



April 12, 2012

TO: Rod R. Knecht
Chief of Police

FROM: Inspector Denis Jubinville
Professional Standards Branch

RE: MONTHLY REPORT – MARCH 2012

This report has been prepared for the April 19, 2012, Edmonton Police Commission meeting.

During the month of March 2012, Professional Standards Branch opened 79 new files:

- 9 Public complaints as defined by Part 5 of the *Police Act*;
- 2 Internal complaints as defined by Part 5 of the *Police Act*;
- 17 EPS Matters; and
- 51 Citizen Contacts.

Additionally, 4 files were directed for Criminal Investigation (*Statutory Complaints*).

Concluded 61 files:

- 0 Public *Statutory* complaint;
- 2 Internal *Statutory* complaint;
- 2 Public complaints as defined by Part 5 of the *Police Act*, including 0 complaints regarding policies or services provided by the EPS;
- 1 Internal complaint as defined by Part 5 of the *Police Act*;
- 9 EPS Matters; and
- 47 Citizen Contacts.

The Edmonton Police Service received 30,976 calls in Communications Section and dispatched 9,933 of those calls.

Inspector Denis Jubinville
Professional Standards Branch

cc: Arlene Yakeley, Chair
Edmonton Police Commission



**MARCH 2012 REPORT TO THE
EDMONTON POLICE COMMISSION**



The following report is submitted for:

- Approval
- Ratification
- Information

**PROFESSIONAL STANDARDS BRANCH
April 19, 2012 *OPEN MEETING***

Approved by:

**Rod R. Knecht
Chief of Police**

2012.04.02

A/Officer in Charge Albert Lacher



**Professional Standards Branch
March 2012
Edmonton Police Service**



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MARCH 2012 OVERVIEW & UPDATES

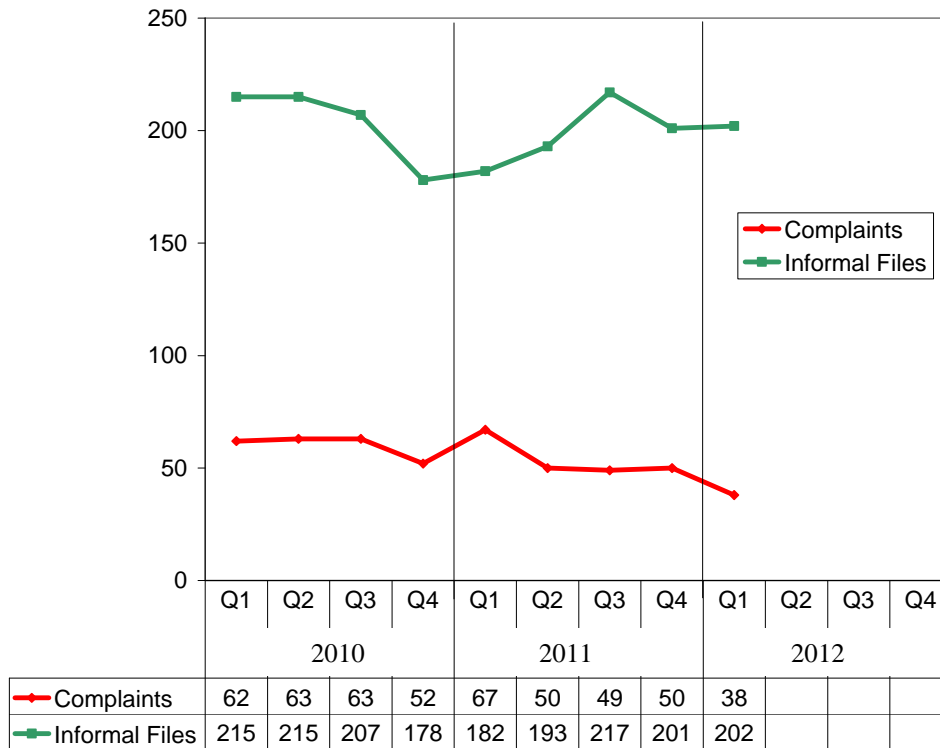
First Quarter Update

PSB has now finalized the branch's statistical reports for the first quarter of 2012. During this period, public complaints have decreased by 49% from 57 in the first quarter of 2011 to 29 in the first quarter of 2012. Although this is a dramatic decrease, the number of complaints received in Q1 of 2012 is consistent with the number of complaints received in the previous quarter (i.e. 34 public complaints were received in Q4 of 2011, compared to 29 public complaints received in Q1 of 2012). Thus, this seems to reflect an overall trend of decreasing complaints, rather than a statistical artifact.

In addition to this substantial decrease, the number of publicly generated PSB files (including both formal complaints and informal citizen contact files), is down 9% from 214 files in Q1 of 2011 to 194 files in Q1 of 2012. This indicates that the decrease in public complaints is not entirely due to a change in the way files are classified, but reflects an overall decrease in publicly generated PSB files from 2011 numbers.

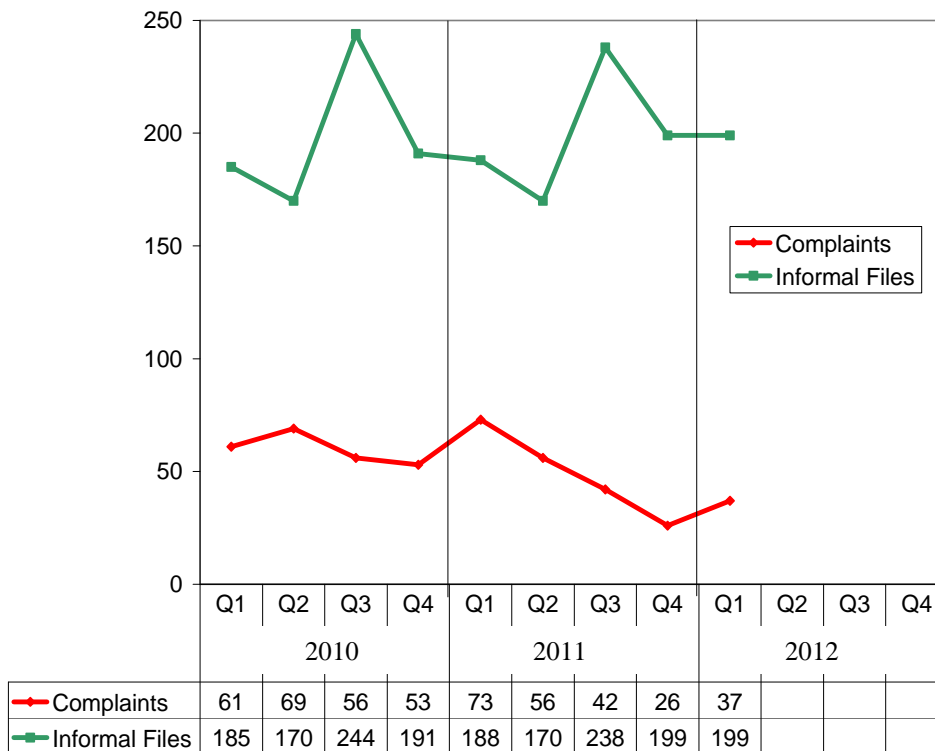
Received Files by Quarter

Overall, the number of informal files dealt with within PSB increased during the first quarter. Therefore, the total files being dealt with in PSB (including formal and informal, and public and internal files) has decreased by only 4% on the quarter. As seen in the figure below, this continues what has been a downward trend in formal complaints over the last 3 years.



Completed Files by Quarter

As seen in the figure below, the number of resolved informal files during the first quarter of 2012 is near the median of concluded files in previous quarters. Formal complaint conclusions decreased in the last three quarters in 2011 but have begun to rise in the first quarter of 2012. During the later portion of 2011 and the beginning of 2012, PSB experienced structural changes including staff reduction. Now that a new equilibrium has been established, it is expected that the number of concluded files will increase in the upcoming quarters.



Completion Time

The status of all public complaints opened during the third quarter of 2011 – that is, all files that would have reached an age of 6 months during the first quarter of 2012 – is displayed in the table below. Only 14 of the 39 files have been listed as completed (36%). However, an additional 11 files (listed as suspended) are in the stage of executive review (i.e. the investigation of the complaint is complete) or are with the Edmonton Police Commission for review (i.e. for time-barred complaints, or complaints deemed frivolous/vexation/bad faith). Based on this information, 69 % of the investigations are either concluded or awaiting disposition.

File Status	Number of Files
Active	12
Completed	14
Forwarded	2
Suspended	11
Grand Total	39

Dispositions of Files Concluded During Q1

In the first quarter of 2012, there were few sustained complaints. As seen in the table below, of the 37 complaints concluded during the first quarter of 2012, 6 resulted in disciplinary action; however, 4 were deemed as minor contraventions.

	2011	2012
Formal Resolutions		
Reasonable Prospect - Proven	0	2
Reasonable Prospect - Not Proven	1	0
No Reasonable Prospect	19	12
Minor Contravention	3	4
Dismissed/Withdrawn	15	10
Informal Resolutions		
Supervisory Review	19	8
Resolved through PSB	16	1

Files Received in March 2012

<i>March</i>	<i>Internal</i>	<i>Public</i>	Total
Complaint EPS Matter / Citizen Contact	2	9	11
Total	19	60	79

- 4 Criminal Investigations (Statutory Complaints) were initiated in March.

Three-Year File Comparison for the Month of March

	2010		2011		2012	
	March	YTD	March	YTD	March	YTD
Received						
Complaint	21	62	23	67	11	38
Citizen Contact	77	182	53	157	51	165
EPS Matter	14	33	9	25	17	36
Total	112	277	85	249	79	239
Concluded						
Complaint	28	61	23	73	3	37
Citizen Contact	67	167	56	154	47	172
EPS Matter	6	18	10	34	9	27
Total	101	246	89	261	59	236

Please note, for past years in the above table:

- *Complaint* includes Complaints of Service, Conduct and Criminal Investigations
- *EPS Matter* includes only EPS Concerns
- *Citizen Contact* includes both Information Only files and Citizen Concerns

Previous Information Only files may include files that would now be classified as EPS Matters, so the number of Citizen Contact files from previous years may be slightly inflated.

Concluded Files by Completion Time

March	under 6 mos.	6 to 12 mos.	over 12 mos.	Total
Statutory Complaint	1	0	1	2
Complaint	2	0	1	3
Citizen Contact	43	4	0	47
EPS Matter	9	0	0	9
<i>Total</i>	<i>55</i>	<i>4</i>	<i>2</i>	<i>61</i>

When a Statutory Complaint is completed, it is often the case that the Complaint (allegations of misconduct under the *Police Service Regulation*) will continue to be investigated. In the above table, Statutory Complaints are listed as additional to the number of completed Complaints, and therefore the total is different than the total in the three-year file comparison table above.

Concluded Files by Disposition

March	Disposition	
Statutory Complaint	Charged (concluded via Peace Bond)	1
	Not Charged	1
Complaint	No Reasonable Prospect	1
	Resolved Informally – SR	2
Citizen Contact	Resolved through SR	13
	Resolved – Citizen Contact	21
	Referred – Citizen Contact	6
	Abandoned – Citizen Contact	7
EPS Matter	Resolved EPS Matter	1
	Tracking Only – EPS Matter	8

File Overview – March 2012

The following is a snapshot of all active files as of March 31, 2012. The files are broken down according to the type of file and the length of time since it was received. The table includes all currently active files; thus, the length of time presented may include time periods in which the investigation was suspended.

Note that Statutory Complaints typically represent a duplication of Complaint files (i.e., if a file is classified as a Statutory Complaint, there is a corresponding Complaint for the allegations of

misconduct under the *Police Service Regulation*). For this reason, the number of active Statutory Complaints is not represented in the sum total.

Active Files as of March 31, 2012

March	under 6 mos.	6 to 12 mos.	over 12 mos.	Total
Complaint	53	29	31	113
<i>Statutory Complaint</i>	9	7	13	29
Citizen Contact	24	1	0	25
EPS Matter	13	0	2	15
Total	90	30	33	153

During the course of an investigation, the status of a file may be set as forwarded or suspended. Forwarded files represent files in which the investigation is ongoing but work is being completed by persons or groups external to PSB (e.g., a file may be forwarded for Supervisory Review, or to Alberta Justice for review and opinion). Suspended files represent files in which the investigation is not yet completed, but is “paused” (e.g., a file may be suspended pending Criminal Court or during the course of a Disciplinary Hearing).

The following table shows the number of forwarded and suspended files as of March 31, 2012.

Forwarded and Suspended Files as of March 31, 2012

March	Suspended	Forwarded	Total
Complaint	87*	11	98
Statutory Complaint	3	6	9
Citizen Contact	1	19	20
EPS Matter	7	8	15
Total	98	44	142

* Includes 51 files suspended for “Executive Review” – i.e. the investigation is complete and is awaiting disposition

Breakdown of All Files by Year

	2002	2003/4	2005	2006	2007	2008	2009	2010	2011	2012
Active Files										
Complaint	0	0	0	0	0	2	5	19	55	32
<i>Statutory Complaint</i>	0	0	0	0	0	0	0	10	15	4
Citizen Contact	0	0	0	0	0	0	0	0	3	22
EPS Matter	0	0	0	0	0	0	0	1	2	12
Total Active	0	0	0	0	0	2	5	20	60	66
Suspended Files										
Complaint	0	0	0	0	0	1	4	24	54	3
<i>Statutory Complaint</i>	0	0	0	0	0	0	1	0	2	0
Citizen Contact	0	0	0	0	0	0	0	0	0	1
EPS Matter	0	0	0	0	0	0	0	1	3	3
Total Suspended	0	0	0	0	0	1	4	25	57	7
Forwarded Files										
Complaint	1	0	0	1	0	0	1	3	4	1
<i>Statutory Complaint</i>	0	0	1	1	0	0	0	1	3	0
Citizen Contact	0	0	0	0	0	0	0	0	2	17
EPS Matter	0	0	0	0	0	0	0	0	2	6
Total Forwarded	1	0	0	1	0	0	1	3	8	24
TOTAL FILES	1	0	0	1	0	3	10	48	125	97

Files by Priority

Priority Rating	Count
*** (Branch priority)	22
** (Team priority)	25
* (Interim priority)	9
A (Most serious)	67
B	107
C	36
I (Most effort)	2
ii	49
iii	103
iv	55

DISCIPLINARY ACTION TAKEN AGAINST MEMBERS

1. I.A. File Number: IA2009-0866
Complainant: EPS
Subject Officers: 2457 Constable W. Q. and 2386 Constable T. C.
- Insubordination x 1
 - Discreditable Conduct x1

On March 16, 2012 Cst. W. Q. received an official warning for one count of Discreditable Conduct regarding his court testimony. Cst. W. Q. was also directed by the Chief to obtain legal counseling surrounding the issues of court testimony through the Legal Services Branch. The warning will stay on Cst. W. Q.'s record for a period of one year. On March 16, 2012 Cst. T. C. received an official warning for one count of Insubordination regarding preparation for court. Cst. T. C. was also directed by the Chief to receive training in the area of court testimony. The official warning will stay on Cst. T. C.'s record for a period of one year.

PENDING DISCIPLINARY HEARINGS

1. I.A. File Number: IA2009-1020

Open Disciplinary Hearing is scheduled for April 16, 17 and 18, 2012.

2. I.A. File Number: IA2009-0674

Open Disciplinary Hearing is scheduled for April 20, 2012.

3. I.A. File Number: IA2011-0758

Open Disciplinary Hearing is scheduled for April 24, 2012.

4. I.A. File Number: IA2006-0899

Open Disciplinary Hearing continuation is scheduled for the week of May 7, 2012.

5. I.A. File Number: IA2002-0237

Open Disciplinary Hearing is scheduled for May 07, 2012.

6. I.A. File Number: IA2010-0774

Open Disciplinary Hearing scheduled for May 22 and 23, 2012.

7. I.A. File Number: IA2008-0782

Open Disciplinary Hearing scheduled for May 29 and 30, 2012.

8. I.A. File Number: IA2010-0496

Open Disciplinary Hearing scheduled for June 18, 19 and 20, 2012.

DELAYED OFFICER NOTIFICATION

Professional Standards Branch delayed notifying the subject officer in the following investigations:

1. I.A. File Number: IA2011-0087

Justification: Could interfere with or reveal investigative strategies currently being undertaken by ASIRT.

2. I.A. File Number: IA2011-0989

Justification: Could interfere with or reveal investigative strategies currently being undertaken by PSB.

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

There were no Complaint of Service under Section 44 of the *Police Act* was resolved or concluded during the month of March.

MARCH 2012 REVIEW PANEL MATTERS

There were no new Review Panel matters for the month of March 2012.

AWARDS and RECOGNITION

Throughout the year, Divisional Commanders have opportunities to reward EPS members, both sworn and non-sworn, for significant performance, including acts of heroism, the conduct of significant investigations, the use of sound officer safety techniques, quality customer service and generally work that is particularly well done.

Rewards and recognition are intended to reinforce appropriate behaviour, acknowledge employee commitment and stimulate creative thinking and virtuous actions by all members of EPS.

Professional Standards Branch would like to highlight one of the recognitions bestowed upon a member of the EPS over the last few months.

1. Reg. No. 3241 Constable Michal Durec and Reg. No. 3358 Constable Kathy Nelson

In November of 2011 Cst. Nelson and Cst. Durec were the first to respond to a female suffering from multiple significant stab wounds, the most serious appearing to be to the chest and leg. Cst. Nelson and Durec approached the female and observed a large amount of blood on the ground beneath the female, later to be estimated at an excess of 4 liters. Cst. Nelson removed the triage kit and instructed Cst. Durec to pack the chest wound while she focused on the leg wound. Cst. Nelson placed 3 fingers in the victim's thigh and was successful in slowing the bleeding until EMS arrived.

Cst. Nelson kept her hand inside the wound and maintained pressure on the femoral artery while the victim was transported to the hospital by EMS. EMS members advised that without Cst. Nelson's actions the victim would not have survived her injuries. The victim has since made a full recovery from the injuries which consisted of multiple stab wounds to her neck, chest, back and leg.

Cst. Nelson and Cst. Durec were recognized for their use of tactical medical training, teamwork under pressure awarded a favorable notice.

2. Reg. No. 2965 Constable Cameron Jones and Reg. No. 2981 Constable Ryan Williams

In December of 2011 Constables Jones and Williams were flagged down at a busy west end intersection by a passing motorist. They were directed to a vehicle whereby the driver was experiencing an obvious medical emergency and had stopped breathing. Constable Jones immediately called EMS, while Cst. Williams began CPR. An off duty nurse stopped and assisted the members with the administration of CPR.

Constables Sliwa and Reimer also attended the location and performed traffic control. Their efforts were instrumental in enabling Constable's Williams, Jones and the nurse to continue with their administration of CPR on the subject.

EMS arrived on scene and prepared the subject for transport to the hospital. Sgt. Dzioba along with Constable's Janiga, Strachan, Blackburn, Lawrence, Neufeld and Pagnucco choreographed an effective police escort for EMS. The escort enabled EMS to arrive at the hospital in less than 90 seconds. This was a significant accomplishment given the route travelled and the traffic congestion, at that particular time of the day.

Sgt. Dzioba remained at the hospital with the subject, while Constable Williams and Jones responded to the subject's residence in an effort to locate the subject's wife. Constable's Williams and Jones were able to locate the subject's wife and transport her to the hospital.

For Constable's Jones and Williams your extraordinary efforts to save the life of this citizen, later identified as a retired Edmonton Police Service member; demonstrated a performance worthy of a favorable notice.

3. Reg. No. 2822 Constable Brad Stiksma

The Superintendent in charge of West Division is pleased to award a Favorable Notice to Constable Brad Stiksma of West Division.

In January of 2012 a report was received regarding a suspicious male knocking on doors in an apartment building. The male was asking for money and food. The male managed to obtain money from one resident however, another resident confronted the male. Consequently, the suspicious male and his accomplice, described as an older male, fled the scene.

Cst. Healey attended the complainant's residence, obtained further details and began canvassing the other residents in the apartment building. Constable Healey identified a female residence that reluctantly provided information as to where the suspects may have gone. Cst. Healey notified the West Division Special Projects Team and requested their assistance as he suspected the male may be the same suspect that was involved in numerous West Division "door to door" scams.

Cst. Stiksma of the West Division Project team attended the location and re-interviewed the female resident. He was able to gain further information from the female including a specific suite in the neighboring apartment complex directly across the street known for dealing drugs.

Acting on this information Cst. Stiksma attended the building in question and located the suite. Cst. Stiksma identified himself as a police officer and advised the occupants he was interested in locating a male that was asking for money in the apartment complex across the street. Initially the occupants were uncooperative with Cst. Stiksma; however, he was able to garner their cooperation and obtained their consent to search the suite for the suspicious male. Cst. Stiksma successfully located the suspect hiding in a closet.

The suspicious male was identified as the suspect responsible to for numerous "door to door" scams, frauds, robbery and breaking and entering. The male, now accused, was charged with nearly one hundred criminal offences and the potential for other charges due to other similar occurrences that are still under investigation. The accused in this matter had been the subject of two separate media releases and was a City wide prolific offender that repeatedly victimized members of the public for nearly two months.

Cst. Stiksma demonstrated excellent initiative, perseverance and interviewing techniques. His negotiation skills were instrumental in obtaining consent to search the apartment. Accordingly, the West Division Management Team awarded Cst. Stiksma with a Favorable Notice.

4. Reg. No. 1116 Detective Bob Gauthier, Reg. No. 1665 Detective Don Belzevick, and Reg. No. 1868 Constable Elvin Toy and EPS Analyst Peter Miller

Between May and August 2010 ten identified members of a crime group used sophisticated methods and technology to obtain debit card numbers and the associated Personal Identification Numbers (PIN). These sophisticated methods involved the theft of point of sale terminals (POS); the altering of the POS terminal with extra memory boards and a blue tooth modem; the reinstallation of this altered POS in the business, the downloading of the data via Bluetooth technology the re-writing of the magnetic stripe cards and finally the coordinated effort of attending several automated teller machines locations, at specific time periods, to access bank accounts and withdraw money.

This crime group was active across Canada and internationally. As a result of these frauds in Edmonton alone, this crime group obtained a total of \$559,139.58 through direct cash withdrawals and empty envelope deposits.

This is a highly mobile, sophisticated and elusive group that has victimized hundreds of people and taken hundreds of thousands of dollars from the Canadian economy. This group is on the leading edge of economic crime and without the efforts of these investigators would undoubtedly have continued their criminal behavior. All ten members of this crime group now have Canada wide warrants issued for their arrest for numerous fraud related charges.

The tenacity, commitment, and excellent investigative work that Det. Gauthier, Det. Belzevick, Cst. Toy and Peter Miller have demonstrated concluding this highly difficult file recognized by a Favorable notice.

5. Reg. No. 1568 Staff Sergeant Gail Denys, Reg. No. 2012 A/ Sergeant Steve Zielie, and Reg. No. 3254 Constable Harpreet Jhinjar

In January of 2012 Cst. Jhinjar was contacted by one of the City's Sikh Temples indicating they were sponsoring a speaker from India who was quite controversial, and that there was potential for violence between the various factions within the temple. Cst. Jhinjar advised his chain of command and other units with in the Edmonton Police Service.

On the date of the arrival Cst. Jhinjar, A/Sgt.Zielie and S/Sgt. Denys made contact with the Temple and conducted an assessment. Indications were that certain individuals were already within the Temple and the potential for violence was a growing concern.

The guest speaker arrived and within minutes members were advised of a fight within the Temple. Additional units were requested, and Cst. Jhinjar, A/Sgt.Zielie and S/Sgt. Denys entered the Temple to find numerous people fighting with in the prayer room. Members were initially faced with custom and religious protocol which prevented them from entering the prayer room. Cst. Jhinjar addressed the crowd using the PA system with the intention of calming the crowd and having the protesters exit the prayer room voluntarily. The fight continued whereby Communications was advised that the situation had escalated to a 10-17. Eventually the trouble makers were removed by members of the Temple and brought to a suitable location to be dealt with by Police.

Cst. Jhinjar's ability to find balance between the religious protocol of a Temple, the needs of the Sikh Community, Freedom of Religion, and the needs of the Edmonton Police Service is not an easy feat. He was able to achieve suitable results by remaining calm and professional at all times guiding responding members with appropriate information to ensure that there was no disrespect made towards the traditions of the Temple.

A/Sgt. Zielie was commended for his ability to direct responding members appropriately which allowed the Police and the Temple attendees to resolve the situation peacefully.

S/Sgt. DENYS was recognized for her team command and leadership during a situation in which the potential for a volatile and hostile disturbance was prevented by her actions and that of her team.

Without direct intervention on the part of S/Sgt. Denys, A/Sgt/ Zielie and Cst. Jhinjar this group of people that numbered from 1,000 plus had a high potential for a full scale riot with much violence.