



January 16, 2020

TO: Dale McFee
Chief of Police

FROM: Inspector Shawna Grimes
Professional Standards Branch

RE: QUARTERLY REPORT – Q4 of 2019

This report has been prepared for the January 16, 2020, Edmonton Police Commission meeting.

During the fourth quarter of 2019 (Q4), Professional Standards Branch received 255 new files:

- 32 Public complaints as defined by Part 5 of the *Police Act*;
- 9 Internal complaints as defined by Part 5 of the *Police Act*;
- 22 EPS Matters; and
- 192 Citizen Contacts.

There were 10 files directed for Criminal Investigation (*Statutory Complaints*) during Q4 of 2019.

Concluded 258 files:

- 3 *Statutory* complaints;
- 38 Public complaints as defined by Part 5 of the *Police Act*, including two (2) complaint regarding policies or services provided by the EPS;
- 11 Internal complaints as defined by Part 5 of the *Police Act*;
- 14 EPS Matter; and
- 192 Citizen Contacts.

The Edmonton Police Service dispatched 41,865 of calls received and recorded opening 8 compliments.

Inspector Shawna Grimes
Professional Standards Branch

cc: Tim O'Brien/Chair
Edmonton Police Commission



**Professional Standards Branch
October – December 2019
Q4 Report
Edmonton Police Service**

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STATISTICAL SUMMARY

Fourth Quarter of 2019 Update

1. RECEIVED FILES

The following figure shows the number and type of files received during the fourth quarter (Q4) 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 Q4 of 2019, PSB received 214 informal files and 41 formal complaints.

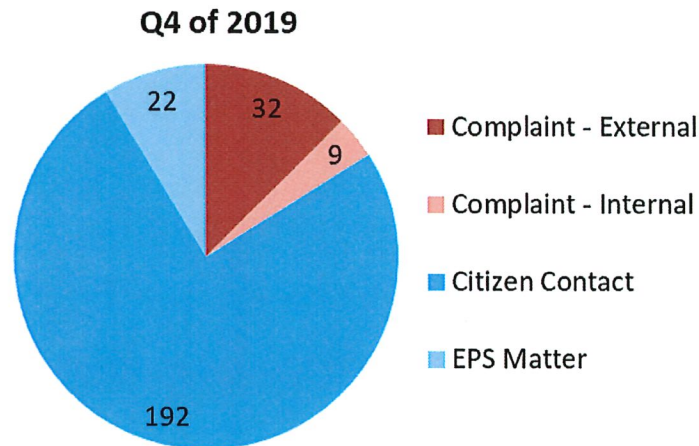


Figure 1-1. Type of Files Received During Q4 of 2019

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 28% as compared to 2018. This includes both a large decrease in internal complaints (-59%) and a decrease in public complaints (-11%). 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.

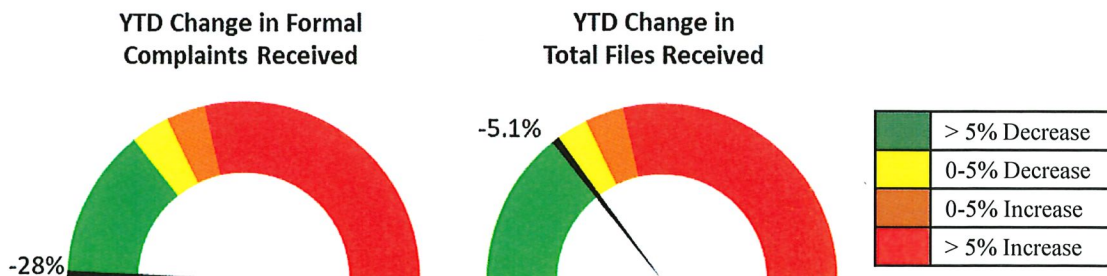


Figure 1-2. Yearly Changes in Files Received

2. CURRENT WORKLOAD

As of December 31, 2019, PSB had 382 open investigations broken down as follows:

- 173 Complaints External
- 54 Complaints Internal
- 117 Citizen Contacts
- 38 EPS Matters

47 Statutory Complaints (all 47 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	2	1	0	3
2016	0	0	4	4
2017	5	0	11	16
2018	20	8	39	67
2019	138	48	105	291
Total	165	57	160	382

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).

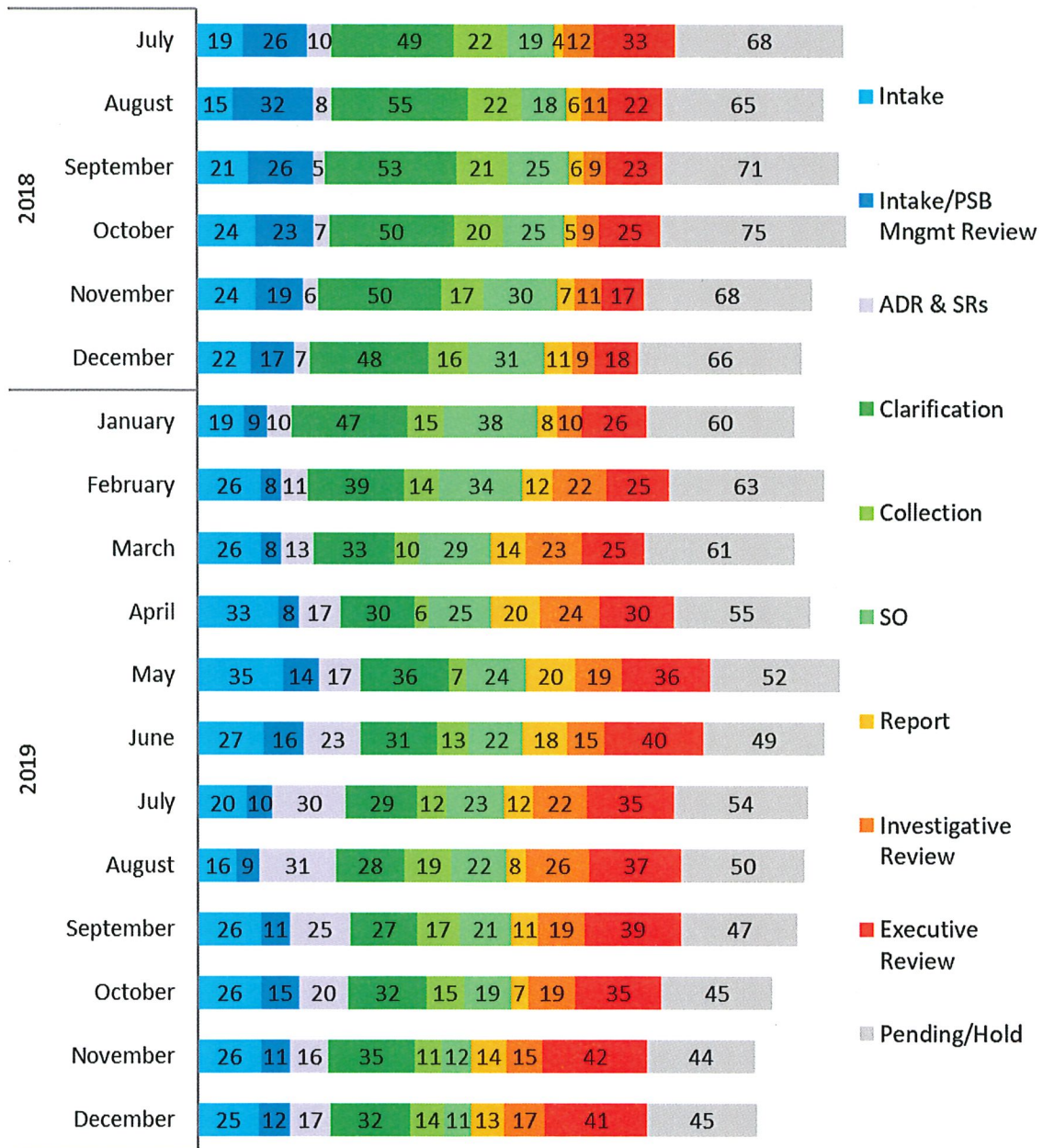


Figure 2-2. Monthly Comparison of Complaint Stages

3. CONCLUDED FILES

The following figure shows the disposition of all Formal Complaints and Statutory Complaints concluded during Q4 of 2019 (49 Formal Complaints, 3 Statutory Complaints).

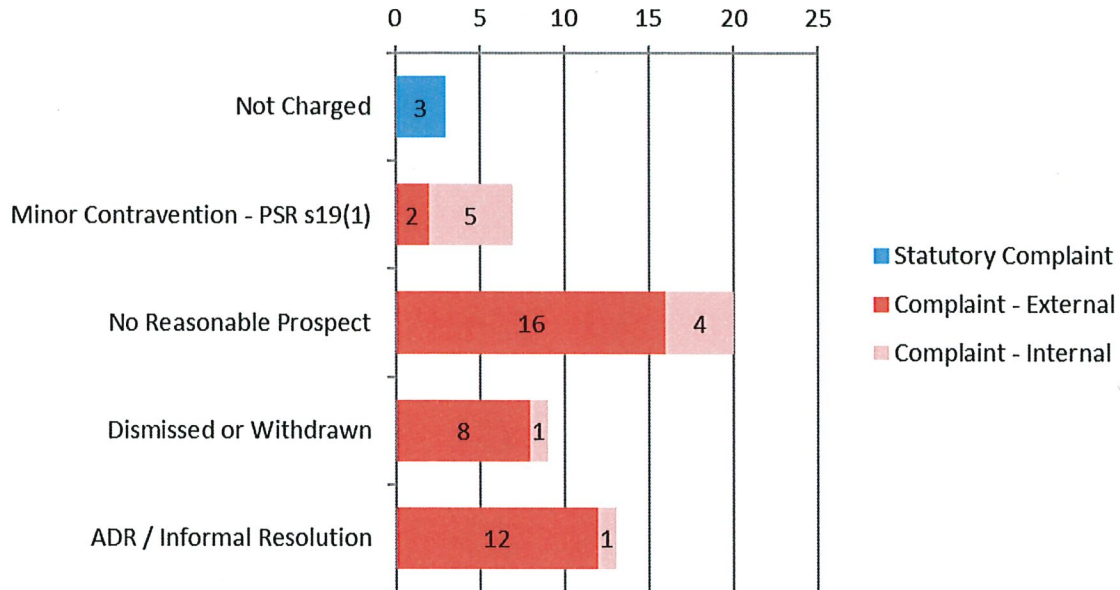


Figure 3-1. Dispositions of Concluded Formal Complaints

	2017		2018		2019	
	Q4	YTD	Q4	YTD	Q4	YTD
Received						
Formal Complaints	64	255	57	299	41	216
External	40	184	44	198	32	175
Internal	24	71	13	101	9	41
Informal Complaints	201	909	218	936	214	956
Citizen Contacts	175	769	201	812	192	837
EPS Matters	26	140	17	124	22	119
Total	265	1164	275	1235	255	1172
Concluded						
Formal Complaints	50	243	70	281	49	232
External	36	187	49	190	38	162
Internal	14	56	21	91	11	70
Informal Complaints	237	938	233	972	206	913
Citizen Contacts	187	797	201	841	192	817
EPS Matters	50	141	32	131	14	96
Total	287	1181	303	1253	255	1145

Figure 3-2. Three-Year File Comparison for Q4 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 49 files (-17%) and the yearly total files concluded represents a decrease of 108 files (-8.6%).

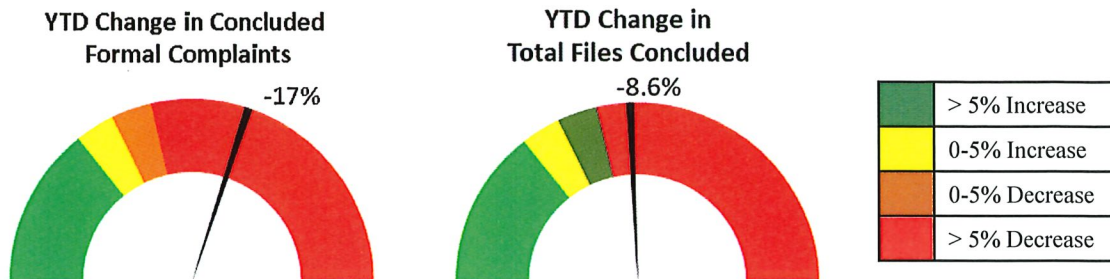


Figure 3-3. Yearly Changes in Files Concluded

4. LEGAL

DISCIPLINARY HEARINGS	Total	File Number
Directed	2	PSB2017-1039 PSB2019-0192
Concluded	0	
LERB	Total	File Number
Appeals Received	2	PSB2017-0406 PSB2018-0035
Decisions Rendered	5	PSB2015-0029 (Dismissed) PSB2016-0821 (Dismissed) PSB2017-0538 (Dismissed) PSB2018-0148 (Dismissed) PSB2018-0812 (Dismissed)
Appeals Withdrawn	1	PSB2018-0075
EPC APPEALS	Total	File Number
Appeals Received	0	
Decisions Rendered	1	PSB2016-0286(dismissed)
EPC Matters Ongoing	0	

Figure 4-1. Disciplinary Hearings and appeals during Q4 of 2019

DISCIPLINARY ACTION TAKEN AGAINST MEMBERS

No Disciplinary Action Taken during Q4

PENDING DISCIPLINARY HEARINGS

1. 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 & 17, 2019.

2. 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 for January 14-17, 2020.

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

Leave for Appeal – Leave application February 05, 2020.

4. File Number: PSB2019-0192
Date of Complaint: May 01, 2019
Subject Officer: Cst. A.B.
 - Unlawful or Unnecessary Exercise of Authority x 1
 - Neglect of Duty x 1Presenting Officer: M. Hankewich, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for March 04, 2020.

5. File Number: PSB2016-0484
Date of Complaint: May 30, 2016
Subject Officer: Cst. A.B.
 - Unlawful or Unnecessary Exercise of Authority x 1Cst. C.D.
 - Unlawful or Unnecessary Exercise of Authority x 1
 - Insubordination x 1Cst. E.F.
 - Unlawful or Unnecessary Exercise of Authority x 1Presenting 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: 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 1Presenting Officer: M. Baldasaro, McLennan Ross LLP
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

Open Disciplinary Hearing is scheduled for March 12 & 13, 2020.

7. File Number: PSB2018-0229
Date of Complaint: March 16, 2018
Subject Officer: Cst. A.B.
 - Discreditable Conduct x 1Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled March 16 & 17, 2020

8. 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. Morrow, Bennett Jones LLP
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service
Open Disciplinary Hearing is scheduled for March 18-20, 2020.

9. File Number: PSB2017-0102
Date of Complaint: February 03, 2017
Subject Officer: Cst. A.B.
• Unlawful or Unnecessary Exercise of Authority x 1
Presenting Officer: L. Monsma, Field Law LLP
Presiding Officer: Justice (Rtd) Binder

Open Disciplinary Hearing is scheduled for March 24-27, 2020.

10. File Number: PSB2017-0732
Date of Complaint: January 31, 2018
Subject Officers: Cst. A.B.
• Unlawful or Unnecessary Exercise of Authority x 1
Cst. C.D.
• Unlawful or Unnecessary Exercise of Authority x 1
Presenting Officer: M. Baldasaro, McLennan Ross LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for April 22 & 23, 2020.

11. 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.

12. 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.

13. 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.

14. File Number: PSB2017-1039
Date of Complaint: November 10, 2017
Subject Officer: Cst. A.B.
- Unlawful or Unnecessary Exercise of Authority x 1
 - Discreditable Conduct x 1
- Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

New matter not yet scheduled.

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

There was two (2) Complaint of Service under Section 44 of the *Police Act* that were resolved or concluded during the fourth quarter of 2019

1. Concluded by the Chief
File Number: PSB2018-0898
Date of Complaint: September 22, 2018
Investigator: Darryl Scherr

Summary

PSB received a letter of complaint on September 22, 2018, in relation to the complainant being lodged and the inhumane conditions of the cell and being denied food or water.

PSB investigated and chose not to obtain statements from Detainee Management Unit (DMU) staff with regards to this allegation as DMU standards and records are self explanatory and the complainant's allegation as seen from the CCTV of Southeast Division does not appear accurate. PSB notes that from previous investigations it has been established that the temperature in DMU is centrally controlled and is normally set to a standard moderate temperature. The complainant was placed in a normal DMU cell which again would have a toilet and water. DMU records indicate the complainant was provided with both lunch and supper while he was in custody and was regularly monitored. Nothing was found to support the complainant's allegation that he was subjected to inhumane conditions or was denied food and water while in custody.

There are no policies or services of the EPS that require review or amendment as a result, this matter was concluded by the Chief on November 28, 2019.

2. Concluded by PSB
File Number: PSB2019-0534
Date of Complaint: June 17, 2019
Investigator: ADR Coordinator Donna Cross

Summary

PSB received a letter of complaint on June 17, 2019 from the complainant in relation to her 13 year old son. The complainant alleges that the EPS procedures/policies in DMU were inappropriate for dealing with a minor, and that the complainant was not properly notified prior to her sons bail hearing. On October 8, 2019, PSB ADR Coordinator facilitated a mediation and resolved the complaint of service, there are no changes required to EPS policy or procedures.

COMPLIMENTS

During Q4 2019, eight (8) 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

MESSAGE: Hello

I (redacted) and behalf of the (redacted) Family would like to give Constable (Redacted) a great big compliment and thank you for being a great police officer, as well as being the person she is. She was so compassionate when she was called out to a call for my sister (redacted), Constable (redacted) needs to be recognized for the amazing police office/person she is. She went above and beyond her duty; Please let her know how wonderful she is. People at the workplace need to be acknowledged when they do a great job. Not only when they do bad. Please let her know this from myself (redacted) and the (redacted) Family.

2. SUBJECT: Exceptional Service by EPS officers

MESSAGE: Good morning.

On 2019-10-09 at approximately 2300 hours Edmonton Police Service received a report from (redacted) of a theft of a purse and truck from a medical facility in Edmonton.

The officer that responded went above and beyond in his response to the complaint!

The back story is this: (redacted) has been at her husband (redacted) side during the fight of his life to stay alive for the last 17 days (at the time the theft occurred). The stress and emotional upheaval her family has been under has been unbelievable. She was absolutely defeated when her purse and truck were stolen from the hospital.

The responding officer took the time to listen to (redacted's) story and made sure he sent a BOLO email to your entire Police Service to locate their vehicle.

The compassion and extra care he showed in a purse/vehicle theft goes to show he chose the right profession... he wants to help!

The very next day, 2019-10-10, the vehicle was located. The officer(s) that located the vehicle, didn't just seized it and have it towed; as would be the norm in a stolen vehicle investigation. They called out your Street Team, to sit on the vehicle and sure enough the suspect and his accomplice returned to it, resulting in their arrest and the recovery of the bulk of (redacted's) property.

As a friend of (redacted) and (redacted), I cannot thank your officers enough for their actions in this investigation. As an employee of the RCMP and having been around law enforcement for over 20 years, I know the efforts of your officers were above and beyond! Please pass on a huge personal and professional thank you to all of the officers involved in this investigation. Bravo EPS!

Best regards,
(redacted)

3. Compliment

Cst. (redacted) assisted me with a traffic complaint. I was in a marked crosswalk and a vehicle ran through a red light. Cst. (redacted) was very courteous, professional and kind. I had the partial plate and Cst. (redacted) went the extra mile to run an additional check through CPIC. Although the vehicle was not found, Cst. (redacted) advised that additional patrols would be placed in the area and that my concern would be kept in mind.

Thank you Cst. (redacted)!

4. Compliments to Cst. (redacted)

A most sincere thank you to Cst. (redacted) for his dedicated service relating to a possible scam I was involved in. It's nice to know that we have officers of his capabilities and dedication on our police service.

5. Good Morning:

Just received a call from a gentleman named (redacted) who wanted to pass on his compliments to the officers in Air 1 and all the Radio Operators involved in the protracted pursuit last night (October 30)

He is a former combat medic with experience in Air to Ground Dispatch and communication.

He listened/followed the whole event on a scanner and wanted to pass on his compliments about how well everyone functioned and coordinated in this multijurisdictional event.

He asked that I take the information down over the phone as he was on his way to work. Please pass along to the members involved.

Thank you.

6. Below is a compliment that was called in to the Commission office yesterday – the caller did not wish to send this in writing, but asked that it be passed along.

(redacted) called to compliment Constable(redacted). He said she is a recruit and was with an FTO when they came to his mom's house with a warrant for his arrest. He said she was perfectly respectful and treated him extremely well under the circumstances. He says he was arrestable but they didn't take him away, and instead released him on his mom's driveway. He was extremely grateful for her consideration.

7. Compliment: On November 22, 2019, we had the pleasure of interacting with Constable (redacted) who assisted us with making a report for a MVC. He was very friendly and professional. We were happy with the quality of service we were given and it was a positive experience!
Thank you Constable (redacted) I for being an exemplary community police officer.
8. I'm writing to present to you and through you to Officer (redacted), our deep gratitude and heart felt appreciation!
Officer (redacted), in doing his regular daily duties, stopped my daughter, (redacted), the infarction was not speeding or dangerous driving! Rather, it was an administrative issue. However, what is deeply appreciated is how Officer (redacted) conducted himself and performed his duties.
As a young lady she went into panic when he stopped her. I suppose we all get a bit nervous when we see the lights in our rear view mirror!
I got to the scene myself after she called me. I spoke to the Officer and he said to me "I'll come and talk to her soon". I found him to be a genuine person who was doing his job and doing it with care and real interest in (redacted's) personal situation!
Beautiful man inside and out (redacted) told me when we met up 20 minutes later!
Tears in her eyes delivered a stronger and more expressive message!
WE all know, If there was a complaint of perceived mistreatment, people will quickly make their complaint. However, when Officers go beyond the call of duty, very few people take the time to relay a good message.
Well! We are delivering this good messages to say to Officer (redacted), God Bless you for being a kind, compassionate and wonderful person.
We know this is the spirit you're promoting among your officers. We support you fully!

Similarly, we strongly believe Officer (redacted) would be an excellent MENTOR to fellow officers on “how do you do your police work and at the same time be helpful to people in distress”!

Officer (redacted): God Bless you and your Colleagues as you all go about keeping Edmontonians safe and maintaining Edmonton a great place to live and raise a family.

(redacted)



Q4 2019 REPORT TO THE EDMONTON POLICE COMMISSION



The following report is submitted for:

- ☒ Approval
☐ Ratification
☐ Information

PROFESSIONAL STANDARDS BRANCH
January 16, 2020 EPC MEETING

Approved by:

A black ink signature of Dale R. McFee, consisting of a large loop and a trailing flourish.

Dale R. McFee
Chief of Police

A blue ink signature of Shawna Grimes, consisting of a stylized 'S' and a trailing flourish.

Shawna Grimes
Inspector

Edmonton Police Service Professional Standards Branch

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