



Q2 2017 REPORT TO THE EDMONTON POLICE COMMISSION



The following report is submitted for:

- ☒ Approval
☐ Ratification
☐ Information

PROFESSIONAL STANDARDS BRANCH
July 20, 2017 EPC MEETING

Approved by:


Rod R. Knecht
Chief of Police JUL 05 2017


Dwayne Lakusta
Inspector



July 11, 2017

TO: Rod R. Knecht
Chief of Police

FROM: Inspector Dwayne Lakusta
Professional Standards Branch

RE: QUARTERLY REPORT – Q2 of 2017

This report has been prepared for the July 20, 2017, Edmonton Police Commission meeting.

During the second quarter of 2017 (Q2), Professional Standards Branch received 317 new files:

- 44 Public complaints as defined by Part 5 of the *Police Act*;
- 13 Internal complaints as defined by Part 5 of the *Police Act*;
- 50 EPS Matters; and
- 210 Citizen Contacts.

There were 3 files directed for Criminal Investigation (*Statutory Complaints*) during Q2 of 2017.

Concluded 286 files:

- 2 *Statutory* complaints;
- 60 Public complaints as defined by Part 5 of the *Police Act*, including five (5) complaints regarding policies or services provided by the EPS;
- 10 Internal complaints as defined by Part 5 of the *Police Act*;
- 31 EPS Matter; and
- 183 Citizen Contacts.

The Edmonton Police Service received 139,103 calls in Communications Section (including calls answered by the dispatch line and 911 calls extended to police), dispatched 48,373 of those calls and recorded opening thirty-nine (39) compliments.



Inspector Dwayne Lakusta
Professional Standards Branch

cc: Cathy Palmer/Chair
Edmonton Police Commission



**Professional Standards Branch
April - June 2017
Q2 Report
Edmonton Police Service**

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STATISTICAL SUMMARY

Second Quarter of 2017 Update

1. RECEIVED FILES

The following figure shows the number and type of files received during the second quarter (Q2) of 2017. Blue colours represent informal files and red colours represent formal investigations. Lighter shades indicate internally generated files and darker shades indicate externally generated files. As can be seen below, during Q2 of 2017, PSB received 260 informal files and 57 formal complaints.

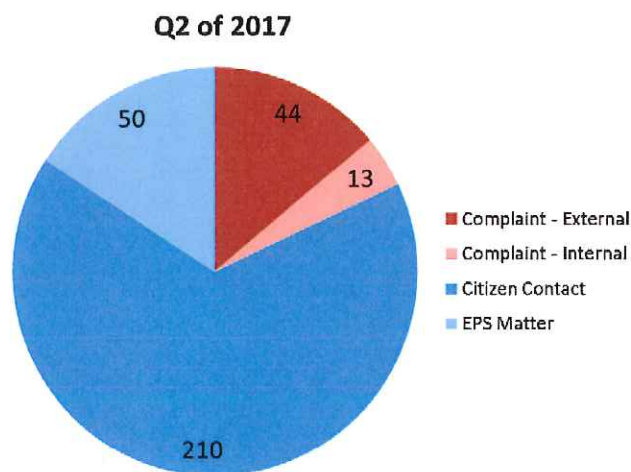


Figure 1-1. Type of Files Received During Q1 of 2017

The following figure shows the yearly percentage increase or decrease in formal complaints and total files received compared to 2016 values. Year-to-date change in Formal Complaints received represents a decrease of 10 complaints (-8%) as compared to 2016. The Year-to-date Total Files Received represents a decrease of 20 files (-3%) as compared to 2016.

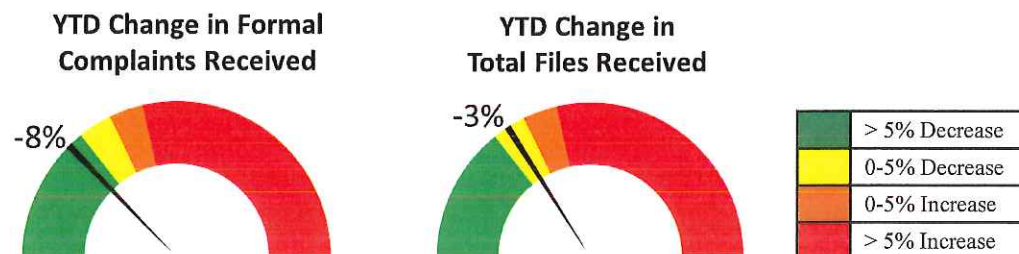


Figure 1-2. Yearly Changes in Files Received

2. CURRENT WORKLOAD

As of June 30, 2017, PSB had 421 open investigations broken down as follows:

- 134 Complaints External
- 58 Complaints Internal
- 161 Citizen Contacts
- 60 EPS Matters

8 Statutory Complaints (of the 8 statutory complaints, 7 are associated with open PSB files and therefore are considered duplicate files; the remaining 1 file is associated with a completed PSB file and therefore is not considered duplicate).

The following table shows the age and status of all open PSB investigations, including all Statutory Complaints. The table shows files that are listed as Active, Suspended, and Forwarded. An investigation is listed as "Suspended" when it is not currently being advanced. Reasons for suspending a file may include executive review of the investigation, disciplinary hearings, criminal investigation, or court proceedings. An investigation is listed as "Forwarded" when it is ongoing but not under the control of PSB. Reasons for forwarding a file may include supervisory reviews, obtaining legal opinions, or investigation by outside investigators.

This table will break down these files by year, to show the total number of files in each status for the corresponding year.

Age and Status of all Open Investigations				
Year	Active	Forwarded	Suspended	Total
2012	0	0	2	2
2013	0	1	1	2
2014	0	3	6	9
2015	5	6	12	23
2016	31	14	45	90
2017	118	36	141	295
Total	154	60	207	421

Figure 2-1. Age and Status of All Open Investigations

The following figure shows the stages of investigation for formal complaints by month. This is a snapshot of the files that were in a particular stage as of the last day of the month.

The stages of investigation include:

- Clarification (interviewing the complainant to determine the specific details of the complaint);
- Collection (collection of evidence and witness interviews);
- Subject Officer Interviews (explanatory reports and/or interview of the subject officer);
- Report (compiling the final report);
- Investigative Review (review by the Investigative Manager);
- Executive Review (review by the Inspector, Chief, and final concluding processes).

Investigations may also be pending other processes (e.g., dispute resolution, legal review, hearing, etc.) or may be undetermined (e.g., for complaints that are not proceeding to formal investigation).

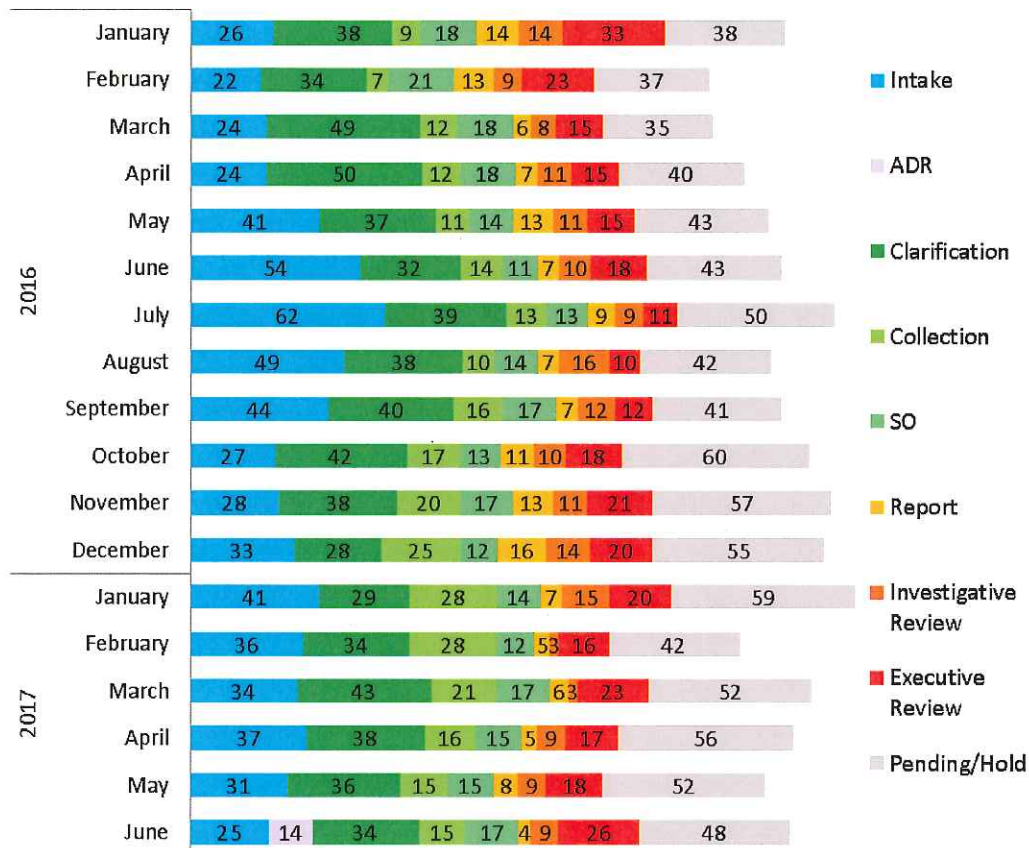


Figure 2-2. Monthly Comparison of Complaint Stages

3. CONCLUDED FILES

The following figure shows the disposition of all Formal Complaints and Statutory Complaints concluded during Q2 of 2017 (70 Formal Complaints, 2 Statutory Complaints).

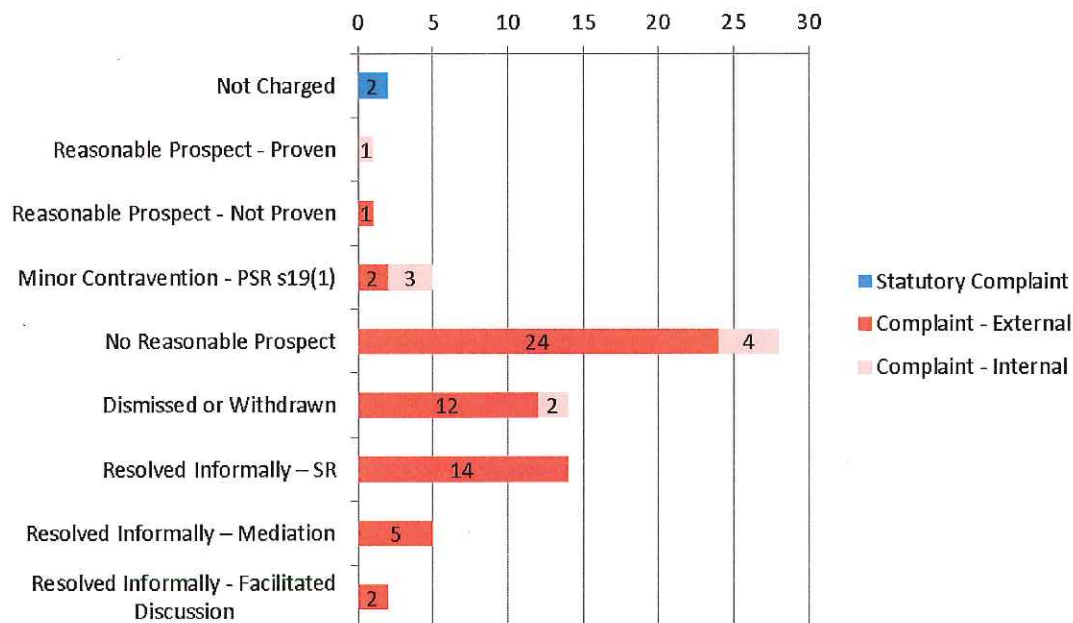


Figure 3-1. Dispositions of Concluded Formal Complaints

	2015		2016		2017	
	Q2	YTD	Q2	YTD	Q2	YTD
Received						
Formal Complaints	48	149	72	129	57	119
External	36	68	57	97	44	90
Internal	12	81	15	32	13	29
Informal Complaints	206	398	259	495	260	485
Citizen Contacts	180	331	235	414	210	402
EPS Matters	26	67	24	81	50	83
Total	254	547	331	624	317	604
Concluded						
Formal Complaints	101	167	63	148	70	140
External	48	93	50	109	60	108
Internal	53	74	13	39	10	32
Informal Complaints	221	586	181	430	214	450
Citizen Contacts	191	521	149	337	183	398
EPS Matters	30	65	32	93	31	52
Total	322	753	244	578	284	590

Figure 3-2. Three-Year File Comparison for Q2 of 2017
Total numbers do not include Statutory Complaints

The following figure shows the percentage increase or decrease in formal complaints and total files concluded compared to 2016 Q2. The year-to-date change in Formal Complaints concluded represents a decrease of 8 files (-5%) and the year-to-date Total Files Concluded represents an increase of 12 files (+2%).

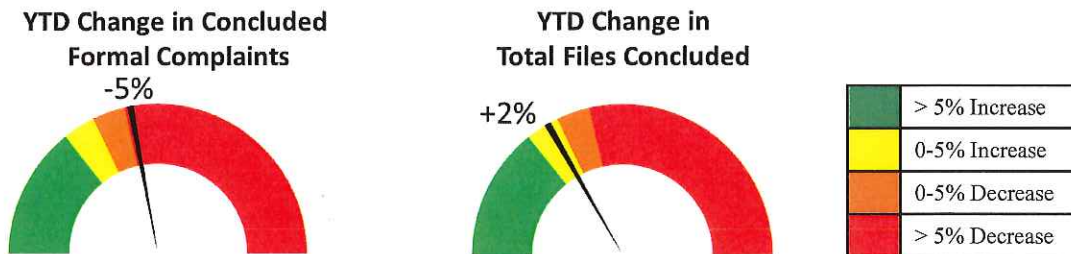


Figure 3-3. Yearly Changes in Files Concluded

4. LEGAL

DISCIPLINARY HEARINGS	Total	File Number
Directed	2	PSB2014-0235 PSB2016-1050
Concluded	2	PSB2014-0550 PSB2016-0955
LERB	Total	File Number
Appeals Received	8	PSB2013-0776
		PSB2015-0495
		PSB2015-0595
		PSB2015-0617
		PSB2015-1119
		PSB2016-0046
		PSB2016-0510
		PSB2016-0833
Decisions Rendered	4	IA2011-0999
		PSB2031-0386
		PSB2013-0663
		PSB2014-1044
Appeals Withdrawn	3	PSB2014-0438
		PSB2015-0565
		PSB2015-0969
EPC APPEALS	Total	File Number
Appeals Received	3	PSB2016-0494
		PSB2016-0545
		PSB2017-0085
Decisions Rendered	0	

Figure 4-1. Disciplinary Hearings and LERB during Q2 of 2017

CONCLUDED DISCIPLINARY HEARINGS

1. File Number: PSB2014-0550
Date of Complaint: July 10, 2014
Subject Officer: Cst. AB
• Unlawful or Unnecessary Exercise of Authority x 1
Presenting Officer: K. Haymond, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

On April 24, 2017 the charge of Unlawful or Unnecessary Exercise of Authority was found unproven against the officer.

2. File Number: PSB2016-0955
Date of Complaint: October 08, 2016
Subject Officer: Reg. No. 3256 Cst. L. Kerr
• Discreditable Conduct x 2
Presenting Officer: T. Magee
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

On June 07, 2017 Cst. Kerr was found guilty of two counts of Discreditable Conduct and received a 50 hour suspension without pay for the first count and a 20 hour suspension without pay for the second count, totaling a global 70 hour suspension without pay.

PENDING DISCIPLINARY HEARINGS

1. File Number: PSB2015-0027
Date of Complaint: January 09, 2015
Subject Officer: Cst. AB
• Unlawful or Unnecessary Exercise of Authority x 1
Presenting Officer: T. Magee
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for July 17, 2017.

2. File Number: PSB2015-0029 / PSB2015-1050
Date of Complaint: December 28, 2015 / November 04, 2016
Subject Officer: Cst. AB
• Insubordination x 1
Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for September 20, 2017.

3. File Number: PSB2016-0820
Date of Complaint: August 30, 2016
Subject Officer: Sgt. AB
• Insubordination x 1
• Discreditable Conduct x 1

Open Disciplinary Hearing is scheduled for September 20, 2017.

4. File Number: PSB2014-0183
Date of Complaint: March 11, 2014
Subject Officer: Cst. AB
• Unlawful or Unnecessary Exercise of Authority x 1
• Deceit x 1
• Discreditable Conduct x 1

Open Disciplinary Hearing is scheduled for October 17 and 18, 2017.

5. File Number: PSB2015-0347
Date of Complaint: April 28, 2015
Subject Officer: Cst. AB
• Insubordination x 2
• Deceit
Presenting Officer: K. Haymond, Field Law LLP
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

Open Disciplinary Hearing is scheduled for November 14 – 16, 2017.

6. File Number: PSB2013-0314
Date of Complaint: March 26, 2014
Subject Officer: Cst. AB
- Neglect of Duty x 2
 - Unlawful or Unnecessary Exercise of Authority x 1
 - Discreditable Conduct x 1

New matter not yet scheduled.

Being held in abeyance pending LERB appeal

7. File Number: PSB2016-1145
Date of Complaint: December 05, 2016
Subject Officer: Cst. AB
- Discreditable Conduct x 2

New matter not yet scheduled.

8. File Number: PSB2014-0235
Date of Complaint: March 24, 2014
Subject Officer: Cst. AB
- Deceit x 1
 - Discreditable Conduct x 1

New matter not yet scheduled.

First Appearance tentatively scheduled for September 06, 2017

COMPLETED COMPLAINTS OF SERVICE
(Section 44 *Police Act*)

There were four (4) Complaints of Service under Section 44 of the *Police Act* that were resolved or concluded during the second quarter of 2017.

1. Concluded by the Chief
File Number: PSB2015-1104
Date of Complaint: December 12, 2015
Investigator: Don Groenenboom

Summary

On December 12, 2015, EPS received a letter of complaint with respect to an online crime report submitted October, 17, 2015, where a radio controlled car valued at \$2900 was stolen from the complainant's vehicle. After putting up some posters in the area the complainant received some tips as to the whereabouts of the RC car. This information was relayed to the police. A visit by EPS was made to the reported address, but the door was not answered and there was insufficient grounds to obtain a Feeney warrant. On March 16, 2016, the complainant agreed to attend NE Division to discuss the matter and thus understood that the Police are limited by the law and the courts as to what they were allowed to do. This matter was not resolved and on April 22, 2016, the complainant wanted to move forward with a complaint against the Police Service in its entirety, (i.e. that the citizens of Edmonton have to take care of their own problems as the EPS is grossly understaffed). This matter was reviewed and concluded on April 11, 2017, by the Acting Chief with no recommended changes to EPS Policy or Procedures.

2. Concluded by PSB
File Number: PSB2016-0968
Date of Complaint: October 13, 2016
Investigator: Sgt. Jennifer Eichmann

Summary

EPS received a letter of complaint on October 18, 2016, regarding the lack of response to 911 calls made on September 28, 2016. The complainant alleged that numerous calls were made with respect to a 19 year old foster daughter in her care who overdosed, become violent and a danger to herself and those around her. The complainant further alleged that if EPS would have shown up in a timely manner to the crisis, she would not have

been robbed, had her home destroyed and required medical attention. The complainant felt that 911 officers should be judging priority based on facts and not on lack of fear, panic or hysteria. The concern was sent to Operational Support Division to initiate a Supervisory Review January 4, 2017. Operational Support followed up with the complainant and on April 18, 2017, the file was concluded to the complainants' satisfaction with no changes required to EPS Policy or Procedures.

3.

Concluded by the Chief
File Number: PSB2017-0085
Date of Complaint: January 30, 2017
Investigator: Intake

Summary

PSB received a letter of complaint January 30, 2017, with respect to the External complaint website and EPS's deliberate restriction of 512 character limitation to draft a complaint. In follow up to the complaint PSB emailed Michael James at the Digital Media Unit who through investigation determined that there was a default imbedded character limit. Upon identifying this limit, it was increased. The complainant was contacted and assured that this was not done intentionally by EPS and the file was concluded by the Acting Chief April 4, 2017, with no changes required to EPS Policy or Procedures.

4.

Concluded by PSB
File Number: PSB2017-0198
Date of Complaint: March 7, 2017
Investigator: ADR Donna Cross

Summary

On March 7, 2017 PSB received a letter of complaint regarding the complainant having to attend (3) three different Police Stations to file a report, that the information on the Internet is not helpful or clear regarding which Police Stations are open and which are closed. A Google search still lists hours of operation for Strathcona Station as a Police Station and leads one to believe it is still open. A call was made to Michael James in the EPS' Digital Media Unit to determine who is responsible for updating the Web site information, Michael indicated that his area is responsible and the web site is currently updated. It appears that the Complainant looked up the Police Station locations (Scona Police Station) on Google and it still showed Strathcona Station as a Police Station with the hours of operation listed. Michael Jame advised that he has since contacted the

Old Strathcona Business Association (who has the hours of operation still listed). They advised that they are removing the web page ASAP. The complainant agreed to ADR mediation on May 10, 2017, and this complaint was resolved to the complainants' satisfaction.

5.

Concluded by PSB
File Number: PSB2017-0241
Date of Complaint: March 17, 2017
Investigator: Sergeant Jennifer Eichmann

Summary

On March 20, 2017, PSB received a letter of complaint regarding a motor vehicle collision December 19, 2016, where EPS did not attend the scene, due to a high call volume. The complainant unsatisfied with the service they received and the lack of investigation into the collision. The complainant wanted a review conducted to determine whether a police investigation into the distracted driving should have been conducted. On April 12, 2017, a supervisory review package was sent to Northeast Division. NE Division followed up with the complainant and this matter was informally resolved on June 20, 2017 to the complainants' satisfaction.

COMPLIMENTS

During Q2 of 2017, thirty-nine (39) letters of appreciation were entered by the Edmonton Police Service. Professional Standards Branch would like to present nine (9) of these letters.

1.

My wife and I had our vehicle broken into on a Saturday morning downtown a couple weeks ago while we were at the Farmer's Market. I wanted to leave a comment sharing how amazing the EPS was in helping us out.

The members who worked with us were nothing short of outstanding. After we reported the break-in, we were visited only hours later by Cst. (Redacted) and Cst. (Redacted). These two individuals were exceedingly helpful and attentive to our concerns. It was so reassuring to witness the depth of caring that these two officers shared with our family. Even though I figured the chances of getting any of our property back was slim, my wife and I were both left feeling reassured that our concerns were heard and the two officers departed on a hopeful and reassuring note.

I was recently contacted by Cst. (Redacted) who informed us that some of our property had been found. The officer met with me personally to hand back our stolen property. I was so impressed at how important it was to Cst. (Redacted) that we were looked after and that our property was in good condition. Constables (Redacted) also came by to join us as well. It was quite overwhelming to experience how willing these three officers were to help. Incredible.

Fortunately my family has not been faced with many crises that would warrant EPS involvement. Having said that, if we are faced with a crisis in the future, and it is necessary that one of your members is called to help, my family is exceedingly confident that we could not be in better hands.

(Redacted) Officer - thank you! On behalf of my family, we wish you the very best. Thank you for the difficult work that you do. Stay safe and please know how much your efforts are appreciated.

Warm regards,

2.

Hello sir. This afternoon we came across an elderly woman in the lobby. She looked a little confused as to how to get out, so we helped her out and then down the stairs. It was obvious she was having trouble seeing and was asking us to bring her to a bus stop. I asked her if it would be alright if I drove her home. We discussed a number of things on the way to her residence, including her concerns that a friend was stealing money from her. I became concerned partially from what she was telling me and partially because I have elderly parents. When I dropped her off she went inside of the apartment building. The Manager of the Apartment building was outside. I had a discussion with him and he led me to believe she had no family or friends to look in to ensure she was fine. It weighed heavily on my mind.

When I got back to work I discussed it with Staff Sergeant (Redacted). He was happy to look into it for me and I was certain it would be taken care of. It was. I got a call from Sgt. (Redacted) getting more details and it was then we realized that she didn't make it to the front counter, but thought she needed to get her identification from home. Sgt. (Redacted) told me they would take care of it.

Soon after I received a call from Cst. (Redacted). He had met with the woman in her apartment, found that she has a friend who checked in with her, that a police report had been filed a couple weeks ago regarding the alleged theft and got contact information for her family that lived out of the country. I have absolutely no doubt that Cst. (Redacted) made sure she was well taken care of and her situation was okay.

I just wanted to make you aware of the excellent work done by your officers. I am very grateful for their understanding and compassion. They were all great to deal with throughout and I will sleep better knowing a check was done. It makes me proud of being a part of EPS when I see our officers do such a fantastic job.

3.

SUBJECT: Great Service

MESSAGE: This afternoon on June 2, 2017 around 2:30pm I was at the Windemere station. I was not excited to go as previous encounters with the EPS have not been pleasant I have felt that officers are usually disengaged or rushed to get to the next person.

Today was a different experience. I was helped by Cst. (Redacted). She took the time to listen to my issue even though I knew I was rambling and let me get out all of my concerns to the suspicious person in my area. She then provided me with suggestions to increase my safety but went a step further. She then took the time to look up the license plate to see their intent.

4.

Compliment - and thank you from RAH (Royal Alexandra Hospital) School of Nursing Alumnae for all the years EPS has supported their Alumnae and allowed Band members to pipe in the 50 year grads to the banquet;

5.

MESSAGE: 10:02 am Saturday, May 20, 2017.

At the intersection of Hewes Way and 28 Ave, a man in a wheel chair was crossing the road. It was apparent he was crossing with great difficulty and the light had already changed and traffic was trying to proceed. I'm so glad the first vehicle was EPS, the officer put his lights on, halted traffic in a very safe obvious manner, and pushed the wheelchair across to the sidewalk. I WISH I had snagged a photo as this is the kind of positive press police needs today. Thank you for your service!

6.

Good morning all,

Ms. (Redacted) called me this morning and asked me to pass on her thanks to all of you for your response to her call at (Elves Special Needs Society). She was quite impressed with how quickly and professionally you got there and dealt with the issue and felt that you probably don't hear enough "thank you's" in a day. You certainly made a positive impression of yourselves and the Service on Ms. (Redacted), nicely done.

7.

I am writing to commend the actions of two officers who answered a call on February 5, 2017. My neighbour called and sounded very agitated. She said someone stole her wedding rings and money. She also believed there was a man in the attic. For several years she has been dealing with hallucinations and her husband died one year ago which added to her stress. She insisted I call the police and I did so. We had two officers Cst. (Redacted) & Cst. (Redacted) arrived, they were calm, sensitive and kind to my neighbour. Within a short time, the officers called EMS and she was admitted to the hospital. I am grateful for the services of the police.

8.

Good Morning

We received a call in the Office of the Chief this morning. Mr. (Redacted) wanted to pass along his thanks and appreciation for his interaction with Cst. (Redacted) and Cst (Redacted). He was involved in a collision approximately two weeks ago in the west end and the two officers went above and beyond while assisting Mr. (Redacted).

9.

Compliment – from Professional Responsibility Unit, K Division, for the work and preparation involved in putting on the "RED" Kidnap Negotiators Course from these members of EPS;

Last week I attended the "RED" Kidnap Negotiators Course which was put on by the Edmonton Police Service negotiator team. Two police officers from the London Metro Police (New Scotland Yard) and one from the Greater Manchester Police were the instructors. The course was organized by EPS members (Redacted), (Redacted) & (Redacted). This was one of the best courses I have ever been on. The work and preparation (a couple of years) that the members did was incredible. They went above and beyond in every aspect of this course. There were negotiator candidates from the RCMP (Edmonton, Calgary, Ottawa), Vancouver PS, Toronto PS, Regina PS and two FBI Agents from Virginia.

Edmonton Police Service Professional Standards Branch

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