



HAMILTON POLICE SERVICE

CONFIDENTIAL

INFORMATION REPORT

TO:	Chair and Members Hamilton Police Service Board
BOARD MEETING DATE:	October 1, 2026
SUBJECT:	SIU File 25-OCI-076 – Injury of K.M.
REPORT NUMBER:	26-084
PRESENTATION:	No
OUTSTANDING BUSINESS ITEM:	No
SUBMITTED BY:	Frank Bergen, Chief of Police
SIGNATURE:	

EXECUTIVE SUMMARY

On February 23, 2025, at approximately 5:48 p.m., the Subject Official (SO), attended the residence of the Complainant. It was reported that the Complainant was having a mental health crisis and was threatening suicide. The Complainant was apprehended under the Mental Health Act and escorted towards a police cruiser, the SO was walking behind her. The Complainant kicked her leg backwards and struck the SO in the groin. The SO reacted by approaching the Complainant and punching her one time in the face. Emergency Medical Services (EMS) transported the Complainant to the hospital where she was diagnosed with a fractured nasal bone.

The SIU were contacted and they invoked their mandate. The SIU subsequently charged the SO with aggravated assault. On June 15, 2026, the SO pled guilty to assault cause bodily harm.

APPENDICES ATTACHED

Appendix A – Summary

FB/W. Mason

c: Robin Abbott, Deputy Chief – Support
Will Mason, Superintendent – Professional Development Division
Marco Visentini, Legal Counsel

Vision: To be a trusted partner in delivering public safety.

Mission: To serve and protect in partnership with our communities.

Our Values: Compassionate, Dedicated, Inclusive, Integrity, Innovative, Professional, Teamwork

26-084 Appendix A – Summary Special Investigation Unit’s Probe into the injury of K.M. SIU File 25-OCI-076

BACKGROUND

Provincial legislation requires that the Chief or designate shall conduct an investigation promptly into any incident in which the Special Investigations Unit (SIU) has investigated a member of a police service. The purpose of the Chief’s investigation is to investigate the member’s conduct in relation to the incident, the policing provided by the member in relation to the incident, and the procedures established by the Chief of Police as they related to the incident (Section 81(4)). The Chief is mandated to make the report to the Board within 90 days after the SIU Director publishes a report in respect of the incident (if no charges are laid), or within 90 days after the disposition of the charges (if charges are laid) (Section 8(3) of Ontario Regulation 90/24). The Board shall publish the report on the internet within 30 days of receiving the report (section 8(5) O. Regulation 90/24).

*To facilitate the Section 81 report, the crown brief file was requested from the SIU on June 15, 2026. The file was received on September 8, 2026.

- On February 23, 2025, the SO was working in the Mobile Crisis Rapid Response Unit (MCRRT) along with a mental health professional (Witness #1). At 5:48 p.m., the Complainant’s husband contacted 911 to report the Complainant had locked herself in the garage, had made a noose, and was threatening suicide by hanging. Hamilton Police Service (HPS) officers were dispatched as was EMS.
- EMS arrived first and forced entry into the garage to intervene. The Complainant left the garage and threatened the EMS paramedics with a shovel. EMS paramedics grounded the Complainant to await police.
- The SO arrived, along with Witness Officer #1 (WO #1), Witness Officer #2 (WO #2) and Witness Officer #3 (WO #3). The Complainant was apprehended, handcuffed, and physically escorted towards a cruiser by WO #1 and WO #2. The Complainant was resisting and dragging her feet. The SO approached the trio from behind and placed himself on the right side of WO #1. The SO placed a hand on the Complainant’s right shoulder. One of the Complainant’s feet kicked out and struck the SO in the groin. He responded immediately by swinging around the front of WO #1 with his right hand and striking the Complainant’s nose. This strike split the Complainant’s nose and caused a displaced bilateral nasal bone fracture. The Complainant was transported to hospital by EMS.
- The SIU was notified and invoked their mandate.
- The SO was arrested by the SIU on September 16, 2025, and charged with aggravated assault. On June 15, 2026, the SO pled guilty to assault cause bodily harm.

- The Special Investigations Unit Act, section 35.1 (1), dictates that if, during the SIU's investigation, potential police officer misconduct is discovered (as defined in the Community Safety and Policing Act), The SIU Director shall notify the Complaints Director. As well, section 35.2 of the SIU Act dictates that if, during the SIU's investigation, potential issues are discovered relating to the adequacy and effectiveness of policing including policies and procedures, the SIU Director shall notify the Inspector General of Policing. At the conclusion of the SIU Investigation, the SIU Director did not notify the Complaints Director or the Inspector General of Policing. However, HPS notified the Complaints Director on June 16, 2026, immediately upon confirmation of the SO's guilty plea. On September 4, 2026, the Complaints Director responded to HPS' notification and directed that HPS can undertake the misconduct investigation. This investigation is currently with the HPS Professional Standards Branch.