



January 12, 2017

TO: Rod R. Knecht
Chief of Police

FROM: A/Inspector Brian Sinclair
Professional Standards Branch

RE: QUARTERLY REPORT – Q4 of 2016

This report has been prepared for the January 19, 2017, Edmonton Police Commission meeting.

During the fourth quarter of 2016 (Q4), Professional Standards Branch received 304 new files:

- 28 Public complaints as defined by Part 5 of the *Police Act*;
- 18 Internal complaints as defined by Part 5 of the *Police Act*;
- 23 EPS Matters; and
- 235 Citizen Contacts.

There was 1 file directed for Criminal Investigation (*Statutory Complaints*) during Q4 of 2016.

Concluded 327 files:

- 2 *Statutory* complaints;
- 29 Public complaints as defined by Part 5 of the *Police Act*, including three (3) complaints regarding policies or services provided by the EPS;
- 8 Internal complaints as defined by Part 5 of the *Police Act*;
- 17 EPS Matter; and
- 273 Citizen Contacts.

The Edmonton Police Service received 122,688 calls in Communications Section (including calls answered by the dispatch line and 911 calls extended to police), dispatched 44,139 of those calls and recorded opening forty-nine (49) compliments.


A/Inspector Brian Sinclair
Professional Standards Branch

cc: Cathy Palmer/Chair
Edmonton Police Commission



**Q4 2016 REPORT TO THE
EDMONTON POLICE COMMISSION**



The following report is submitted for:

- Approval
 Ratification
 Information

**PROFESSIONAL STANDARDS BRANCH
January 19, 2017 EPC MEETING**

Approved by:



Rod R. Knecht
Chief of Police

 JAN 11 2017

Dwayne Lakusta
Inspector



**Professional Standards Branch
October - December 2016
Q4 Report
Edmonton Police Service**

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STATISTICAL SUMMARY

Fourth Quarter of 2016 Update

1. RECEIVED FILES

The following figure shows the number and type of files received during the fourth quarter (Q4) of 2016. 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 Q4 of 2016, PSB received 258 informal files and 46 formal complaints.

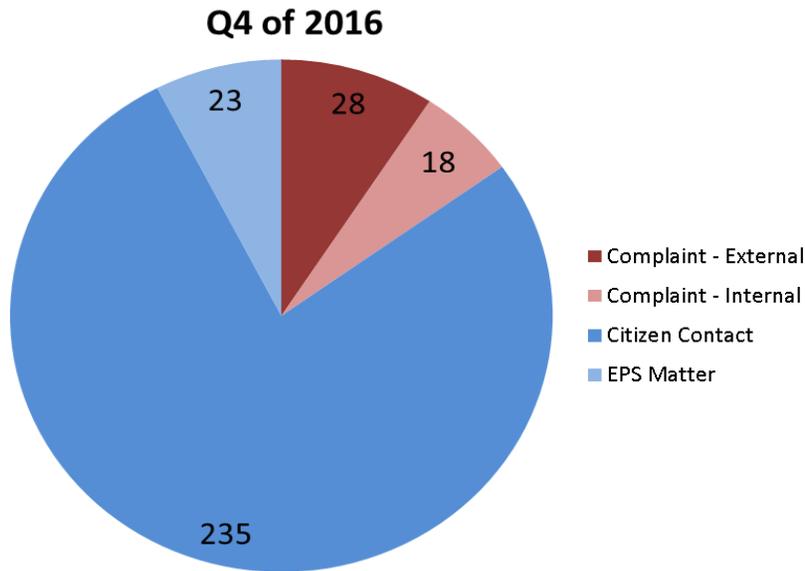


Figure 1-1. Type of Files Received During Q4 of 2016

The following figure shows the yearly percentage increase or decrease in formal complaints and total files received compared to 2015 values. Year-to-date change in Formal Complaints received represents a decrease of 44 complaints (-16%) as compared to 2015. The Year-to-date Total Files Received represents an increase of 88 files (+7%) as compared to 2015.

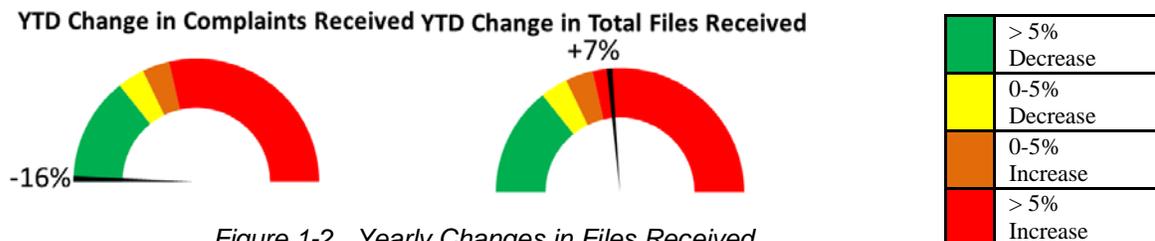


Figure 1-2. Yearly Changes in Files Received

2. CURRENT WORKLOAD

As of December 31st, 2016, PSB had 431 open investigations broken down as follows:

- 146 Complaints External
- 57 Complaints Internal
- 161 Citizen Contacts
- 50 EPS Matters

17 Statutory Complaints (of the 17 statutory complaints, 11 are associated with open PSB files and therefore are considered duplicate files, the remaining 6 files associated with completed PSB files and therefore are not considered duplicates).

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	3	3	8	14
2015	21	11	21	53
2016	164	67	129	360
Total	188	82	161	431

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).

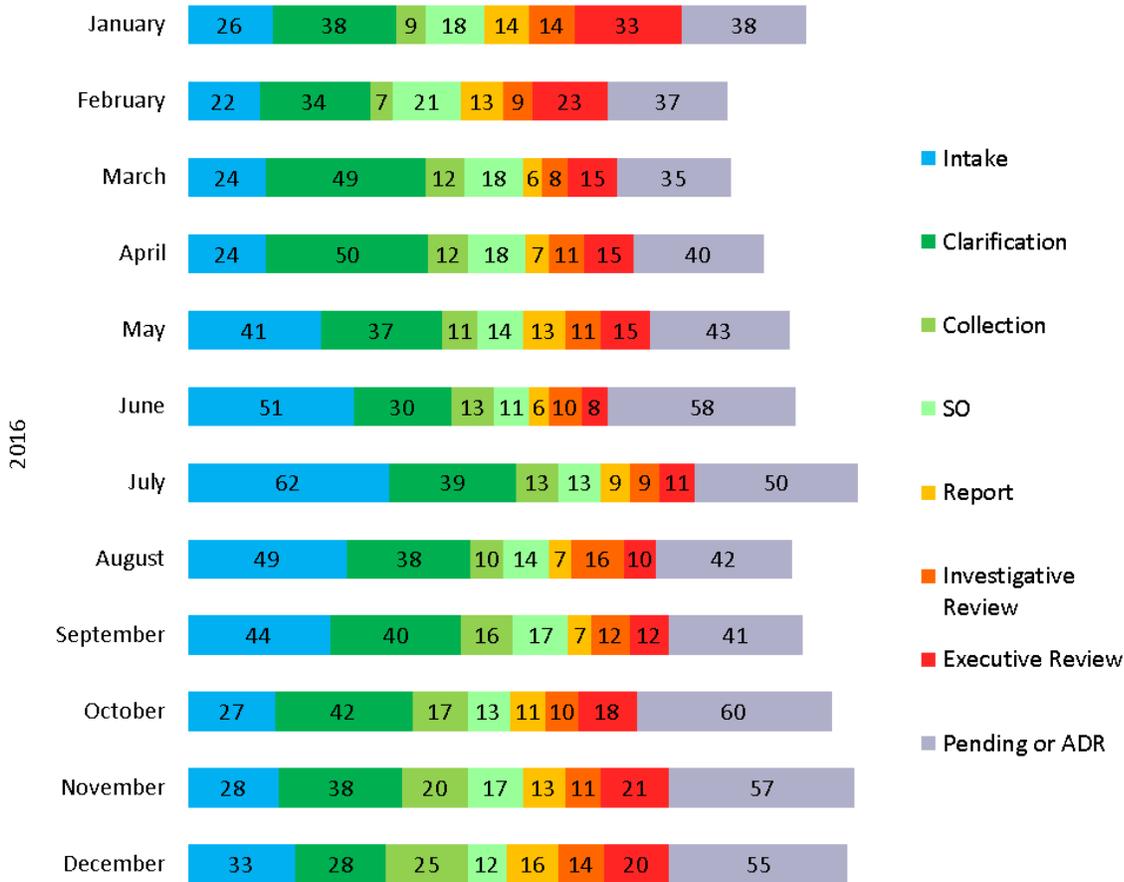


Figure 2-2. Monthly Comparison of Complaint Stages

3. CONCLUDED FILES

The following figure shows the disposition of all Formal Complaints and Statutory Complaints concluded during Q4 of 2016 (39 Formal Complaints, 2 Statutory Complaints).

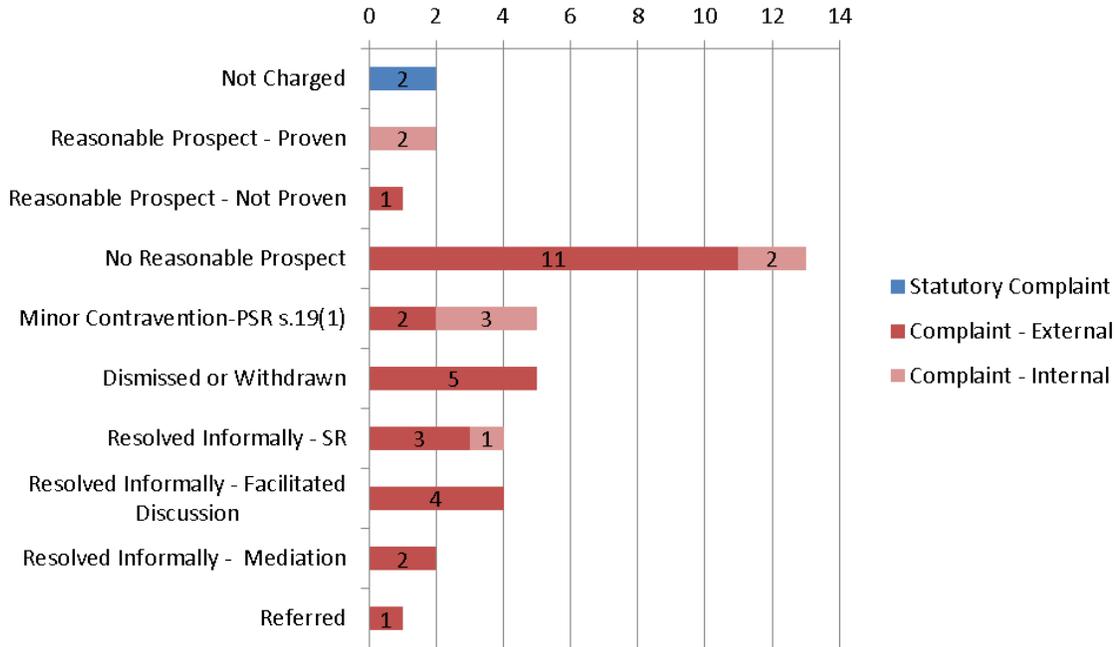


Figure 3-1. Dispositions of Concluded Formal Complaints

	2014		2015		2016	
	Q4	YTD	Q4	YTD	Q4	YTD
Received						
Complaint	29	243	68	268	46	224
Citizen Contact	194	750	208	760	235	884
EPS Matter	27	87	34	130	23	138
Total	250	1080	310	1158	304	1246
Concluded						
Complaint	44	144	69	306	37	240
Citizen Contact	145	628	227	925	273	834
EPS Matter	18	81	29	128	17	133
Total	207	853	325	1359	327	1207

Figure 3-2. Three-Year File Comparison for Q4 of 2016
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 2015 values. The year-to-date change in Formal Complaints concluded represents a decrease of 66 files (-22%) and the year-to-date Total Files Concluded represents a decrease of 152 files (-11%).

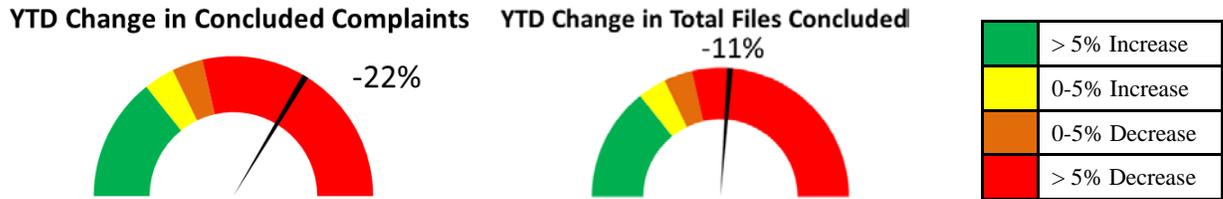


Figure 3-3. Yearly Changes in Files Concluded

4. LEGAL

DISCIPLINARY HEARINGS	Total	File Number
Directed	2	PSB2013-0314 PSB2015-0027
Concluded	2	DH2014-0324 PSB2015-0889
LERB	Total	File Number
Appeals Received	6	PSB2011-0999a PSB2013-0314 PSB2014-0198 PSB2014-0438 LERB2015-0569 LRB2016-0085
Decisions Rendered	7	DH2006-0899a PSB2013-0448 PSB2014-0361 PSB2015-0200 PSB2015-0679 LRB2014-0654(2015) LRB2014-0756
Appeals Withdrawn	1	

Figure 4-1. Disciplinary Hearings and LERB during Q4 of 2016

CONCLUDED DISCIPLINARY HEARINGS

1. File Number: PSB2015-0889
Complainant: EPS
Date of Complaint: October 10, 2015
Subject Officer: Reg. No. 3024 Cst. H. Schilling
• Discreditable Conduct x 2
Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: Supt. M. Logar, Edmonton Police Service

On October 28, 2016 Cst. Schilling was found guilty and received a reduction in seniority in pay from a 5th year Constable to a 3rd year Constable to be increased by one year, each year, until he reaches his previous seniority. Cst. Schilling was also instructed to present himself to the Human Resources Division and participate in any tests or evaluations they deem necessary.

2. File Number: PSB2014-0324
Complainant: A. S.
Date of Complaint: April 15, 2015
Subject Officer: Reg. No. 3443 Cst. D. Olsson
• Unlawful or Unnecessary Exercise of Authority x 1
• Deceit x 1
Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: Justice M.A. Binder

On November 14, 2016 Cst. Olsson was found guilty of one count of Neglect of Duty. He was ordered to participate in a reconciliation process with the complainant and participate in any further training should the Human Resources Division deem necessary. Cst. Olsson also received a reduction in rank for the dollar equivalent of an 80 hour suspension without pay for a period of three months.

3. File Number: PSB2015-1123
Complainant: EPS
Date of Complaint: December 18, 2015
Subject Officer: Constable A.B.
• Neglect of Duty x 1
Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

On November 21, 2016, Constable A.B. was found guilty of one count of Insubordination and one count of Neglect of Duty and received two reprimands.

PENDING DISCIPLINARY HEARINGS

1. File Number: PSB2015-0654
Date of Complaint: August 03, 2015
Subject Officers: Constable A.B.
Constable C.D.
• Discreditable Conduct x 3
Presenting Officer: T. Magee, Edmonton Police Service
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

Open Disciplinary Hearing concluded, reserved for pending written decision.

2. File Number: IA2011-0298
Date of Complaint: April 13, 2011
Subject Officer: Constable A.B.
• Unlawful or Unnecessary Exercise of Authority x 1
• Discreditable Conduct x 2
Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: Justice M.A. Binder

Open Disciplinary Hearing concluded, reserved for pending written decision.

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

Open Disciplinary Hearing is scheduled for February 13 & 14, 2017.

4. File Number: PSB2015-0347
Date of Complaint: April 28, 2015
Subject Officer: Constable A.B.
• 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 March 07, 2017.

5. File Number: PSB2015-0058
Date of Complaint: January 23, 2015
Subject Officer: Constable A.B.
• Deceit x 2
Presenting Officer: D. Cranna, Field Law LLP

Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for March 07, 2017.

6. File Number: IA2012-0179
Date of Complaint: March 8, 2012
Subject Officer: Constable A.B.
• Discreditable Conduct x 1
Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

Penalty Hearing is scheduled for March 09, 2017

7. File Number: PSB2013-0914
Date of Complaint: November 08, 2013
Subject Officer: Constable A.B.
• Deceit x 2
Presenting Officer: D. Morrow, Bennett Jones
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

Open Disciplinary Hearing is scheduled for Mach 09, 2017.

8. File Number: PSB2015-0029
Complainant: R. Fleck-Brezinski
Date of Complaint: December 28, 2015
Subject Officer: Reg. No. 2067 Cst. F. Moffat
• Insubordination x 1
Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for May 31, 2017.

9. File Number: PSB2013-0314
Date of Complaint: March 26, 2014
Subject Officer: Constable A.B.
• Neglect of Duty x 2
• Unlawful or Unnecessary Exercise of Authority x 1
• Discreditable Conduct x 1

New matter not yet scheduled.

10. File Number: PSB2015-0027
Date of Complaint: January 09, 2015
Subject Officer: Constable A.B.
• Unlawful or Unnecessary Exercise of Authority x 1

New matter not yet scheduled.

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

There were three (3) Complaints of Service under Section 44 of the *Police Act* that were resolved or concluded during the fourth quarter of 2016.

1. Concluded by the Chief
File Number: PSB2014-0438
Date of Complaint: May 27, 2015
Investigator: Detective Don McFaul

Summary

PSB received a complaint with regards to an alleged incident involving Canine Unit and the engagement of a Police Service Dog. The complainant expressed concern that the police did not take photographs of their injuries and that EPS lacks appropriate policy in this regard. At the time of the injuries sustained, Canine Unit and in consultation with Legal Services was of the opinion that as EPS Policy did not exist, that it was not appropriate to have EPS members take photographs. Upon further review and consultation amongst Canine Unit, PSB, and Legal Services, recommendations were made to update Canine Unit Policy. Canine Unit Policy was amended to have Forensic Identification Services take photographs of serious injuries sustained where a 46.1 notification is required. Upon review of the complaint and with the amendments made to Canine Unit policy The Chief concluded the matter on November 1, 2016.

2. Concluded by the Chief
File Number: PSB2016-0275
Date of Complaint: March 29, 2016
Investigator: Investigator Darryl Scherr

Summary

PSB received a complaint of service regarding EPS having insufficient/inadequate policy regarding members use electronic devices to take photographs of injuries and/or the use of available audio/video equipment to record interviews. Upon review it was determined that the EPS does not have the means to record every interview, capture every image on every event, or the infrastructure to capture the substantial amount of data this would generate. Current EPS policy indicates that if an injury is serious that it should be photographed and that Forensic Identification personnel are best equipped to deal with that task. In terms

of EPS member's audio and video taping their interviews with witnesses and complainants, it is only advised where this is practicable. EPS investigates a high volume of incidents where this practice would not be appropriate. This is also not required by the Crown Prosecutor's Office. As such, the Chief concluded that no changes to the EPS Policy and Procedures are required. The matter was concluded by the Chief November 2, 2016.

3.

Resolved by PSB
File Number: PSB2016-0299
Date of Complaint:
Investigator: Intake Section

Summary

PSB received a complaint in relation to a call to Police Dispatch when the complainant's vehicle was almost sideswiped and lurid gestures made to the complainant. The complainant followed the suspect vehicle and provided a license plate number to Police Dispatch. The complainant was directed by Police Dispatch not to follow the offending vehicle and was given the option to provide a written statement. The complainant declined this option. The complainant agreed to have their concerns handled informally. The concern was sent to Operational Support Division where they conducted a review of the call to Police Dispatch and confirmed with the complainant that for that time of day Police would not be dispatched as there are limited resources for that type of emergency. It was appropriate at that time to provide the option of providing a witness statement for EPS to investigate and traffic charges pursued if warranted. Upon review of this with the complainant, the complainant agreed to resolve their concern on November 17, 2016.

COMPLIMENTS

During Q4 of 2016, forty-nine (49) letters of appreciation were entered by the Edmonton Police Service. Professional Standards Branch would like to present eight (8) of these letters.

1.

After work late on Monday the 3rd of October I was driving from Sherwood Park to Devon on the Anthony Henday when my vehicle suddenly stopped running. No sooner had I pulled over when an EPS police vehicle (1E08) stopped right behind me. The officer Sgt. (deleted) asked if I needed assistance and I quickly replied in the affirmative. I didn't have my cell phone at the time and thankfully through the use of their phone I was able to call family members and a tow truck for assistance. The officer said that they would wait until their arrival then sent a map electronically to guide them to our location. Eventually family members arrived as did the tow truck. I thanked (deleted) for their thoughtfulness and kind service following which they departed.

I wish to extend my sincere thanks to Sgt. (deleted) for their alertness and undivided attention to my potentially desperate situation that took place on the Henday that night. The officer was extremely accommodating and patient. Their actions were an absolute delight and definitely a strong testament to the basic fundamentals of public safety and security that your officers obviously possess. My sincere congratulations in that regard.

Would you kindly convey the foregoing to Sgt.(deleted).

2.

Dear Sir/Madam:

Today Edmonton experienced heavy snowfall and treacherous road conditions . I had just arrived back the night before from a holiday in Victoria where they still enjoy flowers and green grass and had not had time to change to snow tires.

At about 12:45 in the afternoon Cst. (Deleted) noticed I was having extreme trouble navigating on the roads and pulled me over. The member advised that my back tires were not sufficient for the road conditions. I explained that I was on my way to a doctors appointment and that as I had just returned from holidays the night before I had not had a chance to change tires on my vehicle. I said I would leave my vehicle parked and call a taxi.

What the officer did next is why I am writing. The EPS member very kindly went above and beyond expectations and drove me to the Misericordia Hospital for my appointment with a specialist that I certainly would have missed otherwise. The member also probably prevented an accident by pulling me over. I truly appreciate all that the EPS member did for me today and I believe their professionalism exemplifies that your police service does in fact serve and protect.

Thank you again EPS for rescuing me today; I certainly appreciate it and don't take this action for granted.

3.

MESSAGE: Hello there, Just wanted to fire off an email to you to compliment an officer of which we dealt with today. My kids were at Galaxy land today and my 12 year old was assaulted ... Minor assault but still very upsetting. Anyhow ... The officer came to meet us at one of the stations.. Cst. (Deleted) .. was wonderful to deal with.. Was great with my kids. The officer was empathetic and thorough. I appreciate the professionalism, caring and kindness. Kudos to EPS! :)

4.

MESSAGE: On Sept 17 at 3 pm approximately, we called the police because unauthorized people were moving into our rental unit at 11701 90 Street. We just happened to be there to do some painting and realized something was not right. The management company we hired to rent the property confirmed they had not rented it to anyone. The police officers told us they were investigating the situation as a fraud. The lady who was trying to move in was a vulnerable person, she was distraught and as she began to realize they had been scammed, she became very upset, desperate, I think. We felt very badly for her, but not comfortable to, rent, the property to her for a number of reasons. The police officers stayed until the woman moved her belongings out of the house and my husband locked up the house. We greatly appreciated the help of these two officers. We especially appreciated how kind and understanding they were to this woman. They helped her remain calm and explored options with her. The situation was handled professionally and competently, but also with compassion. Our sincere thanks to, these officers.

5.

I am an ER social workers at Sturgeon Community Hospital. On Saturday night.early Sunday morning of November 5-6/2016 I worked with two police officers from EPS regarding a very sensitive case. In the midst of the crisis, I forgot to obtain the officers' badge numbers and names; however, I think it is very important that they be recognized for their outstanding service. As a social worker, I have worked with numerous police officers from different police forces and when it comes to working with patients of abuse, it has been my personal experience that this can be a tricky area for police to navigate in a sensitive and non-judgemental manner.

I was very impressed with the professionalism and tactfulness of EPS. I want to commend the officers that I collaborated with; their presence and intervention with the patient and family was extremely sensitive, yet thorough, supportive and engaging. They presented with a non-judgemental and empathetic outlook. Further, it was reiterated to the patient that the abuse was not their fault multiple times, which is so crucial for victims of abuse as oftentimes regardless of the circumstances victims blame themselves.

Sincerely,

6.

SUBJECT: Proud of your department.

MESSAGE: I was pleasantly surprised by the Edmonton Police Department last week. It started not so good by being pulled over by officer (Deleted). This turned into a very informative meeting where I found out that crime in my area has increased and that's why the member was in my area. The member introduced themselves as my neighbourhood's foot patrol officer. Gave me a warning and let me go. They had every right to give me a ticket but turned the situation into a positive experience. I realize that the police are always present when things are wrong and seldom recognized for the good they do. I wanted to help show the Edmonton Police as the good people they are. So I wrote an email to officer (Deleted) inviting member to a BNI meeting (40+ business owners meeting) for lunch. To my surprise I got a reply and my guest at the meeting was officer (Deleted). The member was a huge success in the meeting, well spoken, and very social. Just by having the EPS in the meeting I feel it increased the Edmonton Police community commitment, and my BNI's diversity in its visitors and members. As a business owner I know the importance of having good people doing great things. I also know that you probably only hear the bad things and seldom the good things. Well you have some great officers, you should be proud of the Edmonton Police Department and the job you're doing. Thanks. If the EPS ever wants to attend a BNI again let me know.

7.

Good afternoon Mr. Knecht

I want to recognize two of your outstanding officers for their assistance over the last few days. My family had a tragic death of a loved one by suicide. Both officers showed great compassion in assisting my wife, mother in law, sister in law and myself in dealing with the loss. They went above and beyond by helping us, even providing support on their days off. I just wanted to say thank you from my family and I. Hope you enjoy the holiday season

Take care

8.

To: Chief Knecht

Early in November I attended a charity day in Shoppers Drug Mart in Mill Woods. I took off my engagement ring and placed it on the desk while getting a hand massage done. That ring got stolen. I spoke to the owner and he said he would check the cameras. After a few days with very little results I decided it was time to report this to the police. Cst. (Deleted) (south east station - Mill Woods) started a file. The member was very friendly and courteous. A few days later they let me know that two other Constables – Cst. (Deleted) and Cst. (Deleted) had gone to Shoppers and asked to check the cameras where they saw a lady reach out, take the ring and put it in her pocket. They were able to work out who that person was - went to her address and were told she was in London.

The long and short of this story is when she returned they approached her again they got the ring and returned it to me.

I was SO IMPRESSED with how these 3 constables followed through on my file and did it in such a nice professional, friendly manner. Honestly, I thought I would never see the ring again. I was very upset as we will be married 50 years next year and naturally am very attached to this ring.

We had 8 people for supper last night. I told them this story and they were very impressed, as were all the members of my family. Nice to have very positive police story.

You are very lucky to have 3 such dedicated people in your workforce and I wish them the best in their careers.

Thank you

Edmonton Police Service Professional Standards Branch

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