



October 11, 2018

TO: Rod R. Knecht
Chief of Police

FROM: Inspector Shawna Grimes
Professional Standards Branch

RE: QUARTERLY REPORT – Q3 of 2018

This report has been prepared for the October 18, 2018, Edmonton Police Commission meeting.

During the third quarter of 2018 (Q3), Professional Standards Branch received 340 new files:

- 59 Public complaints as defined by Part 5 of the *Police Act*;
- 21 Internal complaints as defined by Part 5 of the *Police Act*;
- 36 EPS Matters; and
- 224 Citizen Contacts.

There were 6 files directed for Criminal Investigation (*Statutory Complaints*) during Q3 of 2018.

Concluded 318 files:

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

The Edmonton Police Service received 154,127 calls in Communications Section (including calls answered by the dispatch line and 911 calls extended to police), dispatched 51,717 of those calls and recorded opening 43 compliments.

Inspector Shawna Grimes
Professional Standards Branch

cc: Tim O'Brien/Chair
Edmonton Police Commission



Q3 2018 REPORT TO THE EDMONTON POLICE COMMISSION



The following report is submitted for:

- ☒ **Approval**
☐ **Ratification**
☐ **Information**

**PROFESSIONAL STANDARDS BRANCH
October 18, 2018 EPC MEETING**

Approved by:

**Rod R. Knecht
Chief of Police**

**Shawna Grimes
Inspector**



**Professional Standards Branch
July – September 2018
Q3 Report
Edmonton Police Service**

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Completed Complaints of Service	12
Compliments	15

STATISTICAL SUMMARY

Third Quarter of 2018 Update

1. RECEIVED FILES

The following figure shows the number and type of files received during the third quarter (Q3) of 2018. 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 Q3 of 2018, PSB received 260 informal files and 80 formal complaints.

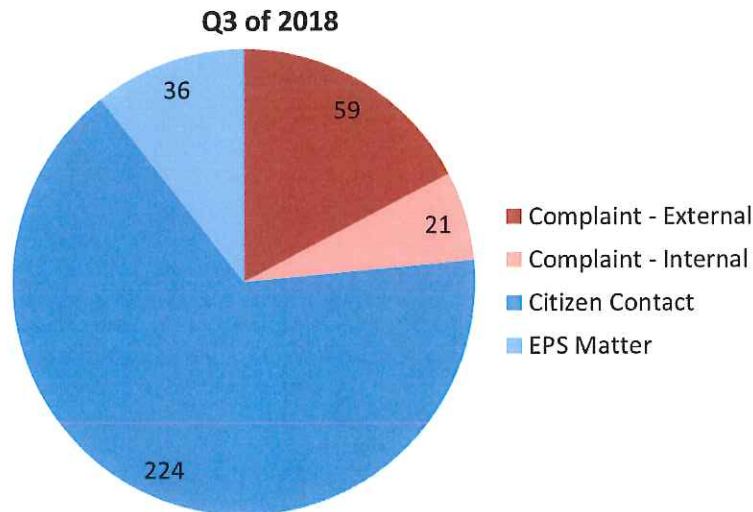


Figure 1-1. Type of Files Received During Q3 of 2018

The following figure shows the yearly percentage increase or decrease in formal complaints and total files received compared to 2017 values. Formal complaints have increased by 27% as compared to 2017; including a 3.5% increase in public complaints and a 100% increase in internal complaints. The increase in internally generated complaints is largely due to change in PSB policy regarding classification of serious incidents (pursuant to section 46.1 of the *Police Act*) and an increase in formal complaints related to photo radar.

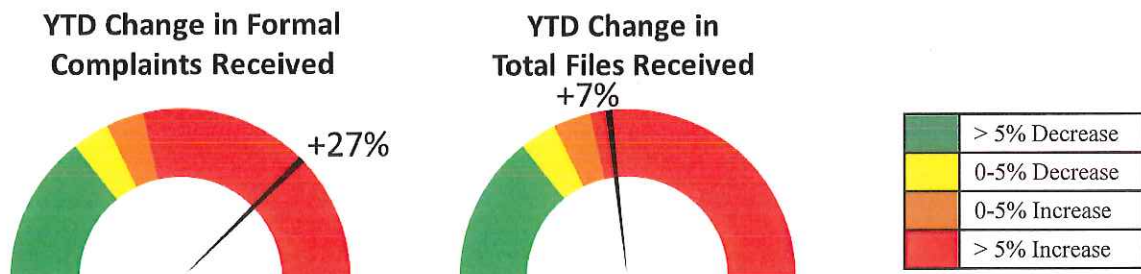


Figure 1-2. Yearly Changes in Files Received

2. CURRENT WORKLOAD

As of September 30, 2018, PSB had 381 open investigations broken down as follows:

- 161 Complaints External
- 99 Complaints Internal
- 98 Citizen Contacts
- 23 EPS Matters

28 Statutory Complaints (27 statutory complaints are associated with open PSB files and therefore are considered duplicate files; the remaining 1 statutory complaint relates to 46.1 notifications where the statutory investigation was initiated immediately and the Chief directed the PSR investigation subsequent to October 1).

The following table shows the age and status of all open PSB investigations. 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 (e.g. executive review of the investigation, disciplinary hearings, criminal investigation, court proceedings, etc.). An investigation is listed as "Forwarded" when it is ongoing but not under the control of PSB (e.g. supervisory reviews, obtaining legal opinions, investigation by outside investigators, etc.).

This table will break down these files by year, to show the total number of files in each status for the corresponding year (not including Statutory Complaint files, which as mentioned above, are usually considered duplicate files).

The Statutory Complaint that is not considered a duplicate file (as of September 30, 2018) is not included in the table below, but is set as "Forwarded".

Age and Status of all Open Investigations				
Year	Active	Forwarded	Suspended	Total
2014	0	0	5	5
2015	2	0	6	8
2016	7	1	13	21
2017	27	2	35	64
2018	149	47	87	283
Total	185	50	146	381

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:

- Intake / Intake Management Review / ADR
- 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).

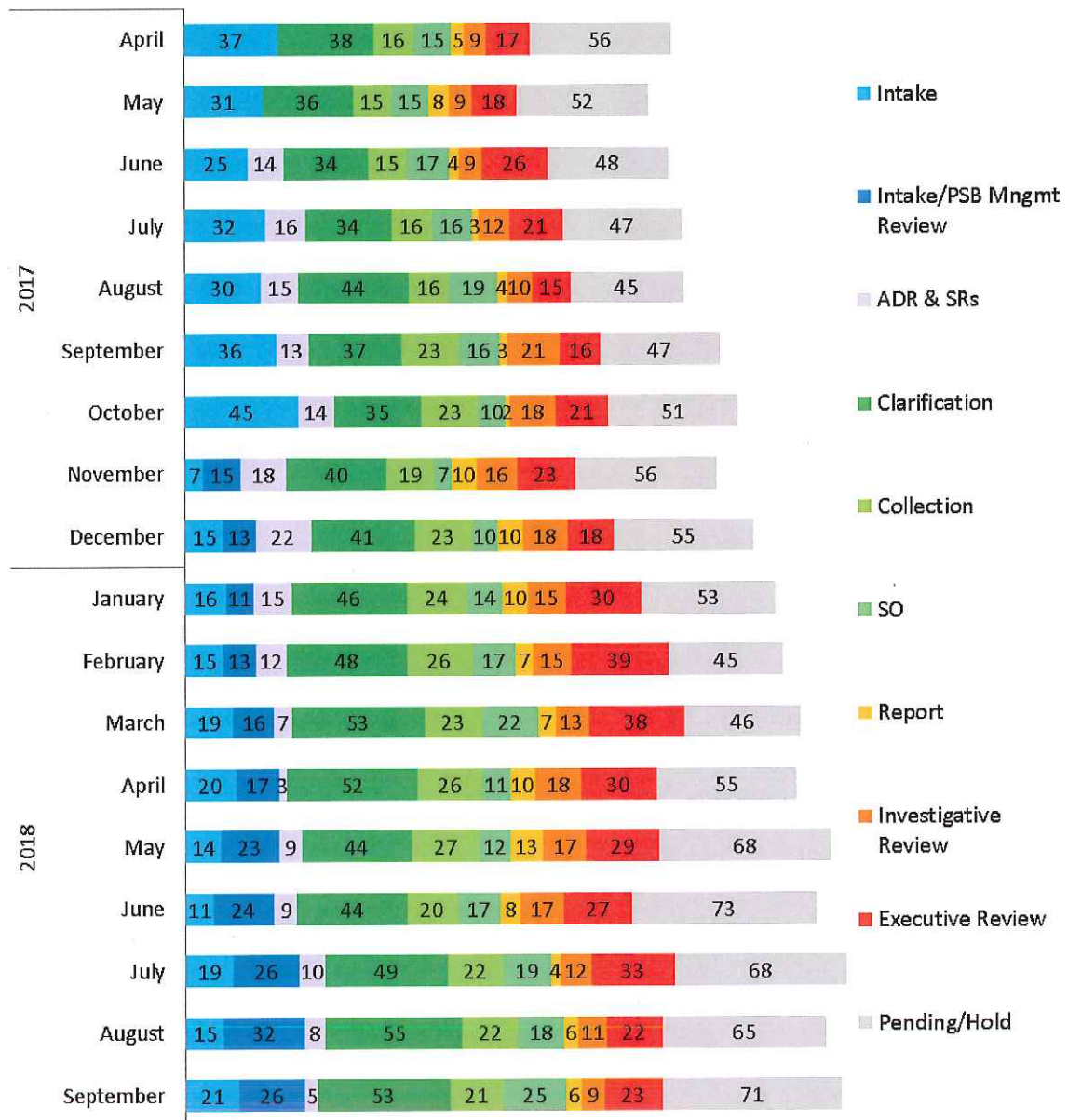


Figure 2-2. Monthly Comparison of Complaint Stages

3. CONCLUDED FILES

The following figure shows the disposition of all Formal Complaints and Statutory Complaints concluded during Q3 of 2018 (71 Formal Complaints, 2 Statutory Complaints).

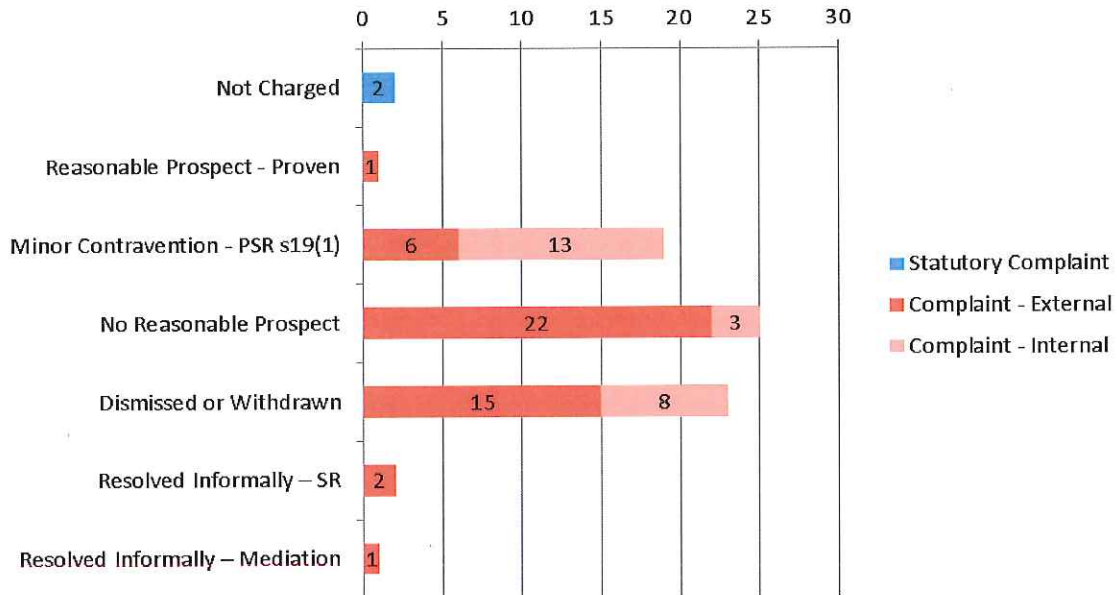


Figure 3-1. Dispositions of Concluded Formal Complaints

	2016		2017		2018	
	Q3	YTD	Q3	YTD	Q3	YTD
Received						
Formal Complaints	49	176	62	191	80	243
External	38	134	45	144	59	149
Internal	11	42	17	47	21	94
Informal Complaints	254	749	256	709	260	717
Citizen Contacts	229	643	212	595	224	616
EPS Matters	25	106	44	114	36	101
Total	303	925	318	900	340	960
Concluded						
Formal Complaints	55	205	51	193	71	208
External	40	149	42	151	47	139
Internal	15	56	9	42	24	69
Informal Complaints	245	675	248	703	247	743
Citizen Contacts	222	559	210	612	216	643
EPS Matters	23	116	38	91	31	100
Total	300	880	299	896	318	951

Figure 3-2. Three-Year File Comparison for Q3 of 2018

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 2017. The yearly change in formal complaints concluded represents a increase of 15 files (+8%) and the yearly total files concluded represents an increase of 55 files (+6%).

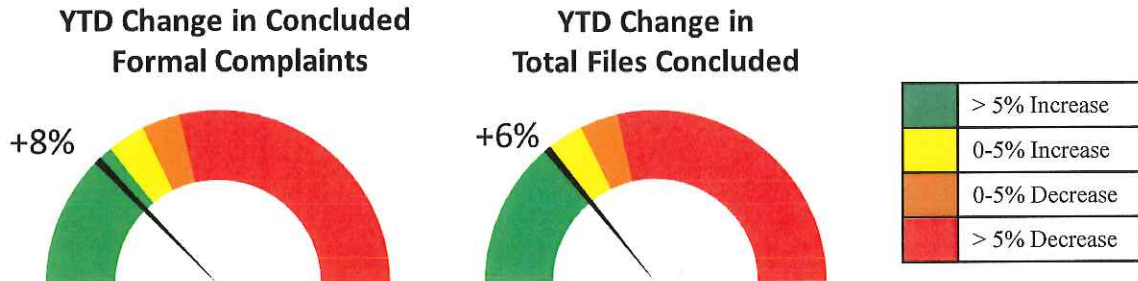


Figure 3-3. Yearly Changes in Files Concluded

4. LEGAL

DISCIPLINARY HEARINGS	Total	File Number
Directed	4	PSB2017-0506 PSB2017-0641 PSB2017-1026 PSB2018-0297
Concluded	1	IA2010-0509a
LERB	Total	File Number
Appeals Received	8	PSB2015-0911 PSB2016-0758 PSB2017-0094 PSB2017-0102 PSB2017-0109 PSB2017-0311 PSB2017-0767 PSB2017-0772
Decisions Rendered	5	PSB2015-0379 PSB2015-1164 PSB2016-0791 PSB2016-1188 PSB2017-0455
Appeals Withdrawn	0	
EPC APPEALS	Total	File Number
Appeals Received	0	
Decisions Rendered	0	
EPC Matters Ongoing	1	PSB2017-1006

Figure 4-1. Disciplinary Hearings and appeals during Q3 of 2018

DISCIPLINARY ACTION TAKEN AGAINST MEMBERS

1. File Number: PSB2014-0183
Date of Complaint: March 11, 2014
Subject Officer: Reg. No. 3360 Cst. S. Briegel
- Unlawful or Unnecessary Exercise of Authority x 1
 - Deceit x 1
 - Discreditable Conduct x 1
- Presenting Officer: M. Howery, Edmonton Police Service
Presiding Officer: Justice Binder

On July 09, 2018, the officer was issued a 30 hour suspension without pay to be served in 5 hour increments per pay period, beginning the next available pay period.

2. File Number: IA2010-0509a
Date of Complaint: March 08, 2010
Subject Officer: Cst. A.B.
- Breach of Confidence x 1
 - Discreditable Conduct x 1
- Presenting Officer: D. Morrow, Bennett Jones LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

On July 16, 2018, Cst. A.B. plead guilty to one count of Breach of Confidence and one count of Discreditable Conduct and a Statement of Agreed Facts was submitted. The officer was issued a reprimand.

PENDING DISCIPLINARY HEARINGS

1. File Number: PSB2015-0828
Date of Complaint: September 23, 2015
Subject Officers: Cst. A.B.
 - Neglect of Duty x 1
 - Discreditable Conduct x 1
Cst. C.D.
 - Unlawful or Unnecessary Exercise of Authority x 1
 - Neglect of Duty x 1
 - Discreditable Conduct x 1
Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for October 10-12, 2018.

2. File Number: PSB2018-0098
Date of Complaint: February 05, 2018
Subject Officer: Cst. A.B.
 - Insubordination x 1
Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

First Appearance is scheduled for October 12, 2018.

3. File Number: PSB2014-0235
Date of Complaint: March 24, 2014
Subject Officer: Cst. A.B.
 - Deceit x 1
 - Discreditable Conduct x 1
Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: Justice Binder

Open Disciplinary Hearing is scheduled for October 17 and 18, 2018.

4. File Number: PSB2017-0407
Date of Complaint: May 05, 2017
Subject Officer: Cst. A.B.
 - Deceit x 2
 - Insubordination x 1
Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: Justice Binder

Open Disciplinary Hearing is scheduled for October 25 and 26, 2018.

5. File Number: PSB2016-0327
Date of Complaint: May 09, 2016
Subject Officer: Cst. A.B.
 - Unlawful or Unnecessary Exercise of Authority x 1
 - Insubordination x 1
Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for October 30 and 31, 2018.

6. File Number: PSB2016-0237
Date of Complaint: March 17, 2016
Subject Officer: Cst. A.B.
 - Unlawful or Unnecessary Exercise of Authority x 1
Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for November 05 and 06, 2018.

7. File Number: PSB2016-0258
Date of Complaint: March 23, 2016
Subject Officer: Cst. A.B.
 - Discreditable Conduct x 2
 - Insubordination x 1
Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for November 16, 2018.

8. File Number: PSB2016-0591
Date of Complaint: June 10, 2016
Subject Officer: Cst. A.B.
 - Discreditable Conduct x 1
 - Insubordination x 1
Presenting Officer: K. Haymond, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for November 19 and 20, 2018.

9. File Number: PSB2017-0075
Date of Complaint: January 24, 2017
Subject Officer: Cst. A.B.
 - Insubordination x 3
 - Neglect of Duty x 2
 - Discreditable Conduct x 1
Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

Open Disciplinary Hearing is scheduled for November 23, 2018

10. File Number: PSB2016-0279
Date of Complaint: March 24, 2016
Subject Officers: Cst. A.B.
 - Unlawful or Unnecessary Exercise of Authority x 2
 - Discreditable Conduct x 1
 - Deceit x 3Cst. C.D.
 - Discreditable Conduct x 1
 - Neglect of Duty x 1
 - Deceit x 4

Open Disciplinary Hearing is scheduled for December 03 – 07, 2018.

11. File Number: PSB2015-0511
Date of Complaint: June 22, 2015
Subject Officer: Cst. A.B.
 - Unlawful or Unnecessary Exercise of Authority x 1Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

Open Disciplinary Hearing is scheduled for January 08 and 09, 2019.

12. File Number: PSB2015-0029/PSB2016-1050
Date of Complaint: January 09, 2015 / November 01, 2016
Subject Officer: Cst. A.B.
 - Insubordination x 1
 - Discreditable Conduct x 1
 - Deceit x 11Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Pending the written decision on penalty.

13. File Number: PSB2013-0314
Date of Complaint: March 26, 2014
Subject Officer: Cst. A.B.
 - Neglect of Duty x 2
 - Unlawful or Unnecessary Exercise of Authority x 1
 - Discreditable Conduct x 1Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

New matter not yet scheduled.
Being held in abeyance pending LERB appeal.

14. File Number: PSB2016-1080
Date of Complaint: November 12, 2016
Subject Officer: Cst. A.B.
 - Discreditable Conduct x 1
 - Deceit x 1Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

New matter not yet scheduled.

15. File Number: PSB2017-1026
Date of Complaint: November 07, 2017
Subject Officer: Cst. A.B.
 - Deceit x 1

New matter not yet scheduled.

16. File Number: PSB2017-0506
Date of Complaint: June 06, 2017
Subject Officer: Cst. A.B.
 - Discreditable Conduct x 2

New matter not yet scheduled.

17. File Number: PSB2017-0641
Date of Complaint: July 12, 2017
Subject Officer: Cst. A.B.
 - Unlawful or Unnecessary Exercise of Authority x 2
 - Deceit x 1Cst. C.D.
 - Unlawful or Unnecessary Exercise of Authority x 2
 - Deceit x 1

New matter not yet scheduled.

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

There were five (5) Complaints of Service under Section 44 of the *Police Act* that were resolved or concluded during the third quarter of 2018.

1. Concluded by the Chief
File Number: PSB2014-0183
Date of Complaint: March 8, 2014
Investigator: Investigative Manager Randy Topp

Summary

A 46.1 Notification was submitted March 11, 2014, and as a result changes were warranted to EPS policy IN2-1PRF3 – Investigative Responsibility – Assault against Police Officer charges. It was determined that changes should be made where policy reflects the seriousness of the occurrence and directs the on duty Staff Sergeant or Duty Officer to assign the investigation to an investigative member with CIS. This assignment would take place any time there are injuries to an officer or an accused or if the incident is considered serious in nature. This would ensure that an experienced investigator and one of substantive rank would mitigate the risk of an inadequate investigation. On February 6, 2018, revisions were made. The Chief concluded this file on July 18, 2018.

2. Concluded by the Chief
File Number: PSB2016-1151
Date of Complaint:
Investigator: Acting Detective Michelle Donald

Summary

PSB received a letter of complaint regarding EPS Policies in relation to Short Term Disability and Leave Without Pay applications (LWOP). While being an EPS member the complainant in 2016 submitted to Human Resources a request for Leave of Absence Without Pay for an educational leave which was later denied. When the complainant followed up with the Superintendent of Human Resources, it was explained that consideration was given to the individuals set of circumstances but that the application did not adhere to EPS policy. The complainant alleges that the head of Human Resources Division, inconsistently applied the EPS' Policy regarding 'Leave Without Pay' because another member had been

approved, which appeared to be against the EPS' Policy. The complainant further alleges that Civilian Human Resources Division staff improperly disregarded the decision of two "Medical Professionals" when they denied the complainants request for a Medical Leave in June of 2016 (both Human Resources Division Staff are non-sworn and fall outside of the Police Act). During the review of current policy regarding LWOP it was noted that Policy does not speak to wellness considerations as part of the reviewed process and it was recommended that Human Resources Division determine the validity of this consideration and that a minor change may be required. This file was concluded by the Chief on August 23, 2018.

3.

Concluded by the Chief
File Number: PSB2017-0109
Date of Complaint: February 6, 2017
Investigator: Intake Investigator Greg Murray

Summary

PSB received a complaint of service on February 6, 2017, in relation to EPS members being dispatched to a residence for a Criminal Harassment complaint against an ex-boyfriend. During the visit EPS members became concerned with the mental health of the complainant. PACT was contacted and based on the information the EPS member provided there did not appear to be any risk present at the time to warrant follow up from PACT. This information was not added to the narrative and as a result the complainant alleges EPS policy is deficient. The policy does not require officers to ensure that all of the follow-up information is included in a report (specifically, members not required to update reports after PACT speaks with the complainants). On July 19, 2018, the complaint in its entirety was dismissed by the Edmonton Police Commission as frivolous and therefore this includes the complaint of service.

4.

Concluded by the Chief
File Number: PSB2017-0744
Date of Complaint: July 20, 2017
Investigator: A/Det. Michelle Donald

Summary

On August 11, 2017, PSB received a complaint of service with respect to the complainant being detained by EPS members and issued a violation ticket for failing to produce their insurance card. The complainant alleges that EPS Policy with respect to Officers understanding of the law of vehicle detention and the limits of police powers being insufficient and the EPS policies that guide the provision of patrol services also being insufficient. As policy states EPS directs the provision of patrol service and although broad in scope there is no evidence that policies are deficient. The EPS Recruit Training Unit clearly instructs recruits about vehicle stops and lawful detention. After investigation it was determined that no changes to EPS Policy or Procedures are required at this time. As a result this file was concluded by the Chief on September 4, 2018.

5.

Concluded by the PSB
File Number: PSB2018-0416
Date of Complaint: May 18, 2018
Investigator: Intake Investigator Ginger Jack

Summary

PSB received a complaint of service on May 18, 2018, regarding EPS's Online Complaint Form and specifically that no confirmation email is sent when an online complaint has been submitted. Digital Media Unit was consulted, who advised that an email confirmation was considered when the EPS Complaint Form was implemented. Due to internet security concerns it was not pursued. However, email confirmation is still being explored. Currently, complainants are directed to a webpage that says "Submission Confirmed". On September 19, 2018, the Chief disposed of the complaint of service against EPS and no changes to policy or procedures are required at this time.

COMPLIMENTS

During Q3 of 2018, forty-three (43) letters of appreciation were entered by the Edmonton Police Service. Professional Standards Branch would like to present eight (8) of these letters.

1. I want to pass along praise for what appeared to me to be exemplary policing. Around 9am, today, I witnessed the middle portion of a chase on foot. I saw a suspect fleeing Plaza 82 (at 127 Avenue) and run across 82 Street. A police officer chased the suspect in an impressive fashion. It was clear the officer was dedicated to his duties, and I was pleased with what I saw. But to be clear, I did not see the initial incident and I did not see the complete capture (in part because I was in my vehicle and lost the sightline). I want to thank this officer for his dedication, professionalism, and hard work. It was quite the sprint!
2. We just drove through the Waltherdale bridge checkstop and I thought this was the most brilliant and well planned check stop. I have never witnessed a check stop of this magnitude. I would like to compliment all of the officers that were on the bridge this evening because they conducted themselves in a very professional and polite manner. I appreciate all of the hard work that our EPS officers do on a daily basis and feel that we are very fortunate to have a great police force doing the best they can to maintain a good presence in the community and keep us safe. With gratitude,
3. We were scammed. We received a call from someone claiming to be our grandson (Redacted). He was in financial trouble and needed to borrow money from us. He promised to pay us back. Then we received a second call from a supposed attorney saying (Redacted) was DUI driving a friend home. The car he hit was from Quebec. A thousand dollars needed to be sent right away. Ignoring the red flags, we went to the post office and followed the instructions we were given. Upon our return we called our grandson (Redacted) only to learn he had not called us. We had been scammed. On advice from our son, we contacted the police. In a few short minutes, Constable (Redacted) was at the door. He took some information and gave us some advice. He left only to return, having made some calls. He reported that our money was back at the post office. We got our money back including the sending fee. Sir, you should be proud of this efficient young man. We are thankful for his exemplary service.
4. I would like to thanks EPS for their great service. So I had incident on Aug 5 evening where I reported impaired driver in our neighborhood. So I had to call EPS to curb the danger. First of all a big thanks to 911 for their great help who send the EPS and stayed on phone with me the whole time. EPS was very quick. So all the officers who were there were very professional and full of courage. I appreciate their dedication for service. I totally forgot to get their names because whole situation was very stressful but officers dealt professionally. I would like to give a big thanks and appreciation for their dedication of service. Thanks so much EPS.

5. I am writing to make you aware of how impressed I was with the work of (Cst. Redacted), (Cst. Redacted) and (Cst. Redacted). They responded to my call to assist in the certification of my patient under the mental health act on July 27, 2018. They all showed a great deal of respect for her and did not escalate the situation with physical interactions. They successfully talked her off a busy street corner and into their vehicle where she could be safely attended to.
I want to thank you for ensuring that your members have training about mental health issues. She was particularly verbally abusive at times and the officers kept their cool. Overall I am sure it helped her have a less traumatic hospitalization.
Sincerely (Redacted)
6. I would like to extend a commendation and my deepest appreciation to EPS member (Redacted). On Tuesday, September 4, 2018, my wife and I were having coffee on the 2nd Floor of Commerce Place just outside of the Food Court. I encountered a medical issue which resulted in my lying down on the floor and requiring the services of an ambulance. EPS member (Redacted) went out of his way and went beyond the call of duty and came to our assistance. He stayed with us until security arrived and were able to get an ambulance on site. The EPS member stayed on the scene until I was taken away by ambulance. Both my wife and I would like to extend our heartfelt thanks to him for his care and compassion. Please let member (Redacted) know that I was taken to hospital, given tests, and sent home.
7. I am a security guard working at Canterra Shopping Centre on 109^A Street and Jasper Avenue, often having to deal with angry shoplifters.
I need to express my gratitude to Constable (Redacted) and his fellow officers of Edmonton's finest for their timely intervention in apprehending a male knifewielding shoplifter in Save-On-Foods in the Canterra Shopping Centre on Saturday, September 8, 2018. I was the security guard wrestling with this shoplifter trying to contain him when these fine officers showed up to save me from further bodily harm, and possibly even - without exaggeration—saving my life! You are definitely Edmonton's Finest...talk about dedicated to protect. I am ever grateful. Sincerely, (Redacted)
8. Please pass this commendation to the appropriate supervisor of officer (Redacted). My experience with this officer in July of this year was outstanding. I'm actually glad that he pulled me over because he saved me a lot of grief. Being from BC, I don't know the roads in Edmonton and found myself going the wrong way on a one-way street. Officer (Redacted) showed a lot of compassion for my predicament and explained the layout of the streets where my hotel was located nearby. To my surprise, he safely escorted me back to my hotel, which was going above and beyond his duties. I may be over-dramatic, but he acted like a father figure, seeing that I had my two young daughters with me. All I can say is that officer (Redacted) is the definition of professionalism and good character that we all expect from law enforcement, and I certainly wish we had him in BC. His service was exemplary and I want him to be recognized for what he did for me and my family. He's the kind of guy I would want as a close friend, watching my back. He definitely gives the police service a good name and you're fortunate to have him. Thank you very much.

Edmonton Police Service Professional Standards Branch

Location

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