



**Q4 2021 REPORT TO THE
EDMONTON POLICE COMMISSION**



The following report is submitted for:

- Approval
- Ratification
- Information

**PROFESSIONAL STANDARDS BRANCH
January 20, 2022 EPC MEETING**

Approved by:

**Dale R. McFee
Chief of Police**

**Jason Mitzel
Acting Inspector**



January 20, 2022

TO: Dale McFee
Chief of Police

FROM: Acting Inspector Jason Mitzel
Professional Standards Branch

RE: QUARTERLY REPORT – Q4 of 2021

This report has been prepared for the January 20, 2022, Edmonton Police Commission meeting.

During the fourth quarter of 2021 (Q4), Professional Standards Branch received 369 new files:

- 43 Public complaints as defined by Part 5 of the *Police Act*;
- 17 Internal complaints as defined by Part 5 of the *Police Act*;
- 28 EPS Matters; and
- 281 Citizen Contacts.

There were 5 files directed for Criminal Investigation (*Statutory Complaints*) during Q4 of 2021 (all 5 are related to notifications under s.46.1 of the *Police Act*).

Concluded 338 files:

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

The Edmonton Police Service dispatched 39,500 of calls received and recorded opening 15 compliments.

A handwritten signature in blue ink, appearing to read "J. Mitzel", written over a horizontal line.

Acting Inspector Jason Mitzel
Professional Standards Branch

cc: Micki Ruth/Chair
Edmonton Police Commission



**Professional Standards Branch
October – December 2021
Q4 Report
Edmonton Police Service**

Statistical Summary	2
Concluded Disciplinary Hearings	6
Pending Disciplinary Hearings	7
Completed Complaints of Service	10
Compliments	11

STATISTICAL SUMMARY

Fourth Quarter of 2021 Update

1. RECEIVED FILES

The following figure shows the number and type of files received during the fourth quarter (Q4) of 2021. Blue colours represent complaints and concerns made by members of the public and red colours represent complaints and concerns initiated by the Chief of Police. Lighter shades indicate files being handled outside of the *Police Act* and darker shades indicate *Police Act* complaints. As can be seen below, during Q4 of 2021, PSB received 324 public files and 45 internal files.

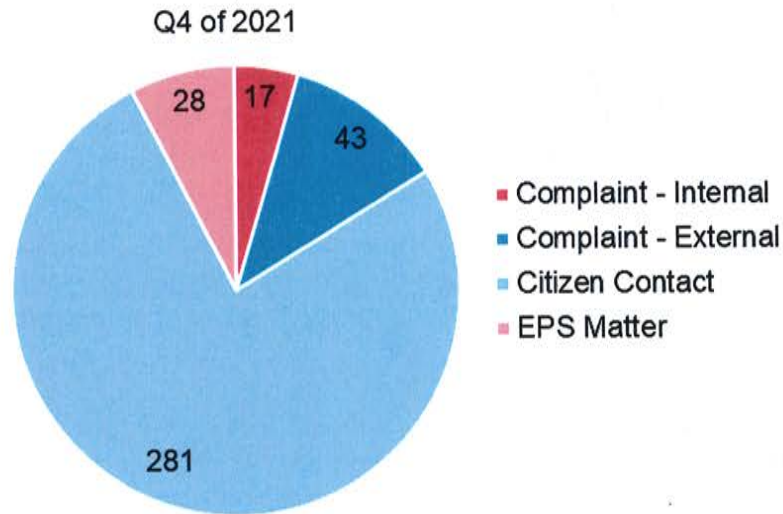


Figure 1-1. Type of Files Received During Q4 of 2021

The following figure shows the yearly trends in public and internal complaints to PSB. Solid bars are the total complaints to PSB (YTD) and lines indicate the number of complaints meeting the criteria of the *Police Act*

Public complaints/inquiries to PSB are up by 12% compared to 2020. Of the 1303 public complaints received in 2021, 1051 have already been concluded (including 512 resolved through dispute resolution), 147 are in the process of dispute resolution or are being considered for dispute resolution, and 105 are being investigated under the *Police Service Regulation*.

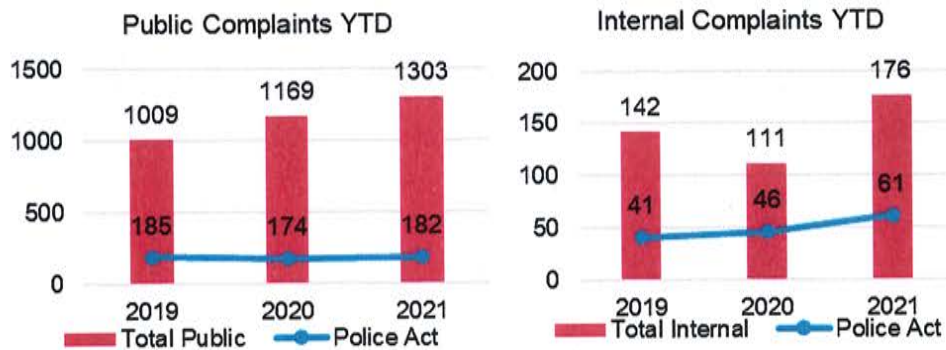


Figure 1-2. Yearly Changes in Public Contacts to PSB

2. CURRENT WORKLOAD

As of December 31, 2021, PSB had 461 open investigations broken down as follows:

- 204 Complaints External
- 92 Complaints Internal
- 126 Citizen Contacts
- 57 EPS Matters

93 Statutory Complaints (92 statutory complaints are associated with open PSB files and therefore are considered duplicate files; 1 is a re-opened file where PSR issues are time-barred).

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	1	1
2017	0	0	3	3
2018	2	1	10	13
2019	3	0	18	21
2020	14	4	48	66
2021	222	50	100	372
Total	241	55	183	479

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).

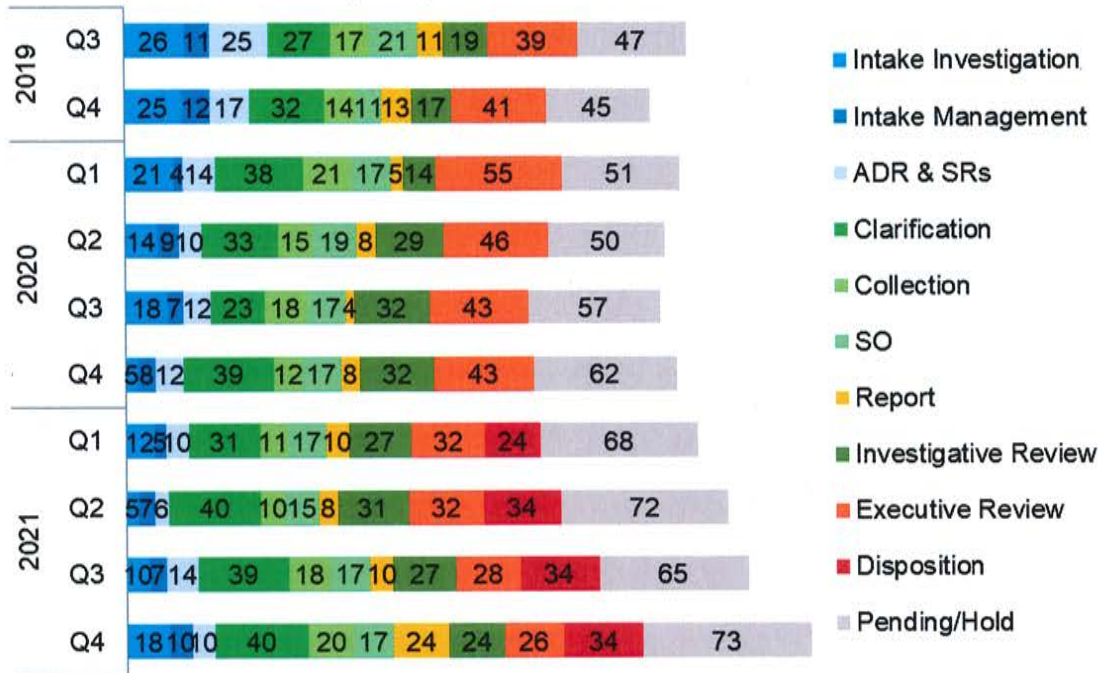


Figure 2-2. Quarterly Comparison of Complaint Stages

3. CONCLUDED FILES

The following figure shows the disposition of all Police Act Complaints and Statutory Complaints concluded during Q4 of 2021 (41 Complaints, 0 Statutory Complaints).



Figure 3-1. Dispositions of Concluded Police Act Complaints

	2019		2020		2021	
	Q3	YTD	Q3	YTD	Q3	YTD
Received						
Public Complaints/Concerns	223	1009	271	1169	324	1303
Police Act Complaint	41	185	48	174	43	182
Citizen Contact	182	824	223	995	281	1121
Internal Matters	25	142	30	111	45	176
Police Act Complaint	10	41	12	46	17	61
EPS Matter	15	101	18	65	28	115
Total	248	1151	301	1280	369	1479
Concluded						
Public Complaints/Concerns	233	983	322	1184	315	1268
Police Act Complaint	39	162	54	189	36	170
Citizen Contact	194	821	268	995	279	1098
Internal Matters	25	166	29	110	19	101
Police Act Complaint	11	70	8	40	6	29
EPS Matter	14	96	21	70	13	72
Total	258	1149	351	1294	334	1369

Figure 3-2. Three-Year File Comparison
 Total numbers do not include Statutory Complaints

4. LEGAL

DISCIPLINARY HEARINGS	Total	File Number
Directed	1	PSB2019-1144
Concluded	1	PSB2019-0038 (SWOP 40h)
LERB	Total	File Number
Appeals Received	3	PSB2020-0973 PSB2020-1017 PSB2020-1134
Decisions Rendered	3	PSB2016-0046a (Dismissed) PSB2017-0732 (Dismissed) PSB2019-0577 (Dismissed)
Appeals Withdrawn	0	
EPC APPEALS	Total	File Number
Appeals Received	0	
Decisions Rendered	0	
EPC Matters Ongoing	1	PSB2020-0384

Figure 4-1. Disciplinary Hearings and appeals during Q4 of 2021

CONCLUDED DISCIPLINARY HEARINGS

1. File Number: PSB2017-1148/PSB2017-1152
Date of Complaint: December 12, 2017
Subject Officer: Cst. O'MARA
- Discreditable Conduct x 3
 - Unlawful or Unnecessary Exercise of Authority x 2
 - Insubordination x 9

On October 22, 2021, the charges related to DH2017-1152 (which was amalgamated into the above noted matter) were dealt with by way of an Agreed Statement of Facts and a joint submission on penalty. The member plead guilty to one count of Discreditable Conduct, one count of Unlawful or Unnecessary Exercise of Authority and one count of Insubordination. The member received a penalty of a forfeiture of 31.9 banked overtime hours and a must complete 60hr of volunteer time at a location to be determined by the member in charge of the Professional Standards Branch.

2. File Number: PSB2019-0038
Date of Complaint: January 10, 2019
Subject Officer: Cst. CHERNYK
- Insubordination x 4
 - Neglect of Duty x 1
 - Discreditable Conduct x 1
- Presenting Officer: K. Haymond, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

On December 02, 2021, Cst. Chernyk plead guilty to one count of Neglect of Duty, and the remainder of the counts were withdrawn. By way of an Agreed Statement of Facts and a joint submission on penalty, the member received a 40hr suspension without pay to be served in five hour increments per pay period, beginning the next available pay period, until satisfied.

PENDING DISCIPLINARY HEARINGS

1. File Number: PSB2015-0180/PSB2015-0160
Date of Complaint: March 04, 2015
Subject Officer: Det. A.B.
 - Discreditable Conduct x 4
 - Insubordination x 2Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for January 17-19 and 24-26, 2022.

2. File Number: PSB2020-0777
Date of Complaint: August 07, 2020
Subject Officer: Cst. A.B.
 - Deceit x 2Presenting Officer: M. Baldasaro, McLennan Ross LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for January 27, 28 and 31, 2022.

3. File Number: PSB2020-0983
Date of Complaint: September 29, 2020
Subject Officer: Cst. A.B.
 - Discreditable Conduct x 2Presenting Officer: C. Plante, Bishop and McKenzie LLP
Presiding Officer: The Honorable Justice V. Ouellette

Open Disciplinary Hearing is scheduled for February 02-04, 2022.

4. File Number: PSB2017-1148/PSB2017-1152
Date of Complaint: December 12, 2017
Subject Officer: Cst. A.B.
 - Discreditable Conduct x 3
 - Unlawful or Unnecessary Exercise of Authority x 2
 - Insubordination x 9Cst. C.D.
 - Insubordination x 4
 - Unlawful or Unnecessary Exercise of Authority x 1
 - Discreditable Conduct x 1
 - Deceit x 2Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for February 07, 2021.

5. File Number: PSB2020-0140
Date of Complaint: February 12, 2021
Subject Officer: Cst. A.B.

• Deceit x 1
Presenting Officer: M. Baldasaro, McLennan Ross LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for February 07, 08 and 10, 2022.

6. File Number: PSB2019-0052
Date of Complaint: January 14, 2019
Subject Officer: Cst. A.B.
• Discreditable Conduct x 1
Presenting Officer: T. Magee, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for February 17, 2022.

7. 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 March 07-11, 2022.

8. File Number: PSB2016-0940
Date of Complaint: October 05, 2016
Subject Officer: Cst. A.B.
• Neglect of Duty x 1
• 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.)

Awaiting Presiding Officer's written decision on fact.

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

Court of Appeal dismissed the Appeal; new matter not yet scheduled.

10. File Number: PSB2017-0701
Date of Complaint: June 12, 2018
Subject Officer: Cst. A.B.
- Unlawful or Unnecessary Exercise of Authority x 1
 - Neglect of Duty x 1
- Cst. C.D.
- Unlawful or Unnecessary Exercise of Authority x 1
 - Neglect of Duty x 1
- Cst. E.F.
- Unlawful or Unnecessary Exercise of Authority x 1
 - Neglect of Duty x 1
- Cst. G.H.
- Unlawful or Unnecessary Exercise of Authority x 1
 - Neglect of Duty x 1
- Cst. I.J.
- Unlawful or Unnecessary Exercise of Authority x 1
 - Neglect of Duty x 1

New matter not yet scheduled.

11. File Number: PSB2021-0438
Date of Complaint: March 24, 2021
Subject Officer: Cst. A.B.
- Deceit x 16
 - Insubordination x 2

New matter not yet scheduled.

12. File Number: PSB2021-0621
Date of Complaint: May 13, 2021
Subject Officer: Cst. A.B.
- Deceit x 1

New matter not yet scheduled.

13. File Number: PSB2019-1144
Date of Complaint: January 13, 2020
Subject Officer: Cst. A.B.
- Insubordination x 3
 - Discreditable Conduct x 1

New matter not yet scheduled.

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

There was zero (0) Complaint of Service under Section 44 of the *Police Act* that were resolved or concluded during the fourth quarter from October 1, 2021 to December 31, 2021.

COMPLIMENTS

During Q4 2021, Fifteen (15) letters of appreciation were entered by the Edmonton Police Service. Professional Standards Branch would like to present nine (9) of these letters.

1. SUBJECT: Compliment to two young officers (Redacted) and (Redacted)
MESSAGE: Hello, I am a psychiatrist who works at the Pathways to Housing Edmonton Program. Last week I had certified a young man under the mental health act and police were contacted to take him to the hospital. Two young officers arrived, one was Cst. (Redacted) and Cst. (Redacted). I wanted to compliment the two officers in how they managed this situation. They were kind, respectful and gentle with a very disturbed young man and made the process significantly less traumatic for him by their actions. Please pass this message on to the officers as I really appreciated their approach.
Sincerely, Ms. (Redacted)

2. SUBJECT: Compliment to EPS
MESSAGE: Please accept my sincere thanks and appreciations to EPS and the Police Officer or Staff associated with the file. I filed an online complaint for loss of my wallet (contained critical and important personal information/ID & bank documents) on Nov 1, 2021. The response from EPS was very prompt, and I believe the question/suggestion from the concerned Police Officer/Staff helped me tremendously (guiding me to check with Millwoods Town Centre Security) in getting my "lost" wallet back.

The online reporting system, review, prompt response and efficient follow-up are much appreciated. Once again, big thanks and appreciations to EPS as well as the concerned Police/Officer/Staff.

3. Subject: [EXTERNAL] Thanks
Just want to say thanks to the officer who helped me today, and went above what he was required to do. He was also extremely friendly and understood my situation, and I love that there are police out there like him. While there was officially nothing he could do more to help, he tried what he could and wished me luck after. His name was Cst. (Redacted). Please pass on my gratitude.
Thank you,
Mr. (Redacted)

4. SUBJECT: EPS Exemplary Behaviour
MESSAGE: Badge #(Redacted). Badge #(Redacted). On November 23, 2021, at 1815 111A street, they successfully proceeded to use effective de-escalation procedures in a way I have not witnessed at this level of competence of many EPS or RCMP officers I have previously witnessed.
I thank you all for your service.

5. SUBJECT: Constable (Redacted)
MESSAGE: I want to send my thanks and gratitude for one of Edmonton's constables. My daughter was assaulted at school which was very stressful for her and caused a lot of worry. Officer (Redacted) was incredible right out of the gate. It took a couple of days for an officer to arrive and even though we understood that there has been some major incidents in the city lately, he still insisted on apologizing for the delay. He explained possible outcomes of the situation and offered his suggestions which were reasonable and helped put my daughter at ease. I want to send me sincere thanks to both Constable (Redacted) and Cst. (Redacted) for treating the situation with care and concern. The dealt with my concerns fairly for all parties. Please let them both know that I appreciate the work they did and the care they took.
Thank you,
Mr. (Redacted)
6. Subject: Thank you
PSB Intake Line from last night from Ms. (Redacted) wanting to thank EPS. Two police officers stopped and helped her 76 year old neighbor finish shoveling her sidewalks.
7. SUBJECT: compliment 2 EPS constables
MESSAGE: Greetings! Around 1:30am the morning of Sunday, November 7, 2021 our doorbell rang. Going to the door I asked who it was and the constables said the police and could they come in? Receiving police at this time can never be good news. The two normally rambunctious guardian dogs I have greeted the constables at the door very quietly; I believe this is because Cst. (Redacted) and Cat. (Redacted) were so calm and quiet. They asked to come in and then once we were all settled, they shared the news that my younger brother had passed away from natural causes in his apartment. The constables shared information and phone numbers for the landlord etc. They were very kind and calm. Thank you so much! What a difficult job you all have! Sending you many thanks and blessings!
(Redacted) and family
8. SUBJECT: Thank you
MESSAGE: Tell all your officers I said thank you for their service because I do not know what this world would be like today without them.
9. SUBJECT: Constable (Redacted)
MESSAGE: I want to send my thanks and gratitude for one of Edmonton's constables. My daughter was assaulted at school which was very stressful for her and caused a lot of worry. Cst. (Redacted) was incredible right out of the gate. It took a couple of days for an officer to arrive and even though we understood that there has been some major incidents in the city lately, he still insisted on apologizing for the delay. He explained possible outcomes of the situation and offered his suggestions which were reasonable and helped put my daughter at ease. I want to send me sincere thanks to both Cst's (Redacted) & (Redacted) for treating the situation with care and concern. The dealt with my concerns fairly for all parties. Please let them both know that I appreciate the work they did and the care they took.
Thank you, (Redacted)

Edmonton Police Service Professional Standards Branch

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