



**Q2 2023 REPORT TO THE
EDMONTON POLICE COMMISSION**



The following report is submitted for:

- Approval
- Ratification
- Information

**PROFESSIONAL STANDARDS BANCH
July 20, 2023 - EPC MEETING**

Approved by:


Justin Krikler
Acting Chief of Police


Sean Anderson
Inspector



July 20, 2023

TO: Justin Krikler
Acting Chief of Police

FROM: Inspector Sean Anderson
Professional Standards Branch

RE: QUARTERLY REPORT – Q2 of 2023

This report has been prepared for Edmonton Police Commission meeting on July 20, 2023.

During the second quarter of 2023, the Professional Standards Branch received 281 new files:

- 9 Public complaints as defined by Part 5 of the *Police Act*
- 11 Internal complaints as defined by Part 5 of the *Police Act*
- 7 EPS Matter
- 254 Citizen Contacts

During the second quarter of 2023, the Professional Standards branch concluded 309 files:

- 35 Public complaints as defined by Part 5 of the *Police Act*
- 13 Internal complaints as defined by Part 5 of the *Police Act*
- 7 EPS Matter
- 254 Citizen Contacts.

The Edmonton Police Service dispatched 48,944 of calls for service received and recorded 13 compliments.

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

Inspector Sean Anderson
Professional Standards Branch

cc: Erick Ambtman /Chair
Edmonton Police Commission



**Professional Standards Branch
April - June 2023
Q2 Report
Edmonton Police Service**

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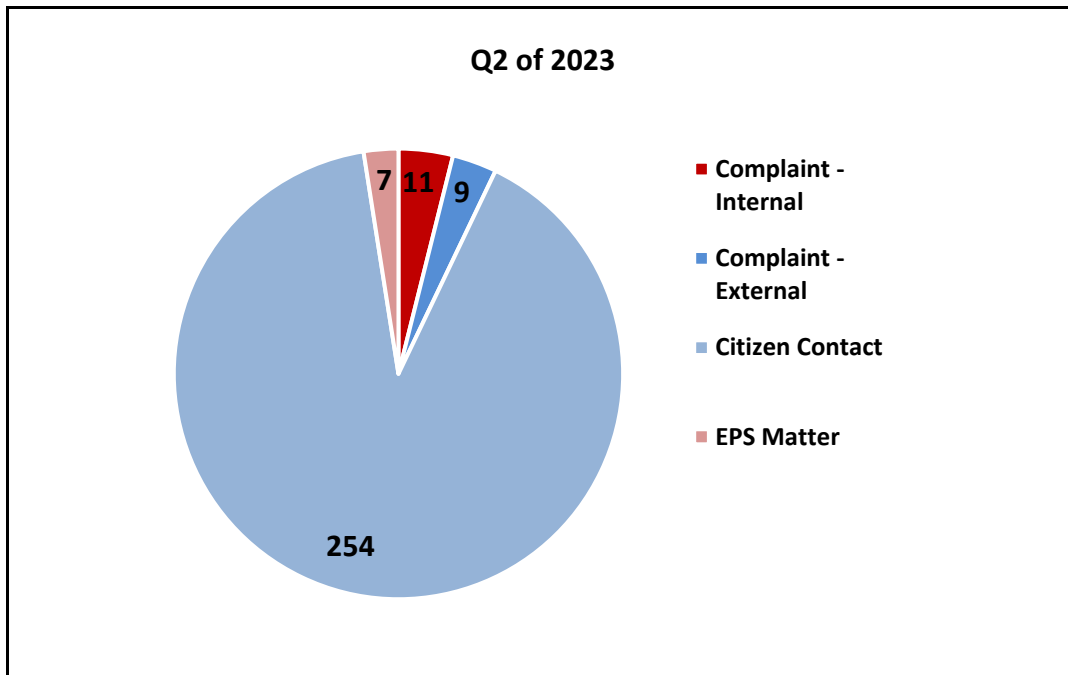
STATISTICAL SUMMARY

PSB 2023 Second Quarter Update

1. RECEIVED FILES

The following pie chart illustrates the number and type of files received during the second quarter (Q2) of 2023. Blue colors represent complaints and concerns made by members of the public and red colors 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 Q2 of 2023, PSB received **263 public files** and **18 internal files (n=281)**.

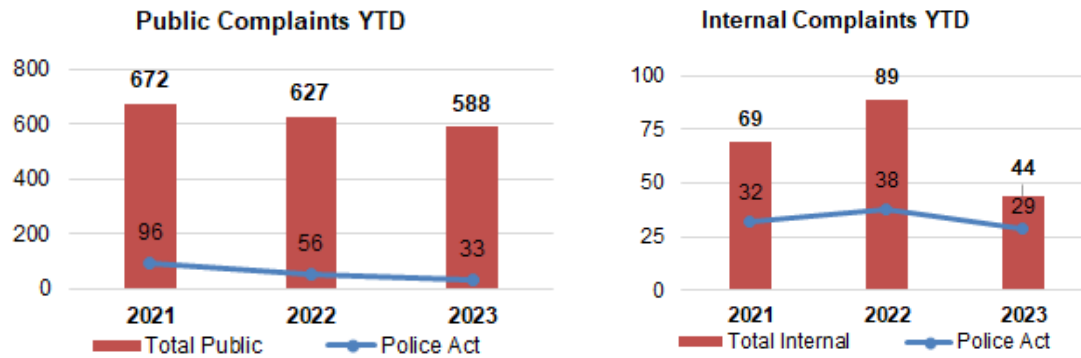
Figure 1: Files Received During Q2 of 2023



The charts below show the yearly trends for public and internal complaints to PSB. The red solid bars are the total complaints to PSB (YTD), and the blue lines indicate the number of complaints meeting the criteria of the *Police Act*.

In Q2 of 2023, **public complaints/inquiries** to PSB **decreased** slightly by **-4.4%** compared to Q2 of 2022. Notably, of the 263 public complaints received in Q2 of 2023, 198 (75.2%) have already been concluded, including 78 of those files (30%) being resolved through dispute resolution.

Figure 2: Yearly Changes in Public Contacts to PSB and Internal Matters



1. CURRENT WORKLOAD

As of June 30, 2023, PSB retained **368 open investigations**, broken down into the following categories:

- 104 Complaints External
- 93 Complaints Internal
- 74 Citizen Contacts
- 23 EPS Matters

There were also 74 *Statutory Complaints* (all 74 *Statutory Complaints* are associated with open PSB files and therefore are considered duplicate files).

Table 1 below 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., review stages 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.).

Table 1: Status of All Open Investigations

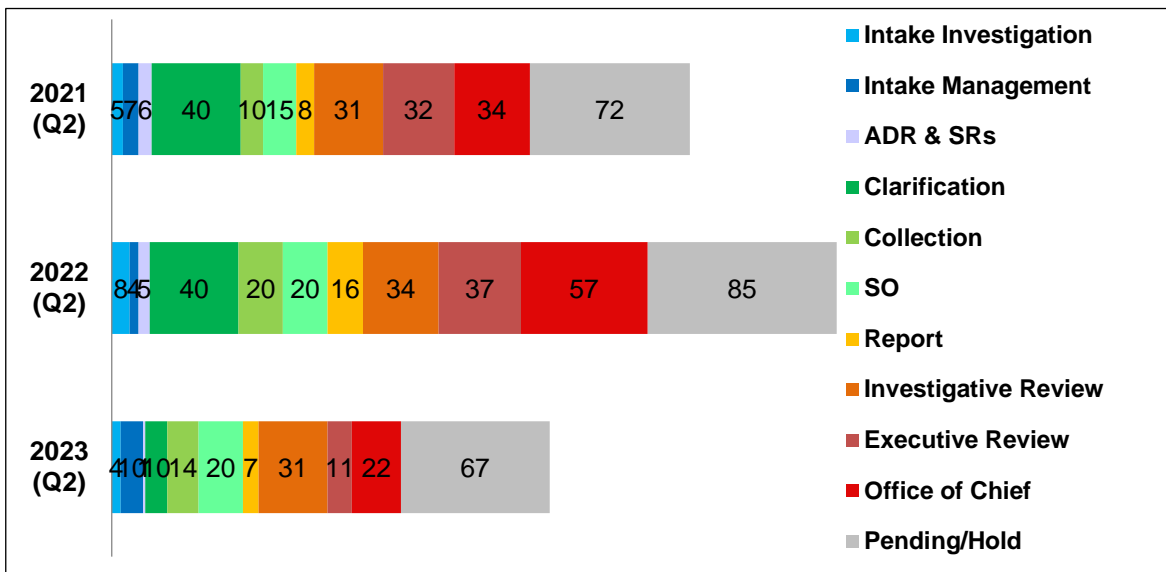
Year	Active	Forwarded	Suspended	Total
2018	2	0	6	8
2019	2	0	7	9
2020	2	1	11	14
2021	17	1	30	48
2022	47	4	33	84
2023	79	21	31	131
Total	149	27	118	294

Figure 3 displays the **investigative stages** for **formal complaints** by month.

- 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 and recommendations of the Investigative Manager)
- Executive Review (review and recommendations of the Inspector)
- Office of the Chief (review by the Office of the Chief and final concluding processes)

* Investigations may also be pending other processes (e.g., dispute resolution, legal review, hearing, etc.).

Figure 3: Quarterly Comparison of Complaint Stages



2. CONCLUDED FILES

The following figure shows the disposition of all Police Act Complaints and *Statutory Complaints* concluded during Q2 of 2023.

Figure 4: Dispositions of Concluded Police Act Complaints

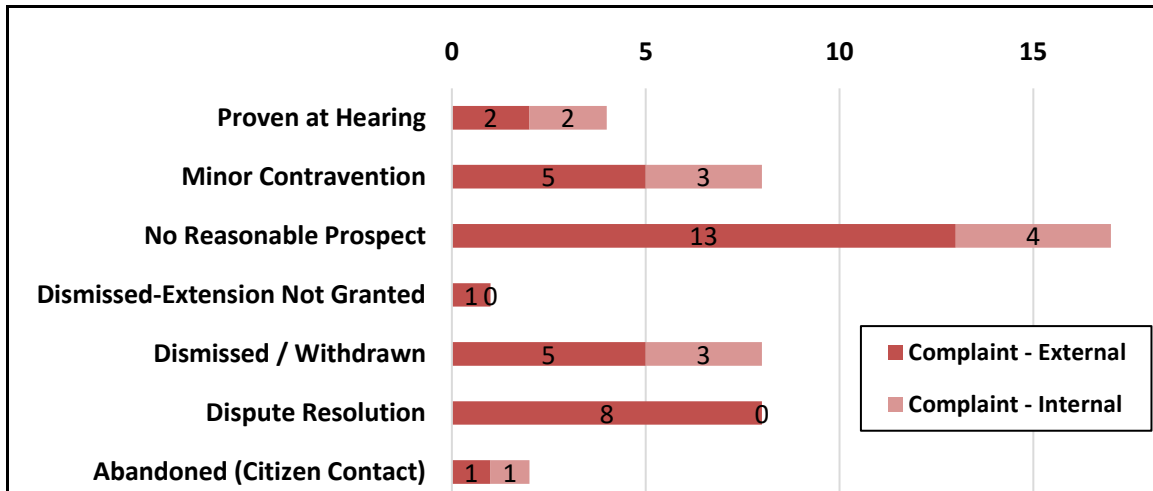
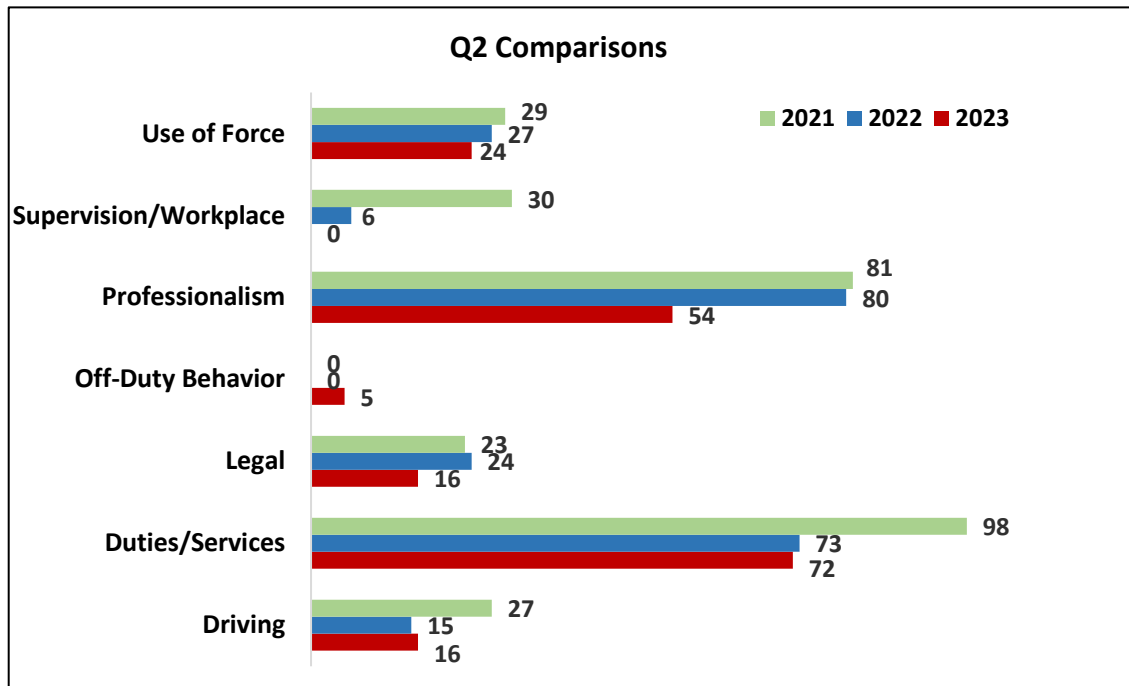


Table 2: Q2 Three-Year File Comparison

	2021		2022		2023	
	Q2	YTD	Q2	YTD	Q2	YTD
Received Files						
Public Complaints/Concerns	345	672	278	627	263	588
Police Act Complaint	51	96	21	56	9	33
Citizen Contact	294	576	257	571	254	555
Internal Matters	29	69	34	89	18	44
Police Act Complaint	13	32	16	38	11	29
EPS Matter	16	37	18	51	7	15
*Total	374	741	312	716	281	632
Concluded Files						
Public Complaints/Concerns	323	647	328	644	289	607
Police Act Complaint	43	89	23	46	35	58
Citizen Contact	280	558	305	598	254	549
Internal Matters	28	56	23	61	20	61
Police Act Complaint	10	17	12	21	13	25
EPS Matter	18	39	11	40	7	36
*Total	351	703	351	705	309	668

****Total numbers do not include Statutory Complaints****

Table 3: Common Complaints Received



3. LEGAL

Table 4: Disciplinary Hearings and Appeals in Q2 of 2023

DISCIPLINARY HEARINGS	Total	File Number
Directed	1	PSB2022-1261
Concluded	5	PSB2017-0701
		PSB2019-1144
		PSB2021-1063
		PSB2021-1156
		PSB2022-0151
LERB	Total	File Number
Appeals Received	6	PSB2021-0231
		PSB2021-1182
		PSB2021-1257
		PSB2021-1309
		PSB2022-0297
		PSB2022-0396
Decisions Rendered	0	N/A
Appeals Withdrawn	3	PSB2020-1242
		PSB2021-0317
		PSB2021-0408
EPC APPEALS	Total	File Number

Appeals Received	1	PCA2021-0231
Decisions Rendered	0	N/A
EPC Matters Ongoing	2	PCA2021-0231 PCA2022-0325

CONCLUDED DISCIPLINARY HEARINGS

1. File Number: PSB2019-1144
Date of Complaint: December 26, 2019
Subject Officer: Det. Niehaus
- Insubordination x 3
 - Discreditable Conduct x 1
- Presenting Officer: C. Plante, Bishop and McKenzie LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

On April 18, 2023 Det. Niehaus plead guilty to one count of Insubordination and the remaining three charges were withdrawn. The member received a reprimand in consideration of a donation made by the member to the Stollery Children's Hospital in the equivalent amount of 30hrs of pay for Det. Niehaus.

2. File Number: PSB2017-0701
Date of Complaint: June 12, 2018
Subject Officer: Sgt. Boe
- Unlawful or Unnecessary Exercise of Authority x 1
 - Neglect of Duty x 1
- Cst. Henning
- Unlawful or Unnecessary Exercise of Authority x 1
 - Neglect of Duty x 1
- Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

On April 19, 2023 Sgt. Boe and Cst. Henning plead guilty to one count of Unlawful or Unnecessary Exercise of Authority. By way of an Agreed Statement of Fact and Joint Submission on penalty the members each received a reprimand as they had previously completed 35 volunteer hours each. The charges against Det. Deguire and Cst. Chmilar were withdrawn.

3. File Number: PSB2022-0151
Date of Complaint: February 08, 2022
Subject Officer: Cst. Golysheva
- Insubordination x 1
 - Discreditable Conduct x 2
- Presenting Officer: D. MacFadyen, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

On June 21, 2023, Cst. Golysheva plead guilty to one count of Discreditable Conduct. The member received a reprimand and will go through the Re-Integration process before returning back to patrol. The member had previously been relieved from duty without pay for a number of months while the investigation was ongoing, had sought her own medical treatment and also wrote an apology letter to the Chief of Police taking full responsibility for her actions.

PENDING DISCIPLINARY HEARINGS

1. File Number: PSB2017-1148
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 9
- Cst. C.D.
- Insubordination x 4
 - Unlawful or Unnecessary Exercise of Authority x 1
 - Discreditable Conduct x 1
 - Deceit x 2
- Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for September 21 and 22, 2023.

2. File Number: PSB2021-1073
Date of Complaint: September 22, 2021
Subject Officer: Cst. A.B.
- Discreditable Conduct x 2
- Presenting Officer: D. Cranna, Field LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for October 05 and 06, 2023

3. File Number: PSB2018-0514
Date of Complaint: June 11, 2018
Subject Officer: Cst. A.B.
- Neglect of Duty x 3

New matter not yet scheduled.

4. File Number: PSB2021-0654
Date of Complaint: June 10, 2021
Subject Officer: Cst. A.B.
- Breach of Confidence x 1
 - Deceit x 1

New matter not yet scheduled.

5. File Number: PSB2021-0385
Date of Complaint: March 29, 2021
Subject Officer: Sgt. A.B.
- Insubordination x 1

New matter not yet scheduled.

- 6.** File Number: PSB2021-1072
Date of Complaint: September 25, 2021
Subject Officer: Cst. A.B.
 - Discreditable Conduct x 2

New matter not yet scheduled.

- 7.** File Number: PSB2022-0920
Date of Complaint: August 25, 2022
Subject Officer: Sgt. A.B.
 - Insubordination x 1
 - Deceit x 1

New matter not yet scheduled.

- 8.** File Number: PSB2022-0734
Date of Complaint: July 13, 2022
Subject Officer: Cst. A.B.
 - Neglect of Duty x 3

New matter not yet scheduled.

- 9.** File Number: PSB2022-0275
Date of Complaint: March 07, 2022
Subject Officer: Cst. A.B.
 - Neglect of Duty x 3

New matter not yet scheduled.

- 10.** File Number: PSB2021-1387/PSB2020-0113
Date of Complaint: December 20, 2021/February 07, 2020
Subject Officer: Cst. A.B.
 - Neglect of Duty x 1
 - Deceit x 1

New matter not yet scheduled.

- 11.** File Number: PSB2022-1261
Date of Complaint: December 20, 2022
Subject Officer: Cst. A.B.
 - Discreditable Conduct x 4
 - Neglect of Duty x 3
 - Deceit x 1

New matter not yet scheduled.

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

There were three (3) Complaint of Service under Section 44 of the *Police Act* that were resolved or concluded during the second quarter from April 01, 2023, to June 30, 2023.

1. Concluded by the Chief
File Number: PSB2021-0618
Date of Complaint: June 01, 2021
Investigator: Investigator Darryl Scherr

Summary

On June 01, 2021, Professional Standards Branch received a written letter of complaint alleging that the EPS inappropriately issued a news release regarding the charges against the complainant, causing him to suffer loss of reputation and business. Professional Standards Branch investigated this issue as a complaint of service. It is acknowledged that on December 02, 2020, the EPS did author a news release generally indicating that following a firearms investigation the complainant was charged with several firearms related offences. For police to release the name of an individual accused of an offence, the charge must be sworn/laid before the court. The person's name and charges are then uploaded to the Provincial Court docket and become public information, visible to anyone. Professional Standards Branch reviewed EPS Media and Police Relations Procedure 1S7-1PR. The news release was compliant with EPS policies. The complainant's file was of public interest as it involved illegal activity surrounding firearms. The criminal charges were also a matter of public record as such there is no expectation for the EPS to maintain the complainant's privacy surrounding this matter.

On May 15, 2023, the Chief concluded this file with no requirement for the EPS to create or amend current policy and procedures.

2. Concluded by the Chief
File Number: PSB2021-0700
Date of Complaint: July 29, 2021
Investigator: Detective David Green

Summary

On July 29, 2021, Professional Standards Branch received a complaint alleging that when the complainant attended Downtown Division, they attempted to make a complaint and the Division fails to accept complaints at the front counter. It was determined that the complainant was making a complaint against WEM Security assaulting her and was advised to contact the non-emergency line to have a car dispatched. When an individual attends a station which requires a dispatch police response front counter members have some discretion in whether they initiate an investigation or direct the individual to call the complaint/dispatch line to have a car dispatched. It was determined through the investigation that the complainant was provided with a brochure on how to make a complaint and it was not clear at the time that she wished to make a formal complaint against EPS and not just WEM security. Due to confusion a citizen concern form was not created and forwarded to Professional Standards Branch as per Procedure C02-1PR (D)(e)

On June 9, 2023, the Chief concluded this file with no requirement for the EPS to create or amend current policy and procedures.

3. Concluded by the Chief
File Number: PSB2022-1292
Date of Complaint: December 14, 2022
Investigator: Detective David Green

Summary

On December 14, 2022, a complaint was received at Professional Standards Branch alleging the complainant's information and/or report was inappropriately shared with EPS Legal counsel without her consent. When an EPS Canine escaped its handler's yard and attacked the complainant and her dog. The EPS officer obtained the complainants information, and that information was provided to EPS legal advisor section and the officers chain of command to contact the complainant. As per EPS Policy it is required that an Officer make report to their chain of command and up through Legal Services Branch, when any member is involved in an incident in which EPS equipment, weapons systems etc. cause damage to property or injuries which might lead to civil litigation against the service.

On June 13, 2023, the Chief concluded this file with no requirement for the EPS to create or amend current policy and procedures with respect to the notification procedure when injury or damage occurs with respect to the actions of police.

COMPLIMENTS

During Q2 of 2023, thirteen (13) letters of appreciation were officially entered by the Edmonton Police Service. Professional Standards Branch would like to present five (5) of these letters.

SUBJECT: Great Service

MESSAGE: To whom it may concern,

This is a very belated thank you to the 2 officers we met while dealing with an incident with our son that had occurred at Commonwealth swimming pool several months ago.

We had officer [Redacted] and his partner came to our home. It appeared that Officer [Redacted] took the lead and was nothing but exceptional. He was so kind, compassionate, while maintaining professionalism while dealing with our son and family. He took the time to ask many pointed questions of [Redacted] and congratulated him on his recall of events. He took the matter very seriously and made us feel at ease for calling the Police. He was very clear to explain the process of how the investigation would take place and what to expect. He would call on occasion with updates. Once the investigation was complete - Constable [Redacted] called to provide the details of the completed investigation and wanted feedback from us as to what we felt comfortable with proceeding forward, with the emphasis being on [Redacted] wellbeing.

I cannot say enough about how much respect, empathy and dignity they treated [Redacted] with that evening. The officers congratulated [Redacted] for being so brave in reporting the incident and never made him feel shame or like he was not believed.

There is so much media around the wrong doings of police officers, that I felt it was important to reach out to ensure we also hear the successes. I would like to acknowledge the positive interactions that our family experienced despite a difficult circumstance. Constable [Redacted] was engaging, polite, respectable and just an overall caring man. We could not have asked for anyone better.

We felt very thankful and appreciative of the prompt service we received. A big thank you to Constable [Redacted] and his partner.

Sincerely [Redacted]

SUBJECT: Compliment

MESSAGE: Today, Constable [Redacted] responded to a complaint made by one of our resident's family members at our long-term care facility. Staff and myself all agreed what an amazing job she did, so much so, I had to write in and tell you about it. Not only was [Redacted] professional and thorough, but she was also very kind and compassionate with everyone she dealt with.

Your jobs are very challenging, demanding, and stressful, and I'm not sure if you hear it enough, so I thank you all for your service and dedication but a special thank you to Constable [Redacted] for your exceptional work today.

Take care and may all of you be safe!
[Redacted]

SUBJECT: Compliment for an Officer

MESSAGE: Hello,

My name is [Redacted] and yesterday I had a quick run-in with one of your constables that made my year.

I had an appointment at a hair salon yesterday at [Redacted], Edmonton. I parked in the little parkade next to the business. After the appointment I was sitting in my vehicle, and I heard a knocking at my car window. I rolled it down and a constable said, "I just wanted to give you a heads up; we ran your license plate and found that your registration is expired". I started to pull out my paperwork and he said, "I'm just giving you a heads up". And he walked off before I could even thank him.

We just moved to Canada from the US a little more than 2 yrs ago and we would always have notices of expirations mailed out to us. We mistakenly assumed that is how it was done here. We totally didn't think about it when the 2 year mark rolled around. I am so grateful that this constable decided to not issue me a ticket for this. With the cost of living where it is at, we are all feeling the financial pinch, and that ticket would have really hurt my family's bottom line this month.

I want you to know that I left that parking lot and drove immediately to [Redacted] Registries and renewed my registration. I even signed up for email and text reminders of upcoming expirations, so it never happens again.

I will be dropping off some Tim Horton's gift cards at this little community EPS office to thank the officer and his colleagues personally. I did not catch his name or badge number but wanted to let you all know how thankful we are for the very difficult job that you all do every day. You hear complaints and outrage all the time, but the compliments are probably not as plentiful, even though they should outnumber the complaints.

Warmly,
[Redacted]

SUBJECT: Letter of Thanks and appreciation

MESSAGE: Dear Chief Mcfee,

I want to thank EPS, CST. [Redacted] and CST. [Redacted] from the bottom of my heart, no words could ever suffice how deeply grateful I am for all their kindness, help and humour over Easter weekend.

I truthfully believe if it wasn't for their persistence and the way they talked and treated my daughter, I may not have her home with me. There is no amount of training that made these guys who they are. They went above and beyond their duty and I will forever be grateful. The lasting impression left in my other two daughter's hearts will also never be forgotten.

Although we don't know what the outcome would have been or what was going on there, I do know that these guys saved my daughter from the unknown. The world is a much much better place with these two officers and EPS is very lucky to have them. They are both Hero's and we will keep them in our prayers for safety while they protect and serve.

Please let these officers know if they are ever passing through Regina, it's McDonald's on me.

With the utmost respect,

[Redacted], [Redacted], [Redacted] & [Redacted]

SUBJECT: Commendation Lettter

MESSAGE: Dear Chief McFee:

Re:Commendation of Sgt. [Redacted], Cst. [Redacted]and Cst. [Redacted]

I'm writing today to recognize three of your officers - Sgt. [Redacted], Cst. [Redacted] and Cst. [Redacted]- who attended a Riverdale Community League meeting on the evening of March 1, 2023. This meeting was called following a spate of break and enters to commercial properties in the community and provided an opportunity for several affected property owners to share their stories and get information from EPS.

I want to start by sharing appreciation to all three officers for taking the time out of their evening at the end of a long day to be present with the community. Sgt. [Redacted] mentioned that they had been in the gym at 5 a.m. that morning and the meeting lasted well past 8 p.m. I understand the EPS team was offered the opportunity to present at the beginning of the meeting in order to be able to leave early, but under Sgt. [Redacted] leadership, they opted to speak last so they could hear from the community directly. Their presence alone was a great show of support and solidarity with the community, and it soon became clear how integral a role all three played in resolving this issue for the residents of Riverdale.

Sgt. [Redacted] led the presentation. He started with a show of exceptional empathy by acknowledging the significant impact these events had had on the community and validating the concerns of residents. He then went on to provide a great explanation of how he and his team had identified the spike of occurrences, and how they worked to ensure that the significance of the trend was not lost in the shift rotation. He also outlined several measures he had put in place to increase police presence in the neighbourhood. The value of this proactive approach was clear in the resolution that was achieved on the night of February 27 when EPS was able to respond in minutes to apprehend the perpetrator following a 911 call from a neighbour.

Sgt. [Redacted] was able to provide an update on the specific case and respond to many other questions from the community. He created a great sense of empowerment for residents by sharing when they should call 911 and the type of support that EPS is able to provide.

Sgt. [Redacted] noted at the beginning of the presentation that his intent was to provide residents with a sense of confidence in their police force, and I can say unqualifiedly that he achieved this outcome. I know the community joins me in thanking all three officers for both their work in resolving the situation itself and their presence at the meeting.

I recommend that all three receive a formal commendation for this work and that it be placed on their permanent record.

Sincerely
[Redacted]
Commissioner

Edmonton Police Service Professional Standards Branch

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