very seriously and have received the resources to implement the recommendations. Communities want to see change and are working with the OPS to achieve this goal.

In relation to the Beric file and the incident he was involved, Superintendent Zackrias testified that the community had clear concerns over the officer's actions. Negative feedback was reported to his Unit. Public reactions to criminal convictions of members of the OPS are playing out negatively in the community. His job is to restore faith and assurance back to the community. There has become a fractured relationship due to Beric's actions. This has created protests in the community towards the OPS. A great deal of anger exists towards the OPS as a result of Beric's actions. He stated that partners of the OPS took a back step and stopped inviting the OPS to their meetings. Trust and relationships have deteriorated. He stated that the public wants accountability and transparency. The question is 'How do we get there.

The people have to be confident in their Police Service.

The overall purpose of this unit is to provide a liaison for the Police to the Community and the Community to the Police.

In cross examination by Ms. Machado, Superintendent Zackrias agreed that his Unit was evolving. There is pushback from the community with the OPS handling of Mental Health issues. The Service must show change in Service delivery and culture. Zackrias testified that mental wellness was also meant for the OPS members as well. When questioned by Machado on the pillars of the Beric call he testified it was a critical call and the Wellness unit is notified. Designated officers are assigned for follow up. Machado stated that there were contamination issues and blood issues on this call. What was done to assist this member and Zackrias did not know what response was given to the member. Machado stated that one incident would not extinguish the relationship with the community.

Zackrias testified that the OPS have a relationship with Ottawa Housing. Zackrias testified he attempted to make amends with Ottawa Housing as a result of the Beric incident. Ottawa Housing was concerned about the video of the incident and how the call was managed. Ottawa Housing did not reach out to Zackrias on this incident. He testified to Machado that the complaint was a Chiefs complaint.

Zackrias outlined the training given to OPS members re-Mental Health issues. Machado questioned Zackrias that Beric has entered a guilty plea, has shown a willingness to change. Would this help to repair relationships in the community? Zackrias stated that an officer with a lived experience is valuable to the OPS.

The second and only witness for the Defense called by Ms. Machado was Sergeant Grayson La Foley who is in his twenty fourth year serving for the Ottawa Police Service. He has spent his career with the service in Patrol, Neighborhood Specialty Units, Professional Standards, Drugs and Intelligence. While in Patrol he supervised Constable Beric for a period of time. He described Constable Beric as a member that floated under the radar and he did not have any issues with this officer. He described Beric as a well- respected officer on the platoon.

He described his work in Professional Standards in regards to Public Complaints and Chief Complaints investigations that he encountered in his time working at PSB Substantiating or Non Substantiating the complaints after he concluded his investigations.

He also described the use Of Force Training that an officer has to re-qualify each year. He stated that officers are not trained for Mental Health episodes. He described these events as different as persons could be calm and then suddenly change their behavior. He described the Service as working progressively on amendments to the training for officers.

He described the ADDI incident in Ottawa as a Section 11 review and the incident galvanized the community. He was unsure if the Beric incident had the same issues in the community. He testified that supervisors review reports of its members and oversee the arrest reports and the laying of charges by their subordinates. Sergeants vet the reports of their subordinates for accuracy and compliance. If something requires a follow up the officer is notified of the critique. This is a regular function of the supervisor.

In cross examination by Ms. Barrow Sergeant La Foley stated that training is completed through the Service and the mental Health Unit is trained as well. She stated that work is being done through the Ottawa Hospital on this issue and less focused on policing issues as this could be stigmatizing as there is a possible fear of police. La Foley agreed that the MHU is a non-uniform health focused response and has a limited capacity. La Foley could not directly speak on this Unit as he was not involved in the delivery or the training. He described in training and at the start of shifts there may be five minutes of updates and reminders to officers. There was a considerable emphasis on de-escalation training across the board, not just the mental health part.

Scenario training was given for extreme occurrence examples for de-escalation training and strategies for occurrences not just MHA given to officers of the Service. He described positional asphyxia through holding a person the wrong way via head, neck and face. He described the use of baton training given to OPS members. He advised it could be utilized for distraction and de-escalation occurrences. Advised officers were instructed not to target the head, fingers or groin area.

He testified that as a supervisor you rely on officers to do their jobs correctly. Supervisors are quality control for the Service and it is incumbent on them to review reports, arrests, laying of charges is completed correctly and if required have the officers complete the absence of information if required.

He described Constable Beric as an officer that would assist officers complete their reports correctly.

He described the Beric occurrence as not a MHA call. He did become part of it as it progressed. It was a Cause of Disturbance call.

He described the Beric incident as one that was supported by the Community and others that would be dissatisfied.

In re-examination by Ms. Machado Sergeant LaFoley agreed that uttering death threats must be taken seriously and there was an officer safety component to this file.

Ms. Barrow has tendered Exhibit 9 which contains an Affidavit of Media both written and televised concerning this file, Exhibits #10 (a) and (b) which contain thirty seven (37) cases as her Book of Authorities on this file.

Ms. Machado has submitted Exhibits #11 her Sentencing Brief and Exhibits #12 (a) and (b) which contains twenty five (25) cases as her Book of Authorities, Exhibit 13 which contains occurrence report 2021-192220 from the Ottawa Police Service and Exhibit # 14 which contain Performance Reviews, Character Letters, Community Service Log, Personal statement of Constable Beric and Ottawa Police Service Policies.

I will not recite the cases in there totality, however I have read and considered the cases that I was provided by Counsel. As learned Counsel have stated, there are no cases found which parallel the case that is before me at present. The cases as provided are for guidance and instruction to assist the Tribunal in the disposition penalty that Counsel has sought to be appropriate for the findings of guilt on the Three Counts of Discreditable Conduct and Two Counts of Insubordination rendered on March 24, 2025 in Ottawa, Ontario.

As commented on by Counsel when preparing their respective disposition material there is no cases which parallel this case. I have read each and every case submitted to me by Counsel and considered their position. As we know the Tribunal received over sixty seven (67) cases to review and since Counsel have summarized their positions and their relevance to me I will not review each case in my decision. It would only serve to duplicate what has already been documented and received by the Tribunal.

In Williams and the Ontario Provincial Police, the Commission identified three key elements a Hearing Officer must take into account when imposing a penalty.

These include: the nature of the seriousness of the misconduct, the ability to reform or rehabilitate the officer, and the damage to the reputation of the Police Force that would occur if the officer remained on the Force.

In Ontario, Legal Aspects of Policing (pages 6-14) provides that a police officer commits an offence against discipline by acting "in a disorderly manner prejudicial to discipline or likely to bring discredit upon the reputation of the police force".

The most recent application of the test for discreditable conduct in Ontario confirms that the test is "primarily an objective one" and that the conduct must be measured against the "reasonable expectations of the community".

The Ontario Civilian Commission on Police Services has articulated the following approach regarding the meaning of "likely" to bring discredit upon the reputation of the police force:

The measure used to determine whether conduct has been discreditable is the extent of the potential damage to the reputation and image of the service should the action become public knowledge.

In Legal Aspects of Policing at page 6-63 the General Principles of Insubordination are described.

It states the following:

"Historically, insubordination has included two categories of misconduct. The first category involves demeanor and covers insolence or rebelliousness.

The second and more common form of offense involves refusal to comply with orders or other forms of direction."

It is apparent in this case that the second form of the offence is the applicable situation before us today.

It is my intention to deal with Counts One through five which were laid against Constable Beric together as one penalty as they relate to the same incident.

It is clear and convincing through the agreed statement of facts that the Prosecutor in conjunction with Defense Counsel and the subject officer that the Constable Beric is guilty of these indiscretions.

In considering a proper disposition the Tribunal must consider a number of issues. The Disposition should agree with the purpose of affecting a proper discipline process where it meets the standard for the Service in employing discipline in the workplace and the responsibility to treat the respondent officer fairly and also the actions incurred if a public complainant is involved to assist in their reconciliation of the matter.

The overall purpose of the discipline process is to apply corrective measures to correct improper behaviour according to the standards of the discipline process and that of the affected Police Service in accordance with their policies and procedures that all officers are to adhere to in their policing duties.

Through disciplinary jurisprudence, a number of mitigating and aggravating considerations have emerged that affect disposition.

#### These include:

- Public interest.
- Seriousness of misconduct.
- Recognition of the seriousness of the misconduct.
- Handicap or other relevant personal circumstances.
- Provocation.
- Procedural fairness considerations.
- Employment history.
- Potential to reform or rehabilitate the police officer.
- Effect on police officer and police officer's family.
- Consistency of disposition.
- Specific and general deterrence.
- Employer approach to misconduct in question.
- Damage to the reputation of the police force.

Not all of these factors are relevant to the present case before the Tribunal. Many of these factors stem from the decision of <u>Williams and Ontario Provincial Police</u> (1995), 2 O.P.R. 1047 (OCCPS)

#### **Aggravating Factors**

- a. Public Interest- It is common knowledge that the public holds police officers in a position of high trust and accountability. Constable Beric is a police officer and as such the public expects him to obey the Policies and Procedures of the Ottawa Police Service. General Orders of the Service are expected to be adhered to forthwith as policy dictates. Reports need to be filed properly and accurately. Attending occurrences must be completed in a thoughtful and professional manner keeping you and the citizens of the community affected in a safe domain.
- **b.** Seriousness of the Misconduct- Unacceptable behavior displayed by a police officer in any Service is extremely serious. This situation is compounded when the member is expected to be trusted by the community and his fellow officers. Constable Beric betrayed the trust of his fellow officers, the community and the Ottawa Police Service.
- c. Need for Deterrence- The Ottawa Police Service must send the message to all members of this organization that officers of this Service will act professionally, conduct themselves appropriately when off or on duty and will adhere to the Policies and Procedures of the Service with whom they are employed.

Further, there must also be specific deterrence for Constable Beric to send the message that this type of behavior is unacceptable. The assaultive behaviour exhibited by this officer is deplorable. The reports submitted were not in line with what transpired on the call. Constable Beric's notebook is lacking a fulsome description of his actions and that of others on the scene.

- d. Damage to the Reputation of the Police Service- The credibility of the Ottawa Police Service as police agency is of paramount importance. The credibility of officers that conduct investigations professionally and act accordingly to the organizations Policies and Procedures can have an adverse effect on other officers who may be called to investigate other occurrences that may be similar to this incident. Further, this incident was reported in the media, resulting in the embarrassment to the Ottawa Police Service
- **e. Management Approach to Misconduct-** The Ottawa Police Service is a professional, disciplined organization. The Service considers the actions of Constable Beric to be serious.

### **Mitigating Factors**

- f. Recognition of Seriousness of Misconduct- Constable Beric through this Hearing and his Criminal proceeding has recognized and I believe has accepted responsibility for his behavior. Initially he believed he did nothing wrong but after these two processes the Criminal Trial and this Tribunal I believe he now knows his actions was wrong.
- g. Employment History- To date Constable Beric has no previous disciplinary record. It is noted that he has had an incident with another officer that has been resolved and there are no more issues. He meets or exceeds most of the performance expectations in his reviews. He is considered a valued member by his supervisors.
- h. Effect on the Police Officer and his Family- There is no doubt that Constable Beric and his family will suffer from the penalty position to be imposed. A penalty such as dismissal, demotion or forfeiture of hours will have a significant impact on Constable Beric and his family.

Accountability, ethical behaviour and conduct are at a standard much higher than the public we serve. It is generally known and an accepted fact that the law requires a higher standard of conduct with Police Officers in their private lives than the ordinary citizen.

Credibility, honesty, integrity are characteristics that are earned. As one elevates him / herself through the ranks of this proud organization, those characteristics are more revered and treasured. It helps to create the professional image and excellence that the Ottawa Police officers strive to maintain.

The public must be confident that the police will strive to set the example for those in the community. Anything short of this will be seen as a contradiction and serve no other purpose but to undermine the efforts of all serving officers and the explicit goals of the Ottawa Police Service.

You are accountable for your actions and any deviance from those actions, the Ottawa Police Service will hold you accountable. This is what the public expects of the management of this Police Service.

#### **Disposition Considerations:**

A number of issues must be considered in Police Act disciplinary matters.

#### 1. Public Interest

It is important to consider the public interest. It is common knowledge that the public holds police in a position of high trust and accountability. Constable Beric was found Guilty of Discreditable Conduct and Insubordination. At the time of this indiscretion, Constable Beric had fifteen years police experience. As noted in the agreed statement of fact, AA was assaulted by Constable Beric when he attended the address of 506C Bronson Avenue, Ottawa, Ontario with four other officers to attend to a Disturbance call at a building operated by the Ottawa Community Housing on August 04, 2021. AA was apparently yelling and screaming in the hallway of the building.

As was stated in Koopmans in Exhibit 12(a) and articulated by Ms. Barrow at Tab 21, Paragraph 13, Chief Justice Fraser stated:

It has been stated by numerous courts across Canada that police are in a special position of power over citizens in the community. Persons under arrest can do little to protect themselves against assaults by those whom the law has entrusted with their care. It is the law and the justice system which puts the police officer in the position of power over the citizen, and therefore it is the law and the justice system which must protect prisoners and detainees from abuse and excessive force. When a police officer assaults an arrestee, he commits a serious crime against not only that person, but a serious crime against the community, and the justice system itself.

As was seen in the video by cameras located at the Housing complex, there were numerous Ottawa Police officers and security guards captured at various moments on that evening in relation to this incident.

Constable Beric initially had contact with AA in a bathroom located on the first floor with another Ottawa police officer. No cameras captured this scene. It was reported that AA was covered in blood and was yelling and not responding to the officers. This lasted for about two minutes and forty five seconds. Upon exiting the bathroom cameras were recording the events and AA advanced on Constable Beric resulting in Beric and another officer taking AA to the ground in the hallway. Constable Beric delivered a baton strike to AA's leg. Constable Beric delivered verbal commands to AA to get him to leave the hallway in an attempt to get him treated by paramedics for the blood which was observed on AA.

As AA got up from the floor and began walking towards the door he stopped and stepped towards Constable Beric in a manner Beric perceived as assaultive. At this time Beric delivered a front kick to AA's torso. AA grabbed Beric's foot and held his leg in the air. Constable Beric swung towards AA's head using a closed fist and his closed baton in hand. The punch did not make contact.

Another officer pushed AA to the ground. AA was held down for approximately four minutes and forty eight seconds before he was placed in handcuffs. After being pushed to the ground by another officer, Constable Beric used his closed baton to strike AA in the head area three times. Shortly after, Constable Beric placed his foot on AA's neck for two minutes and five seconds to hold him down.

AA was apprehended under the Mental Health Act, and taken to hospital and was treated for a hand laceration, severed tendon and multiple lacerations to the head. It was determined by the responding officers that AA had broken a window on the second floor, causing the lacerations to his hand. AA's injuries were not attributed to the use of force by Constable Beric.

AA was not charged with any offences relating to this incident. The following day two Ottawa police officers brought their concerns to OPS management about the level of force utilized by Constable Beric at the Housing complex which ultimately led to the Waterloo Police Service conducting a criminal investigation resulting in the two criminal charges laid against Constable Beric.

Constable Beric is a seasoned veteran of the Service. His performance evaluations indicate that he is an officer that helps his subordinates is calm and acts extremely well in MHA situations. This should have been a situation where he showed leadership to the parties present. Constable Beric did not exhibit the skills and knowledge that his evaluations through his supervisors have articulated. This is extremely evident due to the complaint lodged by two officers that were present for this incident.

As I have stated in previous decisions with similar actions displayed by officers, Policemen are to be in control of their actions at all times. This does not always apply to civilians. Policemen are trained. If people shout obscenities and create disturbances police officers are trained to deal with these situations.

In this situation AA apparently was under the influence of drugs or alcohol and was a homeless individual. This does not make an excuse for his actions; however it does offer an explanation that ought to have been perceived by the officers in attendance for his aggressive behaviour.

There was comment that Constable Beric attempted to illicit assistance from officers present and none were forthcoming. This does not seem to be accurate by viewing the camera action. To be fair there was no audio. It seems to me with those present in the numbers that were present assistance would have been provided if requested or observed was needed by the officers.

Constable Beric is a police officer and as such the public expects him to investigate criminal activity in a professional and thorough manner. General Orders of the Service are expected to be adhered to forthwith as policy dictates. This type of behavior displayed by Constable Beric on the day in question is not tolerable.

In this situation Constable Beric was the senior officer on the scene. Instead of showing leadership to the subordinates and Ottawa Housing security officers present he exhibited aggression and not assessing the situation as dynamics were evolving.

The community has an interest in knowing that its police officers will act in accordance with the laws they are sworn to uphold. There has been much media attention to this file as is evident in Exhibit 9 submitted to the Tribunal.

He was found Guilty by Criminal Court Justice O' Brien on October 11, 2023 of one count of Assault and one count of Assault with a Weapon. I must consider this as an aggravating factor in my disposition consideration process.

It is therefore extremely important that the Ottawa Police Service demonstrate that members will be held to that standard.

#### 2. Seriousness of the Misconduct

Any deceptive or aberrant behaviour displayed by a police officer in any police service is serious.

The public confidence in the police is one of an expectation that the law will be upheld.

Constable Beric's conduct was unprofessional and he abused his authority. He in my mind performed actions totally against all the morals, principles and integrity of a police officer. His misconduct is serious as he now has placed himself in the position of being found guilty in a criminal court of Assault and Assault with a Weapon. Her Honour in the trial judgement and sentencing reflected that she did not believe the evidence of Constable Beric. She gave numerous reasons as to why she had issues with the inconsistencies of Beric's testimony. They can be found in their entirety at Page's 34 - 42 of her Reasons for Judgement.

She also commented on the falsehoods in his notebook and the Investigation Report as to the accuracy of the events on that day.

This certainly creates an issue for the Service in assigning this officer to a position within the organization.

I believe it is incumbent on this Tribunal to note the summarization of the criminal proceedings:

Constable Beric pleaded not guilty to the charges laid by the Waterloo Regional Police Service and a criminal trial proceeded on May 1-4, 2023 and August 8-10, 2023 before Justice O'Brien. Constable Beric testified at the criminal trial, testifying that his use of force was justified in the circumstances. Constable Beric's evidence was not believed by Justice O'Brien.

Justice O'Brien rendered her judgement on October 11, 2023 wherein she found Constable Beric guilty of one count of Assault and one count of Assault with weapon. Justice O'Brien's judgement sets out in detail the findings of fact upon which the convictions are based. They are contained in Exhibit 6 at Appendix F. In summary the findings of fact include the following:

- a. On August 4, 2021, the police were called to an OCH building in response to a male covered in blood who was screaming in the building.
- b. Constable Beric was one of five officers who responded to the call and one of two who had a physical interaction with the male.
- c. The building`s video security system captured some of the interactions. It did not show, however, what occurred when Constable Beric and another officer first found AA in the back hallway of the building. The two officers had a short physical interaction with AA that was not proven as unlawful.
- d. Constable Beric then backed away and directed AA to leave the building. As AA passed Constable Beric, he stepped quickly forward toward Constable Beric bringing his face quickly forward. Constable Beric kicked AA, but AA caught and held Constable Beric 's foot. AA was then pushed to the ground by another officer. This portion of the interaction was not deemed unlawful.
- e. Constable Beric then attempted to restrain AA to search him. AA tried to get up and rose to his hands and knees. Constable Beric then brought his closed baton into contact with AA's head area three times within a thirty second period.
- f. A minute and a half later, Constable Beric used his foot on AA's face and neck area to hold his head to the ground for just over two minutes while another officer stood on AA's feet.
- g. This force was not necessary or proportionate and therefore was unlawful.

On January 16, 2024 at the Sentencing Hearing Judgement, Justice O'Brien ruled that Constable Beric's actions constituted a "callous disregard for AA generally, and in particular his wellbeing".

Given this betrayal to the community and the Service, which is fundamental to his effectiveness as a police officer with the Ottawa Police Service, it further tarnishes the images of the active members who wear the uniform of the Ottawa Police Service. The nature of the behaviour is such that without significant mitigating circumstances, his dismissal would be the most appropriate cause of action.

This is a significant action against him by the Ottawa Police Service.

I must consider this as an aggravating factor in my disposition consideration process.

### 3. Recognition of the Seriousness of the Misconduct

The actions of Constable Beric in 2021 have affected his career. I am under the firm belief that Constable Beric does not fully understand how his actions have affected himself and the organization to this day.

I say this because he believes he has done nothing wrong and his use of force was justified. He disagrees with the Justice O'Brien findings in the criminal proceedings. I believe he does accept that his note taking, occurrence reports relating to this incident was lacking in content and accuracy. Constable Beric's reasoning for not detailing a fulsome report for the incident and blaming his supervisor was incredible. I understand he was concerned over the blood of AA however he acted alone without accessing the support that was present.

Abhorrent behavior displayed by a police officer in any Service is extremely serious. This situation is compounded when the member is expected to be trusted by the community and his fellow officers. Constable Beric betrayed the trust of his fellow officers, the community and the Ottawa Police Service.

It is my hope that this officer sees clearly how his actions and lack of professionalism have dictated the shortcomings that bring him before me today. The public observes and evaluates the Police 24-7. As individuals and as a professional organization we must be mindful of this fact. Our members, while on patrol and off duty, must conduct themselves in a professional manner at all times and in all situations.

I must consider this as aggravating issue in dealing with the disposition but also a mitigating issue as Constable Beric did show remorse at his criminal trial as stated by Justice O'Brien.

#### 4. Employment History

Constable Beric began his career with the Ottawa Police Service in 2006. It would appear in this disposition that Constable Beric had a mostly uneventful career until 2021. Constable Beric is a senior member of the Ottawa Police Service. He has served in front line duties as a patrol officer. During his policing career, this officer has demonstrated that he can be and is a hardworking member of the organization. He has worked primarily in a front line capacity has numerous commendations, accolades that are contained in Exhibit # 14 which is significant to show his work commitment and dedication to the Service. His Performance Management appraisals exhibit that he meets the standards in all categories, Exceeds at times and it would appear he is a very dedicated officer.

He has no previous disciplinary issues with the Service except for an incident with another officer which was rectified amicably.

The totality of work performance acts as a mitigating factor in my decision. It must be noted that these mitigating factors are five years old as we do not have any current work related performance.

#### 5. Need for Deterrence

It is necessary to consider a general deterrence for all members. The penalty must reflect that the Ottawa Police Service will not tolerate unacceptable behaviour. The Ottawa Police Service must send the message to all members that officers of this Service will act professionally, conduct proficient investigations and act accordingly in the presence of other officers and members of the public when engaged in the performance of their duties.

General deterrence in this situation offers the Adjudicator in this matter the opportunity to remind all members of this organization that engaging with a member of the public in a physical manner is a significant action against that person and it cannot and should not be exercised or performed casually or with undo harm to an individual. The rule of an investigation is to provide the Community with investigations with the utmost of policing excellence, diligence and thoroughness. A quality investigation is warranted. Nothing less can be accepted or tolerated.

This disposition must indicate to the policing community that individuals who contemplate this type of behaviour do so at their own considerable peril and preclude any significant leniency in dealing with matters of this nature. As a result, the disposition in this matter ought to leave no doubt as to probable consequences of misconduct in this regard.

There must also be specific deterrence for the member to send a message that individuals will be held accountable for their conduct. While considering the mitigating factor, such as generally positive work record, the Ottawa Police Service must deliver a penalty that not only prevents recurrence, but also adequately protects the public.

It is my opinion dismissal/demotion is a viable conclusion in this regard.

### 6. Ability to Reform or Rehabilitate the Officer

Constable Beric acted in a manner that is clearly unacceptable of a Police Officer. Insubordination and Discreditable Conduct are serious offences that cannot be tolerated in this organization. The possibility of recurrence must clearly be examined.

The character references submitted at this Tribunal do not address the extent of what the witnesses know of the Police Services Act offences he is charged and convicted for today. They were utilized in his criminal trial for sentencing purposes. Again, glowing accolades for him on and off duty roles in volunteering for the community and the Service. Performance reviews and character reference letters speak about his cool, calm collected personality when dealing in volatile situations. They also speak of his MHA capabilities when dealing with this type of occurrence. His actions as witnessed on the cameras and by Justice O'Brien in the criminal trial do not in any way project the actions displayed by this officer on August 04, 2021.

An issue that must also be considered is what position Constable Beric can be assigned to in the organization.

The credibility of this officer is in serious doubt and if left employed by the Service may at some point jeopardize an investigation. The question that must be asked is "Do we place the burden of the Misconduct on the Service by this officer to absorb until his retirement?"

Short of dismissal, it is unknown to this Tribunal or the Ottawa Police Service whether this conduct will continue by this officer.

#### 7. Damage to the Reputation of the Force

The Conduct exhibited by this officer while on duty in Ottawa is deplorable and will cause damage to the reputation of the Ottawa Police Service.

The credibility of the Ottawa Police Service as police agency is of paramount importance.

The credibility of officers that conduct investigations and act inappropriately can have an adverse effect on the officer and those in attendance. Further, this incident was reported in the media, resulting in the embarrassment to the Ottawa Police Service.

When considering this aspect of the disposition, I am left with a very firm conviction that if Constable Beric was to remain a member of the Ottawa Police Service, the damage to the reputation of the Service would be high indeed.

It is unknown to me what the extent of publicity or the knowledge of the events is to the residents of Ottawa. I can only surmise from the evidence presented and newspaper articles submitted at that this Hearing it is widely known by the residents. To some degree it does not matter as the incidents have affected all involved and has caused damage to this organization. The demonstration of this conduct by this officer and the knowledge of the community, impacts directly on the reputation of the Ottawa Police Service and its public image.

It is our commitment and the Public's expectation that the Ottawa Police Service conduct themselves 24-7, three hundred and sixty five days of the year with a degree of professionalism and commitment for policing excellence. Nothing less is acceptable.

The credibility of this officer is in serious doubt and if left employed by the Service may at some point jeopardize an investigation or cause further risk management issues for the Service.

## 8. Handicap and Other Relevant Person Circumstances

There are no considerations before this Tribunal that are apparent or give cause for consideration.

### 9. Effect on the Police Officer's Family

There is no doubt that Constable Beric and his family will suffer from the penalty disposition to be imposed. Dismissal, Demotion, forfeiture of hours will have an impact on Constable Beric.

I have given this situation serious consideration in determining an appropriate disposition.

### 10. Management Approach for Misconduct

The Ottawa Police Service is a professional, disciplined organization. It does not and will not accept this type of conduct by its members at any rank. The misconduct is serious in nature and was conducted by a senior member of the Service. Because of the seriousness of the behavior, I have not given undue consideration to this issue.

There is truly no flexibility in this manner in which management of the Ottawa Police Service could approach or condone this type of behaviour by a member of their Service.

#### 11. Provocation

There are no considerations before the Tribunal that are apparent or give cause for consideration.

## 12. Procedural Fairness Considerations

There are no considerations before this Tribunal that are apparent or give cause for consideration.

#### 13. Consistency of Penalty

I have considered the sixty seven (67) cases presented to me by Counsel. As I communicated earlier in this disposition the cases presented to me are not on point, however they were instructive for disposition considerations.

In Schofield vs. Metro Toronto Police (1994) the Commission stated:

"Consistency in the discipline process is often the earmark of fairness. The penalty must be consistent with the facts and consistent with similar cases that have been dealt with in earlier occasions."

It is my opinion that all the issues raised by Counsel are fair play when assessing an appropriate penalty disposition. A review of the chronology of events concerning this officer and this incident is helpful and beneficial.

As I have stated earlier I have received a bevy of cases from Counsel to assist me in determining a just disposition. The cases supplied by Counsel are for the most part dated.

A number of the cases submitted were quite outdated and considering this is 2025, times have changed and so have penalties in Police Services Act cases. This being said I still looked at the cases as instructive in my disposition considerations.

As we all know, all cases are different in substance and fact. This being said, in this case It addresses the power a Police Officer possesses and the use or improper use of this power can affect the Officer and tarnish the image and reputation of the Service for whom he/she is employed. In this circumstance it is the Ottawa Police Service. That to me is the issue that I must focus and address the Disposition considerations that both Counsel have asked me to consider. The cases provided are unlike this case. There are salient pieces that I have been able to extract and implement them into my decision making process

Ms. Machado in her submissions to the Tribunal has submitted a number of cases for the Tribunal to consider. The Pinto and Stone cases are 2007 and 2011 cases. Pinto relates to Domestic Assault and Stone relates to Corrupt Practice. Similarities to this case are not similar other than the officers retained their position with their respective Service. Ms. Machado also submitted numerous cases relating to officers convicted criminally and still retaining their positions with their respective Services. Chuckryk, Oderkirk, McCahery, McDonald, Gendron, Merritt, Goordani, Dopf and Mesic, Brisbois. Again a number of these cases are dated and lack similarity to this file other than the common position was that all officers were charged and convicted criminally, however they retained their positions with their respective Services.

The most recent case that Ms. Machado produced was the Dopf file from Woodstock. It is a 2025 case. I am familiar with this file as I was the Adjudicator. This file has the most similarities to the Beric file. Dopf was convicted criminally for Assault as he struck a compliant, handcuffed arrested party. This action by Dopf was at the conclusion of a surveillance where the driver of the vehicle drove backwards over a number of resident properties nearly missing community members. I am not justifying his actions upon his arrival where another officer had made the arrest and the party was seated on the ground. He believed the individual was the driver of the car. The Woodstock officer also was suffering from PTSD and was being treated. He also paid additionally in his suspension from duty prior to the PSA proceedings additional counseling from his own pocket. It created additional mitigating circumstances for this officer.

I cannot answer as to why Defense Counsel indicates to the Tribunal that the Ottawa Police Service is inconsistent with consistency in penalties for their officers. Ms. Machado submitted to the Tribunal that prior to this officer's conviction in his criminal case he was working for the Service and not suspended. He was off the road and had no contact with the public which I believe is the correct procedure. After the criminal conviction the Service suspended this officer with pay. I do not see any issue with this position either as the Service proceeded with their Police Act investigation.

In comparing the file to this case there are significant differences. Constable Beric I believe lost control of his emotions. Yes the blood may have been a factor and yes this was during COVID where everyone was in a heightened position. There were numerous officers present at the scene. A senior officer was present to supervise and monitor the scene. Constable Beric took this scene under his control and appeared to want to subdue AA himself. Constable Dorken assisted in a small degree. The strikes to the head were unwarranted as stated by Madame Justice O'Brien and the standing on AA's head and neck was callous and unwarranted for the period of time in excess of two minutes that Constable Beric maintained this technique.

The comments of Justice O'Brien are also very detrimental to Constable Beric. She commented that the force utilized by Constable Beric was not necessary or proportionate and therefore was unlawful. She ruled that Constable Beric's actions 'constituted a 'callous disregard for AA generally, and in particular, his well-being.

At page eighteen of the Reasons for Sentence with respect to the RMS report comparatively to the evidence found at trial:

It is aggravating that Constable Beric authored a false report regarding this incident. In the report he exaggerated AA's aggressiveness and omitted mention of striking him with the baton and standing on his neck. He made this report before he knew there was a recording, and his report was false.

She further stated that he used exaggerated language in the RMS report including for example like one out of the Shining which was not suitable for an RMS report and was not professional. He over emphasized the risk he perceived from the scene and de-emphasized the use of force he utilized in response to the scene, rendering the report misleading.

Constable Beric also did not file a Use of Force report as required by Service policy. It is unknown if this was forgotten or whether because he had no notes on this subject.

The Justice's comments at trial and Sentencing is very damaging for this officer and can be considered an extremely aggravating factor to consider in my disposition consideration.

When he was questioned by Sergeant Menard in his compelled interview he was more focused in relating his answers to the blood issue than as to why he had incomplete notes, lacked information on his RMS report and the issue that brought forth by him that he was unable to speak with his Staff Sergeant.

Officers that work hard for their organizations are going to make mistakes. Some deal with it immediately, others do not for a myriad of reasons. Notes are important to relate to an occurrence after a period of time has elapsed. Constable Beric's are lacking enormously. I agree that Supervisors of this organization must be more responsible.

Honesty, integrity and accountability are characteristics a police officer must possess to conduct his/her work. Without these, you make it near impossible or just plain impossible to do your job.

The disposition of this matter must reflect the serious nature of Constable Beric's actions and it must hold the officer accountable for his indiscretions.

Striving for consistency in a disposition is a balancing act, involving a number of considerations that speak to the specifics of the misconduct, the environment in which the misconduct occurred, the action or inaction of the management of the service and other issues.

The Ottawa Police Service through its community invests a great deal into hiring, training and equipping the men and women to whom they entrust their protection. The community and the police service have a right to expect that when their officers are on duty, they will be performing at a high level of competence and perform their duties in a professional manner.

In Williams, in confirming the penalty of resignation within seven days or dismissal, the Commission described Constable Williams conduct as follows:

"These actions, afforded the opportunity of reasoning, indicate a serious lack of moral and judgmental qualities required in a police officer. It is doubtful that an opportunity for rehabilitation would correct what would appear to be a fundamental character flaw."

This statement might well be echoed for the behaviour exhibited by Constable Beric in my opinion.

# **Disposition**

In light of the seriousness of these allegations, and bearing in mind all the evidence before me, it is the decision of this Tribunal that Constable Goran Beric 1815 shall be dismissed from the Ottawa Police Service in seven days unless he resigns before that time.

M.P.B. Elbers, Superintendent (Retired)

May 28, 2025 Date