



July 16, 2019

TO: Dale McFee
Chief of Police

FROM: Inspector Shawna Grimes
Professional Standards Branch

RE: QUARTERLY REPORT – Q2 of 2019

This report has been prepared for the July 16, 2019, Edmonton Police Commission meeting.

During the second quarter of 2019 (Q2), Professional Standards Branch received 311 new files:

- 55 Public complaints as defined by Part 5 of the *Police Act*;
- 6 Internal complaints as defined by Part 5 of the *Police Act*;
- 32 EPS Matters; and
- 218 Citizen Contacts.

There were 8 files directed for Criminal Investigation (*Statutory Complaints*) during Q2 of 2019; 6 of those files involved notifications to the Director of Law Enforcement, pursuant to section 46.1 of the *Police Act*.

Concluded 294 files:

- 9 *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;
- 18 Internal complaints as defined by Part 5 of the *Police Act*;
- 28 EPS Matter; and
- 201 Citizen Contacts.

The Edmonton Police Service dispatched 44,458 of calls received and recorded opening 17 compliments.

Inspector Shawna Grimes
Professional Standards Branch

cc: Tim O'Brien/Chair
Edmonton Police Commission



Q2 2019 REPORT TO THE EDMONTON POLICE COMMISSION



The following report is submitted for:

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☐
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Approval
Ratification
Information

PROFESSIONAL STANDARDS BRANCH
July 18, 2019 EPC MEETING

Approved by:

Dale McFee
Chief of Police

Shawna Grimes
Inspector



**Professional Standards Branch
April – June 2019
Q2 Report
Edmonton Police Service**

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STATISTICAL SUMMARY

Second Quarter of 2019 Update

1. RECEIVED FILES

The following figure shows the number and type of files received during the second quarter (Q2) 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 Q2 of 2019, PSB received 250 informal files and 61 formal complaints.

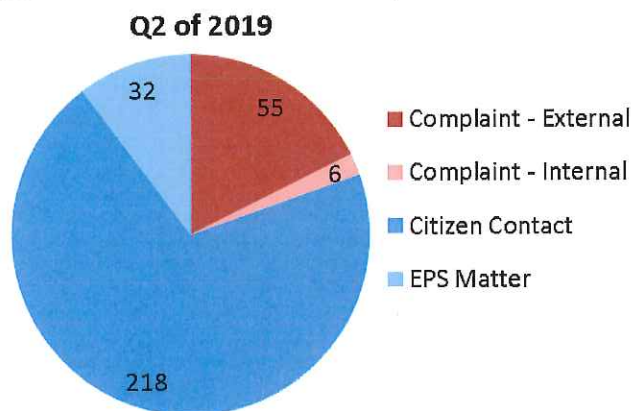


Figure 1-1. Type of Files Received During Q2 of 2019

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 21% as compared to 2018. This is due to a large decrease in internal complaints (-59%), whereas public complaints have increased by 9% (from 92 complaints YTD in 2018 to 100 complaints YTD in 2019). 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.

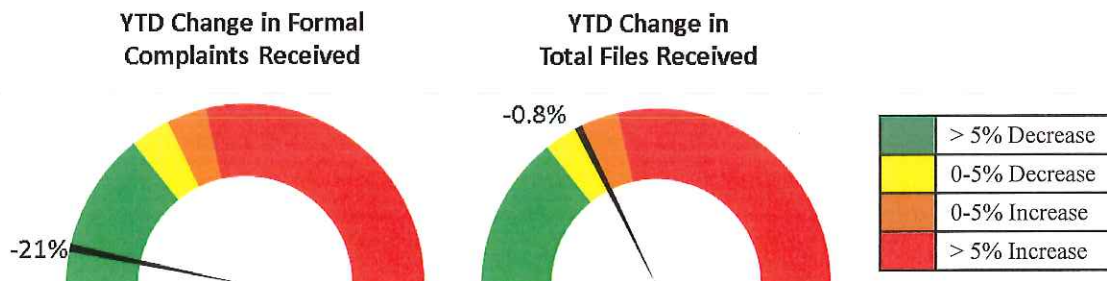


Figure 1-2. Yearly Changes in Files Received

2. CURRENT WORKLOAD

As of June 30, 2019, PSB had 396 open investigations broken down as follows:

- 182 Complaints External
- 72 Complaints Internal
- 111 Citizen Contacts
- 31 EPS Matters

37 Statutory Complaints (all 37 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	2	2
2015	0	0	4	4
2016	0	0	10	10
2017	11	0	21	32
2018	39	8	65	112
2019	107	37	92	236
Total	157	45	194	396

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).

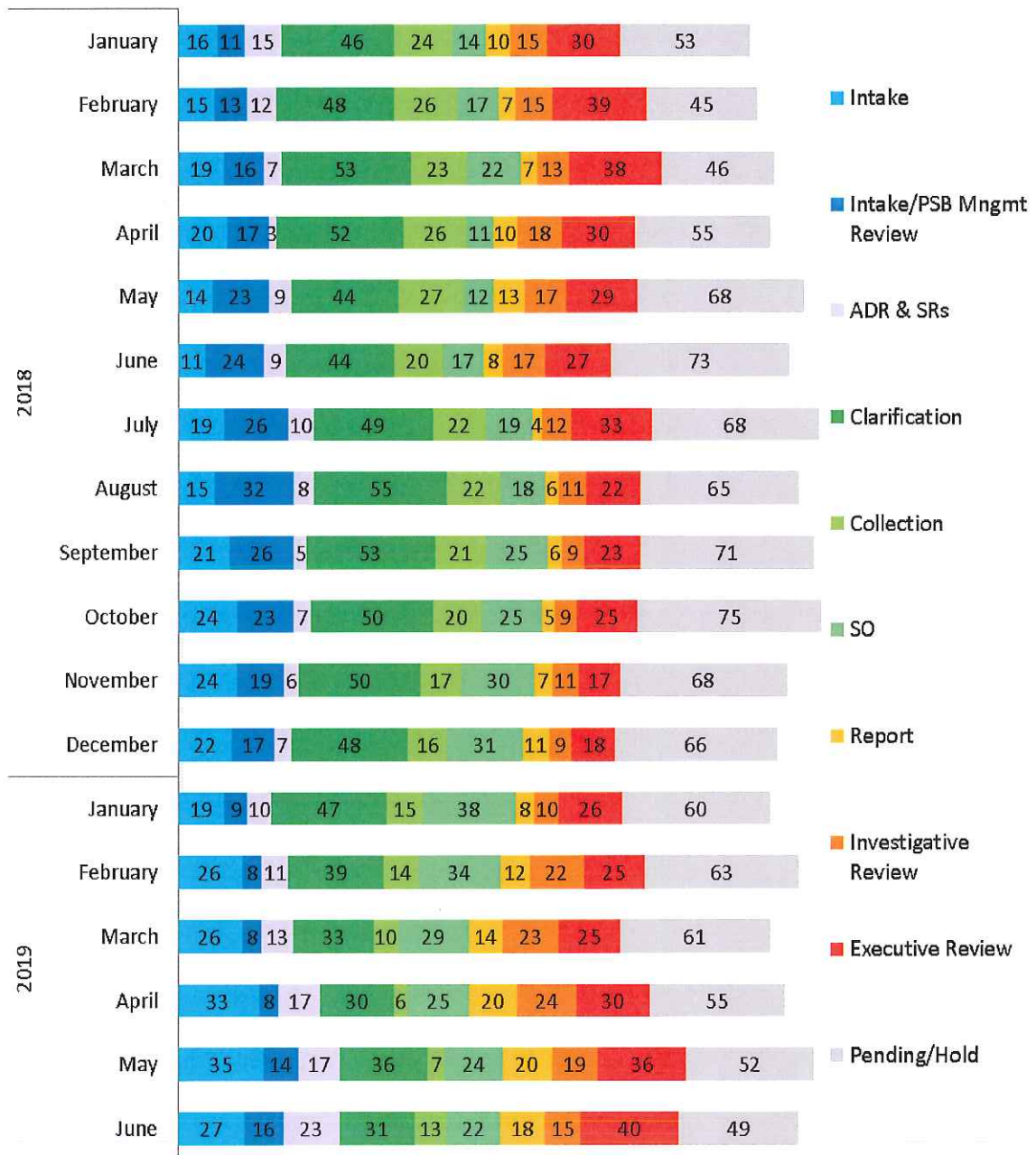


Figure 2-2. Monthly Comparison of Complaint Stages

3. CONCLUDED FILES

The following figure shows the disposition of all Formal Complaints and Statutory Complaints concluded during Q2 of 2019 (56 Formal Complaints, 9 Statutory Complaints).

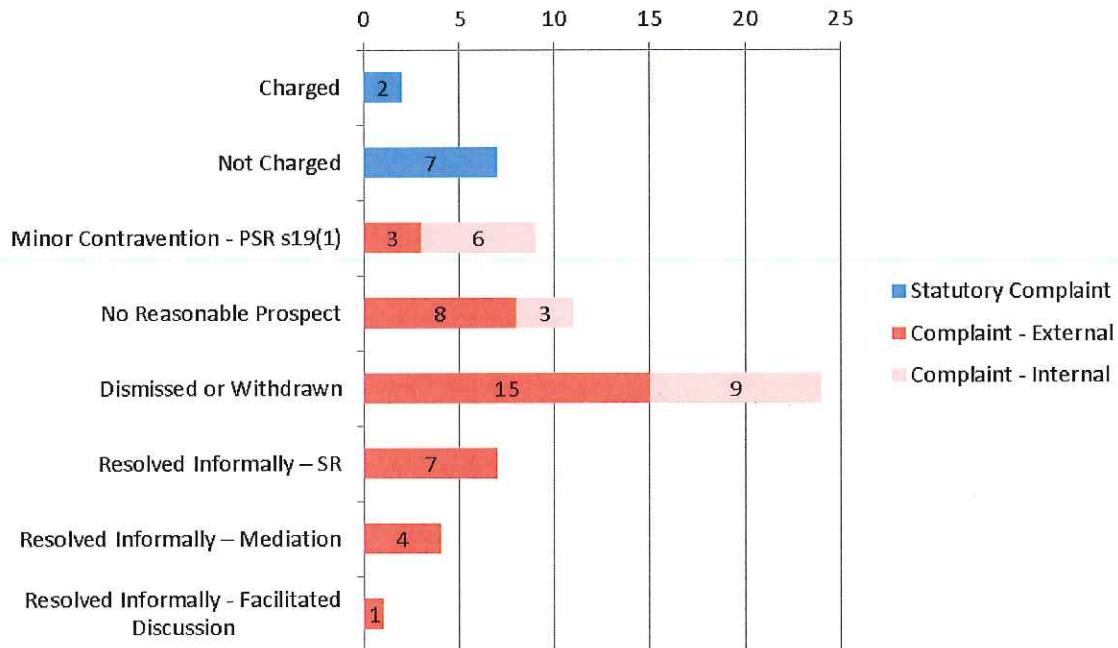


Figure 3-1. Dispositions of Concluded Formal Complaints

	2017		2018		2019	
	Q2	YTD	Q2	YTD	Q2	YTD
Received						
Formal Complaints	64	129	78	163	61	129
External	51	99	39	92	55	100
Internal	13	30	39	71	6	29
Informal Complaints	234	453	255	456	250	485
Citizen Contacts	193	383	217	391	218	408
EPS Matters	41	70	38	65	32	77
Total	298	582	333	619	311	614
Concluded						
Formal Complaints	71	142	85	139	56	119
External	61	109	52	92	38	78
Internal	10	33	33	47	18	41
Informal Complaints	216	453	246	494	229	457
Citizen Contacts	184	400	201	425	201	395
EPS Matters	32	53	45	69	28	62
Total	287	595	331	633	285	576

Figure 3-2. Three-Year File Comparison for Q2 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 a decrease of 20 files (-14%) and the yearly total files concluded represents a decrease of 57 files (-9.0%).

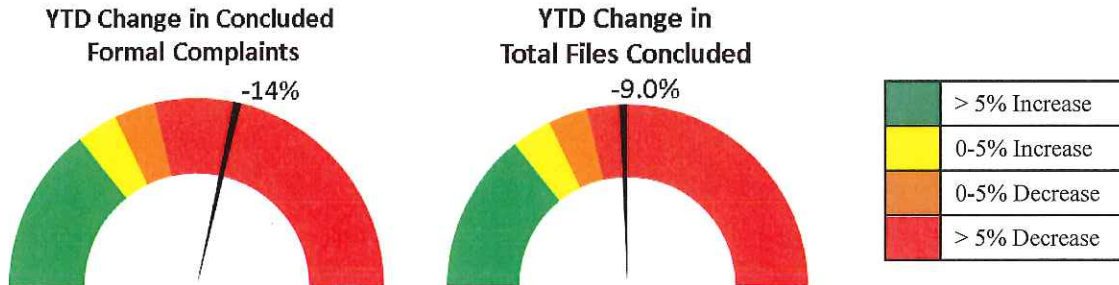


Figure 3-3. Yearly Changes in Files Concluded

4. LEGAL

DISCIPLINARY HEARINGS	Total	File Number
Directed	1	PSB2018-1051
Concluded	0	
LERB	Total	File Number
Appeals Received	1	PSB2018-0409
		PSB2014-0845
		PSB2016-0653
Decisions Rendered	6	PSB2017-0311
		PSB2017-0902
		PSB2018-0057
		PSB2018-0799
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 Q2 of 2019

DISCIPLINARY ACTION TAKEN AGAINST MEMBERS

1. File Number: PSB2015-0828
Date of Complaint: September 23, 2015
Subject Officer: Cst. Mowatt
- 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.)

On April 1, 2019, the member was found guilty of count of Unlawful or Unnecessary Exercise of Authority and one count of Discreditable Conduct. He was issued a global penalty of thirty hours suspension without pay.

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

The penalty decision was issued on April 15, 2019. The member was found guilty of two counts of Deceit and one count of Insubordination and received a reduction in rank for two years.

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.)

On April 23, 2019, the member was found guilty of one count of Discreditable Conduct and was issued a reprimand, along with directed training/counselling related to Anger Management, Profession Conduct and Deportment; and Dealing with Difficult People.

4. 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.)

On May 22, 2019 the member received a reprimand for one proven count of Insubordination.

PENDING DISCIPLINARY HEARINGS

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

Awaiting confirmation of hearing proper date from counsel.

2. 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 1Presenting 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.

3. File Number: PSB2018-0253
Date of Complaint: March 26, 2018
Subject Officer: Cst. A.B.
 - Discreditable Conduct x 3Presenting Officer: T. Magee, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for July 24, 2019.

4. 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 4Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

Open Disciplinary Hearing is scheduled for July 24, 2019.

5. 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
Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for August 14-16, 2019.

6. 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 September 17, 2019.

7. 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.)

Open Disciplinary Hearing is scheduled for October 16-19, 2019.

8. 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: G. Crowe, Edmonton Police Service
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

New matter not yet scheduled, pending before the Court of Appeal.

9. File Number: PSB2016-0484
Date of Complaint: May 30, 2016
Subject Officer: Cst. A.B.
• Unlawful or Unnecessary Exercise of Authority x 1
Cst. C.D.
• Unlawful or Unnecessary Exercise of Authority x 1
• Discreditable Conduct x 1
Cst. E.F.
• Unlawful or Unnecessary Exercise of Authority x 1

New matter not yet scheduled, returned for hearing by the LERB

10. File Number: PSB2017-0767
Date of Complaint: August 17, 2017
Subject Officer: Cst. A.B.
 - Unlawful or Unnecessary Exercise of Authority x 2
 - Cst. C.D.
 - Unlawful or Unnecessary Exercise of Authority x 4

New matter not yet scheduled, returned for hearing by the LERB

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 second quarter of 2019.

1. Concluded by PSB
File Number: PSB2019-0430
Date of Complaint: June 4, 2019
Investigator: Constable Alana Savage

Summary

PSB received a letter of complaint on June 4, 2019, in relation to the lack of service EPS provided when the complainant's son, who was lodged in Detainee Management Unit did not have his medical condition assessed. The complainant further alleges that her son was in medical distress while in EPS custody.

This file was sent for a supervisory review and on June 24, 2019, S/Sgt. Mittelsteadt met with the complainant, where it was explained that her son was seen by paramedics in DMU and did receive treatment. It was also described to the complainant that Detainees are checked every 15 minutes while in custody and at no time did her son display any type of distress. On June 28, 2019, this matter was concluded by PSB as resolved to satisfaction of the involved Citizen.

COMPLIMENTS

During Q2 of 2019, seventeen (17) letters of appreciation were entered by the Edmonton Police Service. Professional Standards Branch would like to present seven (7) of these letters.

1. SUBJECT: commendation

I wanted to thank and compliment Constable (Redacted) for his kindness, professionalism and help when we experienced an attempted break in at our new house yesterday. He has been helpful and was of great comfort to my daughter and I during an unnerving experience. We feel safer with him on the job. He deserves to be acknowledged. :)

2. Subject: Cst. (Redacted)

Message: Good Morning

I wanted to send a message with a compliment about Cst. (Redacted) from the Northeast Division. I made a call regarding my son on March 31. Cst. (Redacted) called me regarding my complaint and had a long conversation with me about my concerns and also gave me ideas and resources to help him and my family. Cst. (Redacted) met with my son (Redacted) and discussed his choices and actions at the police station. Cst. (Redacted) is an AMAZING officer and my experience yesterday was amazing and very helpful. Thank you so much Cst. (Redacted)!

3. SUBJECT: Commendation Cst. (Redacted)

MESSAGE: The EMS crew that responded to this event asked that a commendation be forwarded to this officer for assisting the EMS crew with the needs of the patient while transporting to the hospital. The event occurred approx. 2300hrs on April 3 in the area of 134ave 97st. the Patient was the victim of an assault. The crew indicated that due to the assistance they were able to accomplish further treatments and assessment than they would have been able to do otherwise. Thank you for assisting in having this appreciation passed along to this officer.

4. Subject: Compliment

I'm writing to thank the officer that pulled me over earlier today, Cst. (Redacted). When he pulled me over I began to have an anxiety attack, this was my first time being pulled over. But he remained extremely understanding and calm the whole time. I am very appreciative of his patience as he helped me with my insurance, and talked me through the entirety of my ticket.

Making me feel very good about my decision to move to Edmonton today

Thank you

(Redacted)

5. Subject: Cst. (Redacted)

On Saturday evening, June 15/19, we stopped at Southwest Division Station to report a hit and run to my vehicle. Cst. (Redacted) was very courteous and thorough in taking down all the information and instructing us how to proceed in completing our statements. As we completed our statements and before we left the station, he was able to use the information we provided to identify the individual that hit my vehicle, thus making my insurance claim more successful. Cst. (Redacted) made my stressful day a bit less stressful and I wish to thank him for his thoroughness.
Sincerely (Redacted)

6. Subject: Officer compliment Sgt. (Redacted)

To whom it may concern,
I would like to compliment Sgt. (Redacted) after he helped my friends and I at the intersection of Belgravia and Fox Drive on Saturday, June 15 2019, at approximately 7pm. Our vehicle broke down and he offered assistance and made sure that traffic was aware and diverted from where our vehicle ended up. He then waited with us until the tow truck arrived. He was very pleasant to deal with, understanding and helped us de-stress in the situation.
Please pass our thanks on to Sgt. (Redacted) if possible.

7. SUBJECT: Kudos for Great Work!

MESSAGE: On Thursday, April 4 2019, approximately 19:00 hrs, the mailbox was broken into at Royal Park Apartments, 9835 106 ST NW, downtown.

Constable (Redacted) of the Downtown Division responded to the scene, and recovered my property which was stolen from me.

Not only was Constable (Redacted) able to catch the bad guy, he went above and beyond and delivered the recovered parcels to the residents of our building. I am truly grateful for his actions on this day and very impressed by the EPS in general.

Please extend to Constable (Redacted), and to his supervisors, my deep appreciation for his work on this incident. Mail theft might be low-level crime, but from a community policing standpoint, it's a huge boost to know that this is not something that goes unpunished.

To Constable (Redacted): Thank you. Thank you. Thank you. You really put a smile on my face when my fiancé passed her phone to you, and you explained to me what happened. Thank you for recovering my package. Thank you for being around the corner when this happened, and for coming to the aid of our apartment building right away.

Thank you EPS for being there when we need you.