



October 17, 2019

TO: Dale McFee
Chief of Police

FROM: Inspector Shawna Grimes
Professional Standards Branch

RE: QUARTERLY REPORT – Q3 of 2019

This report has been prepared for the October 17, 2019, Edmonton Police Commission meeting.

During the third quarter of 2019 (Q3), Professional Standards Branch received 313 new files:

- 37 Public complaints as defined by Part 5 of the *Police Act*;
- 6 Internal complaints as defined by Part 5 of the *Police Act*;
- 28 EPS Matters; and
- 242 Citizen Contacts.

There were 8 files directed for Criminal Investigation (*Statutory Complaints*) during Q3 of 2019.

Concluded 314 files:

- 6 *Statutory* complaints;
- 37 Public complaints as defined by Part 5 of the *Police Act*, including one (1) complaint regarding policies or services provided by the EPS;
- 16 Internal complaints as defined by Part 5 of the *Police Act*;
- 20 EPS Matter; and
- 235 Citizen Contacts.

The Edmonton Police Service dispatched 47,171 of calls received and recorded opening 14 compliments.

Inspector Shawna Grimes
Professional Standards Branch

cc: Tim O'Brien/Chair
Edmonton Police Commission



**Professional Standards Branch
July – September 2019
Q3 Report
Edmonton Police Service**

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STATISTICAL SUMMARY

Third Quarter of 2019 Update

1. RECEIVED FILES

The following figure shows the number and type of files received during the third quarter (Q3) 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 Q3 of 2019, PSB received 270 informal files and 43 formal complaints.

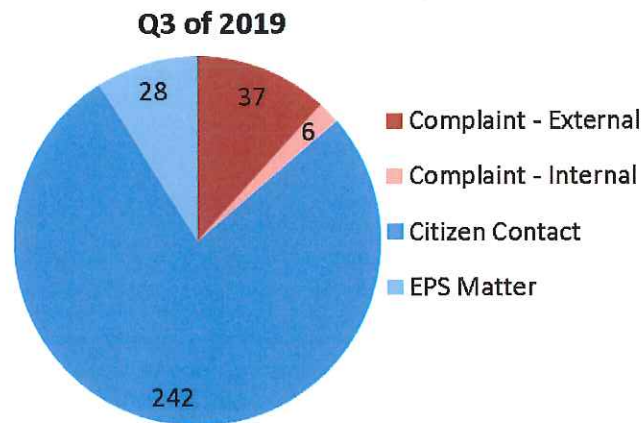


Figure 1-1. Type of Files Received During Q3 of 2019

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 27% as compared to 2018. This includes both a large decrease in internal complaints (-63%) and a decrease in public complaints (-7%). 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.

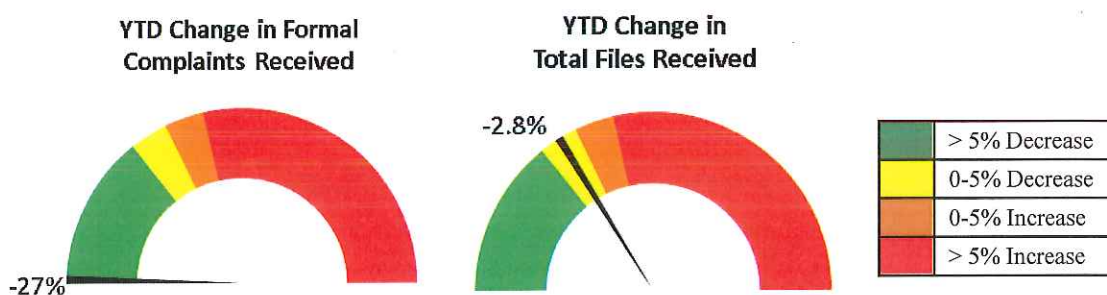


Figure 1-2. Yearly Changes in Files Received

2. CURRENT WORKLOAD

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

- 186 Complaints External
- 57 Complaints Internal
- 116 Citizen Contacts
- 37 EPS Matters

39 Statutory Complaints (all 39 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	1	1
2015	0	1	2	3
2016	0	0	7	7
2017	6	0	16	22
2018	26	9	51	86
2019	157	40	80	277
Total	189	50	157	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).

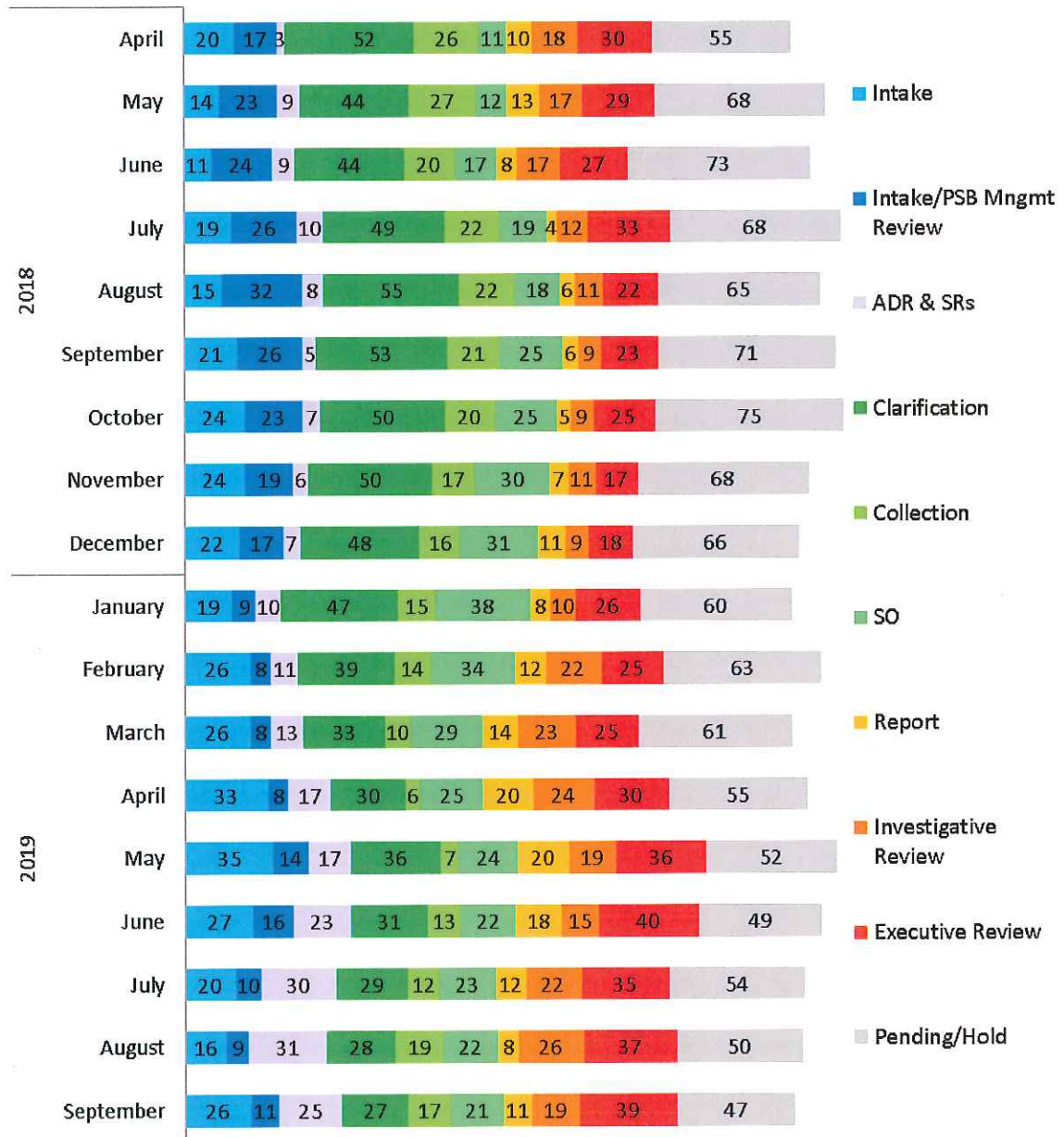


Figure 2-2. Monthly Comparison of Complaint Stages

3. CONCLUDED FILES

The following figure shows the disposition of all Formal Complaints and Statutory Complaints concluded during Q3 of 2019 (53 Formal Complaints, 6 Statutory Complaints).

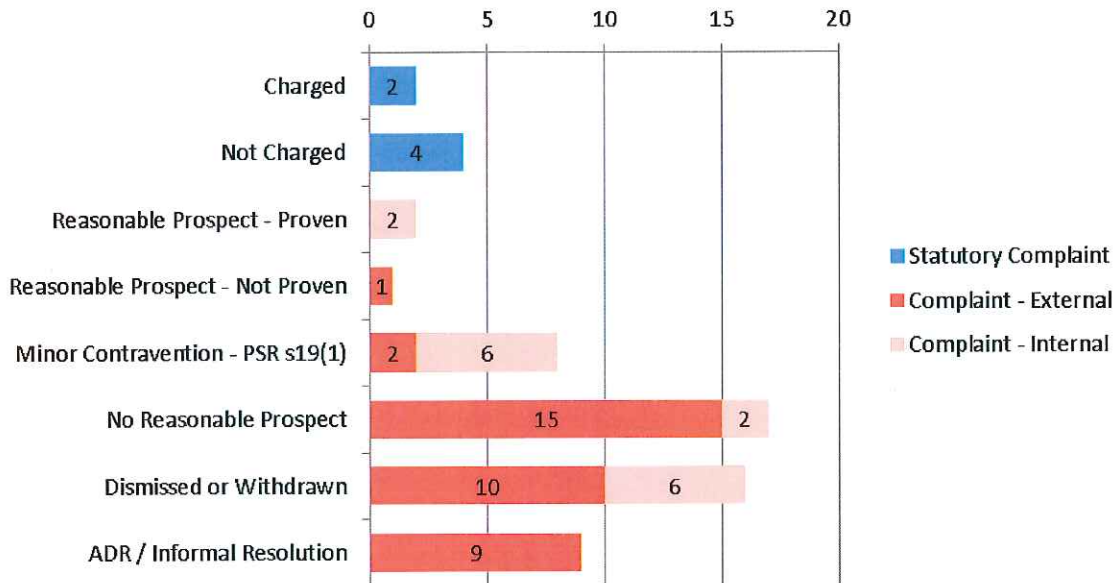


Figure 3-1. Dispositions of Concluded Formal Complaints

	2017		2018		2019	
	Q3	YTD	Q3	YTD	Q3	YTD
Received						
Formal Complaints	62	191	79	242	43	176
External	45	144	62	154	37	143
Internal	17	47	17	88	6	33
Informal Complaints	255	708	256	712	270	751
Citizen Contacts	211	594	220	611	242	647
EPS Matters	44	114	36	101	28	104
Total	317	899	335	954	313	927
Concluded						
Formal Complaints	51	193	72	211	53	176
External	42	151	49	141	37	117
Internal	9	42	23	70	16	59
Informal Complaints	248	701	245	739	255	711
Citizen Contacts	210	610	215	640	235	628
EPS Matters	38	91	30	99	20	83
Total	299	894	317	950	308	887

Figure 3-2. Three-Year File Comparison for Q3 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 35 files (-17%) and the yearly total files concluded represents a decrease of 63 files (-6.6%).

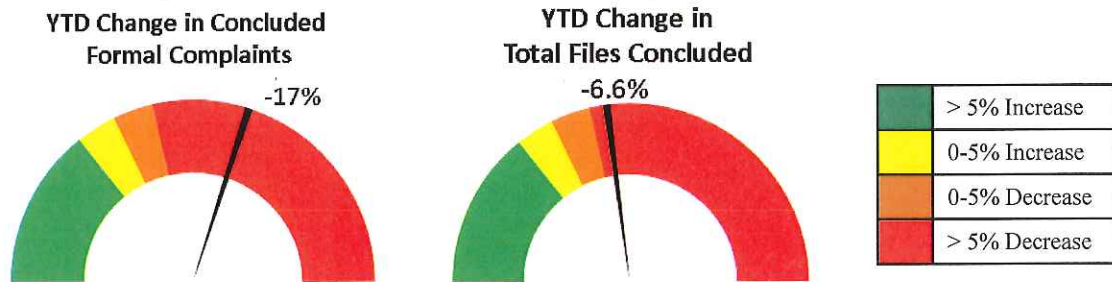


Figure 3-3. Yearly Changes in Files Concluded

4. LEGAL

DISCIPLINARY HEARINGS	Total	File Number
Directed	7	PSB2016-0940
		PSB2018-0229
		PSB2018-0829
		PSB2015-1105 (LERB directed)
		PSB2017-0102 (LERB directed)
		PSB2017-0732 (LERB directed)
		PSB2018-0799 (LERB directed)
Concluded	3	PSB2015-0511 (Not Proven)
		PSB2016-0644
		PSB2018-0253
LERB	Total	File Number
Appeals Received	2	PSB2014-0834
		PSB2018-0098
Decisions Rendered	5	PSB2015-1105 (allowed in part)
		PSB2017-0102 (allowed in part)
		PSB2017-0632 (dismissed)
		PSB2017-0732 (allowed in part)
		PSB2018-0799 (allowed in part)
Appeals Withdrawn	1	PSB2017-0094
EPC APPEALS	Total	File Number
Appeals Received	0	
Decisions Rendered	1	PSB2017-1006 (dismissed)
EPC Matters Ongoing	1	PSB2016-0286

Figure 4-1. Disciplinary Hearings and appeals during Q3 of 2019

DISCIPLINARY ACTION TAKEN AGAINST MEMBERS

1. File Number: PSB2018-1051
Date of Complaint: November 07, 2018
Subject Officer: S/Sgt. A.B.
• Discreditable Conduct x 1

This member was originally offered a 19(1)(b) Agreement on this matter which he initially refused and opted to proceed to a disciplinary hearing. Prior to the commencement of the hearing, the member agreed to accept the 19(1)(b) Agreement, so the hearing did not proceed.

2. File Number: PSB2018-0253
Date of Complaint: March 25, 2018
Subject Officer: Cst. Dreger
• Discreditable Conduct x 2
Presenting Officer: T. Magee, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

On July 24, 2019 Cst. Dreger was found guilty of two counts of Discreditable Conduct and received a 40 hour suspension without pay and was directed to continue any treatment deemed fit by the Human Resources Division. The member was also directed to write a letter of apology to the RCMP member she engaged with on the date of incident.

3. 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

On August 27, 2019 by way of a written decision on fact, the charge was found unproven by the Presiding Officer.

4. 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.)

An Appointment rescinding the Presiding Officer's powers was signed by the Chief and this matter was resolved by way of a 19(1)(b) Agreement.

5. File Number: PSB2016-0644
Date of Complaint: 46.1 notification made on January 17, 2017
Subject Officer: Cst. Ghulom Sakhi
• Unlawful or Unnecessary Exercise of Authority x 1
Presenting Officer: D. Cranna, Field Law LLP

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

On September 20, 2019 the member pled guilty to the charge and received a 30 hour suspension without pay and was directed for further Use of Force training.

PENDING DISCIPLINARY HEARINGS

1. 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

On November 15, 2019 the Presenting Officer will provide an update on the matter via email regarding the secondary investigation which stemmed from this disciplinary hearing.

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 December 16 and 17, 2019.

3. File Number: PSB2017-0767
Date of Complaint: August 17, 2017
Subject Officer: Cst. A.B.
 - Unlawful or Unnecessary Exercise of Authority x 2Cst. C.D.
 - Unlawful or Unnecessary Exercise of Authority x 4Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: Justice (Rtd) Binder

Open Disciplinary Hearing is scheduled January 14-20, 2020.

4. File Number: PSB2018-0229
Date of Complaint: March 16, 2018
Subject Officer: Cst. A.B.
 - Discreditable Conduct x 1

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

Open Disciplinary Hearing is scheduled January 27 and 28, 2020.

5. 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
- Presenting Officer: L. Monsma, Field Law LLP
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

Open Disciplinary Hearing is scheduled for March 09-11, 2020.

6. 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.

7. File Number: PSB2018-0829
Date of Complaint: August 31, 2018
Subject Officer: Cst. A.B.
- Insubordination x 1
 - Deceit x 1
- Presenting Officer: M. Hankewich, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

New matter not yet scheduled.

8. File Number: PSB2016-0940
Date of Complaint: October 05, 2016
Subject Officer: Cst. A.B.
- Neglect of Duty x 2
 - Insubordination x 1
 - Discreditable Conduct x 3
 - Deceit x 2
 - Corrupt Practice x 3

New matter not yet scheduled.

9. File Number: PSB2015-1105
Date of Complaint: December 11, 2015
Subject Officers: Cst. A.B.
 - Neglect of Duty x 1
 - Discreditable Conduct x 1Cst. C.D.
 - Neglect of Duty x 1Cst. E.F.
 - Neglect of Duty x 1

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

10. File Number: PSB2018-0799
Date of Complaint: August 24, 2018
Subject Officer: Cst. A.B.
 - Neglect of Duty x 1
 - Discreditable Conduct x 1

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

11. File Number: PSB2017-0732
Date of Complaint: January 31, 2018
Subject Officers: Cst. A.B.
 - Unlawful or Unnecessary Exercise of Authority x 1Cst. C.D.
 - Unlawful or Unnecessary Exercise of Authority x 1

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

12. File Number: PSB2017-0102
Date of Complaint: February 03, 2017
Subject Officer: Cst. A.B.
 - Unlawful or Unnecessary Exercise of Authority x 1

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 third quarter of 2019

1. Concluded by the Chief
File Number: PSB2019-0120
Date of Complaint: February 7, 2019
Investigator: Sergeant Lisa Mah

Summary

PSB received a letter of complaint on February 07, 2019, in relation to a violation ticket received in the mail for having an obscured license plate due to a bike rack mounted on the back of her vehicle.

On May 1, 2019, this file was sent for a supervisory review to Downtown Division. Sgt. Lafreniere spoke with the complainant on numerous occasions, however this matter could not be resolved. The complainant is unhappy with the enforcement section of the Traffic Safety Act where an officer can send a ticket to a home address, EPS has current Policy that provides direction to officers who are issuing Violation Tickets under the "onus section"; this includes instruction on how the Ticket may be issued via regular mail.

After reviewing the PSB investigation, there are no conduct issues on the part of any EPS member and changes to current EPS Policy and Procedure are not warranted at this time. Based on the above assessment, no further action is required and this file was concluded by the Chief on September 23, 2019.

COMPLIMENTS

During Q3 of 2019, fourteen (14) letters of appreciation were entered by the Edmonton Police Service. Professional Standards Branch would like to present six (6) of these letters.

1. SUBJECT: Officer feedback - traffic stop

I just wanted to share some feedback about a recent interaction with an Edmonton Police officer.

On May 27th, I was pulled over by flashing lights unexpectedly (well, to me) - this was quite nerve-racking as it had never happened before. It turned out that I had an extremely expired license plate.

Officer (Redacted) was extremely courteous, professional and did not give me any grief (which I greatly appreciated!) over what was a very stupid mistake on my part.

Police officers have to pull cars over on a daily basis and they have no idea who/what they will be encountering as they walk up - so as stressful as the experience was for me, I'm sure its even more so for officers.

Anyways, it was an expensive lesson but I did appreciate the officer's handling of it!

Take care,
(Redacted)

2. SUBJECT: amazing service

In or about July 2, 2019 Constable (Redacted) answered my daughter's phone when I tried calling her. I was worried about her because she'd gone on a drinking binge. My daughter was passed out in a cab which brought her to the west division station. Constable (Redacted) asked if someone could come and take her home or she would have her sober up in a cell at the station. That to me was so caring and compassionate. She was very patient and waited until I got there being I was stuck in rush hour traffic. My daughter was becoming agitated with me and Constable (Redacted) calmed her down and persuaded her to get out of the cab and into my car. This situation could have had a very different outcome had it not been for a very caring, patient and companionate officer.
(Redacted)

3. SUBJECT: Officer (Redacted)

MESSAGE: Good day, I wanted to take the time to recognize officer (Redacted) at your north division. I have had the absolute WORST week ever with car damages and he absolutely turned my whole week around today. I went into the north division to file and hit and run on my Acura, and he was immediately willing and able to offer assistance in filing a report. He was so easy to communicate with, walked me through everything all while training a student in the process. I felt much more at ease after receiving his help, and truly want to thank him for going above and beyond to help me this morning. It made all the difference. Thank you!

4. Good Afternoon,

My name is Ms. (Redacted) and I would like to discuss the recent experience I had with two of your beat officers in the downtown division. I was leaving a coffee shop on Jasper at about 9pm on Friday evening and was headed to Joey Bell Tower to meet some friends. It was dark and quite honestly I was scared to walk all the way there by myself. It was then that I saw two officers: Cst. (Redacted) & Cst. (Redacted). I asked them if they would walk with me to City Centre so I wouldn't be outside for long, but they actually offered to walk me all the way to the restaurant I was meeting my friends at. Never have I ever experienced such hospitality. This experience has made me feel confident and comfortable with going out by myself downtown. I am so incredibly appreciative to have such incredible officers that prioritize the safety of fellow Edmontonians. I would really like the opportunity to thank them personally -- If you could pass this along that would be great.

Whatever you're doing, keep it up!
I hope you have a wonderful day!

5. SUBJECT: Officer Commendation

I am writing to commend Officer (Redacted) of the EPS for his excellent work on a case I filed.

On June 12th I had a \$90 roll of stamps stolen from my desk. The day after I gave my statement, Officer (Redacted) told me that the thief had been arrested and then he returned my stamps!

While this may seem a small victory in the big picture, to me it means a great deal. The stamps were the property of a club I belong to and I would have had to replace them out of my own pocket. For me, that's almost a day's wages before taxes. I was not expecting to get them back and was overjoyed when I received them. I would like to thank Officer (Redacted) and the EPS for the thorough and speedy resolution of my case and the return of my property.

Sincerely yours,
(Redacted)

6. Subject: Thank you

I wanted to reach out and thank Cst. (Redacted) for taking really good care of a situation I found myself earlier this week. Both him and his partner made me feel very at ease after having someone break into my home pretty violently. It was a pretty traumatic experience and having the EPS respond so quickly and manage the situation so professionally made it a lot easier for me. Thank you to everyone who helped.

Ms. (Redacted)



Q3 2019 REPORT TO THE EDMONTON POLICE COMMISSION



The following report is submitted for:

- ☒ Approval
☐ Ratification
☐ Information

PROFESSIONAL STANDARDS BRANCH
October 17, 2019 EPC MEETING

Approved by:

Dale McFee
Chief of Police

Shawna Grimes
Inspector

Edmonton Police Service Professional Standards Branch

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