



Q1 2017 REPORT TO THE EDMONTON POLICE COMMISSION



000-0000-000

The following report is submitted for:

- Approval
 Ratification
 Information

PROFESSIONAL STANDARDS BRANCH
April 20, 2017 EPC MEETING

Approved by:

Rod R. Knecht
Chief of Police APR 10 2017

Dwayne Lakusta
Inspector



**Professional Standards Branch
January - March 2017
Q1 Report
Edmonton Police Service**

Statistical Summary	2
Concluded Disciplinary Hearings	7
Pending Disciplinary Hearings	9
Completed Complaints of Service	11
Compliments	14



April 11, 2017

TO: Rod R. Knecht
Chief of Police

FROM: Inspector Dwayne Lakusta
Professional Standards Branch

RE: QUARTERLY REPORT – Q1 of 2017

This report has been prepared for the April 20, 2017, Edmonton Police Commission meeting.

During the first quarter of 2017 (Q1), Professional Standards Branch received 284 new files:

- 46 Public complaints as defined by Part 5 of the *Police Act*;
- 16 Internal complaints as defined by Part 5 of the *Police Act*;
- 31 EPS Matters; and
- 191 Citizen Contacts.

There were 2 files directed for Criminal Investigation (*Statutory Complaints*) during Q1 of 2017.

Concluded 305 files:

- 2 *Statutory* complaints;
- 44 Public complaints as defined by Part 5 of the *Police Act*, including five (5) complaints regarding policies or services provided by the EPS;
- 22 Internal complaints as defined by Part 5 of the *Police Act*;
- 21 EPS Matter; and
- 218 Citizen Contacts.

The Edmonton Police Service received 117,647 calls in Communications Section (including calls answered by the dispatch line and 911 calls extended to police), dispatched 42,861 of those calls and recorded opening seventy-six (76) compliments.

A blue ink signature of Inspector Dwayne Lakusta, written over a horizontal line.

Inspector Dwayne Lakusta
Professional Standards Branch

cc: Cathy Palmer/Chair
Edmonton Police Commission

STATISTICAL SUMMARY

First Quarter of 2017 Update

1. RECEIVED FILES

The following figure shows the number and type of files received during the first quarter (Q1) of 2017. 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 Q1 of 2017, PSB received 222 informal files and 62 formal complaints.

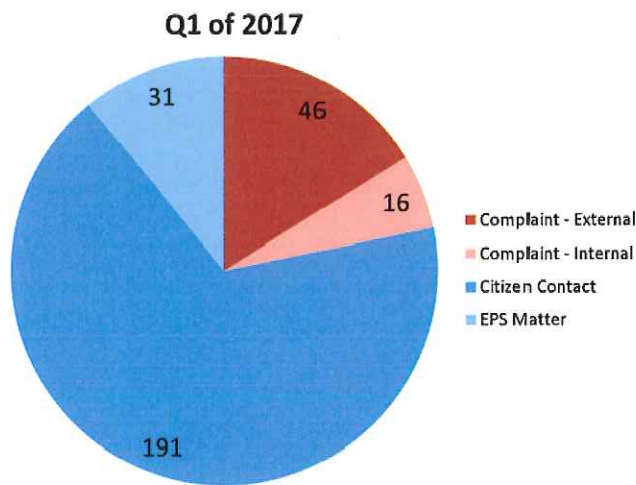


Figure 1-1. Type of Files Received During Q1 of 2017

The following figure shows the yearly percentage increase or decrease in formal complaints and total files received compared to 2016 values. Year-to-date change in Formal Complaints received represents an increase of 5 complaints (8.8%) as compared to 2016. The Year-to-date Total Files Received represents a decrease of 9 files (-3%) as compared to 2016.

YTD Change in Complaints Received YTD Change in Total Files Received

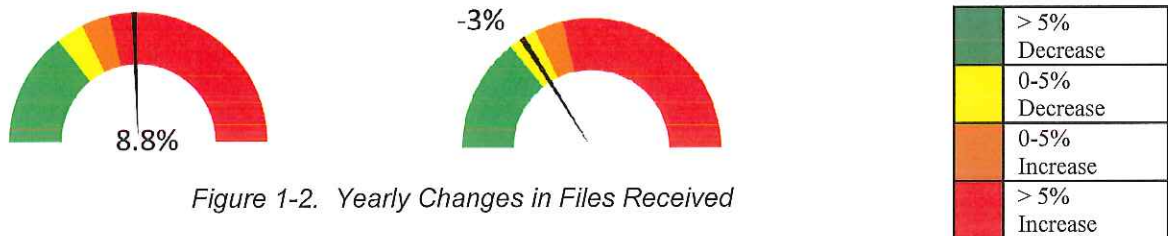


Figure 1-2. Yearly Changes in Files Received

2. CURRENT WORKLOAD

As of March 31st, 2017, PSB had 188 open investigations broken down as follows:

- 74 Complaints External
- 30 Complaints Internal
- 61 Citizen Contacts
- 21 EPS Matters

2 Statutory Complaints (of the 2 statutory complaints, both 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, including all Statutory Complaints. 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. Reasons for suspending a file may include executive review of the investigation, disciplinary hearings, criminal investigation, or court proceedings. An investigation is listed as "Forwarded" when it is ongoing but not under the control of PSB. Reasons for forwarding a file may include supervisory reviews, obtaining legal opinions, or investigation by outside investigators.

This table will break down these files by year, to show the total number of files in each status for the corresponding year.

Age and Status of all Open Investigations				
Year	Active	Forwarded	Suspended	Total
2012	0	0	1	1
2013	0	1	2	3
2014	0	3	8	11
2015	11	6	15	32
2016	74	28	48	150
2017	103	31	62	196
Total	188	69	136	393

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:

- 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).

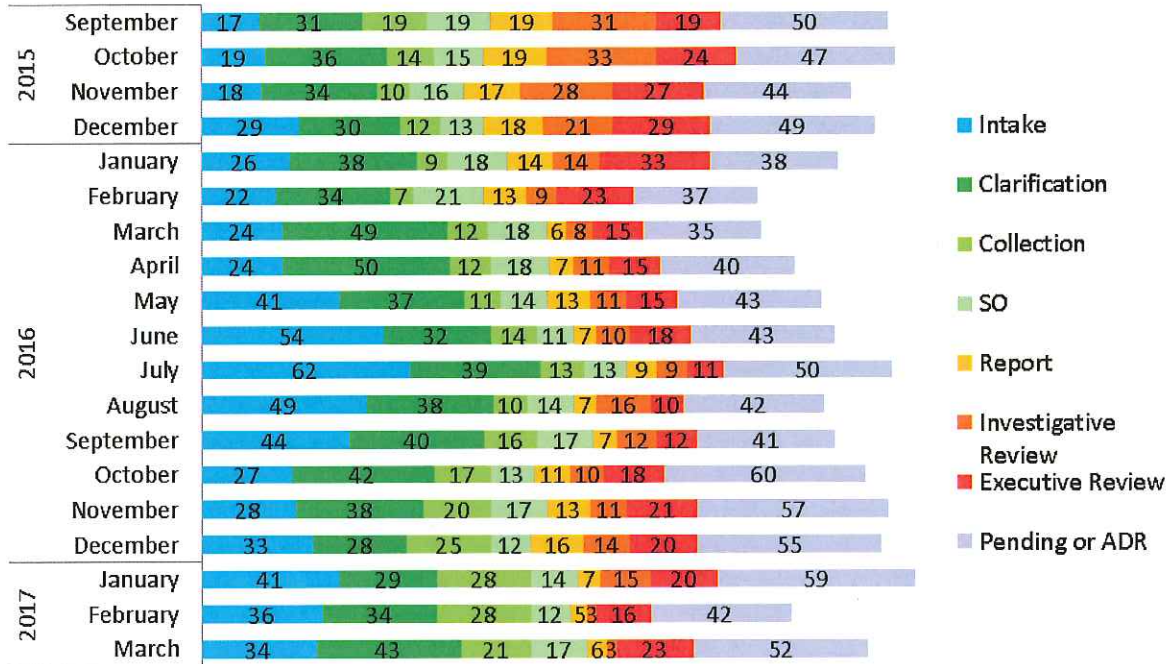


Figure 2-2. Monthly Comparison of Complaint Stages

3. CONCLUDED FILES

The following figure shows the disposition of all Formal Complaints and Statutory Complaints concluded during Q1 of 2017 (66 Formal Complaints, 2 Statutory Complaints).

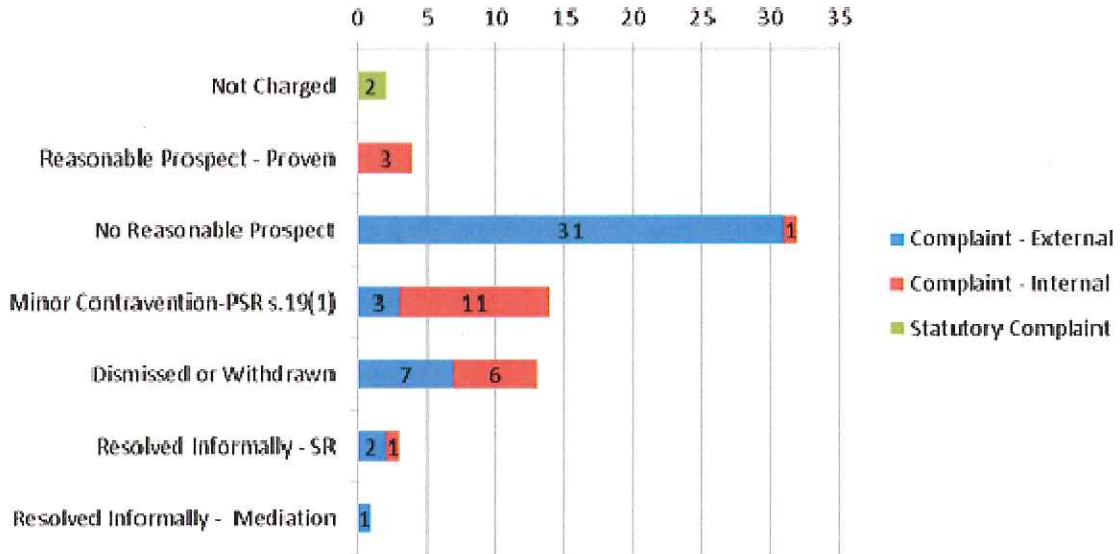


Figure 3-1. Dispositions of Concluded Formal Complaints

	2015		2016		2017	
	Q1	YTD	Q1	YTD	Q1	YTD
Received						
Complaint	55	75	57	57	62	62
Citizen Contact	151	151	179	179	191	191
EPS Matter	41	41	58	58	31	31
Total	247	267	294	294	284	284
Concluded						
Complaint	62	62	87	87	66	66
Citizen Contact	330	330	188	188	218	218
EPS Matter	35	35	61	61	21	21
Total	427	427	336	336	305	305

Figure 3-2. Three-Year File Comparison for Q1 of 2017
 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 2016 Q1. The year-to-date change in Formal Complaints concluded represents a decrease of 22 files (-25%) and the year-to-date Total Files Concluded represents a decrease of 32 files (-11%).

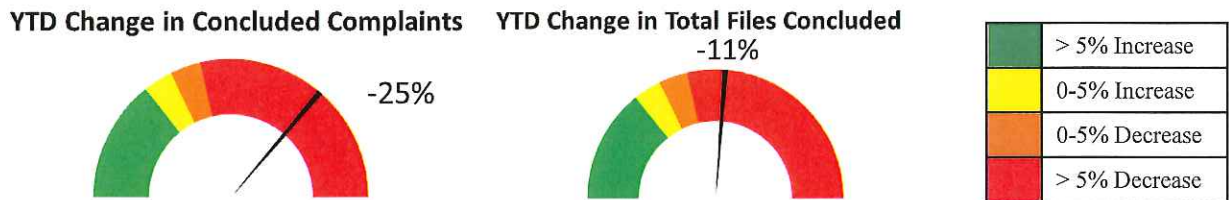


Figure 3-3. Yearly Changes in Files Concluded

4. LEGAL

DISCIPLINARY HEARINGS	Total	File Number
Directed	3	PSB2014-0183 PSB2016-0820 PSB2016-1145
Concluded	5	IA2011-0298 IA2012-0179 PSB2013-0914 PSB2015-0058 PSB2015-0654
LERB	Total	File Number
Appeals Received	10	DH2011-0732 PSB2015-0544 PSB2015-0796 PSB2015-0818 PSB2015-0969/SC2015-0969 PSB2015-1005 PSB2016-0062 PSB2016-0567 PSB2016-0714 PSB2016-0819
Decisions Rendered	1	LRB2014-0516
Appeals Withdrawn	0	

Figure 4-1. Disciplinary Hearings and LERB during Q1 of 2017

CONCLUDED DISCIPLINARY HEARINGS

1. File Number: PSB2015-0654
Date of Complaint: August 03, 2015
Subject Officers: Reg. No. 3507 Cst. T. McCrudden
Reg. No. 3537 Cst. M. Roblin
• Discreditable Conduct x 3
Presenting Officer: T. Magee, Edmonton Police Service
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

On February 01, 2017 the written decision of Supt (Rtd.) Grue was received. Cst. Roblin received a global penalty of 120 hours suspension without pay for two proven counts of Discreditable Conduct. Cst. McCrudden received a global penalty of a reduction in rank from a fifth year constable to a third year constable for a period of one year.

2. File Number: PSB2015-0058
Date of Complaint: January 23, 2015
Subject Officer: Reg. No. 3521 Cst. A. Rosenow
• Deceit x 2
Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

On March 07, 2017 Cst. Rosenow plead guilty to one count of Deceit and received a demotion in rank to a first year constable for a period of two years.

3. File Number: IA2012-0179
Date of Complaint: March 8, 2012
Subject Officer: Cst. AB
• Discreditable Conduct x 1
Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

On March 09, 2017 Cst. AB participated in a video message that would be used in recruit training and training throughout the Edmonton Police Service with regards to the dangers of speeding. The video was played before Supt (Rtd) Grue and was accepted as an appropriate penalty, along with a reprimand which was issued, for the one proven count of Discreditable Conduct.

4. File Number: PSB2013-0914
Date of Complaint: November 08, 2013
Subject Officer: Cst. AB
• Deceit x 2
Presenting Officer: D. Morrow, Bennett Jones
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

On March 09, 2017 the charges against Cst. AB were formally withdrawn by the Presenting Officer and the matter was dismissed.

5. File Number: IA2011-0298
Date of Complaint: April 13, 2011
Subject Officer: Reg. No. 2045 Cst. A. Woodburn
- Unlawful or Unnecessary Exercise of Authority x 1
 - Discreditable Conduct x 2
- Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: Justice M.A. Binder

On April 03, 2017 Cst. Woodburn was found guilty of one count of Unlawful or Unnecessary Exercise of Authority and one count of Discreditable Conduct and was issued a 50 hour suspension without pay.

PENDING DISCIPLINARY HEARINGS

1. File Number: PSB2014-0550
Date of Complaint: July 10, 2014
Subject Officer: Cst. AB
- Unlawful or Unnecessary Exercise of Authority x 1
- Presenting Officer: K. Haymond, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for April 24, 2017.

2. File Number: PSB2015-0029
Date of Complaint: December 28, 2015
Subject Officer: Cst. AB
- Insubordination x 1
- Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for May 31, 2017.

3. File Number: PSB2015-0027
Date of Complaint: January 09, 2015
Subject Officer: Cst. AB
- Unlawful or Unnecessary Exercise of Authority x 1
- Presenting Officer: T. Magee
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for June 05 and 06, 2017.

4. File Number: PSB2015-0347
Date of Complaint: April 28, 2015
Subject Officer: Cst. AB
- Insubordination x 2
 - Deceit
- Presenting Officer: K. Haymond, Field Law LLP
Presiding Officer: Supt. (Rtd.) T. Grue, Edmonton Police Service

Open Disciplinary Hearing is scheduled for July 04-06, 2017.

5. File Number: PSB2013-0314
Date of Complaint: March 26, 2014
Subject Officer: Cst. AB
- Neglect of Duty x 2
 - Unlawful or Unnecessary Exercise of Authority x 1
 - Discreditable Conduct x 1

New matter not yet scheduled.

6. File Number: PSB2016-0955
Date of Complaint: October 08, 2016
Subject Officer: Cst. AB
- Discreditable Conduct x 2
- Presenting Officer: T. Magee
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

New matter not yet scheduled.

7. File Number: PSB2016-1145
Date of Complaint: December 05, 2016
Subject Officer: Cst. AB
- Discreditable Conduct x 2

New matter not yet scheduled.

8. File Number: PSB2016-0820
Date of Complaint: August 30, 2016
Subject Officer: Sgt. AB
- Insubordination x 1
 - Discreditable Conduct x 1

New matter not yet scheduled.

9. File Number: PSB2014-0183
Date of Complaint: March 11, 2014
Subject Officer: Cst. AB
- Unlawful or Unnecessary Exercise of Authority x 1
 - Deceit x 1
 - Discreditable Conduct x 1

New matter not yet scheduled.

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

There were five (5) Complaints of Service under Section 44 of the *Police Act* that were resolved or concluded during the first quarter of 2017.

1. Concluded by the Chief
File Number: PSB2016-0494
Date of Complaint: May 29, 2016
Investigator: Intake Section

Summary

On May 29, 2016, the Edmonton Police Service received an emailed letter of complaint alleging that EPS failed to sufficiently address a complaint of child abduction by the complainant's ex-spouse on May 28, 2016. The complainant agreed to have his concerns handled informally by way of a Supervisory Review. It was found that EPS does in fact have the appropriate Policies and Procedures in place for Investigating / Dispatching Child Abduction complaints, as well as, Child Custody related complaints. This was considered a civil custody matter between the parents and resolved in Civil Court. This matter was concluded by the Acting Chief on March 21, 2017.

2. Concluded by the Chief
File Number: PSB2016-0545
Date of Complaint: June 10, 2016
Investigator: Intake Section

Summary

PSB received a letter of complaint on June 10, 2016, with respect to the process EPS uses in recovering stolen property from Kijiji ads. The complainant reported his bicycle stolen on April 1, 2016, and then on June 4, 2016, noticed a similar bike on Kijiji which had the same serial number as his purchase invoice. The complainant is alleging that due to the response time from the Undercover Unit he did not get his stolen bicycle back. It was agreed that the complaint could be handled by way of a Supervisory Review. EPS recognizes the increase in cyber-crimes. Presently there is no policy specifically related to Kijiji operations, however, policy has been drafted and is being reviewed by EPS Executive. In addition EPS does have a Kijiji Investigative guide that is available on the EPS intranet for all members to access. The Chief concluded the matter on March 14, 2017.

3.

Concluded by the Chief
File Number: PSB2016-0626
Date of Complaint: July 2, 2016
Investigator: Intake Section

Summary

PSB received a complaint on July 2, 2016, regarding a lack of response to 911 calls made on July 1, 2016. The complainant alleges that EPS failed to adequately respond to their 911 calls of a break and enter in progress. The concern was sent to Operational Support Division to initiate a Supervisory Review. A search was conducted on the calls made to Police Dispatch with the cell phone number provided. It was confirmed that three calls were received, but none were transferred to a PCB Evaluator, as there was no indication of a voice response, struggle or violence. The Acting Chief concluded this matter on March 21, 2017.

4.

Concluded by the Chief
File Number: PSB2016-1097
Date of Complaint: November 17, 2016
Investigator: Investigator Darryl Scherr

Summary

PSB received a letter of complaint on November 17, 2016, where it is alleged that the section 69.1 bar-ban against him was arbitrary and baseless. Section 69.1 of the Alberta Gaming and Liquor act provides police authority to exclude or remove from licensed premises, any person the police believe to be associated with a gang. In summary the complainant has shown consistency for surrounding himself with people that have criminal connections for drugs, violence and weapons. As such he meets the requirements set out on the Alberta Gaming and Liquor Act according to the legislation the complainant may be removed from any licensed premise he is found in. Changes to EPS Policy and Procedures were not warranted and this matter was concluded by the Chief on February 17, 2017.

5.

Concluded by the Chief
File Number: PSB2016-0473
Date of Complaint: May 19, 2016
Investigator: Intake Section

Summary

PSB received a written letter of complaint May 19, 2016, regarding the EPS investigation into a series of incidents from 2013 to 2015, where the complainant alleged Stalking, Break and Enter, Fraud, Theft, Vandalism, Uttering Threats, Sexual Harassment, Criminal Harassment and Intimidation. The complainant did not have a complaint with respect to the conduct of EPS members, but felt that charges should have been laid. On July 26, 2016, the matter was forwarded to Criminal Investigation Division to conduct a Divisional Review of the investigation. It was determined that EPS members conducting the investigation took appropriate steps. On November 15, 2016, a supervisor met with the complainant to explain why criminal charges could not be laid. It was further determined that changes to EPS Policy and Procedures were not recommended. As such, the Chief concluded this matter on March 10, 2017.

COMPLIMENTS

During Q1 of 2017, seventy-six (76) letters of appreciation were entered by the Edmonton Police Service. Professional Standards Branch would like to present eleven (11) of these letters.

1.

MESSAGE: Wanted to take a few minutes to acknowledge Constable (Deleted), along with the other members of West Division, and the wonderful assistance they all provided to my daughter on February 15, 2017. Constable (Deleted) was very helpful and provided a great deal of comfort and empathy to her, which was very comforting to her in what was for her a very traumatic and stressful situation. The officer even attended the bank with her and obtained a warrant to obtain the thief's banking info. I trust the officer will forward the info obtained to the appropriate authorities in order to stop this growing crime. Again many thanks for the professional and prompt service very much appreciated.

2.

Compliment - and thank you from (President, Canadian Association of Chiefs of Police) and (President, Mental Health Commission of Canada) for Sgt. (Deleted) presentation to the conference series and the members incredible work in this area; please see attached document for further information.

3.

SUBJECT: Commendation - Officer (Deleted)

MESSAGE: My wife and I recently attended at the Edmonton Police Headquarters (9620 103A Ave NW) to report a vehicle incident (no personal injury). My sister, who's husband had just died a few days before, had backed into my rented car, and we needed a police report for the insurance company. I was assisted by officer (Deleted).

Officer (Deleted) attitude, knowledge, and manner of dealing with the situation was outstanding. The officer was professional, and extremely competent. The officer was able to de-stress the situation, and assisted in getting all the information required efficiently. I was very impressed with the service provided.

Officer (Deleted) should be highly commended for the compassion, wonderful attitude and high degree of professionalism.

Please thank the officer on our behalf.

Many thanks and Best regards

4.

SUBJECT: Constable (Deleted)

MESSAGE: I interacted with Constable (Deleted) today. I am just writing to say that the officer was very professional, courteous, and respectful. This left me with a very positive impression of the EPS, Edmonton needs more police officers like this one.

Thank you,

5.

Compliment - thank you for the compassion shown to her son when they attended her home in response to a report of a break and enter; see below and attached document for further detail.

Break and Enter

On Friday, February 10, 2017 Cst. (Deleted) of NE Division responded to the report of a break and enter at a residence. On arrival, the homeowner informed Cst. (Deleted) of how fearful her five-year-old son was of burglars and how she had always told him that this would never happen to them.

Cst. (Deleted) went out of their way to assure the young boy that he was safe and that the burglars only wanted his stuff. The officer also left behind a business card, telling the five-year-old to call at any time if he was scared.

When Forensics Cst. (Deleted) arrived at the scene, the officer was also made aware of the boy's fears and provided him with a finger printing kit so that he and his mother could bring some fun to this scary situation. A few days later, Cst. (Deleted) also mailed a letter to the residence including a business card for the young boy.

The boy has placed both officers' cards in his memory box for safe-keeping.

6.

Greetings To Whom It May Concern,

I recently had to obtain a police background check for employment reasons and noticed that the staff at the reception desk and that I saw working in the office of the Nexus Business Park location had to deal with many people that had difficulty understanding the policies and procedures, some of them rather irate, as can be expected with any job dealing with the public. The staff remained calm and were exceptionally friendly and polite to ALL that they dealt with, even if there was frustration on the individual requesting service. I was very impressed with this professional conduct and wanted to pass this on to their supervisors.

Regards,

7.

SUBJECT: Cst. (Deleted)

MESSAGE: Our family would like to recognize Constable (Deleted).

Our seventeen year old son left our home in Grande Prairie early Sunday morning and traveled to Edmonton without our knowledge. He has been struggling with some major issues and our concern was that he was in imminent danger of harming himself. The officer was professional, quick to answer and conveyed their willingness to help. It was a huge stress for my family and we are grateful to Cst. (Deleted) for giving us a brief reprieve from this difficult journey. We hope that the officer gets the recognition they deserves for going above and beyond to put our minds at ease.

The Family.

8.

SUBJECT: Recent Traffic Stop

MESSAGE: Good morning,

I wanted to compliment an officer who gave a me a ticket last week (I'm sure you don't hear often enough).

I deserved the ticket as my registration had expired. This officer was polite, and compassionate. The officer gave me time to get organized and spoke to me in a way that reduced the anxiety of being pulled over. I have a lot of respect for the EPS, but have never had such a positive interaction. I just want the officer to know how much I appreciated their approach! It's those interactions that make us members of the community who rarely interact with officers less fearful and nervous. Thanks!

9.

This is in regards to officers using unit C23 on Thursday morning January 5th around 9 a.m. I unfortunately do not know their names. They were extremely helpful to my wife and I who are in our late sixties and we're lost.

Description of compliment:

I had a doctors appt near UA hospital but could not find the clinic. I noticed this police unit parked and asked officer for help. The officer approached our vehicle and I asked him for directions. The officer took out their cell phone and showed a map to us on their phone but the officer could see we did not understand.

The officer indicated our destination was very close and offered us to follow them to get there. It was in fact close but we would not have found it without their help and it was a specialist appointment I had waited over a year for.

The officer led us with their car and we followed them to our spot.

I would like to acknowledge the officers going beyond the call of duty and express my gratitude to them.

Thank you and please thank these two great officers on my behalf.

10.

Subject: Excellent Officer!

I am writing to express my admiration and appreciation for the EPS officers working at the Calder Community Police Station on the evening of January 5, and after 11AM on January 6. In particular, I wish to commend the officer (Sorry, I did not get their name, but the Investigator Reg.#(Deleted). The officer treated me with such patience and kindness after I was rattled by a minor fender-bender, that I feel truly grateful. As well, I observed the officer treating a series of others in the extremely long (at least 12 people) lineup the next day in the same patient and individualized fashion, and kindly informing those of us who were waiting that they had called for extra help (although I'm sure the poor road conditions were causing similar accident-reporting line-ups across the city). Then, despite the huge line-up, the officer recognized me from the night before, and quickly completed my case!

How kind to be compassionate to another (imperfect) human being!

To remain patient, positive, and personal with what can be tedious work is truly admirable!

Please feel free to forward this to the excellent EPS officer.

Sincerely,

11.

SUBJECT: Thanks!

MESSAGE: My car was recently stolen and I would like to thank the police service for their help it was very easy over the phone. When I went to the main headquarters to get my official report officer (Deleted), was a great help it was really appreciated. Thank you so much

Edmonton Police Service Professional Standards Branch

Location

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