



June 8, 2015

TO: Rod R. Knecht
Chief of Police

FROM: Inspector Kevin Brezinski
Professional Standards Branch

RE: MONTHLY REPORT – May 2015

This report has been prepared for the June 18, 2015, Edmonton Police Commission meeting.

During the month of May 2015, Professional Standards Branch received 74 new files:

- 3 Public complaints as defined by Part 5 of the *Police Act*;
- 6 Internal complaints as defined by Part 5 of the *Police Act*;
- 7 EPS Matters; and
- 58 Citizen Contacts.

Additionally, 1 file was directed for Criminal Investigation (*Statutory Complaints*).

Concluded 110 files:

- 2 Internal *Statutory* complaints;
- 21 Public complaints as defined by Part 5 of the *Police Act*, including 3 complaints regarding policies or services provided by the EPS;
- 10 Internal complaints as defined by Part 5 of the *Police Act*;
- 14 EPS Matter; and
- 63 Citizen Contacts.

The Edmonton Police Service received 34,402 calls in Communications Section, dispatched 14,153 of those calls and recorded opening 17 compliments.

Inspector Kevin Brezinski
Professional Standards Branch

cc: Shami Sandhu, Chair
Edmonton Police Commission



**MAY 2015 REPORT TO THE
EDMONTON POLICE COMMISSION**



The following report is submitted for:

- Approval
 Ratification
 Information

**PROFESSIONAL STANDARDS BRANCH
June 18, 2015, OPEN MEETING**

Approved by:


Rod R. Knecht
Chief of Police

2015 06 12


Kevin Brezinski
Inspector



**Professional Standards Branch
May 2015
Edmonton Police Service**

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STATISTICAL SUMMARY

May Update

1. RECEIVED FILES

The following figure shows the number and type of files received during the month of May. Blue colours represent informal files and red colours represent formal investigations. Lighter shades indicate internally generated files and darker shades indicate externally generated files. As can be seen below, during the month of May 2015, PSB received 65 informal files and 9 formal complaints.

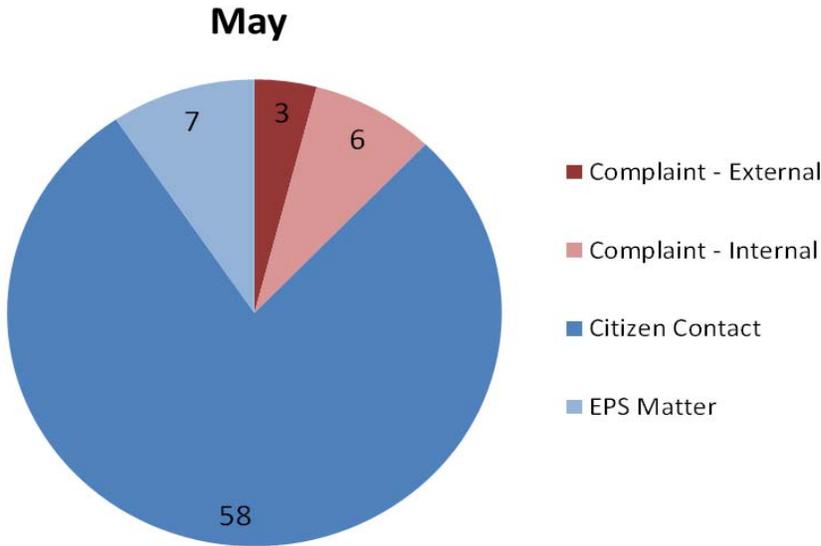


Figure 1-1. Type of Files Received During May

The following figure shows the yearly percentage increase or decrease in formal complaints and total files received compared to 2014 values. YTD change in Formal Complaints received represents a decrease of 12 complaints (-10.5%) as compared to the same point in time in 2014. The YTD Total Files Received represents a decrease of 20 files (-4.5%) as compared to the same point in time in 2014.

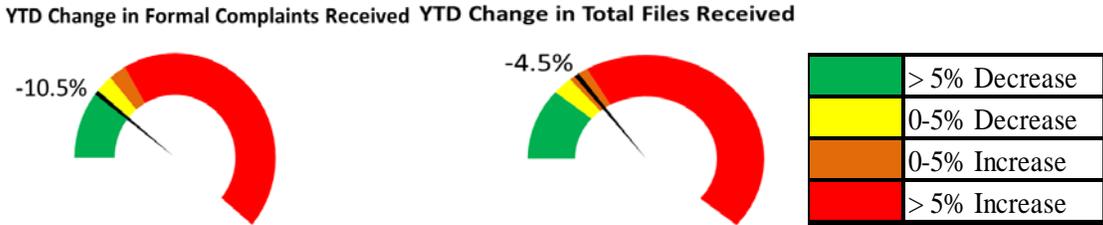


Figure 1-2. Yearly Changes in Files Received

2. CURRENT WORKLOAD

As of May 31st, 2015, PSB had 381 open investigations broken down as follows:

- 155 Complaints External
- 84 Complaints Internal
- 81 Citizen Contacts
- 36 EPS Matters

25 Statutory Complaint (of the 25 statutory complaints, 21 are associated with open PSB files and therefore are considered duplicate files, the remaining 4 files are associated with completed PSB files and therefore are not considered duplicates).

The following table shows the age and status of all open PSB investigations, including all Statutory Complaints. 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. Reasons for suspending a file may include executive review of the investigation, disciplinary hearings, criminal investigation, or court proceedings. An investigation is listed as “Forwarded” when it is ongoing but not under the control of PSB. Reasons for forwarding a file may include supervisory reviews, obtaining legal opinions, or investigation by outside investigators.

This table will break down these files by year, that will show the total number of files in each status for the corresponding year (i.e. 2010 has a total of 2 open files, of those 1 file is Suspended and 1 file is Forwarded).

Age and Status of all Open Investigations				
Year	Active	Forwarded	Suspended	Total
2010	0	1	1	2
2011	1	0	0	1
2012	3	1	6	10
2013	6	3	18	27
2014	78	22	59	159
2015	141	23	18	182
Total	229	50	102	381

Figure 2-1. Age and Status of All Open Investigations

The following figure shows the stage 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:

- 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).

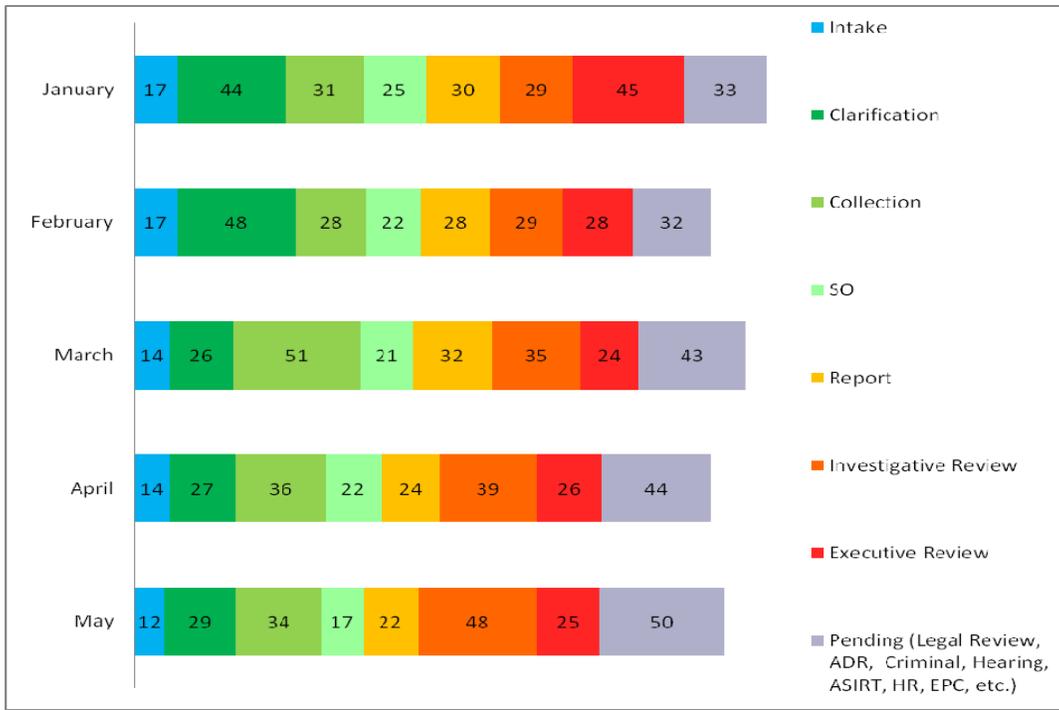


Figure 2-2. Monthly Comparison of Complaint Stages

3. CONCLUDED FILES

The following figure shows the disposition of all Formal Complaints and Statutory Complaints files concluded during the month of May (31 Formal Complaints, 2 Statutory Complaints).

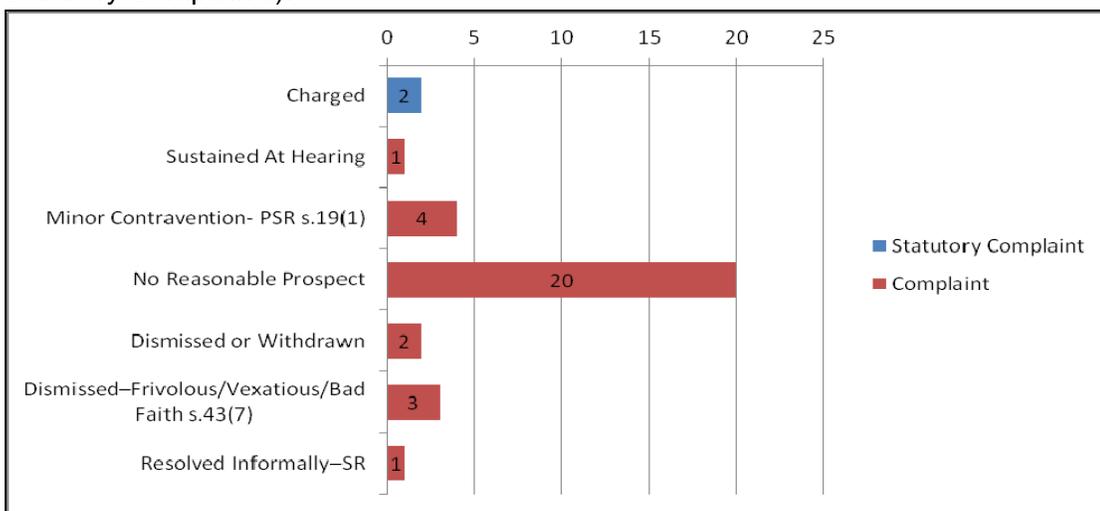


Figure 3-1. Dispositions of Concluded Formal Complaints

	2013		2014		2015	
	May	YTD	May	YTD	May	YTD
Received						
Complaint	15	87	22	114	9	102
Citizen Contact	68	296	67	298	58	263
EPS Matter	11	47	9	32	7	59
Total	94	430	98	444	74	424
Concluded						
Complaint	29	126	19	98	31	128
Citizen Contact	35	362	34	285	63	461
EPS Matter	11	62	7	36	14	57
Total	75	550	60	419	108	646

Figure 3-2. Three-Year File Comparison for the Month of May
 Total numbers do not include Statutory Complaints

The following figure shows the yearly percentage increase or decrease in formal complaints and total files concluded compared to 2014 values. YTD change in Formal Complaints concluded represents an increase of 30 complaints (+30.6%) as compared to the same point in time in 2014. The YTD Total Files Concluded represents an increase of 227 files (+54.2%) as compared to the same point in time in 2014.

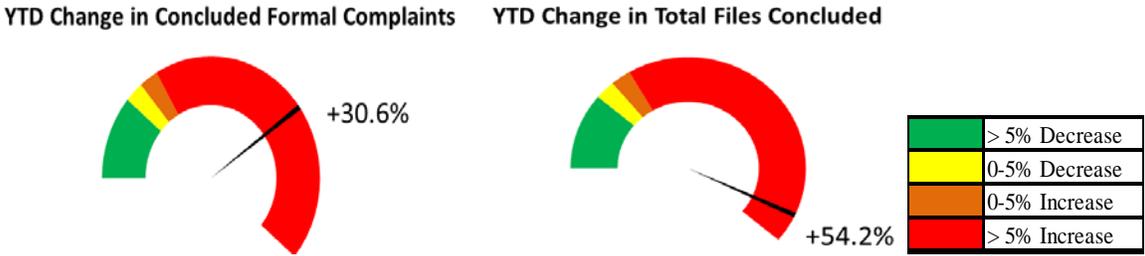


Figure 3-3. Yearly Changes in Files Concluded

4. LEGAL

DISCIPLINARY HEARINGS		
Hearings	Total	File Number
Directed	0	
Concluded	3	DH2013-0092 DH2015-0181 DH2013-0528
LERB		
LERB	Total	File Number
Appeals Received	1	LRB2013-0905
Decisions Rendered	4	LRB2012-0537 LRB2006-0499 LRB2012-0873 LRB2011-0631
Appeals Withdrawn	1	LRB2013-0512

Figure 4-1. Disciplinary Hearings and LERB during the Month of May

DISCIPLINARY ACTION TAKEN AGAINST MEMBERS

1. File Number: PSB2015-0182
Complainant: EPS
Date of Complaint: March 11, 2015
Subject Officer: Reg. No. 2235 Cst. K. Yaremchuk
- Discreditable Conduct x 1
 - Deceit x 1
- Presenting Officer: T. Magee, Edmonton Police Service
Presiding Officer: Supt. M. Logar, Edmonton Police Service

On May 08, 2015, the officer was found guilty of one count of Discreditable Conduct and one count of Deceit and received a two year demotion. He will be a 4th year Constable for the first year and a 5th year Constable for the second year. He may be reinstated after these two years to his previous rank based on satisfactory performance appraisals.

2. File Number: PSB2013-0528
Complainant: EPS
Date of Complaint: July 05, 2013
Subject Officer: Reg. No. 3124 Cst. D. Starr
- Insubordination x 2
 - Discreditable Conduct x 1
 - Deceit x 1
- Presenting Officer: M. Sallaberry, Edmonton Police Service
Presiding Officer: Supt. T. Grue, Edmonton Police Service

On May 20, 2015, two counts of Insubordination were found proven against the officer. The officer received a one level reduction in seniority in rank from a 5th year Constable to a 4th year Constable for 18 months, and following that may be reinstated to his previous rank based on satisfactory performance appraisals.

PENDING DISCIPLINARY HEARINGS

1. File Number: PSB2014-0916
Date of Complaint: November 13, 2014
Subject Officer: Constable A.B.
 - Discreditable Conduct x 3Presenting Officer: S. Johnson, Bennett Jones LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Hearing is scheduled for June 08, 2015.

2. File Number: IA2012-0537
Date of Complaint: July 11, 2012
Subject Officer: Constable A.B.
 - Discreditable Conduct x 1Presenting Officer: M. Sallaberry, Edmonton Police Service
Presiding Officer: Supt. M. Logar, Edmonton Police Service

Open Hearing is scheduled for June 15-17, 2015.

3. File Number: PSB2013-0298
Date of Complaint: April 18, 2013
Subject Officer: Constable. A.B.
 - Insubordination x 1
 - Unlawful or Unnecessary Exercise of Authority x 1Presenting Officer: D. Cranna, Field LLP
Presiding Officer: Supt. M. Logar, Edmonton Police Service

First Appearance is scheduled for June 16, 2015.

4. File Number: PSB2013-0636
Date of Complaint: August 09, 2013
Subject Officer: Constable A.B.
 - Discreditable Conduct x 1
 - Insubordination x 1Presenting Officer: M. Sallaberry, Edmonton Police Service
Presiding Officer: Supt. T. Grue, Edmonton Police Service

Open Hearing is scheduled for June 18, 2015.

5. File Number: IA2012-0540
Date of Complaint: July 11, 2012
Subject Officer: Constable A. B.
 - Unlawful or Unnecessary Exercise of Authority x 1
 - Constable C.D.
 - Unlawful or Unnecessary Exercise of Authority x 1Presenting Officer: M. Sallaberry, Edmonton Police Service
Presiding Officer: Supt. T. Grue, Edmonton Police Service

Open Disciplinary Hearing is scheduled for June 29, 2015.

6. File Number: PSB2014-0916
Date of Complaint: November 13, 2014
Subject Officer: Constable A.B.
 - Discreditable Conduct x 7
 - Unlawful or Unnecessary Exercise of Authority x 1Presenting Officer: S. Johnson, Bennett Jones LLP
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for July 06-10, 2015.

7. File Number: PSB2013-0914
Date of Complaint: November 14, 2013
Subject Officer: Constable A.B.
 - Deceit x 2Presenting Officer: S. Johnson, Bennett Jones
Presiding Officer: Supt. T. Grue, Edmonton Police Service

Open Disciplinary Hearing is scheduled for July 30, 2015.

8. File Number: IA2011-0094
Date of Complaint: February 01, 2011
Subject Officer: Constable A.B.
 - Deceit x 1Presenting Officer: D. Morrow, Bennett Jones LLP
Presiding Officer: Supt. T. Grue, Edmonton Police Service

Open Disciplinary Hearing is scheduled for August 17, 2015.

9. File Number: PSB2013-0478
Date of Complaint: June 23, 2013
Subject Officer: Constable A.B.
 - Unlawful or Unnecessary Exercise of Authority x 1Presenting Officer: T. Magee, Edmonton Police Service
Presiding Officer: Justice M.A. Binder

Open Disciplinary Hearing is scheduled for September 02 and 09, 2015

- 10.** File Number: PSB2013-0916
Date of Complaint: February 05, 2013
Subject Officer: Constable A.B.
• Insubordination x 1
Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: Supt. M. Logar, Edmonton Police Service

New matter, not yet scheduled.

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

There were three (3) Complaints of Service under Section 44 of the *Police Act* that were resolved or concluded during the month of May 2015.

1. Resolved through PSB
File Number: PSB2013-0242
Date of Complaint: March 8, 2013
Investigator: Intake Section

Summary

PSB received a written letter of complaint March 8, 2013, which included concerns with respect to PSB's internal procedures in relation to the investigator's discretion when linking investigative materials to the electronic file. The complainant believed that there lacked sufficient guidance on what an investigator must document on the PSB file as action taken, and the types of documents that should be attached to the electronic file. Further to that, the complainant had concerns about PSB's investigators having the authority to contact subject officers directly while on leave, without inquiring into their current well-being. The complainant met with the Inspector in charge of PSB who was able to discuss the concerns brought forward to the complainant's satisfaction. PSB investigators are allowed discretion and guided accordingly to what makes up the investigative record, and an agreement between the Police Officer's Association, Human Resources, and PSB established that Human Resources would be contacted for subject officers on leave. A complaint resolution form was signed on May 27, 2015, concluding this matter within PSB.

2. Concluded by the Chief of Police
File Number: PSB2014-0378
Date of Complaint: May 14, 2014
Investigator: Don McFaul

Summary

PSB received a written letter of complaint March 14, 2014, with respect to EPS Polices and Procedures regarding the sale of seized goods and items in evidence that was not released to the complainant. Upon review it was determined that the seizure of items were lawfully placed and that the Police Vehicle Seizure Lot followed EPS Policy and Procedure in their notification to the complainant of the impending sale of the item. Items seized and placed in evidence became available to the complainant after all court proceedings were finalized. As such the Chief concluded this matter on May 12, 2015.

3. Concluded by the Chief of Police
File Number: PSB2013-1032
Date of Complaint: April 29, 2014
Investigator: Don McFaul

Summary

On April 29, 2014, PSB received a written letter of complaint where the complainant expressed concerns that their multiple complaints to the Edmonton Police Service were not taken seriously. Upon review of the EPS files and the EPS members that dealt with each complaint it was determined that the actions taken were appropriately dealt with in accordance to EPS Policies and Procedures. The Chief concluded this matter on May 28, 2015.

COMPLIMENTS

During the month of May, seventeen (17) letters of appreciation were entered by the Edmonton Police Service. Professional Standards Branch would like to present four (4) of these letters.

1.

Chief Knecht
Edmonton Police Service

Hoping that you shall take the time to read this email, as I write to you not to complain but to inform you of a particular Officer: [REDACTED].

Chief Knecht, I have dealt with many many challenges and tragedy's over the years in particular the death of my 16 year old niece [REDACTED] whom was killed by a drunk driver in 2000 at the age of 16, my sister in-law [REDACTED] is the past President of MADD (Mothers Against Drunk Drivers) and very much involved to this day with MADD she suggested that I write to you being that you directly know her.

Unfortunately on April 13, 2015 my Father [REDACTED] passed away at the age of 93 years of age, my Father was a WWII Veteran lived in Edmonton all his life, loved his family, my Father was a worthy and honorable man and he loved his Country, my Father also had a high respect for Police Officers, I miss my Father terribly and the grief is very deep and over whelming.

Chief Knecht, from 2000 I have had to deal with a property next door to me [REDACTED] Street that has been sorely kept up and is a rental property in which the landlord has rented to not the most respectful of people, there has been a suicide on the premises, as well a woman torched herself on fire leaving her baby on my doorstep which caused me severe anxiety there are issues I certainly could go on and on of.

Back in October of 2014 the property [REDACTED] Street was rented out and shortly after the tragic death of RCMP - Constable [REDACTED] in January 2014 an arrest was made on that property which caused me to have a very unsettling feeling of the tenants feeling fearful for my safety and that of my English Labrador "Rosie". In the early spring of 2015 things became very worse, after which my Fathers passing on April 13, 2015 there were numerous occasions which I would have to take my English Labrador "Rosie" and go stay at my Father's home where I could find safety and solace to mourn the loss of my Father.

At the beginning of May 1, 2015 - May 3rd, 2015 I made many calls into EPS dispatch regarding issues at this particular property, bringing me to meet Constable [REDACTED] on May 3rd, 2015. In meeting Constable [REDACTED] I felt safe and poured my heart out to him, I told Constable [REDACTED] of my Father's passing of the grief, of issues that have occurred at this particular property that have caused me to feel severe anxiety. Constable [REDACTED] listened to me, he heard me and asked me questioned that no one ever thought to ask a woman whom was trying to grieve in peace I was compelled to open my heart honestly to Constable [REDACTED] and truly felt that Constable [REDACTED] cared for my well being and was going to help make things better. Constable [REDACTED]

told me to reach out to my brother [REDACTED] and my sister in-law [REDACTED] and inform them of my state as well to reach out for counseling before I may do something tragic.

In the end Chief Knecht, I am certain to say if it was not for meeting Constable [REDACTED] whether I would be here today, as I had lost hope, lost my tomorrow, my Father was the anchor to my ship and after his passing I felt like my ship was sinking. To this day I stay in touch with Constable [REDACTED] and feel in my heart that my Father sent Constable [REDACTED] to help his daughter and give her hope for tomorrow and that there shall be a tomorrow.

Happy to inform you that the people living on the premises have moved out as of today and with hope and faith I can sit in my backyard in Peace and mourn my Father respectfully and not in fear.

Certain there are many Constables whom have helped many people and to me Constable [REDACTED] is a gift given to me from my Father and for that I am very very grateful.

There is a quote from Maya Angelou : " A Bird does not Sing because it has an Answer ... A bird Sings because it has a Song"

Constable [REDACTED] has given me a reason to Sing A Song ! And I am certain my Father is grateful to him and I wish for you to know of it.

Kind Regards,

2.

SUBJECT: Southwest Division Opening Doors...

MESSAGE: I would like to take this quick opportunity to thank the southwest division to opening their community room for use of a library program. Not only did my son get to enjoy a program put on by the library, I was able to begin teaching him the important role EPS has in our community. And added bonus he gets to see the odd police car! Thank you for opening your doors to the community and I hope the program can continue in the near future!

3.

Subject: Appreciation Letter

Morning [REDACTED],

I just received a call from a citizen [REDACTED], (Team Coordinator for ICE). She wanted to thank the members that assisted her client this past weekend.

[REDACTED] stated that her client [REDACTED] who has down syndrome, was attending a conference at the Shaw on Friday May 1st. [REDACTED] requested DATS to pick her up at a

pre designated location. Between the two parties miscommunications was developed as [REDACTED] was left waiting for the pick-up outside for hours.

[REDACTED] stated that there was a lot of Police presence that night as there was a rave taking place at the Shaw. [REDACTED] stated that the Police were "watching out for her" as crowds of ravers began forming around her as she still continued to wait for her pick-up from DATS.

At approximately 2230 hours the members who had been "watching out for her" arranged for a patrol car to pick her up and take her home as her ride became an apparent no-show.

[REDACTED] was very pleased with the above and beyond service that [REDACTED] received that night despite being visibly busy with the rave.

[REDACTED] was not interested in writing a formal letter and asked me to pass along the information. However she requested (if possible) to arrange to speak with the member/members in person or on the phone as it is more personable.

[REDACTED] unfortunately doesn't have the members name or Reg numbers. All she could provide me was the approximate time of 2230 hours, The location of the Shaw and the date if 2015MAY1.

Thank you for your time,

4.

To Whom It May Concern,

My name is [REDACTED]. I am currently providing foster care to high risk youth in my home as part of a pilot project being initiated by the High Risk Youth Unit, Children's Services. The youth, girls aged 17-24, are brought to me during times of transition between programs and independent living or during times of crisis when they have nowhere safe to go. Staying with me keeps them from staying with a pimp, abusive boyfriend, floor of a crack house or street corner. We hope to expand this initiative to have other families take in our high risk youth but as I have learned in the past year, this endeavour comes with many challenges and dangers.

The ability to reach out for support when these youth bring danger (drugs, gang member boyfriends, etc.) into my home has been my saving grace. I would like to specifically recognize one of your officers as being a strong support and huge resource for me. Constable [REDACTED] has supported me through many challenging situations and talks me through the steps I need to take when I need Police assistance.

I met Constable [REDACTED] when he was assigned as the SRO at the high school I was working at and he still today shows great concern for our city's vulnerable youth. He continues to make himself available as a support and resource for me and this has been the strongest link in my support chain.

The times that I have required Police assistance in my home have been made less traumatic for me thanks to the impeccable service of the officers. I feel they not only truly care about my safety but also the safety of the youth staying with me. They have offered advice to me and compassion to the youth. I am grateful and wish to recognize this service.

Sincerely,

Edmonton Police Service Professional Standards Branch

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