



# Edmonton Police Service

*Committed to Policing Excellence*



## Professional Standards Branch 2018 Annual Report

March 2019

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## Abbreviations

ASIRT	Alberta Serious Incident Response Team
EPC	Edmonton Police Commission
EPS	Edmonton Police Service
CPBN	Community Policing Bureau North
CPBS	Community Policing Bureau South
CSB	Corporate Services Bureau
LERB	Law Enforcement Review Board
PA	<i>Police Act</i>
PSB	Professional Standards Branch
PSR	<i>Police Service Regulation</i>
IIB	Intel & Investigations Bureau



### **Professional Standards Branch Values:**

*Truth, Integrity, Courage, Honour*

## **Introduction from Professional Standards Branch**

In 2018, two changes of command affected the Professional Standards Branch. Inspector Shawna Grimes took over from Inspector Dwayne Lakusta at the beginning of the year. Following that, October marked the end of Chief Rod Knecht's tenure with the Edmonton Police Service, and Deputy Chief Kevin Brezinski was named as the Interim Chief of Police.

### **Policy and Procedure Changes**

2018 was also marked by several policy and procedural changes that had an effect on PSB. First, an EPS policy change in 2017 required more traffic photo violations be reported to PSB for review. Although the policy took effect in 2017, PSB has continued to adjust to the increased demands and workload relating to reviewing these files. In 2018, there was a slight increase in photo violation files that were processed as formal complaints, as opposed to informal concerns. The number of service vehicle collisions processed through PSB has decreased significantly, partially due to divisional management teams taking more ownership on reviewing these.

Second, PSB changed its procedure for managing files related to serious incidents, pursuant to section 46.1 of the Police Act. As per s.46.1 of the Police Act, all incidents involving (or complaints alleging) serious injury or death and allegations of a serious or sensitive nature require notification to the Director of Law Enforcement. Prior to 2018, PSB would open "EPS Matter" files to track these investigations (which are typically done external to PSB, by ASIRT or the Major Crimes Branch). The files would be reclassified as formal complaints if there was evidence of potential misconduct or if there was a risk of losing jurisdiction based on time limits (i.e. one year from the incident date).

In 2018, PSB amended our process so the files were initially opened as formal complaints. Additionally, all open investigations related to 46.1 notifications were reclassified as formal complaints. When a file is reclassified, the received date is amended to reflect the date the Chief initiated a formal complaint; this process is in-line with how external complaints are managed (for example, if a citizen contact file is reclassified to a formal complaint, the received date is amended to the date that the requirements of the Police Act were met). As a result of this procedural change, there was a significant increase in internally generated complaints in 2018.

However, this procedure was reviewed at the end of 2018 and will not continue in 2019 because it created additional and unnecessary work within PSB. In 2019, we will return to the practice of managing the incidents as EPS Matter files until reclassification is necessary to maintain jurisdiction.

An additional procedural change related to s.46.1 notifications was that PSB now opens a Statutory Complaint file to track the investigation. The 46.1 investigation (often conducted by either ASIRT or Major Crimes Branch) primarily focuses on the lawful placement of the officers and whether their actions constituted an offence under an Act of the Parliament of Canada or the Legislature of Alberta. Matters of discipline or conduct regulated by the PSR are referred back to the Chief of Police (and to PSB). As such, the 46.1 investigation is best managed as a Statutory Complaint, and any potential misconduct under the PSR can be tracked within an associated EPS Matter or internal complaint file.

### **Proactive Work and Achievements**

PSB is committed to being proactive with our divisional management teams to inform the membership of common trends and/or concerns we are experiencing. In 2018, members of PSB met with the Edmonton Police Association to discuss common issues, spoke with recruit classes, met with divisional management teams, and brought forward trends to Chief's Committee for awareness. Additionally, PSB distributes quarterly reports to the divisions that identify trends and file classifications for each division and the EPS as a whole.

In 2018, work was completed on a new Disciplinary Hearing room. The new room is on a separate floor from the PSB offices, which creates additional space for PSB to grow and expand. Further, the new room provides a more professional space for hearings away from the noise and activity of an office environment.

### **Workplace Harassment**

Workplace harassment is an issue that has come to the forefront over the past several years. The EPS is committed to providing a respectful, inclusive and positive work environment that is free from workplace harassment. Increased attention on this issue can result in employees feeling more confident and supported to bring issues forward; therefore, an increase in complaints may not reflect an increase in overall harassment. In cases where allegations of workplace harassment are made, PSB works with Human Resources and EPS's Equity and Workplace Harassment Team to ensure that complaints and misconduct under the PSR are handled appropriately and consistently. All complaints of workplace harassment are taken seriously.

In 2018, PSB saw an increase in complaints of workplace harassment, from 3 formal complaints in 2017 to 8 complaints in 2018. It is important to note that PSB only investigates issues that may involve misconduct under the PSR (i.e. sworn members only).

### **Looking Forward**

In 2019, the EPS welcomed Chief Dale McFee who was officially sworn in as Edmonton's 23rd Chief of Police at a prestigious ceremony at City Hall on February 1, 2019.

For the upcoming year, PSB has initiated a project to review and update PSB's Administrative Manual to ensure that PSB procedures are up-to-date and clearly articulated. Further, PSB is

working to cross-train pivotal positions within the Branch to ensure reliability of service, and avoid any single points of failure.

## Executive Summary

The Professional Standards Branch of the Edmonton Police Service is responsible for investigating all complaints regarding the conduct of sworn members of the EPS, with the exception of the Chief of Police, and for complaints regarding the policies and services provided by the EPS.

In 2018, Professional Standards Branch opened 1,240 files. These 1,240 files were comprised of 301 formal complaints and 939 concerns brought forward for resolution outside the formal complaint process. Of the 301 formal complaints, 195 were made by citizens outside the EPS and 106 were made by members internal to EPS (as compared to 184 public complaints and 71 internal complaints received in 2017).

The increase in internally generated complaints is predominantly due to a change in PSB process regarding classification of investigations related to serious incidents, pursuant to section 46.1 of the Police Act. The change in process, which is discussed further in section 2.1, resulted in 31 files being classified as internal complaints that would have previously been considered informal EPS concern files.

Although the 301 formal complaints represent a 9.1% increase in formal complaints as compared to 2017, this is largely driven by the increase in internal complaints (which increased by 49%). Overall, public contacts to PSB (including both formal public complaints and informal public concern files) increased by 5.8% compared to 2017 (from 954 public contacts in 2017 to 1009 public contacts in 2018). The number of internally generated files (including both formal internal complaints and informal EPS concern files) increased by 9.5% in 2018.

During 2018, PSB concluded 1269 files, a 5.9% increase from 1194 in 2017. This included the completion of 278 formal complaints, 973 informal concerns and 18 statutory complaints (criminal investigations).

PSB continues to work to resolve matters through informal resolution processes where possible, which may take the form of supervisor reviews, facilitated discussions, formal mediations, and discussions or reviews with Professional Standards Branch members. In 2018, the Alternative Dispute Resolution initiative was responsible for completing 14 mediations and 4 facilitated discussions. In addition, 18 formal complaints were successfully concluded by supervisory review, and 2 complaints were concluded through discussion with PSB members. Overall, 14% of formal complaints were concluded through ADR in 2018.

Finally, the number of compliments received by the EPS in 2018 totalled 200. In total, the EPS received 5 more compliments than public complaints during 2018.

## 1. The EPS and the Community<sup>1</sup>

The EPS		The City of Edmonton	
Employees:	2,633.5	City Population:	932,546
Sworn:	1,817	Officers per 1,000 Population:	1.95
Civilian:	816.5		

## 2. Professional Standards Files Generated in 2018

PSB uses a number of different classifications for their files. All contacts to PSB generate a “file”. Contacts will either be classified as a “complaint” if they meet the requirements of the Police Act or a “concern” if they do not meet the requirements of the Act. In this Report, “concerns” are referred to interchangeably as “concerns”, “citizen contacts” or “informal files”. Criminal investigations conducted by PSB are referred to as “Statutory Complaints”. For further explanation please see the Addendum to this Report.

During 2018, the EPS dispatched officers to 169,887 calls for service. As a result of these calls, along with a multitude of other interactions with the community, 1,240 inquiries were made to PSB regarding the service or conduct of the organization or its members during 2018. Additionally, of the files opened in 2018, 301 (24%) were classified as complaints under the criteria provided in the *Police Act*. The remaining 939 (76%) files were classified as informal Citizen Contacts or EPS Matter files. The following table provides some context for these numbers.

**Table 1: Five-Year Comparison of File Rates as a Function of Dispatched Calls for Service**

	2014	2015	2016	2017	2018
Dispatched calls	152,001	164,880	163,167	166,848	169,887
Total PSB files opened	1,084	1,157	1,229	1,165	1,240
Rate per 10,000 dispatched calls	71	70	75	72	73
PSB Complaints opened	246	272	232	252	301
Rate per 10,000 dispatched calls	16	17	14	15	18

As was the case over the past five years, less than 0.2% of all calls for service dispatched for police response in 2018 resulted in a formal complaint being made. It is important to remember that many more contacts occur between police members and the community than are captured as the initial response to a call for service. As such, if the complaint rate is considered to be a function of all interactions (recorded and non-recorded), the rate of formal complaints is likely much lower than 0.2%.

Comparing the number of files generated over the last five years, a relatively steady relationship between the number of calls for service and the number of files opened is observed. Similarly, the rate of complaints per 10,000 dispatched calls has remained steady over the past five years.

<sup>1</sup> EPS ‘Employees’ represents the number of authorized Full Time Employees in 2018. City of Edmonton population based on 2016 Statistics Canada Federal Census.

Although the rate is slightly elevated in 2018, this is largely due to a process change in PSB resulting in an increase in internally generated complaint files.

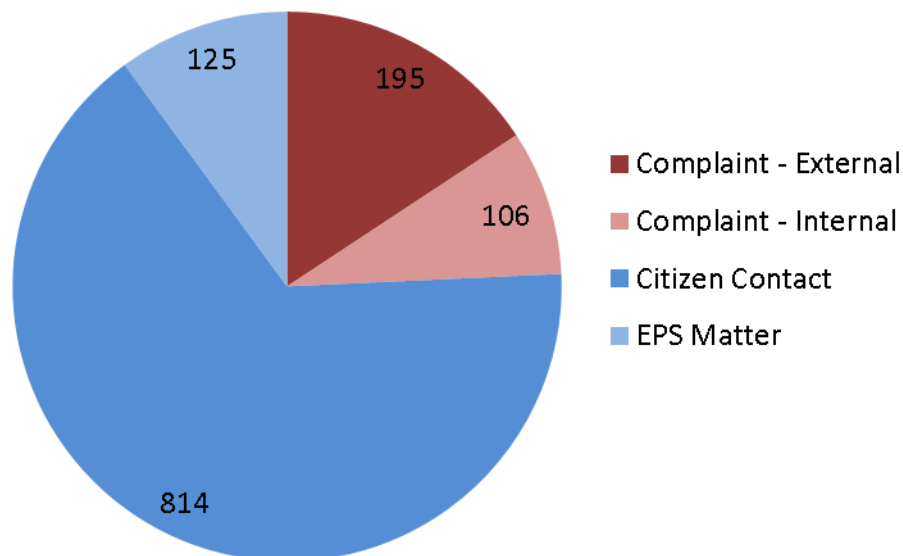
Of the 1,240 files opened by PSB in 2018, 1,009 (81%) related to concerns raised by members of the public. The remaining 231 concerns (19%) were internally generated concerns. Figure 1, below, shows the number and type of files received during 2018. Blue colours represent informal files and red colours represent formal investigations. Lighter shades indicate internally generated files and darker shades indicate externally generated files.

Typically, informal files are managed by PSB's Intake Investigators, which consists of three full-time and two part-time investigators. Formal complaints are initially opened by the Intake Team; if the file is appropriate for informal resolution (Alternative Dispute Resolution, or ADR), it is managed either by PSB's ADR coordinator or PSB's Intake Sergeant (who coordinates Supervisory Reviews). ADR was attempted in approximately 17% of formal complaints in 2018.

Complaints that proceed to a formal investigation are managed by PSB's Major Case Teams, which consists of two teams of five investigators, each managed by an Investigative Supervisor (one sworn and one civilian).

In addition to the Intake and Major Case Teams, there are several support staff to assist with the PSB process, included administrative support, a transcriptionist, legal counsel, a correspondence writer, and an analyst.

**Figure 1: Distribution of PSB File Types During 2018**



Comparing the distribution of PSB files over the previous three years (Table 2, below), the number of public complaints (i.e., Complaint – External) increased in 2018, as compared to 2016 and 2017. Overall public contacts to PSB (including both Complaint – External and Citizen Contact files) increased by 6% compared to 2017, but decreased as compared to 2016.



The number of internally generated files (including both Complaint – Internal and EPS Matter files) increased by 9% in 2018. This is largely due to the process for managing EPS Matter files that become formal investigations (Complaint – Internal files): when an EPS Matter file is reclassified to a Complaint - Internal, the received date is updated to reflect the initiation of the formal investigation. As such, internal concerns that were brought forward in 2017 (including files related to notifications pursuant to s.46.1 of the Police Act) are now counted as formal complaints in 2018. This process mirrors changes in classification for external files, wherein if a Citizen Contact file was changed to a Complaint – External, the received date would reflect the date that the requirement of the Police Act were met (i.e. the date that a formal complaint was received).

The increase in Statutory Complaints reflects a change in the way files related to notifications pursuant to s.46.1 of the Police Act are tracked. Investigations into serious incidents (46.1 Notifications) are typically done outside of PSB (e.g., ASIRT, Major Crimes Branch). Prior to 2018, PSB would generate an EPS Matter file (or Complaint file if required to maintain jurisdiction) and the result of the 46.1 investigation would be included in that file. However, in 2018, PSB process was changed so that a Statutory Complaint is created for each file related to a 46.1 notification. This process allows us to separately track the results of the 46.1 investigation, including whether any charges are laid, and the PSB review (following the 46.1 Investigation) which determines if there are any potential misconducts under the PSR.

**Table 2: Categorization of Files, 2016-2018**

Type of File	Number of Files Received During 2016		Number of Files Received During 2017		Number of Files Received During 2018	
Complaint – External	173	14%	184	16%	195	16%
Complaint – Internal	59	5%	71	6%	106	9%
<i>Statutory Complaint<sup>2</sup></i>	12	1%	11	1%	30	2%
Citizen Contact	874	71%	770	66%	814	66%
EPS Matter	123	10%	140	12%	125	10%
<b>Total</b>	<b>1,229</b>		<b>1,165</b>		<b>1,240</b>	

## 2.1 Formal Complaints Received by PSB in 2018

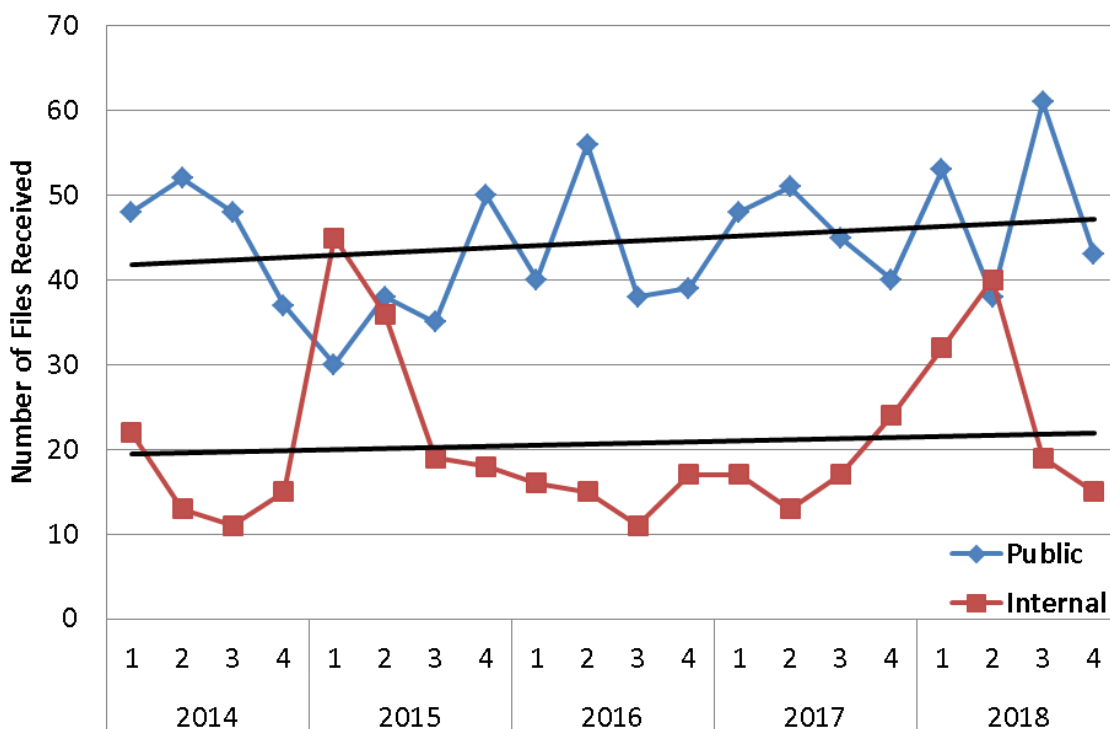
As seen in Figure 2, below, publicly generated complaints (blue line), although variable, have maintained a fairly consistent average over the past five years; on average, there were 46 public complaints per quarter in 2014, as compared to 49 public complaints per quarter in 2018.

Internal complaints have shown more variability over the past five years:

<sup>2</sup> “Statutory Complaints” represent a duplication of “Complaint” files (i.e., all files classified as a “Statutory Complaint” have a corresponding “Complaint – External” or “Complaint – Internal” for allegations of misconduct under the *Police Service Regulation*). For this reason, the number of active “Statutory Complaints” is not represented in the sum total.

- The high number of internal complaints in the first two quarters of 2015 was due to a high volume of complaints generated in response to an ASIRT investigation regarding EPS officers using and/or trafficking steroids; a total of 51 internal complaints were opened to investigate and track the allegations against any officer that may have purchased or used a controlled substance.
- There was an increase in internal complaints during the last two quarters of 2017. This was primarily due to a change in EPS policy that required more potential traffic violations to be processed through PSB for review. Potential traffic violations are initially entered as EPS Matter files (informal concerns), and may be reclassified to formal complaints depending on the circumstances.
- As has been noted above, the increase in internal complaints in the first two quarters of 2018 is predominantly due to a change in PSB process regarding classification of investigations related to serious incidents, pursuant to section 46.1 of the Police Act. In the past, these incidents were classified as informal EPS Matter files until there was a risk of losing jurisdiction based on time limits (i.e. one year from the incident date). If the investigation was ongoing approaching one year, the file would be changed to a formal complaint to maintain jurisdiction; the received date becomes the date that the formal complaint is initiated. In 2018, serious incidents were classified as formal complaints at the onset of the investigation and all open investigations were reclassified to formal complaints. As a result of the policy change, 22 serious incident investigations from 2017 and 31 serious incident investigations from 2018 have been classified as formal complaints during 2018. (The investigations that were received in 2017 would have been reclassified as formal complaints during 2018 under previous policy; the remaining 31 complaints would have previously been considered informal investigations.)

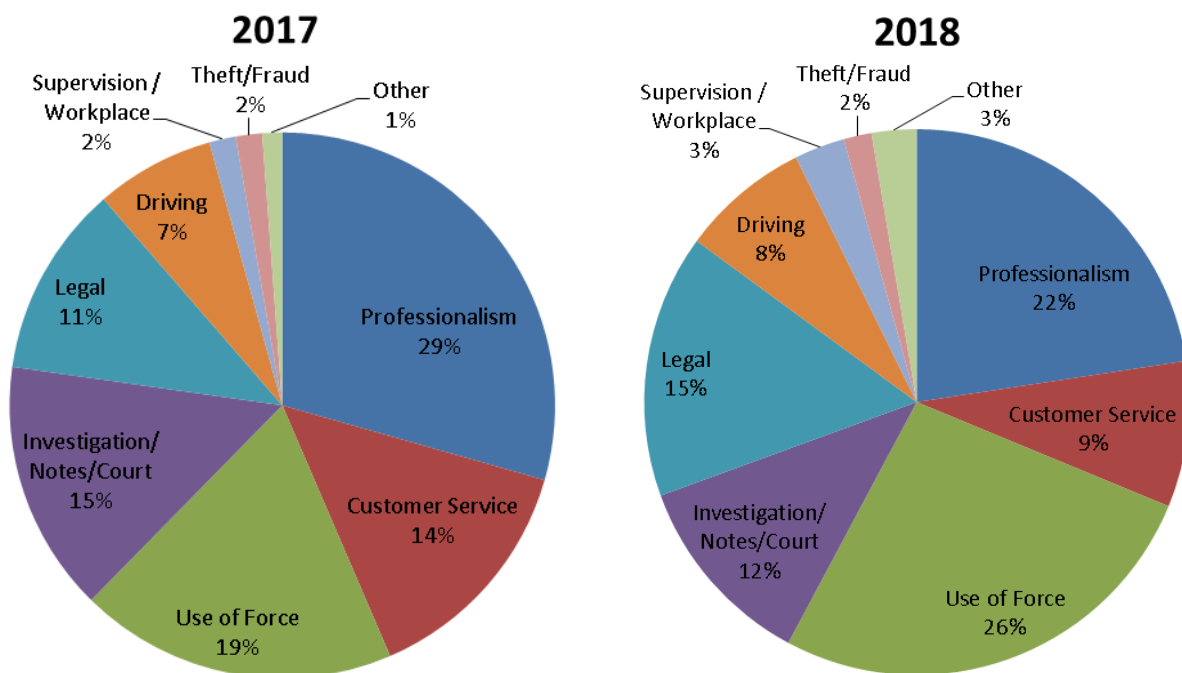
**Figure 2: Five-Year Trend of Public and Internal PSB Investigations**



### 2.1.1 Causes of Complaints Received in 2018

For each file received, PSB classifies the file in order to capture data about the specific causes of concern. This process is intended to assist the organization in better identifying the trends of behavior or conduct that contribute to concerns and complaints. Figure 3, below, shows the principal causes of complaints in 2017 and 2018.

**Figure 3: Principal Causes of Formal Complaints in 2017 and 2018**



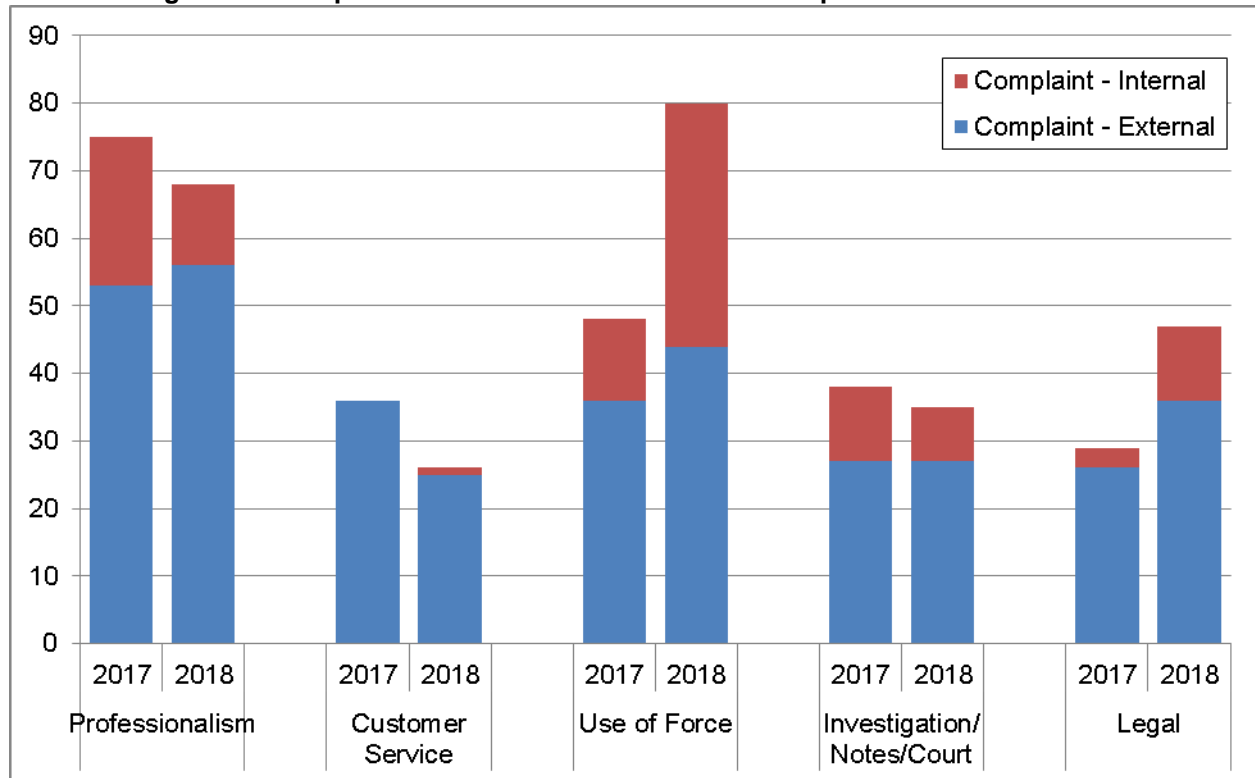
The main cause of complaints in 2018 was use of force; however, this is largely due to the PSB process of classifying files pursuant to s.46.1 notifications as formal complaints in 2018. In 2018, there were 36 internal complaints, resulting from 46.1 notifications, which were classified as relating to use of force; fifteen of those files were from 46.1 notifications that occurred in 2017.

In order to more effectively compare trends in file classifications, the five most common complaint classifications are separated by the source of the complaint (public or internal) in Figure 4 below.

Public complaints related to use of force increased from 36 in 2017 to 44 in 2018; there was a higher than average volume of complaints categorized as “use of force: physical contact” in the first three quarters of 2018. However, this trend did not continue in the fourth quarter of 2018 or into the first few months of 2019. PSB is continuing to monitor complaints related to use of force.

There was a decrease in complaints related to customer service, including delayed response time, lack of police response and policy complaints. However, there was an increase in public complaints related to professionalism (such as rudeness or harassment), and increases in both public and internal complaints related to legal issues (such as divulging confidential information or accessing police information systems for personal reasons). The increase in legal complaints had been brought forward to Chief's Committee for review. The EPS already releases regular reminders to its membership about proper use of police databases; however, we are exploring strategies to strengthen this message.

**Figure 4: Principal Causes of Internal and Public Complaints in 2017 and 2018**



## 2.2 Statutory Complaints Initiated During 2018

Statutory Complaints (also referred to as criminal investigations) are investigations into whether an officer has committed an offence under an Act of the Parliament of Canada or the Legislature of Alberta. As of 2018, investigations pursuant to notifications made under s.46.1 of the Police Act are included as Statutory Complaints. Statutory Complaints are dealt with separately from *Police Act* complaints; that is, a single incident could result in the creation of both a Complaint (dealing with misconduct as defined by the *Police Service Regulation*) and a Statutory Complaint (dealing with criminal allegations). Thus, the number of Statutory Complaints should not be considered as additional to the number of Complaints, but rather as a duplication of a subset of the Complaints. A Statutory Complaint may be initiated when a complaint is received, or after some preliminary investigative work has been conducted on an associated PSR Complaint.

In 2018, 38 criminal investigations were initiated regarding the conduct of officers. Of those, 34 were initiated related to a 46.1 notification. Of the remaining four, one was related to a complaint made in 2016, one was related to a complaint made in 2017, and two were related to complaints made in 2018.

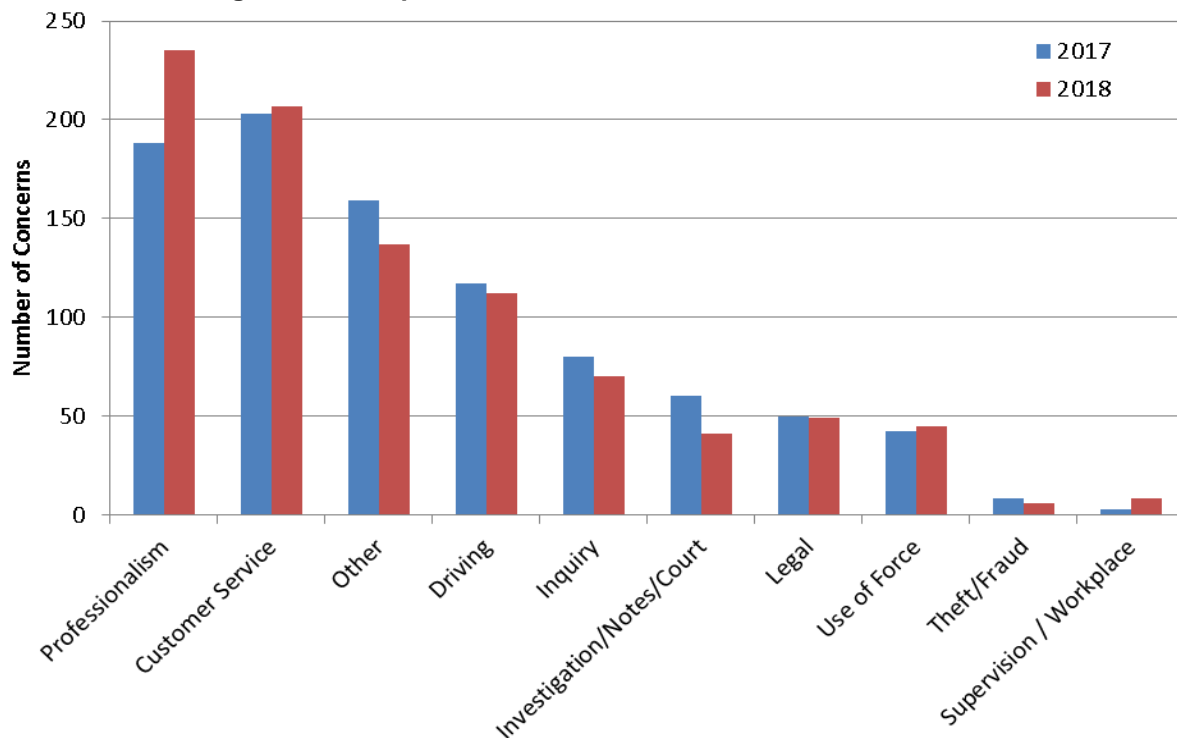
## 2.3 Informal Files Received by PSB in 2018

As shown in Table 2, above, the number of informal files increased from 910 files in 2017 (including 770 Citizen Contact files and 140 internal EPS Matter files) to 939 files in 2018 (including 814 Citizen Contact files and 125 internal EPS Matter files). There was a slight decrease in the proportion of informal files in 2018, relative to 2017; that is, informal files accounted for 78.1% of PSB's total files in 2017 and 75.7% of PSB's total files in 2018.

### 2.3.1 Types of Informal Files Received in 2018

Informal concerns and inquiries are often more difficult to classify than formal complaints in terms of the primary cause of contact. As seen in Figure 5, below, the majority of informal files receive a primary classification of "Officer Professionalism" or "Customer Service". Concerns about professionalism may include, but is not limited to; tone of voice or general manner, rudeness, harassment, and lack of empathy. Concerns regarding customer service may include, but is not limited to; lack of police response, inappropriate police response, dissatisfaction with a ticket or charge, and issues with communication.

Figure 5: Principal Causes of Informal Files in 2017 and 2018



## 2.4 Distribution of PSB Files

In order to develop effective intervention and prevention strategies that best assist members in avoiding conduct that could lead to concerns or complaints, it is important for the EPS to analyze which groups are most likely to be the subject of a PSB file.

Officers in the Community Policing Bureaus provide the first-line response to the majority of calls for service. As such, the number of interactions they have with the public tends to be higher than those officers employed within other areas of the service.

The “Other/Unspecified” row in Table 3, below, refers to files generated by areas such as Legal and Regulatory Services (including PSB) and Supernumerary Positions. Additionally, many files (especially Citizen Contact files) cannot be defined as having been generated by any particular division or area; these can include files where the complaint is about policy or services provided by the EPS generally, and files that are inquiry based, or sub-categorized as “Comments/Opinion” or “Unresponsive Complainant/Unknown”.

**Table 3: Distribution of PSB Files across Bureaus and Divisions**

	Complaint	Citizen Contact	EPS Matter	Disp Calls
<b>Community Policing Bureau North</b>				
Downtown	41	62	13	31,060
Northeast	30	56	9	28,565
Northwest	39	50	19	26,745
Co-ordinated Policing	15	16	2	
<b>Total</b>	<b>125</b>	<b>184</b>	<b>43</b>	
<b>Community Policing Bureau South</b>				
Southeast	33	54	9	25,929
Southwest	39	70	9	31,469
West	26	66	7	26,119
Operational Support	27	75	13	
<b>Total</b>	<b>125</b>	<b>265</b>	<b>38</b>	
<b>Intel &amp; Investigations Bureau</b>				
Criminal Investigations	16	11	9	
Intelligence Production	0	0	0	
Specialized Investigation	11	4	5	
<b>Total</b>	<b>27</b>	<b>15</b>	<b>14</b>	
<b>Corporate Services Bureau</b>				
Human Resources	6	5	2	
Informatics	0	1	1	
Supply Services	0	1	1	
<b>Total</b>	<b>6</b>	<b>7</b>	<b>4</b>	
<b>Other/Unspecified</b>	<b>18</b>	<b>343</b>	<b>26</b>	
<b>Grand Total</b>	<b>301</b>	<b>814</b>	<b>125</b>	

\* As noted previously, there are many more contacts that occur between police members and the community than are captured as the initial response to a call for service (i.e. dispatched calls), such as proactive contacts initiated by officers or the members of the community.

### 3. Professional Standards Files Concluded in 2018

During 2018, PSB concluded 1269 files, which is an increase from both 2017 (1194 files) and 2016 (1230 files). This included the resolution of 965 files opened during 2018, with the remainder of the files (304) being from previous years. The *Police Act* requires that complaints are investigated promptly and thoroughly. Fairness to all parties requires these complaints also be investigated in as timely a fashion as possible. This ensures that the best evidence is available and allows people to move on with their lives and careers without undue pressure or stress associated with a drawn-out investigative process.

#### 3.1 Timelines for Concluding Files

Timelines for concluding files varies based on a number of factors, including whether the file is processed as an informal concern or formal complaint, the complexity of the investigation (including the number of involved officers, witnesses, and allegations), and how the file is resolved.

The type of file (e.g. informal or formal) and overall resolution tend to be the biggest factors in determining the length of time required for an investigation. For example, an informal citizen concern is typically concluded in less than two months, whereas a formal investigation takes an average of 9 months. The resolution of formal complaints also influences the amount of time required; a complaint concluded through ADR will take less time than a file that proceeds through a disciplinary hearing.

Table 4, below, shows the median time (in months) to conclude each type of complaint. For formal complaints, this is broken down further by disposition.

**Table 4: Median Time to Conclude PSB files in 2018**

	<b>Total Concluded</b>	<b>Median<sup>3</sup> Months to Conclude</b>
<b>Statutory Complaint</b>	<b>18</b>	<b>9.9</b>
Charged	1	10.0
Not Charged	17	9.8
<b>Complaint – External</b>	<b>190</b>	<b>7.2</b>
Concluded at Disciplinary Hearing	5	35.0
Minor Contravention	21	14.6
No Reasonable Prospect	80	10.0
Informal Resolution (ADR)	38	3.4
Dismissed/Withdrawn	46	5.0
<b>Complaint – Internal</b>	<b>88</b>	<b>5.6</b>
Concluded at Disciplinary Hearing	6	28.8
Minor Contravention	45	4.7
No Reasonable Prospect	12	5.7
Dismissed/Withdrawn	25	6.9
<b>Citizen Contact</b>	<b>841</b>	<b>1.0</b>
<b>EPS Matter</b>	<b>132</b>	<b>1.2</b>
<b>TOTAL</b>	<b>1269</b>	<b>1.4</b>

As noted in Table 4 above, internal complaints tend to be concluded more quickly than external complaints. This is likely due to the overall complexity of the investigations; internal complaints tend to have fewer involved officers and witnesses, and may require less time to clarify the specific allegations of the complaint. In contrast, external complaints typically take longer since there are more people to interview and investigators must be responsive to the schedules of complainants and witnesses.

### **3.2 Resolution of Formal Complaints**

In 2018, there was an increase in sustained complaints relative to 2017. As seen in Table 5, in the majority of sustained complaints, the Chief of Police was of the opinion that the alleged misconduct was not of a serious nature (see section 45(4) of the *Police Act* and section 19 of the *Police Service Regulation*). These are often referred to as Minor Contraventions.

The increase in files concluded as Minor Contraventions is, in part, due to in EPS policy (implemented in 2017) that required more potential traffic violations to be processed through

<sup>3</sup> Median values are used since measures of time tend to produce skewed distributions (i.e. the minimum time is fixed at zero, but some investigations may carry on through extended periods of time). The median time is a better representation of the “typical” amount of time an investigation will take (as compared to using average times), with 50% of the investigations being concluded in less than median time and 50% being concluded over the median time.



PSB for review. Previously, discipline for photo radar or red light camera traffic violations was primarily managed internally by an offending member's supervisor. With the new policy, it is now much more common that when a pattern of traffic violations occur for a member, it be reviewed and managed by our Professional Standards Branch. Fourteen of the Minor Contraventions in 2018 were related to photo radar or red light violations.

**Table 5: Disposition of Complaint Files Concluded by PSB During 2016-2018**

	2016	2017	2018
<b>Formal Resolutions</b>			
Reasonable Prospect (at hearing) - Proven	12	7	10
Reasonable Prospect (at hearing) - Not Proven	3	1	1
No Reasonable Prospect	103	95	92
Minor Contravention <sup>4</sup>	41	41	66
Dismissed/Withdrawn	45	43	71
<b>Informal Resolutions</b>			
Supervisory Review	21	31	18
Resolved through PSB	0	4	2
Mediation or Facilitated Discussion	17	21	18

A total of 278 formal complaints (not including Statutory Complaints, which are addressed in section 3.2) were concluded during 2018. Those files contained a total of 910 allegations of misconduct by police officers and 15 allegations regarding the policies or services provided by the EPS. Those allegations and their outcomes are detailed in Table 6, below.

<sup>4</sup> This category also includes complaints regarding Deficient Policy or Services (pursuant to section 44 of the Police Act) where the allegation was sustained, and as a result, policy or services were amended. They are included as 'Minor Contraventions' since they are sustained outside of a Disciplinary Hearing. In 2018, all 66 of the complaints were concluded as PSR s.19 Minor Contraventions (no complaints were concluded as PA s.44 Complaint of Service in this category).

Table 6: Outcome of Allegations Concluded During 2018

<b>Disciplinary Hearings</b>			
	Sustained	Not Sustained or Withdrawn	Total
Deceit	5	8	13
Discreditable Conduct	5	1	6
Insubordination	2	3	5
Neglect of Duty	2	1	3
Unlawful/Unnecessary Exercise of Authority	3	2	5
<b><i>Disciplinary Hearing Total</i></b>	<b>17</b>	<b>15</b>	<b>32</b>
<b>Minor Contraventions and Informal Resolutions</b>			
	Minor Contravention	Informal Resolution	Total
Breach of Confidence	1	0	1
Discreditable Conduct	24	26	50
Insubordination	47	8	55
Neglect of Duty	14	6	20
Unlawful/Unnecessary Exercise of Authority	12	18	30
Deficient Policy or Services (s. 44 PA) <sup>5</sup>	1	3	4
<b><i>Minor Contravention / Informal Total</i></b>	<b>99</b>	<b>61</b>	<b>160</b>
<b>Not Sustained, Dismissed, or Withdrawn</b>			
	Not Sustained	Dismissed / Withdrawn	Total
Breach of Confidence	1	1	2
Deceit	42	6	48
Discreditable Conduct	150	31	181
Insubordination	18	15	33
Neglect of Duty	145	6	151
Unlawful/Unnecessary Exercise of Authority	239	68	307
Deficient Policy or Services (s. 44 PA)	10	1	11
<b><i>Not Sustained, Dismissed, Withdrawn Total</i></b>	<b>605</b>	<b>128</b>	<b>733</b>

<sup>5</sup> As stated above, allegations regarding Deficient Policy or Services (pursuant to section 44 of the Police Act) that are sustained are included as 'Minor Contraventions' since they are sustained outside of a Disciplinary Hearing. The allegation of deficient services noted as a Minor Contravention was concluded in 2017; however, in the same file, allegations of misconduct proceeded to a disciplinary hearing, which was resolved in 2018.

### 3.3 Resolution of Statutory Complaints

During 2018, PSB concluded 18 criminal investigations. In nine of those cases, the completed investigation was forwarded to Alberta Justice to be reviewed by a Crown Prosecutor. Criminal charges were laid in 1 of the 18 investigations, as per the recommendation of the Crown; the officer involved has since been found not guilty of the charge. Of the remaining nine investigations, seven related to files that were opened as the result of a notification made under s.46.1 of the Police Act. The nine files that were not forwarded to the Crown were reviewed by internal legal counsel.

The 18 criminal investigations included a total of 26 criminal allegations. Table 7, below, details the criminal allegations and their outcomes.

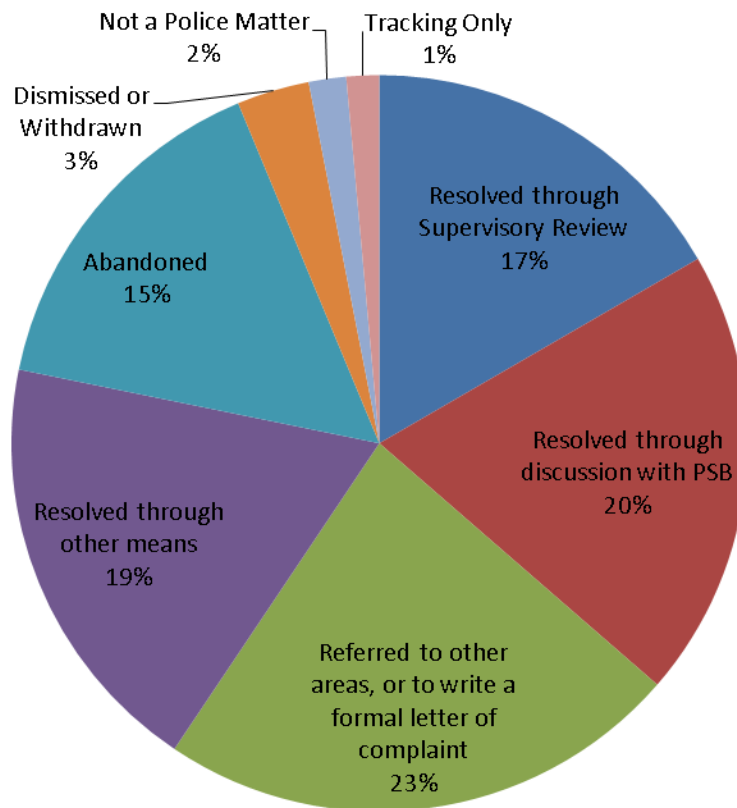
**Table 7: Outcome of Criminal Allegations Concluded During 2018**

Allegation	Total # of Allegations	Not Substantiated	Conviction / Outcome
Assault Causing Bodily Harm, Assault (CCC 266, 267)	17	16	1 – Acquittal
Careless Use of Firearm (CCC 86)	2	2	
Forcible Confinement (Kidnapping) (CCC 279)	3	3	
Motor Vehicle Theft (CCC 333.1), Take Auto Without Consent (CCC 335)	2	2	
Theft (CCC 322)	2	2	

### 3.4 Resolution of Informal Files

In 2018, PSB resolved 973 informal concerns or inquiries. On average, files were resolved in less than two months. The breakdown of the resolutions is shown in Figure 6, Figure 6 below.

Many files (37%) are resolved either by having the officer's supervisor speak with involved parties or through discussion with PSB Intake Investigators. In other cases (23% of files), a resolution may be reached by providing the concern to the officer's supervisor or to the division for information and learning opportunities, or by providing the complainant with further information on how to submit a formal complaint. In 19% of files, the concerns were resolved through other means, such as ensuring that the complainant's concerns or opinions are recorded and saved. 18% of informal concerns are either abandoned or withdrawn; PSB Intake Investigators will make several attempts to contact complainants before considering a concern as 'abandoned'.

**Figure 6: Resolutions of Informal Concerns and Inquiries During 2018**

### 3.5 Complaints Directed to Disciplinary Hearings in 2018

In 2018, a total of 13 complaints were directed to disciplinary hearings by the Chief of Police. In four complaints, the subject officer declined an agreement pursuant to section 19(1)(b) of the *Police Service Regulation*; therefore, these allegations were then sent to Disciplinary Hearing by the Chief of Police. Of the 13 complaints, five have been completed through disciplinary hearings and eight are pending.

### 3.6 Discipline Ordered During 2018

Eleven complaints, including 35 allegations, were concluded through disciplinary hearing during 2018. Of the 35 allegations, 21 were found proven, 11 were not proven and 3 were withdrawn at the disciplinary hearing.

**Table 8: Discipline Resulting from Disciplinary Hearings Concluded During 2018**

Allegation	Total # of Allegations	Not Sust. / Withdrawn	Sustained	Penalties Applied
Breach of Confidence	1	0	1	Reprimand*
Deceit	12	7	5	Dismissal*
Discreditable Conduct	9	1	8	Dismissal* Reprimand* Suspension Without Pay (Avg 43h)
Insubordination	5	3	2	Dismissal* Suspension Without Pay (Avg 10h)
Neglect of Duty	3	1	2	Directed Remedial Training
Unlawful or Unnecessary Exercise of Authority	5	2	3	Reprimand Forfeiture of OT (Avg 10h)

\* Penalty was applied as a global penalty for multiple allegations.

Sixty-six (66) complaints were concluded as minor contraventions, with discipline applied as per section 19(1) of the *Police Service Regulation*. This included 90 allegations against a total of 80 officers.

**Table 9: Discipline Resulting from Minor Contraventions During 2018**

Allegation	Total # of Allegations	Penalties Applied
Discreditable Conduct	22	Suspension Without Pay (avg. 36h) Forfeiture of OT (Avg 40h) Agreed Reprimand Official Warning Directed Counselling or Training
Insubordination	36	Suspension Without Pay (Avg 12h) Agreed Reprimand Official Warning Directed Counselling or Training
Neglect of Duty	14	Suspension without Pay (Avg 13h) Agreed Reprimand Official Warning Directed Counselling or Training
Unlawful / Unnecessary Exercise of Authority	18	Suspension without Pay (Avg 31h) Agreed Reprimand Official Warning Directed Counselling or Training

## 4. Compliments

Along with ensuring that the highest standards of professionalism and conduct are maintained by EPS members, PSB also receives a number of compliments on the performance of organizational members. In 2018, EPS received 200 compliment files from citizens of the community.

These compliments referenced a total of 274 members, with 38 members receiving multiple compliments over the course of the year. Passing on these compliments to the hard-working members of the EPS allows PSB and command teams to reinforce positive behaviours and conduct. It also serves to remind members that the citizens of Edmonton appreciate the efforts being made on their behalf. The following table describes the distribution of citizen-generated compliments.

**Table 10: Compliments Received by the EPS During 2018**

	Number of Compliments	Total Involved Officers
<b>Community Policing Bureau North</b>		
Downtown	21	32
Northeast	15	36
Northwest	13	20
Co-ordinated Policing	17	25
<b>Community Policing Bureau South</b>		
Southeast	21	28
Southwest	20	25
West	26	35
Operational Support	18	24
<b>CPB Total Files</b>	<b>151</b>	<b>225</b>
<b>Intel &amp; Investigations Bureau</b>		
Criminal Investigations	8	9
Intelligence Production	1	1
Specialized Investigation	6	18
<b>IIB Total Files</b>	<b>15</b>	<b>28</b>
<b>Corporate Services Bureau</b>		
Human Resources	4	6
<b>CSB Total Files</b>	<b>4</b>	<b>6</b>
<b>Other</b>	<b>14</b>	<b>15</b>
<b>EPS (General)</b>	<b>16</b>	
<b>Grand Total</b>	<b>200</b>	<b>274</b>



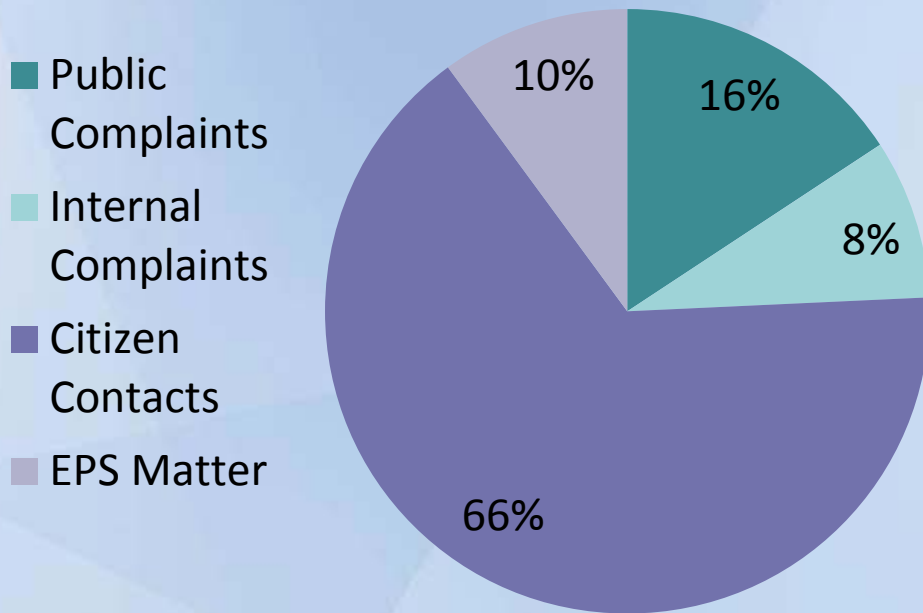
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# Edmonton Police Service Professional Standards Branch

2018 Annual Report  
March 2019



# Overview



- 1,240 PSB files opened
- 169,887 dispatched calls
  - 0.73% resulted in a PSB file
  - Less than 0.2% resulted in a formal complaint
- 1,269 PSB files concluded
  - More than files opened
  - 5.9% increase as compared to 2017





# 3 Year File Comparison

Type of File	2016		2017		2018	
Complaint – External	173	14%	184	16%	195	16%
Complaint – Internal	59	5%	71	6%	106	9%
<i>Statutory Complaint</i>	12	1%	11	1%	30	2%
Citizen Contact	874	71%	770	66%	814	66%
EPS Matter	123	10%	140	12%	125	10%
<b>Total</b>	<b>1,229</b>		<b>1,165</b>		<b>1,240</b>	

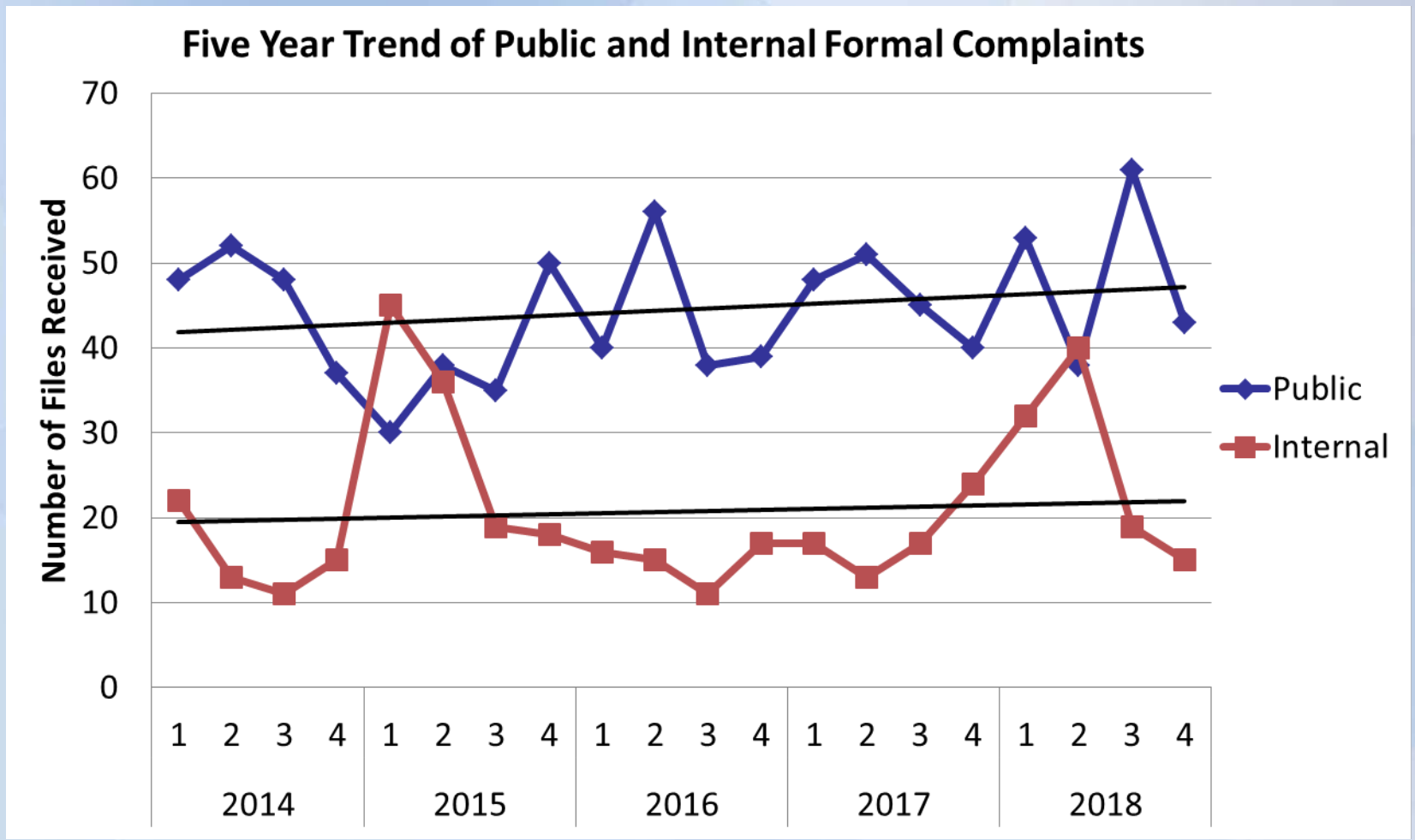


# Trends

- Increase in internally generated files
  - Change in PSB procedure regarding s. 46.1 notifications
  - Traffic Violations
- Increase in Statutory Complaints
  - Change in PSB procedure regarding s. 46.1 notifications
- 6% increase in formal public complaints

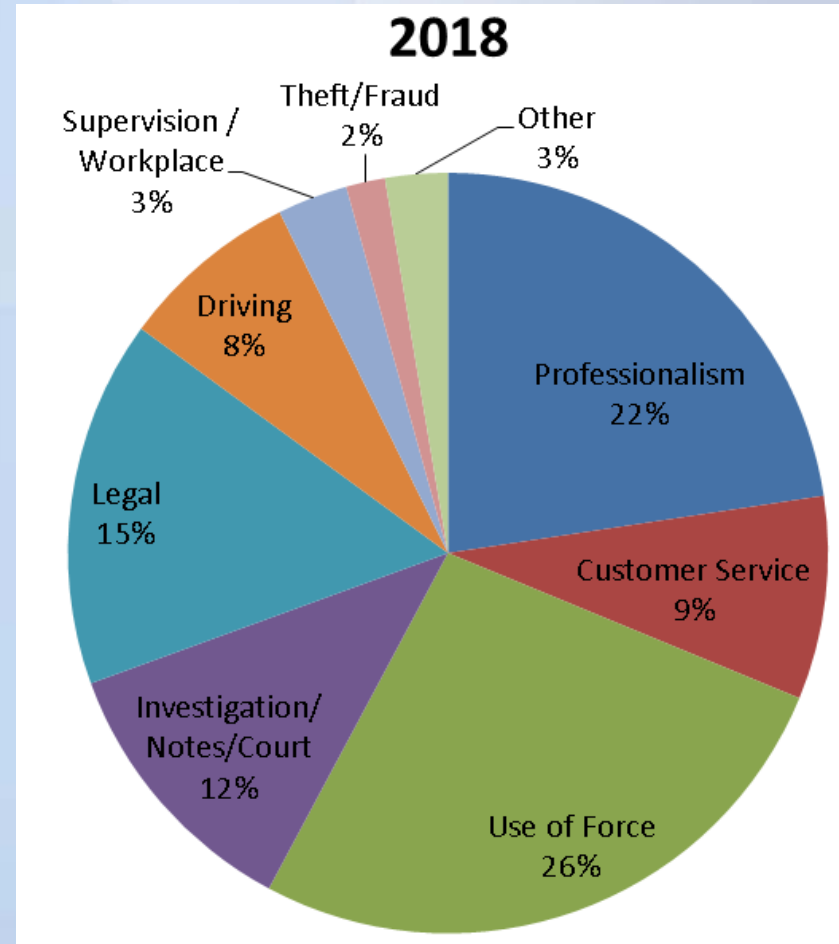
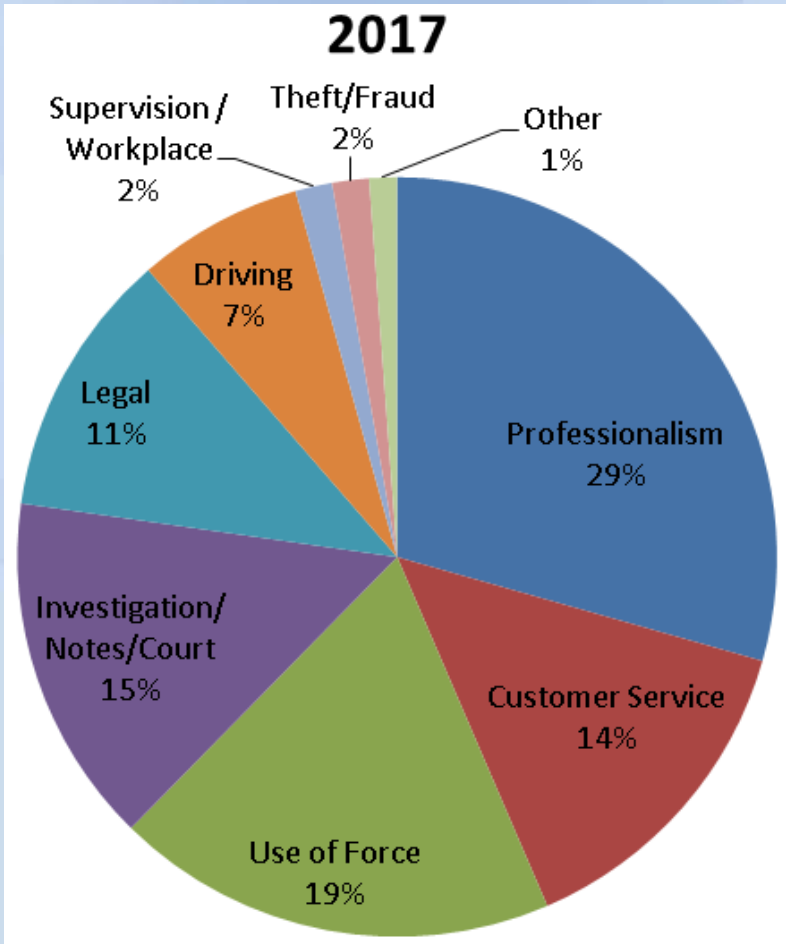


# Five Year Trend of Public and Internal PSB Investigations





# Principle Causes of Formal Complaints in 2017 and 2018





# Resolution of Concluded Complaints

	2016	2017	2018
<b>Formal Resolutions</b>			
Reasonable Prospect (at hearing) - Proven	12	7	10
Reasonable Prospect (at hearing) - Not Proven	3	1	1
No Reasonable Prospect	103	95	92
Minor Contravention	41	41	66
Dismissed/Withdrawn	45	43	71
<b>Informal Resolutions</b>			
Supervisory Review	21	31	18
Resolved through PSB	0	4	2
Mediation or Facilitated Discussion	17	21	18



# Timelines for Concluding Files

	<b>Total Concluded</b>	<b>Median Months to Conclude</b>
<b>Statutory Complaint</b>	18	9.9
<b>Complaint – External</b>	190	7.2
<b>Complaint – Internal</b>	88	5.6
<b>Citizen Contact</b>	841	1.0
<b>EPS Matter</b>	132	1.2
<b>TOTAL</b>	<b>1269</b>	<b>1.4</b>



# Compliments Received by the EPS During 2018

	Number of Compliments	Total Involved Officers
Community Policing Bureau North	66	113
Community Policing Bureau South	85	112
Intel & Investigations Bureau	15	28
Corporate Services Bureau	4	6
Other	14	15
EPS (General)	16	
<b>Grand Total</b>	<b>200</b>	<b>274</b>



# QUESTIONS?