



April 18, 2019

TO: Dale McFee
Chief of Police

FROM: Inspector Shawna Grimes
Professional Standards Branch

RE: QUARTERLY REPORT – Q1 of 2019

This report has been prepared for the April 18, 2019, Edmonton Police Commission meeting.

During the first quarter of 2019 (Q1), Professional Standards Branch received 306 new files:

- 40 Public complaints as defined by Part 5 of the *Police Act*;
- 20 Internal complaints as defined by Part 5 of the *Police Act*;
- 48 EPS Matters; and
- 198 Citizen Contacts.

There were 12 files directed for Criminal Investigation (*Statutory Complaints*) during Q1 of 2019.

Concluded 296 files:

- 3 *Statutory* complaints;
- 38 Public complaints as defined by Part 5 of the *Police Act*, including one (1) complaint regarding policies or services provided by the EPS;
- 26 Internal complaints as defined by Part 5 of the *Police Act*;
- 34 EPS Matter; and
- 195 Citizen Contacts.

The Edmonton Police Service dispatched 40,093 of calls received and recorded opening 35 compliments.

Inspector Shawna Grimes
Professional Standards Branch

cc: Tim O'Brien/Chair
Edmonton Police Commission



Q1 2019 REPORT TO THE EDMONTON POLICE COMMISSION



The following report is submitted for:

- ☒ Approval
☐ Ratification
☐ Information

PROFESSIONAL STANDARDS BRANCH
April 18, 2019 EPC MEETING

Approved by:

Dale McFee
Chief of Police

Shawna Grimes
Inspector



**Professional Standards Branch
January – March 2019
Q1 Report
Edmonton Police Service**

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STATISTICAL SUMMARY

First Quarter of 2019 Update

1. RECEIVED FILES

The following figure shows the number and type of files received during the first quarter (Q1) of 2019. 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 Q1 of 2019, PSB received 246 informal files and 60 formal complaints.

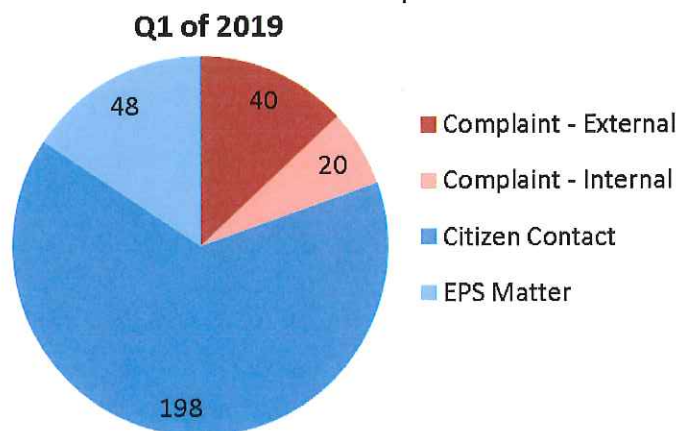


Figure 1-1. Type of Files Received During Q1 of 2019

The following figure shows the yearly percentage increase or decrease in formal complaints and total files received compared to 2018 values. Formal complaints have decreased by 29% as compared to 2017; including a 25% decrease in public complaints and a 38% decrease in internal complaints. The decrease in internally generated complaints is due in part to change in PSB policy regarding classification of serious incidents (pursuant to section 46.1 of the *Police Act*); in 2018, files arising from 46.1 Notifications were entered as formal complaints. However, this procedure was reviewed at the end of 2018 and it was determined that the procedure created additional and unnecessary work within PSB. In 2019, we returned to the practice of managing the incidents as EPS Matter files until reclassification is necessary to maintain jurisdiction.

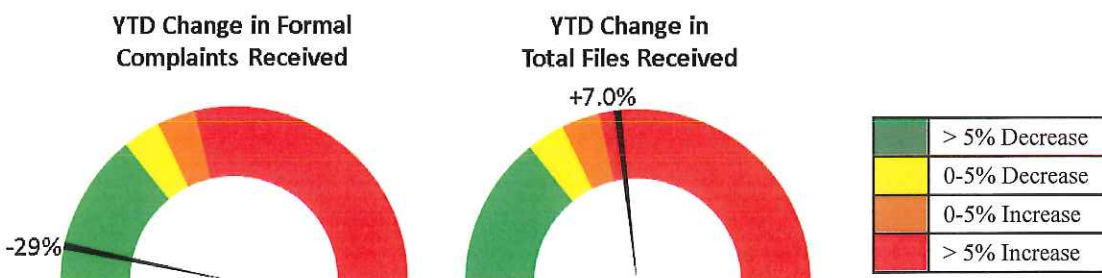


Figure 1-2. Yearly Changes in Files Received

2. CURRENT WORKLOAD

As of March 31, 2019, PSB had 373 open investigations broken down as follows:

- 158 Complaints External
- 84 Complaints Internal
- 101 Citizen Contacts
- 30 EPS Matters

18 Statutory Complaints (all 18 statutory complaints are associated with open PSB files and therefore are considered duplicate files).

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).

Age and Status of all Open Investigations				
Year	Active	Forwarded	Suspended	Total
2014	0	0	3	3
2015	0	0	6	6
2016	4	0	8	12
2017	13	1	26	40
2018	61	22	68	151
2019	98	23	40	161
Total	176	46	151	373

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).

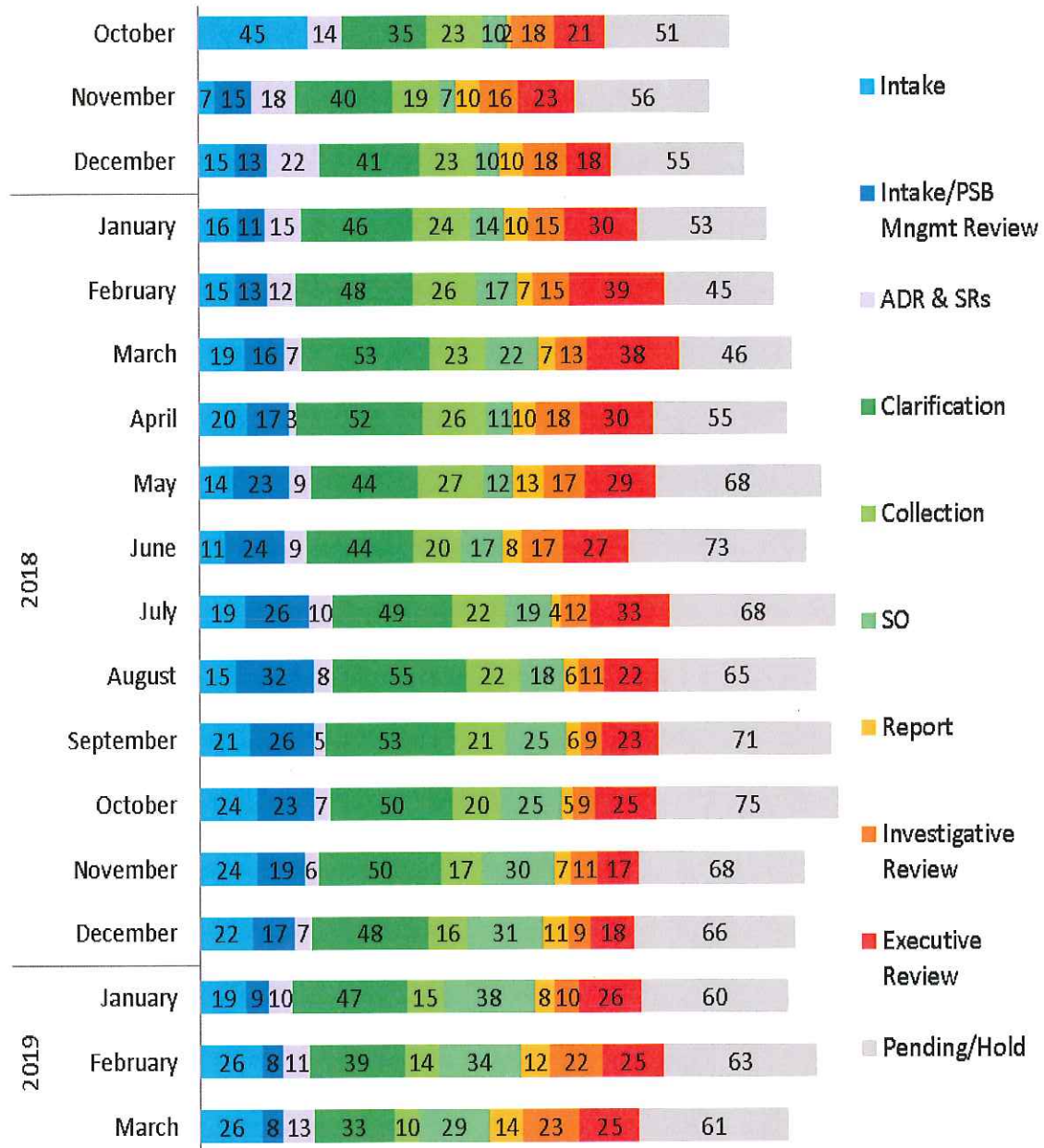


Figure 2-2. Monthly Comparison of Complaint Stages

3. CONCLUDED FILES

The following figure shows the disposition of all Formal Complaints and Statutory Complaints concluded during Q1 of 2019 (64 Formal Complaints, 3 Statutory Complaints).

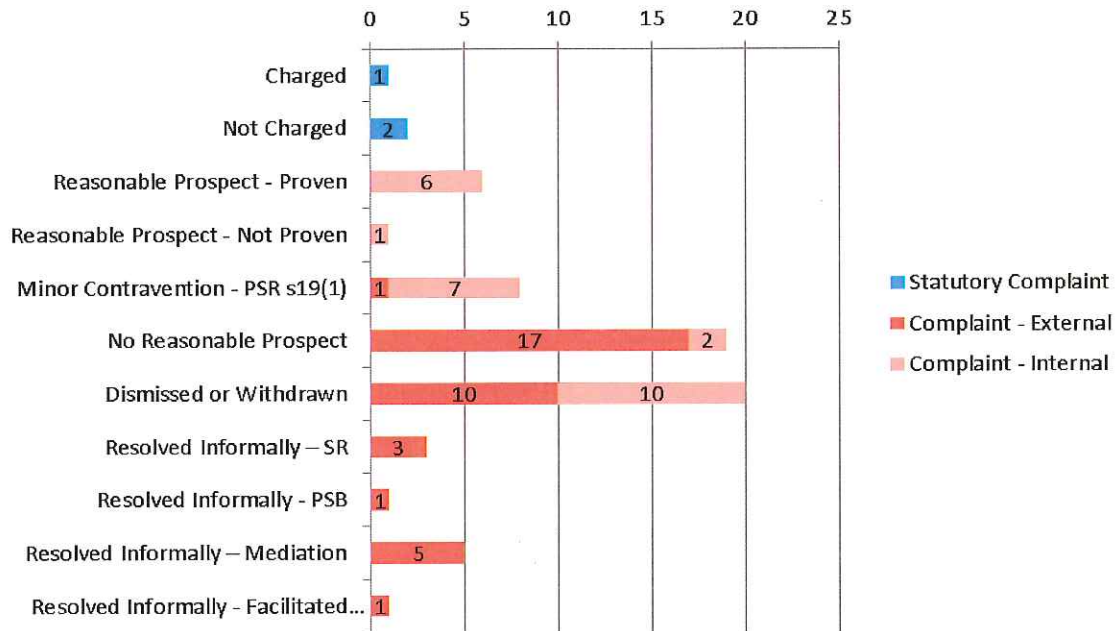


Figure 3-1. Dispositions of Concluded Formal Complaints

	2017		2018		2019	
	Q1	YTD	Q1	YTD	Q1	YTD
Received						
Formal Complaints	65	65	85	85	60	60
External	48	48	53	53	40	40
Internal	17	17	32	32	20	20
Informal Complaints	219	219	201	201	246	246
Citizen Contacts	190	190	174	174	198	198
EPS Matters	29	29	27	27	48	48
Total	284	284	286	286	306	306
Concluded						
Formal Complaints	71	71	52	52	64	64
External	48	48	40	40	38	38
Internal	23	23	12	12	26	26
Informal Complaints	237	237	248	248	229	229
Citizen Contacts	216	216	224	224	195	195
EPS Matters	21	21	24	24	34	34
Total	308	308	300	300	293	293

Figure 3-2. Three-Year File Comparison for Q1 of 2019

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 2018. The yearly change in formal complaints concluded represents an increase of 12 files (+23%) and the yearly total files concluded represents a decrease of 7 files (-2.3%).

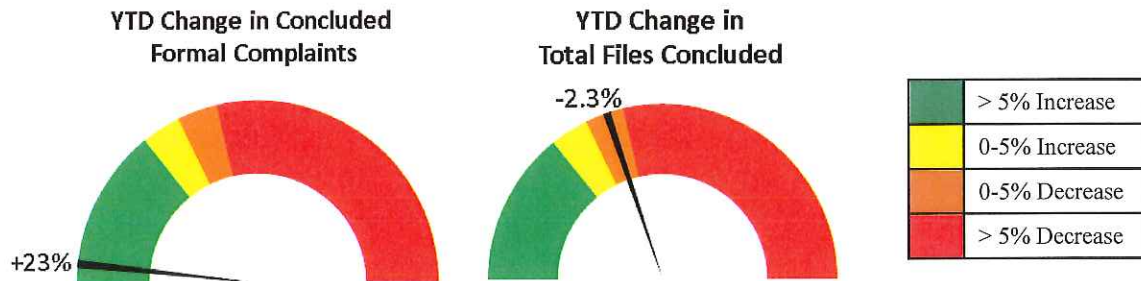


Figure 3-3. Yearly Changes in Files Concluded

4. LEGAL

DISCIPLINARY HEARINGS	Total	File Number
Directed	1	PSB2018-0253
		PSB2014-0235
		PSB2015-0828
		PSB2016-0591
Concluded	7	PSB2017-0075
		PSB2017-0407
		PSB2017-0506
		PSB2018-0098
LERB	Total	File Number
Appeals Received	4	PSB2016-0633
		PSB2018-0075
		PSB2018-0725
		PSB2018-0812
		PSB2015-0595
Decisions Rendered	4	PSB2016-0046
		PSB2016-0484
		PSB2017-0488
Appeals Withdrawn	0	
EPC APPEALS	Total	File Number
Appeals Received	0	
Decisions Rendered	0	
EPC Matters Ongoing	2	PSB2016-0286
		PSB2017-1006

Figure 4-1. Disciplinary Hearings and appeals during Q1 of 2019

DISCIPLINARY ACTION TAKEN AGAINST MEMBERS

1. File Number: PSB2017-0506
Date of Complaint: June 06, 2017
Subject Officer: Cst. Bilan
• Discreditable Conduct x 2
Presenting Officer: T. Magee, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

On March 06, 2019, Cst. Bilan plead guilty to one count of Discreditable Conduct by way of an Agreed Statement of Fact. The member received a 20 hour forfeiture of banked time and a 20 hour suspension without pay. The member is currently on leave.

2. 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

By way of written decision provided on March 06, 2019, the charges were found unproven against the member.

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

By way of written decision provided on March 25, 2019, Cst. Fraser was ordered dismissed from the Edmonton Police Service as per Section 17(1)(f) of the *Police Service Regulations*.

PENDING DISCIPLINARY HEARINGS

1. 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 April 10, 2019.

2. File Number: PSB2015-0828
Date of Complaint: September 23, 2015
Subject Officer: Cst. A.B.
 - 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 April 11, 2019.

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

Open Disciplinary Hearing is scheduled for April 23, 2019.

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

Pending Decision on Preliminary Application due May 13, 2019.

5. 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.)

Open Disciplinary Hearing scheduled for May 22, 2019.

6. File Number: PSB2017-1026
Date of Complaint: November 07, 2017
Subject Officer: Cst. A.B.
• Deceit x 1
Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for May 23 and 24, 2019.

7. 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 3

Cst. C.D.
• Discreditable Conduct x 1
• Neglect of Duty x 1
• Deceit x 4
Presenting Officer: D. Morrow, Bennett Jones LLP
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

Open Disciplinary Hearing is scheduled for May 27 to 31, 2019.

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

Open Disciplinary Hearing is scheduled for June 17 and 18, 2019.

9. 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 1

Cst. C.D.
• Unlawful or Unnecessary Exercise of Authority x 2
• Deceit x 1

Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

Open Disciplinary Hearing is scheduled for June 20 and 21, 2019.

10. 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 1
- Presenting Officer: TBD
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

New matter not yet scheduled. Pending before the Court of Appeal.

11. File Number: PSB2016-0644
Date of Complaint: 46.1 notification made on January 17, 2017
Subject Officer: Cst. A.B.
- Unlawful or Unnecessary Exercise of Authority x 1

New matter not yet scheduled.

12. File Number: PSB2018-0253
Date of Complaint: March 26, 2018
Subject Officer: Cst. A.B.
- Discreditable Conduct x 3

New matter not yet scheduled.

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

There was one (1) Complaint of Service under Section 44 of the *Police Act* that were resolved or concluded during the first quarter of 2019.

1. Concluded by the Chief
File Number: PSB2017-1009
Date of Complaint: October 24, 2017
Investigator: Acting Detective Michelle Donald

Summary

PSB received a letter of complaint on October 24, 2017, in relation to the lack of support the complainant received from EPS during the course of the sexual assault investigation. Victim Services Unit did not contact the complainant and the complainant had to advocate for themselves through the Sexual Assault Center of Edmonton.

Upon investigation it was determined that the original EPROS report did not auto generate a report to VSU; the auto forward was 'unchecked'. We were unable to determine specifically why this occurred. Regardless of this, Constable Janiga had contacted SACE and arranged for support to be available to the complainant. Constable Janiga was able to obtain an appointment, for the complainant with SACE, within days of her reporting the sexual assault. Currently there is a several month waiting list to get into SACE. Constable Janiga provided the appropriate support to the complainant as VSU would have provided the same information but would have been unable to expedite the appointment with SACE. There are no Policies or Services of the EPS which require review or amendment based on this complaint and the file was concluded by the Chief on January 8, 2019.

COMPLIMENTS

During Q1 of 2019, thirty-two (32) letters of appreciation were entered by the Edmonton Police Service. Professional Standards Branch would like to present eight (8) of these letters.

1. SUBJECT: Compliment 911 Service & Constable (Redacted)

MESSAGE: Hello and Seasons Greetings,

I have been meaning to write for a while a compliment to your service. Recently, the friend of my teenage daughter threatened suicide and we alerted the police for a Wellness check. We had just experienced the suicide death of a teen in our community and were grieving that loss when this event occurred. Understandably, that gave us heightened awareness and concern for the safety of my daughter's friend.

The 911 service was polite, efficient and professional. Constable (Redacted) called us and then followed through with a call to let us know the young woman was found and safe. We appreciated that so much. At no time did anyone imply we had over reacted or wasted time and resources. We hope we did not as we really felt this young woman was at risk of harming herself. In any case, the response was respectful, helpful and reassuring. I am a physician at the RAH ED and have had many many interactions with EPS. I have always found them to be respectful and polite. But I have never been on the other side of the equation in need of their assistance personally.

Thank you again,

2. SUBJECT: Appreciation

MESSAGE: Hello, I want to share my appreciation for Constable (Redacted). I was involved in a Motor Vehicle Accident and Constable (Redacted) was the investigating officer. I was impressed by his professionalism, sensitivity and responsiveness. This was reinforced in a follow up conversation where again those qualities were demonstrated. I think Constable (Redacted's) work reflects well on the Edmonton City Police and I hope he is recognized for his good work. Thank you!

3. SUBJECT: Kudos for Cst. (Redacted)

MESSAGE: Writing to say we in NAIT Student Counselling really appreciate Cst. (Redacted) coming earlier today to take a report of an historical sexual assault. He arrived within 30 minutes of our call. We so appreciate the priority this call received & his compassionate & professional approach to the interview. Too often, police are painted as 'part of the problem' when it comes to reporting these incidents. Thank you for proving that stereotype wrong! Thank you for all of EPS's support in the past, as well. If there is ever anything we can do to make your work easier or more effective, please drop me a line.

4. Subject: Homicide of my son (Redacted)

Dear Sir

My son, (Redacted), was a recent homicide victim having been shot on February 26, 2019. The lead officer in the investigation is Detective (Redacted). We were originally contacted by Detective (Redacted) who has remained in regular contact with us throughout the investigation. My surviving son, (Redacted), and I met with Det. (Redacted) and two ladies from Victim Services at the Edmonton Police Station last Friday. At that time the investigation was outlined for us in as much detail as could be provided under the circumstances.

The purpose of this e mail is to express our gratitude for the work done by these two officers and for the way they treated us, having lost a family member as a victim of crime. Throughout our contact with these two officers, they demonstrated compassion and understanding of our situation. They were skilled at their job and their assistance at this difficult time was greatly appreciated.

Please convey to these two officers, our gratitude for the way they conducted business and for the way we were treated.

Yours truly,
(Redacted)

5. SUBJECT: Exemplary Service

MESSAGE: On the evening of the 12th of March at approximately 2330 I had the misfortune of being caught up in a high risk takedown of a suspected criminal, I was driving home on 107 Ave and just before the traffic circle on 142nd street I drove over something on the street which turned out to be a spike belt which was deployed to assist in the apprehension of the suspect. This of course resulted in 3 flat tires on my vehicle and as it was approaching midnight I was extremely agitated. As I was getting my vehicle to a safe place to pull over a swarm of police vehicles including the helicopter were converging on the suspect. When I pulled into a parking lot an EPS vehicle pulled in to explain to me what was going on. Constables (Redacted) and (Redacted) from the West division quickly arranged for a tow truck and because I live in Parkland County they offered to drive my wife and I home. They both went above and beyond what I expected and I would like to make sure they are recognized for providing exemplary service to assist me in getting my vehicle towed and ensuring my wife and I got home safe and sound. The EPS earned a new level of respect in my mind and that is owed to the performance of these 2 young men.

Yours
(Redacted)

6. SUBJECT: Appreciation

MESSAGE: Hello, I want to share my appreciation for Cst (Redacted). I was involved in a Motor Vehicle accident and Cst (Redacted) was the investigation

officer. I was impressed by his professionalism, sensitivity and responsiveness. This was reinforced in a follow up conversation where again those qualities were demonstrated. I think Cst (Redacted)'s work reflects well on the Edmonton City Police and I hope he is recognized for his good work. Thank you.

7. SUBJECT: Heartfelt thanks from a chocolate lab, and me

MESSAGE: Ak! I keep getting a "We experienced a technical difficulty while processing your request. Your data may not have been correctly saved" message, so I am trying this again, and apologize if you got three of these messages in a row!

And here it is: I'm at the corner of 92 Street and 116th Avenue, at around 4:15pm today. My dog smells something she is interested in on the other side of a wrought iron fence. She sticks her head through the fence...and it won't come out again. She is FREAKING OUT--thrashing and crying, and I hold her and calm her down, and though I know her head went in so it should be able to come back out, I can't manage it. Then she panics and fights again and I am just trying to keep her from injuring herself. I am near panic myself. I don't know what to do or who to call or if I can keep her calm enough to get to my phone. And suddenly two policemen are there. Calmly and kindly, they ease her head through the fence, and then they're gone. I didn't get their names. I thanked them, but not nearly enough.

So, whoever you are, thank you.

Thank you.

Thank you.

Thank you.

8. Compliment - Cst. (Redacted) and Cst. (Redacted)

Thank you from (Redacted) and Miss. (Redacted) for speaking in sign language.

Edmonton Police Service Professional Standards Branch

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To increase public safety through excellence in the prevention, intervention and suppression of crime and disorder