



Q3 2020 REPORT TO THE EDMONTON POLICE COMMISSION



The following report is submitted for:

- ☒ Approval
- ☐ Ratification
- ☐ Information

PROFESSIONAL STANDARDS BRANCH
October 22, 2020 EPC MEETING

Approved by:

A handwritten signature in black ink, appearing to be "D. McFee", written over a horizontal line.

Dale R. McFee
Chief of Police

A handwritten signature in blue ink, appearing to be "Mike Morgan", written over a horizontal line.

Mike Morgan
Inspector



October 22, 2020

TO: Dale McFee
Chief of Police

FROM: Inspector Mike Morgan
Professional Standards Branch

RE: QUARTERLY REPORT – Q3 of 2020

This report has been prepared for the October 22, 2020, Edmonton Police Commission meeting.

During the third quarter of 2020 (Q3), Professional Standards Branch received 382 new files:

- 40 Public complaints as defined by Part 5 of the *Police Act*;
- 10 Internal complaints as defined by Part 5 of the *Police Act*;
- 24 EPS Matters; and
- 308 Citizen Contacts.

There were 12 files directed for Criminal Investigation (*Statutory Complaints*) during Q3 of 2020 (all 12 are related to notifications under s.46.1 of the *Police Act*).

Concluded 318 files:

- 7 *Statutory* complaints;
- 37 Public complaints as defined by Part 5 of the *Police Act*, including zero (0) complaint regarding policies or services provided by the EPS;
- 7 Internal complaints as defined by Part 5 of the *Police Act*;
- 13 EPS Matter; and
- 254 Citizen Contacts.

The Edmonton Police Service dispatched 45,200 of calls received and recorded opening 16 compliments.



Inspector Mike Morgan
Professional Standards Branch

Inspector Mike Morgan
Professional Standards Branch

cc: Micki Ruth/Chair
Edmonton Police Commission



**Professional Standards Branch
July – September 2020
Q3 Report
Edmonton Police Service**

Statistical Summary	2
Concluded Disciplinary Hearings	8
Pending Disciplinary Hearings	9
Completed Complaints of Service	13
Compliments	14

STATISTICAL SUMMARY

Third Quarter of 2020 Update

1. RECEIVED FILES

The following figure shows the number and type of files received during the third quarter (Q3) of 2020. Blue colours represent informal files and red colours represent Police Act complaints. Lighter shades indicate internally generated files and darker shades indicate externally generated files. As can be seen below, during Q3 of 2020, PSB received 332 informal files and 50 Police Act complaints.

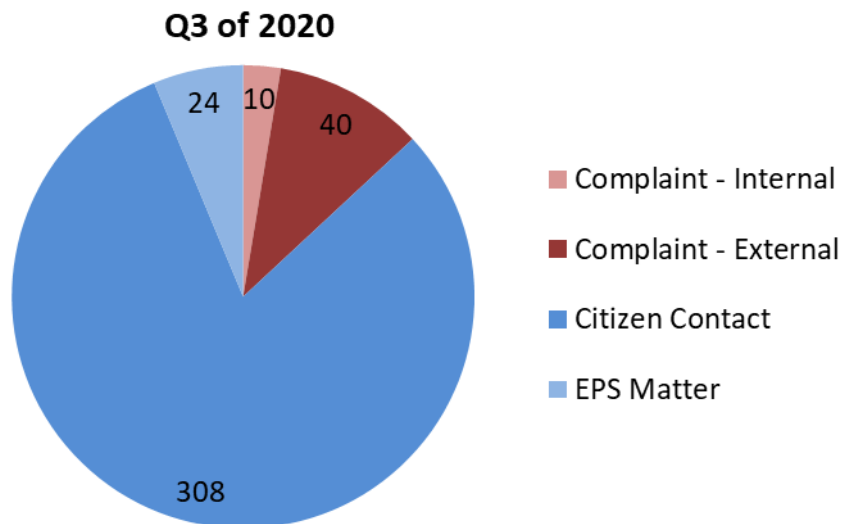


Figure 1-1. Type of Files Received During Q3 of 2020

The following figure shows the yearly percentage increase or decrease in in public contacts to PSB compared to 2019 values. The black bar indicates 2020 values and the vertical red line indicates 2019 values. The background colours (green/yellow/red) represent percentage increases and decreases as compared to 2019.

Public complaints/inquiries to PSB are up by 15%, which means we've seen a large increase in the number of Citizen Contact files received (up 22%, from 643 in 2019 to 787 in 2020). Police Act complaints are down by 20%, from 144 last year to 116 this year.

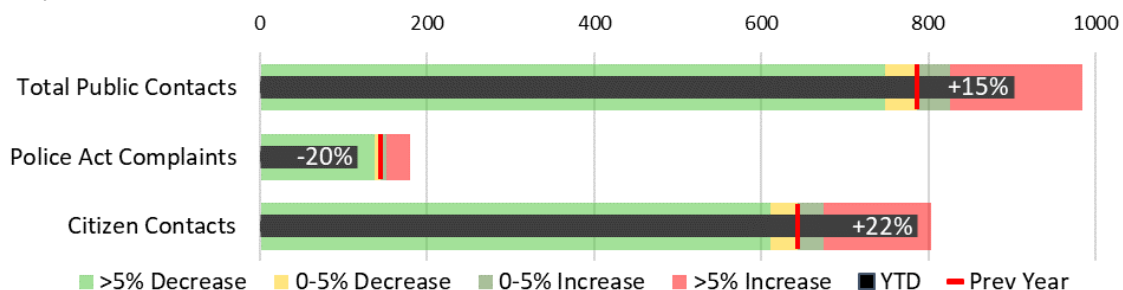


Figure 1-2. Yearly Changes in Public Contacts to PSB

2. CURRENT WORKLOAD

As of September 30, 2020, PSB had 444 open investigations broken down as follows:

- 176 Complaints External
- 55 Complaints Internal
- 161 Citizen Contacts
- 52 EPS Matters

67 Statutory Complaints (all 67 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	0	2	2
2016	0	0	4	4
2017	1	0	9	10
2018	4	0	26	30
2019	22	5	48	75
2020	161	46	115	322
Total	188	51	205	444

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).

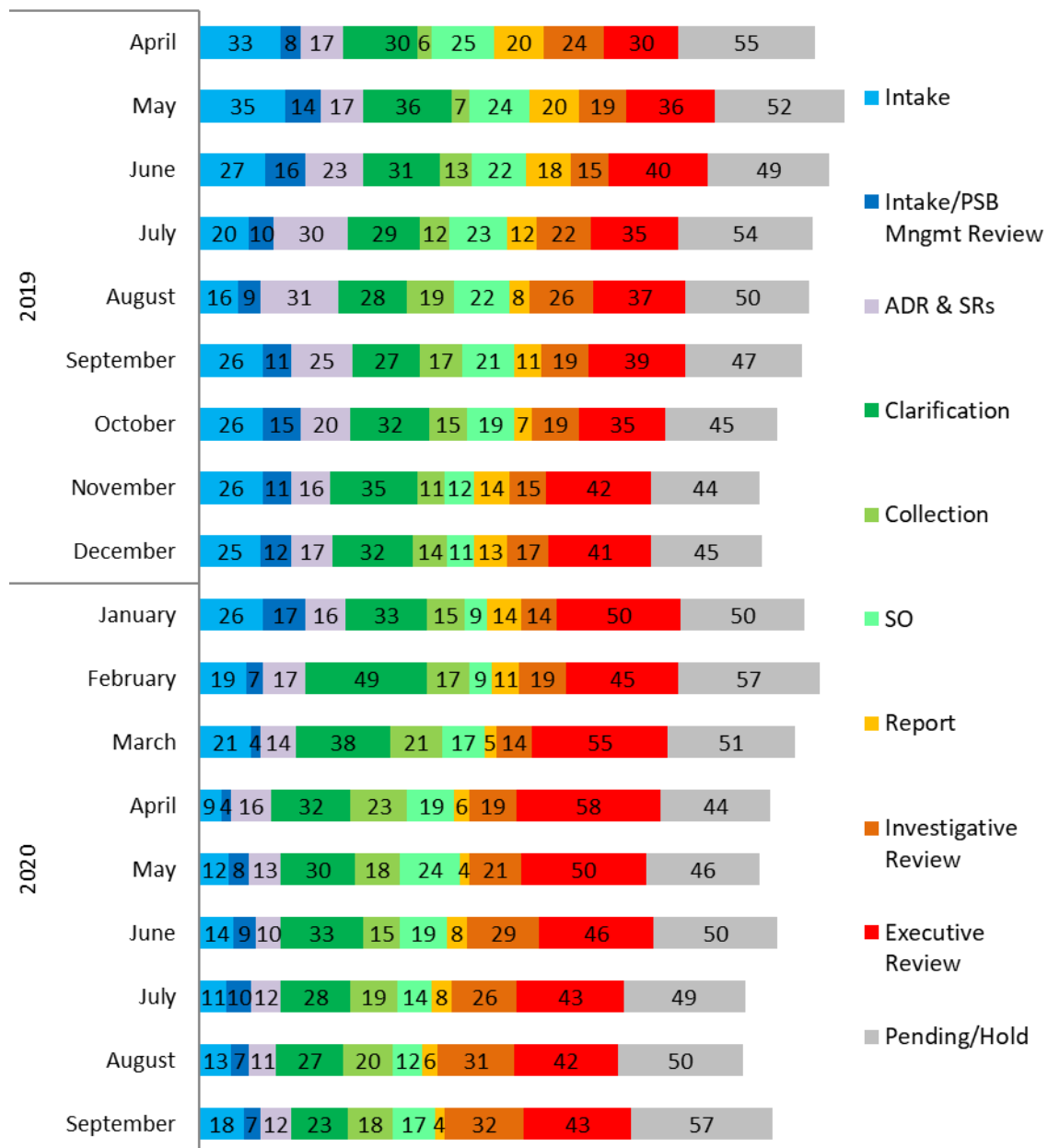


Figure 2-2. Monthly Comparison of Complaint Stages

3. CONCLUDED FILES

The following figure shows the disposition of all Police Act Complaints and Statutory Complaints concluded during Q3 of 2020 (44 Complaints, 7 Statutory Complaints).

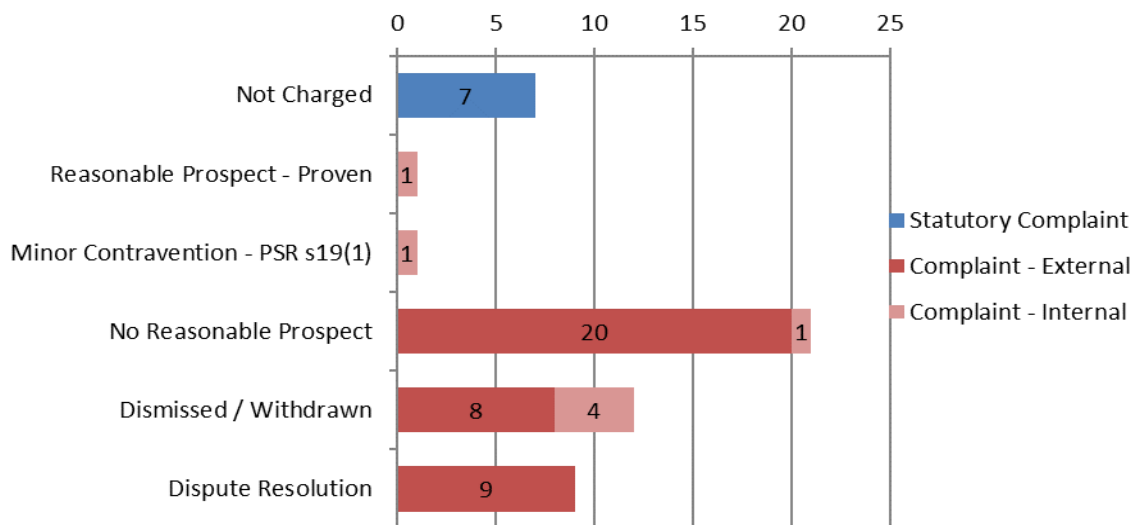


Figure 3-1. Dispositions of Concluded Formal Complaints

	2018		2019		2020	
	Q3	YTD	Q3	YTD	Q3	YTD
Received						
Public Complaints/Concerns	282	765	275	787	348	903
Police Act Complaint	62	154	37	144	40	116
Citizen Contact	220	611	238	643	308	787 ¹
Internal Matters	53	189	25	117	34	114
Police Act Complaint	17	88	5	31	10	34
EPS Matter	36	101	20	86	24	80
Total	335	954	300	904	382	1017
Concluded						
Public Complaints/Concerns	260	774	276	749	291	857
Police Act Complaint	45	135	43	122	37	130
Citizen Contact	215	639	233	627	254	727
Internal Matters	53	169	35	141	20	81
Police Act Complaint	23	70	16	59	7	32
EPS Matter	30	99	19	82	13	49
Total	313	943	311	890	311	938

Figure 3-2. Three-Year File Comparison for Q3 of 2020

Total numbers do not include Statutory Complaints

¹ Please note: Twelve (12) of the 787 Citizen Contact files are considered “bulk” files, which (combined) include over 180 separate contacts to PSB. ‘Bulk’ files relate to community issues where PSB receives multiple contacts on the same issue. In many cases, the people contacting PSB do not have standing under the Police Act to make a complaint; however, all people will receive a response to their contact to PSB.

The following figure shows the year-to-date resolutions of public contacts to PSB, highlighting concerns resolved through dispute resolution (both Citizen Contact files and Police Act complaints). Dispute resolution includes files forwarded to the divisions as 'Citizen Concerns' (where a supervisor will informally speak with the involved member and the complainant), files resolved by PSB investigators, supervisory reviews, mediation and facilitated discussion. The category of 'Other' resolutions (for Citizen Contact files) includes files that were forwarded to divisions or other areas for their attention and information, providing complainants with information on how to submit a Police Act complaint and files that do not require any further action (e.g. submissions of comments/opinion).

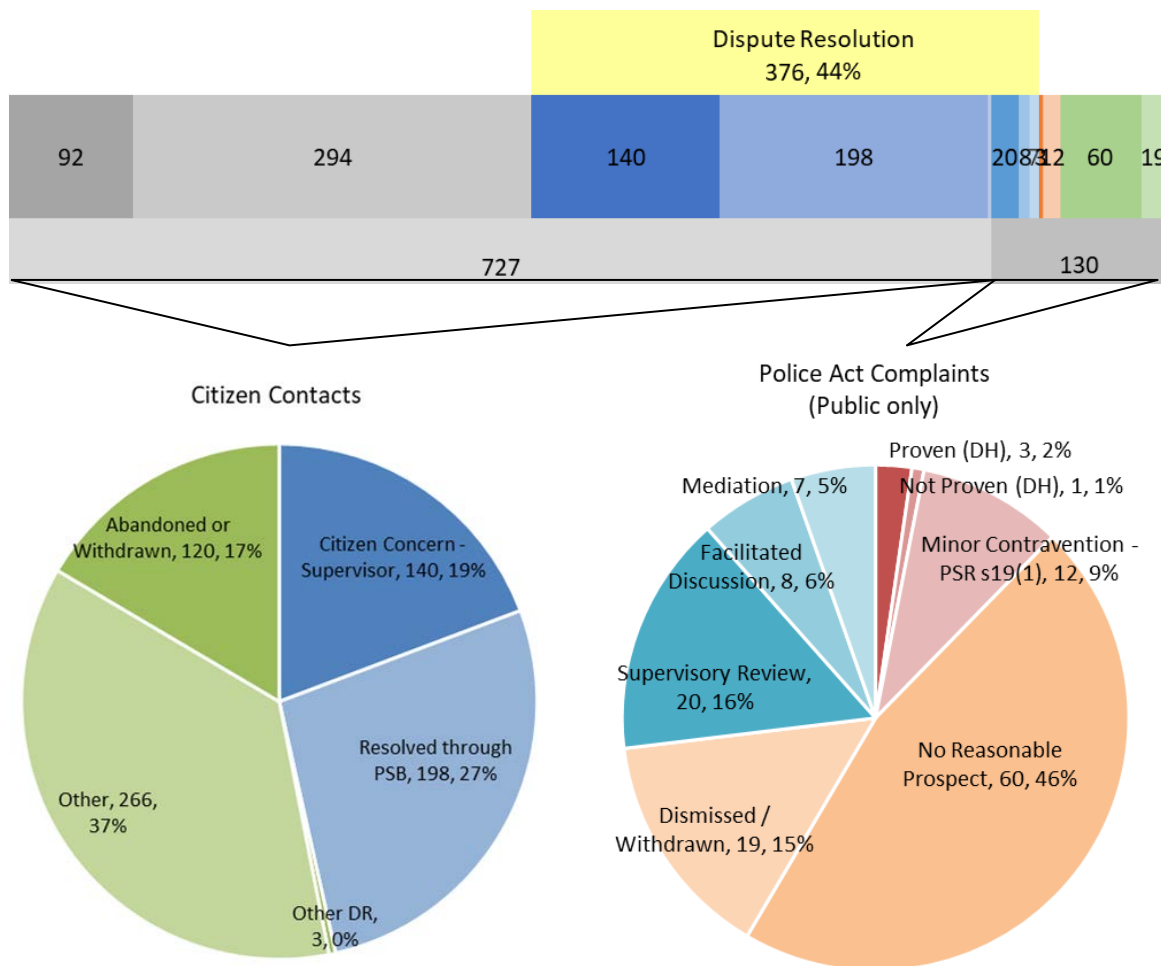


Figure 3-3. Resolutions of Public Contacts to PSB

4. LEGAL

DISCIPLINARY HEARINGS	Total	File Number
Directed	1	PSB2018-239
Concluded	1	PSB2019-0690
LERB	Total	File Number
Appeals Received	6	PSB2017-1039
		PSB2018-1106
		PSB2018-1118
		PSB2019-0251
		PSB2019-1013
		PSB2019-1143
Decisions Rendered	0	
Appeals Withdrawn	0	
EPC APPEALS	Total	File Number
Appeals Received	1	PSB2019-1023
Decisions Rendered	0	
EPC Matters Ongoing	2	PSB2019-0574
		PSB2019-1023

Figure 4-1. Disciplinary Hearings and appeals during Q3 of 2020

DISCIPLINARY ACTION TAKEN AGAINST MEMBERS

1. File Number: PSB2017-1039
Date of Complaint: November 10, 2017
Subject Officer: Cst. Prabhu
- 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.)

On June 25, 2020, Cst. Prabhu was found guilty of both charges and was issued a reduction in rank from a Sr. Cst. II to a 5th yr Cst. for a period of four months and then after this sanction period, is to be reinstated to his previous rank and salary grade.

2. File Number: PSB2019-0690
Date of Complaint: July 25, 2019
Subject Officer: Cst. Heppner.
- Discreditable Conduct x 3
- Presenting Officer: T. Magee, E.P.S.
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

On July 29, 2020, Cst. Heppner plead guilty to one count of Discreditable Conduct and was issued a 60hr suspension without pay to be served in three-hour increments per pay period beginning the next available pay period until satisfied.

PENDING DISCIPLINARY HEARINGS

1. 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

This matter is pending the written decision of the Presiding Officer, the hearing proper has concluded.

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

Open Disciplinary Hearing is scheduled for October 13-15, 2020.

3. File Number: PSB2017-1152
Date of Complaint: December 12, 2017
Subject Officer: Cst. A.B.
 - Discreditable Conduct x 1
 - Unlawful or Unnecessary Exercise of Authority x 1
 - Insubordination x 1Subject Officer: Cst. C.D.
 - Discreditable Conduct x 2
 - Unlawful or Unnecessary Exercise of Authority x 1
 - Insubordination x 1Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for October 20-22, 2020.

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

Open Disciplinary Hearing is scheduled for October 28 & 29, 2020.

5. File Number: PSB2018-0829
Date of Complaint: August 31, 2018
Subject Officer: Cst. A.B.
 - Insubordination x 3
 - Deceit x 5
 - Discreditable Conduct x 1Presenting Officer: M. Hankewich, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for November 02-05, 2020.

6. 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 November 09-10, 2020.

7. 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
- Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for November 16-18, 2020.

8. File Number: PSB2017-0890
Date of Complaint: September 19, 2017
Subject Officer: Det. A.B.
- Neglect of Duty x 5
 - Deceit x 8
 - Discreditable Conduct x 1
- Presenting Officer: M. Hankewich, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for February 22 to March 05, 2021.

9. 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.

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

LERB Kickback – Leave to Appeal granted, pending outcome.

11. File Number: PSB2015-0180/PSB2015-0160
Date of Complaint: March 04, 2015
Subject Officer: Det. A.B.
 - Discreditable Conduct x 3
 - Insubordination x 2

New matter not yet scheduled.

12. File Number: PSB2017-1074
Date of Complaint: March 04, 2015
Subject Officer: Cst. A.B.
 - Unlawful or Unnecessary Exercise of Authority x 1
 - Neglect of Duty x 1

New matter not yet scheduled.

13. File Number: PSB2017-0364
Date of Complaint: March 25, 2017
Subject Officer: Cst. A.B.
 - Unlawful or Unnecessary Exercise of Authority x 1

New matter not yet scheduled.

14. File Number: PSB2018-0239
Date of Complaint: March 20, 2018
Subject Officer: Det. A.B.
 - Discreditable Conduct x 1

New matter not yet scheduled.

15. File Number: PSB2017-0772
Date of Complaint: August 21, 2017, kicked back by the LERB to hearing
Subject Officer: Cst. A.B.
 - Unlawful or Unnecessary Exercise of Authority x 1

New matter not yet scheduled.

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

There were no Completed Complaints of Service from July 1 to September 30, 2020.

COMPLIMENTS

During Q3 2020, sixteen (16) letters of appreciation were entered by the Edmonton Police Service. Professional Standards Branch would like to present seven (7) of these letters.

1. SUBJECT: Four officers in WEM (Cst (Redacted), Cst. (Redacted), Cst (Redacted) and Cst (Redacted)

MESSAGE: Please please please forward to the Chief.

Today I had a very terrifying experience at work. A person with mental health issues who was removed from the store I manage yesterday for being threatening and unstable (House of Knives) returned to my store and tried to make me sell him a knife today. I was terrified. Your officers Cst. (Redacted) and her Partner, I'm sorry, I did not get his name, could not have been more comforting, kind or patient. I was unable to stop crying, I was shaken to my core because I was assured yesterday this man would never be back in WEM.

Your Officers, did not rush me through my statement. They allowed me to cry and ask a

million questions. By the time they left me in my store all I could think about was how special these two Officers are. Sir, these Officers were not just doing their job. The look of compassion in their eyes, their gentle approach and understanding was something I will share whenever EPS comes up in future conversations.

During these horrible Covid times where people are often belligerent and rude and not anxious to be near their own families for fear of getting sick your Officer (Redacted) did the kindest thing I could of ever asked for. She hugged me. I am not a young woman, nor am I needy (usually) but when she hugged me the terror, shock and fear drained from me. Your Officers are the only reason I will be back in my store tomorrow with confidence that if nothing else, Cst. (Redacted) and her Partner will be near by watching for this person should he be released from custody. I wish so much that every person in Edmonton could know what it's like or how good it feels when you have Officers like these two show up in a time of need.

Thank you Sir for having Officers like this on your force.

Sincerely,

Ms. (Redacted)

2. SUBJECT: Compliment for Officer (Redacted)

MESSAGE: Hello,

I wanted to submit a formal compliment for Officer (Redacted). We filed a report with her at the Calder station. We saw her deal with two other individuals before us and she was very helpful, kind, professional and funny! She made the experience enjoyable for everyone there and had a great attitude. She went above and beyond for each person and seemed to thoroughly enjoy her job. Please let her know she is doing an awesome job.

Sincerely from someone who never usually takes the time to write these, so you know she's good,

(Redacted)

3. Subject: Thank you EPS!

Our family would like to say a big THANK YOU to the Edmonton Police Service for helping retrieve my son's stolen scooter! Constable (Redacted) did a terrific job finding the scooter on Kijiji. He was very friendly, and understanding. We could see that he truly cared about getting my son's property back which made the ordeal much easier.

Super work Constable (Redacted)! Thanks again!!!

4. MESSAGE: To POLICE CHIEF - Just wanted to let you know that my wife and myself were victims of an assault in the Lobby of our Condo complex, my wife called 911 and within minutes the EPS showed up in force - I just wanted to let you know that the officers that attended were very thoughtful, mindful of the fact that we are Seniors (76 & 74 yrs old) they handcuffed the person that committed the assault and took control immediately explained everything that happened as they saw it, both men and women officers were there, and in particular Constable (Redacted) handle himself very well he was kind and respectful and very professional. They did a great job.

SUBJECT: #3482 Constable Ryan Carson

MESSAGE: Good afternoon,

I wanted to write in to tell you about my family's experience with an officer with the Edmonton Police.

5. SUBJECT: Great Work by EPS

MESSAGE: I was on the North Sask River with many family members today canoeing from Devon to Laurier Park. The EPS stopped and chatted briefly with our group, Cst. (Redacted) was among them and the interaction was positive and pleasant. We then watched as the members assisted a group of 'tube floaters' out into the current so they could keep moving and tow an apparent broken boat upstream. I have always been a fan of EPS but was pleased to see strong and positively supporting their community. GREAT JOB!!!

6. SUBJECT: Thank you for Service

MESSAGE: Dear EPS Sisters and Brothers,

I am writing this to commend you for your humane and friendly services that you offer to Edmontonians from the time I got to this province. I don't take for granted the variety of ways you have been out to Churches, the Heritage Festival and gone to Malls and Walmart stores to let us know what you do and that you are our friends. You Stand Out as a great Community of friendly officers doing your best daily to keep the city of Edmonton safe and secure. God bless you all and your families and you are greatly appreciated especially at such a time as this in the Worldwide situation that we're all in. Once again I sincerely thank you for service to Edmontonians.

Sincerely,

Mrs (Redacted).

7. My sister passed away on August 15, 2020. No one was notified until August 21, 2020. My sister, (Redacted) father, was to confirm that the body found was indeed her. He was not able to do that immediately. My mom called Cst. (Redacted) on August 22. She had his number as he had previously worked on her case when she was missing the previous year. We did not know who else to call and had already tried the medical examiner's office and the Edmonton police non-emergency with no success. We had no other way of actually knowing whether it was her. When my mom called Cst. (Redacted) with a flurry of questions he informed us he was actually not on duty that day. He promised he would find out and was able to confirm our complete nightmare a very short time after.

I later found out that Cst. (Redacted) had just suffered his own personal family loss, which is why he was on leave.

My mother was devastated with the news and had abruptly hung up with Constable Carson after learning the truth. Cst. (Redacted) then texted a little later to check in with us. He then spent what felt like all that evening with us on the phone, answering as many questions as he could, went out of his way to provide me with the necessary information for obtaining her death certificate and other information I couldn't mentally organize. Further to this, we connected me with the investigator who handled (Redacted's) case.

Without Cst. (Redacted) genuine compassion and selflessness, we may have had to sit and wonder whether or not (Redacted) was dead. We may not have got any of the answers to our questions. I cannot imagine having to sit there a moment longer, and not know while her body sat alone. He made a difference for our family, and my sister. We will be eternally grateful for what he did during such an agonizing time, especially considering he himself was grieving.

His support and kindness and professionalism has been truly appreciated. Cst. (Redacted) is a hero.

The least I could do was write to you so it is clear that we believe Cst. (Redacted) is an exemplary example of what police should be to all of us, and how human we should be to each other.

Thank you for taking the time to read this. It is difficult to really express accurately how thankful we are for him.

He has gone above and beyond.

(Redacted) Family.

Edmonton Police Service Professional Standards Branch

Location

6th floor, CN Tower
10004 – 104 Ave
Edmonton, AB
T5J 0K1
421-2676
Fax: 421-2287