

**What is the processes by which public complaints about police officers are reviewed, investigated, and disposed, including details regarding the positions of the individuals who perform key roles in those processes?**

Under the Police Act, the Edmonton Police Commission (EPC) is responsible for providing effective civilian oversight of policing. As part of this oversight role, the EPC monitors and reviews public complaints and serious incidents in a variety of ways as described below.

**Investigation and Disposition of Public Complaints**

The public complaint process, set out in Part 5 of the Police Act, provides that complaints regarding the conduct of police officers (other than the Chief of Police) and complaints regarding the policies of or services provided by a police service must be referred to the Chief of Police for investigation and disposition. All such complaints received by EPC are processed in accordance with EPC Policy.

The Professional Standards Branch of the Edmonton Police Service is responsible for the investigation of complaints referred to the Chief of Police, with the final disposition approved by the Chief<sup>1</sup>.

If EPC or the Chief of Police is of the opinion that it would be in the public interest to have another police service carry out the investigation of a complaint due to issues such as bias or lack of police officers with sufficient rank and experience, the Chair of EPC may make those arrangements with another police service pursuant to section 45(5) of the Police Act.

Complaints regarding the Chief of Police are reviewed by EPC in accordance with section 46 of the Police Act and EPC Policy<sup>2</sup>.

If EPC determines that the investigation threshold in section 46(2) of the Police Act has been met, the Chair of EPC must request the Minister of Justice and Solicitor General to direct another police service to investigate the complaint. The completed investigation will be referred to the EPC for final disposition, unless the investigating police service determines that the actions of the Chief of Police constitute a criminal or regulatory offence, in which case EPC will be advised of those findings and the matter will be referred to the Minister of Justice and Solicitor General.

**Oversight of the Public Complaint Process**

The key parties responsible for overseeing the public complaint process are the Public Complaint Director, members of the EPC Professional Standards Committee, and the EPC as a whole.

The Police Act directs police commissions to designate a Public Complaint Director. The EPC employs a full-time Public Complaint Director, who is responsible for assisting EPC with the day-to-day administration, monitoring and oversight of public complaints in accordance with section 28.1(3) of the Police Act and EPC Policy<sup>3</sup>.

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<sup>1</sup> <https://www.edmontonpolice.ca/ContactEPS/Concerns>

<sup>2</sup> <https://edmontonpolicecommission.com/1-2-5-complaints-against-the-chief/>.

<sup>3</sup> <https://edmontonpolicecommission.com/1-2-1-public-complaint-director-2/>

Public complaint oversight is also exercised by members of the EPC Professional Standards Committee. The mandate of this Committee is to monitor and oversee the public complaint process and to ensure that investigations are thorough, fair and conducted in accordance with law and policy<sup>4</sup>.

The EPC as a whole further exercises oversight of the public complaint process and outcomes by receiving regular reporting from EPS on the topics listed below. Commissioners may question EPS on matters contained in those reports or request information on any public complaint matter during the monthly EPC meetings, or as otherwise required through the Chair of EPC.

The following reports are publicly available on the EPC website<sup>5</sup>.

- Professional Standards Branch Quarterly Reports
- Professional Standards Branch Annual Report

The following reports are internal documents provided to EPC as indicated:

- Weekly 45 Day Letter Reports (indicating stage of complaint files)
- Monthly Relieved from Duty Reports (providing background and status of investigations or criminal proceedings for police officers who have been relieved from duty)
- Bi-monthly Extension Requests (providing background, investigative steps taken and tasks remaining on complaint files which require time extensions to continue investigations beyond the six-month timeline set out in section 7 of the Police Service Regulation)

Commissioners also receive relevant information regarding complaints and police disciplinary matters through serious incident notifications made pursuant to section 46.1 of the Police Act, concluding letters on investigations conducted by the Alberta Serious Incident Response Team (ASIRT), disciplinary hearing decisions, and Law Enforcement Review Board decisions.

Additional oversight of public complaints occurs when the Chief of Police recommends to the EPC that complaints be dismissed as frivolous, vexatious, or made in bad faith in accordance with section 43(7) of the Police Act and EPC Policy<sup>6</sup>.

The EPC is also responsible for hearing appeals from public complaints regarding the policies of or services provided by the Edmonton Police Service. Those appeals are conducted in accordance with section 44 of the Police Act and EPC Policy<sup>7</sup>.

When the Chief of Police suspects that a police officer has committed misconduct and is of the opinion that exceptional circumstances exist, that officer may be relieved from duty without pay. The EPC is responsible for reviewing the Chief's decision to relieve a police officer from duty without pay in accordance with section 8(11) of the Police Service Regulation and EPC Policy<sup>8</sup>.

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<sup>4</sup> <https://edmontonpolicecommission.com/5-2-4-professional-standards-committee-terms-of-reference/>

<sup>5</sup> <https://edmontonpolicecommission.com/reports>

<sup>6</sup> <https://edmontonpolicecommission.com/1-2-8-frivolous-vexatious-and-bad-faith-complaints/>

<sup>7</sup> <https://edmontonpolicecommission.com/1-2-4-policy-and-service-appeals/>

<sup>8</sup> <https://edmontonpolicecommission.com/1-2-7-relief-from-duty-without-pay/>

Lastly, the EPC has the discretionary power to conduct an inquiry into any matter respecting the Edmonton Police Service or the actions of any police officer or other person employed by the Service in accordance with section 32 of the Police Act and EPC Policy<sup>9</sup>.

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<sup>9</sup> <https://edmontonpolicecommission.com/1-2-3-inquiries-before-the-commission/>