



December 8, 2010

TO : Michael J. Boyd, C.O.M.
Chief of Police

FROM : Inspector Mark Neufeld
Professional Standards Branch

RE : MONTHLY REPORT – November 2010

This report has been prepared for the December 16, 2010 Edmonton Police Commission meeting.

During the month of November 2010, Professional Standards Branch opened 73 new files:

- 8 Public complaints alleging misconduct under the *Police Service Regulation*;
- 2 Internal complaints alleging misconduct under the *Police Service Regulation*;
- 2 Complaints of Service pursuant to Section 44 of the *Police Act*;
- 6 Citizen Concerns; and
- 55 Information Files.

And concluded 85 files:

- 15 Public complaints alleging misconduct under the *Police Service Regulation*;
- 1 Internal complaints alleging misconduct under the *Police Service Regulation*;
- 2 Internal Criminal Investigations;
- 2 EPS Concerns;
- 3 Complaints of Service pursuant to Section 44 of the *Police Act*;
- 3 Citizen Concern; and
- 59 Information Files.

The Edmonton Police Service received 38,000 calls in Communications Section, dispatched 11,286 of those calls, and recorded receiving 37 compliments.



Inspector Mark Neufeld
Professional Standards Branch

cc: Brian Gibson, Chair
Edmonton Police Commission



NOVEMBER 2010 REPORT TO THE EDMONTON POLICE COMMISSION



The following report is submitted for:

- Approval
- Ratification
- Information

PROFESSIONAL STANDARDS BRANCH
DECEMBER 16, 2010 *OPEN MEETING*

Approved by:

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

Michael J. Boyd, C.O.M.
Chief of Police

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

Inspector Mark Neufeld



**Professional Standards Branch
November 2010
Edmonton Police Service**



Complaint Classification Definitions.....	1
Statistical Summary	1
Pending Disciplinary Hearings	4
Delayed Officer Notifications.....	5
Extension Requests.....	6
Concluded Complaints of Service.....	13
Compliments.....	14

The following table shows a breakdown of files received in November, 2010. Files are classified according to the following definitions:

- **Misconduct:** A written allegation of either misconduct under the *Police Service Regulation* or criminal misconduct.
- **Service:** A written complaint about the policies of the police service or the service provided by the EPS.
- **EPS Concerns:** An internally generated allegation that is dealt with by Professional Standards Branch without invoking the Police Act.
- **Citizen Concerns:** A complaint of policy/service or an allegation of a minor misconduct that is not received in writing as required by the Police Act, that, had it been received in writing could have been categorized as a misconduct or a complaint of policy/service under the Police Act.
- **Information Only:** A complaint or concern that if proven, would not constitute misconduct as described in the Police Service Regulation. This also includes matters that due to their substance cannot be categorized under the Police Act without a written complaint. Information Only files can also consist of citizen inquiries and risk management files which do not constitute a complaint.

Files Received in November 2010

		Internal	Public	Total
Complaint Files	Misconduct	2	8	10
	Service	0	2	2
	<i>total</i>	2	10	12
Other Concerns	EPS/Citizen Concerns	0	6	6
	Information	0	55	55
	<i>total</i>	0	61	61
Total Files		2	71	73

Three Year File Comparison in the Month of November

	2008		2009		2010	
	received	concluded	received	concluded	received	concluded
Citizen Concerns	0	2	2	1	6	3
Complaints of Service	1	6	4	4	2	3
EPS Concerns	1	0	0	1	0	2
Conduct	18	19	22	22	10	18
Information Only	62	59	65	54	55	59
Total	82	86	93	82	73	85

Files Concluded in November 2010

Concluded files by completion time

File Type	under 6 mos.	6 to 12 mos.	over 12 mos.	Total
Complaint of Conduct	7	8	1	16
Complaint of Service	2	1	0	3
Criminal Investigations	0	0	2	2
EPS Concern	1	0	1	2
Citizen Concern	3	0	0	3
Information Only	59	0	0	59
<i>Total</i>	72	9	4	85

Concluded files by disposition

Incident type	Disposition	
Complaint of Conduct	No Reasonable Prospect	6
	Dismissed - Loss of Jur.	2
	Resolved through SR	2
	Resolved through PSB	2
	Withdrawn by complainant	1
	19(1)(a)(ii) PSR O.W.	1
	19(1)(b) PSR Agreement	1
	Dismissed -1 Year 43(11)	1
Complaint of Service	Dismissed -1 Year 43(11)	1
	Resolved through SR	1
	Reviewed/concl by Chief	1
Criminal Investigations	Proven in Part - At Hearing	1
	No Reasonable Prospect	1
EPS Concern	Concluded as EPS Concern	2
Citizen Concern	Concluded as Citizen Concern	3
Information Only	Concluded as Info Only	59

Overview of November 2010

The following is a snapshot of all *active* files as of November 30, 2010. The files are broken down according to the type of file and the length of time since it was received. This table includes *all currently active files*, thus the length of time presented may include time periods in which the investigation was suspended.

File Type	under 6 mos.	6 to 12 mos.	over 12 mos.	<i>Total</i>
Complaint of Conduct	74	37	20	<i>131</i>
Complaint of Service	8	6	2	<i>16</i>
Criminal Investigations	6	8	18	<i>32</i>
EPS Concern	4	3	0	<i>7</i>
Citizen Concern	10	0	0	<i>10</i>
Information Only	45	6	4	<i>55</i>
<i>Total</i>	<i>147</i>	<i>60</i>	<i>44</i>	<i>251</i>

PENDING DISCIPLINARY HEARINGS

1. I.A. File Number: IA2006-0179
The penalty hearing is scheduled for December 20, 2010

2. I.A. File Number: IA2002-0237
OPEN Disciplinary Hearing scheduled for December 22, 2010.

3. I.A. File Number: IA2003-0275
OPEN Disciplinary Hearing scheduled for December 22 and 23, 2010.

4. I.A. File Number: IA2006-0899
The First Appearance will reconvene on January 24, 2011.

5. I.A. File Number: IA2004-0040
OPEN Disciplinary Hearing scheduled for February 8 and February 9, 2011.

6. I.A. File Number: IA2009-0674
OPEN Disciplinary Hearing pending.

7. I.A. File Number: IA2006-0403
OPEN Disciplinary Hearing pending.

8. I.A. File Number: IA2009-0934
OPEN Disciplinary Hearing pending.

9. I.A. File Number: IA2009-0447
OPEN Disciplinary Hearing pending.

DELAYED OFFICER NOTIFICATION

Professional Standards Branch has delayed notifying subject officers in the following investigation(s):

1. I.A. File Number: IA2010-0247
2. I.A. File Number: IA2010-0861
3. I.A. File Number: IA2010-0101
4. I.A. File Number: IA2010-0774

Total Number of Extension Requests: 40

1.

IA2009-0248

Date of Occurrence: December 2007 to November 2008

Date of Complaint: March 27, 2009

Allegations: Obstruct Justice, Neglect of Duty,

A two (2) month extension is requested to the February 2011 meeting.

2.

IA2009-0417

Date of Occurrence: Between May 25, 2009 and May 26, 2009

Date of Complaint: June 2, 2009

Allegation: Theft Under \$5000 / Discreditable Conduct

A three (3) month extension is requested to the March 2011 meeting

3.

IA2009-0674

Date of Occurrence: July 4, 2008

Date of Complaint: May 11, 2009

Allegations: Deceit, Unlawful or Unnecessary Exercise of Authority

A one (1) month extension is requested to the January 2011 meeting

4.

IA2009-0785

Date of Occurrence: April 2007 to September 25, 2009

Date of Complaint: October 1, 2009

Allegations: Theft, Discreditable Conduct

A two (2) month extension is requested to the February 2011 meeting

5.

IA2009-0923

Date of Occurrence: Two separate complaints, both being investigated jointly; August 3, 2009 & January 24, 2010.

Date of Complaint: February 22, 2010

Allegations: Unlawful or Unnecessary Exercise of Authority and Insubordination

A one (1) month extension is requested to the January 2011 meeting

6.

IA2009-0936

Date of Occurrence: October 23, 2009

Date of Complaint: November 18, 2009

Allegation: Unlawful or Unnecessary Exercise of Authority

A three (3) month extension is requested to the March 2011 meeting

7.

IA2009-0949

Date of Occurrence: November 9, 2009

Date of Complaint: November 25, 2009

Allegations: Insubordination, Unlawful or Unnecessary Exercise of Authority

A one (1) month extension is requested to the January 2011 meeting

8.

IA2009-0954

Date of Occurrence: November 24, 2009

Date of Complaint: November 25, 2009

Allegations: Unlawful Exercise of Authority, Discreditable Conduct

A two (2) month extension is requested to the February 2011 meeting

9.

IA2009-0970

Date of Occurrence: September 16, 2009

Date of Complaint: November 27, 2009

Allegation: Neglect of Duty

A one (1) month extension is requested to the January 2011 meeting.

10.

IA2009-0984

Date of Occurrence: November 25, 2009

Date of Complaint: December 3, 2009

Allegations: Assault (Criminal), Insubordination, Discreditable Conduct

A two (2) month extension is requested to the February 2011 meeting

11.

IA2009-1020

Date of Occurrence: December 17, 2009

Date of Complaint: December 17, 2009

Allegation: Discreditable Conduct

A three (3) month extension is requested to the March 2011 meeting

12.

IA2009-1051

Date of Occurrence: July 27, 2009

Date of Complaint: July 28, 2009 (Received in PSB February 9, 2010)

Allegations: Insubordination, Corrupt Practice

A one (1) month extension is requested to the January 2011 meeting.

13.

IA2009-1053

Date of Occurrence: December 15 - 19, 2008
Date of Complaint: November 20, 2009
Allegations: Fraud, Discreditable Conduct
A two (2) month extension is requested to the February 2011 meeting

14.

IA2010-0035

Date of Occurrence: January 16, 2010
Date of Complaint: January 16, 2010
Allegation: Unlawful or Unnecessary Exercise of Authority
A two (2) month extension is requested to the February 2011 meeting

15.

IA2010-0048

Date of Occurrence: January 19, 2010
Date of Complaint: January 19, 2010. Letter of Complaint received: July 15, 2010
Allegations: Unlawful or Unnecessary Exercise of Authority
A four (4) month extension is requested to the April 2011 meeting

16.

IA2010-0101

Occurred Date: Unknown
Date of Complaint: February 4, 2010
Allegation: Criminal allegations, Insubordination, Discreditable Conduct, Consumption of Drugs in a manner that is prejudicial to duty, Corrupt Practices
A four (4) month extension is requested to the April 2011 meeting

17.

IA2010-0165

Occurred Date: February 11, 2010
Date of Complaint: February 23, 2010
Allegations: Insubordination, Unlawful or Unnecessary Exercise of Authority
A one (1) month extension is requested to the January 2011 meeting

18.

IA2010-0215

Occurred Date: March 8, 2009
Date of Complaint: March 7, 2010
Allegations: Criminal Allegations, Improper Use of Firearms, Neglect of Duty, Unlawful or Unnecessary use of Authority
A four (4) month extension is requested to the April 2011 meeting

19.

IA2010-0216

Occurred Date: Not Known
Date of Complaint: February 25, 2010
Allegations: Corrupt Practice/Insubordination
A three (3) month extension is requested to the March 2011 meeting

20.

IA2010-0241

Occurred Date: December 6, 2010
Date of Complaint: March 22, 2010
Allegations: Neglect of Duty, Discreditable Conduct
A three (3) month extension is requested to the March 2011 meeting

21.

IA2010-0287

Date of Occurrence: On or prior to May 26, 2009
Date of Complaint: April 9, 2010
Allegations: Discreditable Conduct, Breach of Confidence
A two (2) month extension is requested to the February 2011 meeting

22.

IA2010-0343

Occurred Date: April 18, 2010
Date of Complaint: April 22, 2010
Allegation: Unlawful or Unnecessary Exercise of Authority
A four (4) month extension is requested to the April 2011 meeting

23.

IA2010-0347

Occurred Date: Unspecified
Date of Complaint: April 12, 2010
Allegation: Withheld
A three (3) month extension is requested to the March 2011 meeting

24.

IA2010-0415

Date of Occurrence: Various dates from 2003 to 2010
Date of Complaint: June 11, 2010
A one (1) month extension is requested to the January 2011 meeting

25.

IA2010-0421

Date of Occurrence: Three separate complaints, being investigated jointly; August 3, 2009, January 24, 2010, & May 12, 2010.

Date of Complaint: May 14, 2010

Allegations: Unlawful or Unnecessary Exercise of Authority and Insubordination

A one (1) month extension is requested to the January 2011 meeting

26.

IA2010-0488

Date of Occurrence: June 6, 2010

Date of Complaint: June 7, 2010

Allegations: Discreditable Conduct, Neglect of Duty

A four (4) month extension is requested to the April 2011 meeting

27.

IA2010-0526

Occurred Date: June 21, 2010

Date of Complaint: July 7, 2010

Allegations: Discreditable Conduct, Unlawful or Unnecessary Exercise of Authority

A three (3) month extension is requested to the March 2011 meeting

28.

IA2010-0531

Occurred Date: June 24, 2010

Date of Complaint: June 24, 2010

Allegations: Criminal Uttering Threats; Discreditable Conduct; Unlawful or Unnecessary Exercise of Authority

A four (4) month extension is requested to the April 2011 meeting

29.

IA2010-0533

Occurred Date: June 6, 2010

Date of Complaint: August 18, 2010

Allegation: Unlawful or Unnecessary Exercise of Authority x 5 , Discreditable Conduct x 2

A (6) month extension is requested to the June 2011 meeting

30.

IA2010-0534

Occurred Date: June 16, 2010

Date of Complaint: June 23, 2010

Allegations: Perjury, Deceit

A (2) month extension is requested to the February 2011 meeting

31.

IA2010-0543

Occurred Date: June 25, 2009
Date of Complaint: June 25, 2010
Allegation: Unlawful or Unnecessary Exercise of Authority x3, Neglect of duty
A (2) month extension is requested to the February 2011 meeting

32.

IA2010-0549

Occurred Date: July 8 , 2009
Date of Complaint: June 30, 2010
Allegation: Numerous pending interview with complainant to clarify
A three (3) month extension is requested to the March 2011 meeting

33.

IA2010-0552

Occurred Date: June 29, 2010
Date of Complaint: July 2, 2010
Allegation: Insubordination/ Unnecessary Exercise of Authority
A one (1) month extension is requested to the January 2011 meeting

34.

IA2010-0553

Occurred Date: June 28, 2010
Date of Complaint: June 29, 2010
Allegation: Unlawful exercise of authority x3, Insubordination
A (2) month extension is requested to the February 2011 meeting

35.

IA2010-0559

Occurred Date: July 5, 2010
Date of Complaint: July 6, 2010
Allegation: Discreditable Conduct
A six (6) month extension is requested to the June 2011 meeting

36.

IA2010-0560

Occurred Date: July 8, 2009
Date of Complaint: July 5, 2010
Allegation: Neglect of Duty, Unlawful or Unnecessary Exercise of Authority
A two (2) month extension is requested to the February 2011 meeting

37.

IA2010-0569

Occurred Date: January 7, 2005

Date of Complaint: June 18, 2010

Allegation: Discreditable Conduct

A two (2) month extension is requested to the February 2011 meeting

38.

IA21010-0578

Occurred Date: July 1, 2010

Date of Complaint: July 14, 2010

Allegation: Unlawful or Unnecessary Exercise of Authority

A four (4) month extension is requested to the April 2011 meeting

39.

IA2010-0594

Occurred Date: May 2008 – October 2009

Date of Complaint: July 14, 2010

Allegation: Discreditable conduct, Insubordination X 2

A two (2) month extension is requested to the February 2011 meeting

40.

IA2010-0835

Occurred Date: None specifically identified

Date of Complaint: July 20, 2010

Allegation: Possible: Neglect of Duty / Discreditable Conduct

A three (3) month extension is requested to the March 2011 meeting

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

One Complaint of Service under Section 44 of the *Police Act* was received in November 2010 and three Complaints of Service were concluded during the month.

1. Reviewed and concluded by the Chief of Police
File No: IA2010-0051
Date of Complaint: January 21, 2010
2. Resolved through Supervisory Review
File No: IA2010-0611
Date of Complaint: July 20, 2010
3. Loss of Jurisdiction 43(11)
File No: IA2010-0803
Date of Complaint: September 3, 2010

COMPLIMENTS

During the month of November 2010, thirty seven letters of appreciation were received by the Edmonton Police Service. Professional Standards Branch would like to present four of these letters.

Dear Chief of Police Boyd,

This is a belated thank you to two of your great officers who rescued my husband in 2008. Some time in the last 2 weeks in October my husband went to the bank and withdrew some money. At 4 o'clock I became worried and called his cell phone. He told me he was dizzy and confused and didn't know where he was. I was worried thinking he might be having a stroke. I told him to pull over to the side of the street out of the traffic and I would call the police officers and they would help him.

We had moved from Village Plaza in September 2008 to Royal Heights and he went back to our old place behind Londonderry Mall.

Needless to say your wonderful officers soon located him. As he was a paratrooper in World War 2, he fought all the way from Italy and met with the Russian army. They fought through great battles so he couldn't understand his confusion. But he told me that they were as great as his buddies in the paratroopers of the Red Berets.

They told me their names but the relief of having him home safe, I can't remember the names of the 2 officers. One was about six feet, very handsome and very kind. The other officer was a wee bit shorter but very kind and handsome. Thank you both. My husband said that was the best rescue he ever had. Thanks for rescuing an old paratrooper fighting his way through hell and high water.

They say that the little acorns fall close to a great tree. Thanks Chief Boyd!

My husband passed away July 2010. I have a medal for your 2 great officers as he always respected the police officers.

God Bless.

And;

On September 16, 2010 I received the kind of news no one should ever have. Two of Edmonton's finest arrived on my doorstep to tell me my husband had been fatally injured in a motor vehicle accident near Morinville.

The compassion and caring shown by Constable Aaron Armstrong and Constable Marvin Foth of North Division will be with me forever.

Constable Armstrong contacted my best friend and explained the situation, and they refused to leave until friends arrived. They then went and picked up my daughter and her dog and brought them to me. Further, Constable Armstrong gave me his cell number and offered to pick my eldest daughter up from the airport when she arrived back home that night if she didn't have a ride.

I have sent personal thank you cards to the officers, but I wanted to let you know so there could be a permanent notation on their personnel records. They deserve it.

I am very appreciative of these officers, as well as the RCMP officer from the Morinville Detachment.

Chief Boyd, you will be missed in Edmonton, but you are leaving a legacy of which you can be proud.

And;

I am writing this letter as I feel the actions of Mike Pavan and the officers he dispatched were excellent and exceeded my expectations.

When I called 423-4567 shortly after 2:30pm I explained to Mike that my daughter had sent me a text advising she wanted to kill herself and I believed she would go through with it if she wasn't provided help. Due to the events of the previous week and her violence towards me I couldn't risk going to help her myself. My daughter has been very troubled for the last 6 years starting with a serious crack addiction to the present alcohol problems and an undiagnosed mental disorder.

Mike listened to me and then he was able to trace her phone, and send officers and he directed me to communicate with [REDACTED] via text in order to ensure she was found and safe. The officers then spent hours with her at the Royal Alec hospital and when I was invited down later in the evening she was unhappy but calm. They have discharged her after only keeping her for the 24 hours and she is staying with a friend. I remain hopeful that she will get the help she needs down the road and will become a happy productive person.

This has been a struggle for my family for 6 years and I wanted you to know that this was one of the most positive and helpful experiences I have had throughout. Mike was warm and understanding and he provided the calm in the storm.

I just wanted to make sure that you were made aware of this incident and you should be proud to have Mike answering the phone. I believe the actions of Mike saved [REDACTED] life. He is clearly a very nice caring person and was the right person for me and this situation. I will be forever thankful he answered the phone.

And;

My name is [REDACTED] and I recently shared an experience with two officers from the West Division. Nathan Sharuga & Eric Hamel that I would like to share with you.

On the evening of Saturday November 13, 2010, my dog, Bentley was stolen from my [REDACTED] neighbourhood. In a desperate search for my dog I called the police while my Mum took off in pursuit of the truck that had abducted him. Constables Sharuga & Hamel were near the MEC on 124 street and as my call came across the screen my Mum drove up to their cruiser pleading our story. Constable Sharuga and Hamel then came to our home and took down the detailed information of the incident. They were patient, kind, caring and professional. Our experience with the officers this evening was priceless and had a profound effect on the way we carried out our search for Bentley.

During this initial conversation with the officers, Constable Hamel & Sharuga informed both my Mum and I that the following days were their scheduled days off and that they would pass on the case to their colleagues. Not only did they do this, but I discovered that following their visit to our house the officers went on to the Emergency Vet and continued to draw attention to Bentley's abduction. In the days following I received follow up phone calls from two other officers, both were incredibly compassionate, caring and professional, which was so incredibly helpful to me during this difficult time.

Constable Bryce (one of the other officers who contacted me) and his partner even canvassed the area that Bentley was taken from which went above and beyond my expectations and I cannot thank the West Division enough for the effort that was put into finding Bentley and the individuals that had abducted him.

On Monday, November 15, I received a tip that lead me to the Animal Control and Care Centre of Edmonton and discovered that Bentley had been found some 40 blocks from the spot of abduction by another citizen of Edmonton. Bentley had been stripped of his collar and leash leaving him in an area with excessively high traffic. I was able to contact both Constable Bryce and constable Hamel to let them know of the good news. Not only did I receive great enthusiasm from the officers over his successful return home, but Constables Hamel & Sharuga followed up the case last night, which was so incredibly appreciated by my family.

I cannot thank the officers who worked on this case enough as I felt throughout this entire experience I had the support and backing of the EPS. Despite the fear and horror I felt during the time that Bentley was gone I truly did feel that these officers were there for me & my family. You should be proud to have such outstanding individuals on your team

Edmonton Police Service Professional Standards Branch

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