



October 14, 2015

TO: Rod R. Knecht
Chief of Police

FROM: Inspector Kevin Brezinski
Professional Standards Branch

RE: QUARTERLY REPORT – Q3 of 2015

This report has been prepared for the October 22, 2015, Edmonton Police Commission meeting.

During the third quarter of 2015 (Q3), Professional Standards Branch received 308 new files:

- 30 Public complaints as defined by Part 5 of the *Police Act*;
- 20 Internal complaints as defined by Part 5 of the *Police Act*;
- 28 EPS Matters; and
- 230 Citizen Contacts.

There were 5 files directed for Criminal Investigation (*Statutory Complaints*) during Q3 of 2015.

Concluded 292 files:

- 5 Internal *Statutory* complaints;
- 54 Public complaints as defined by Part 5 of the *Police Act*, including nine (9) complaints regarding policies or services provided by the EPS;
- 22 Internal complaints as defined by Part 5 of the *Police Act*;
- 33 EPS Matter; and
- 178 Citizen Contacts.

The Edmonton Police Service received 100,599 calls in Communications Section, dispatched 7,127 of those calls and recorded opening 55 compliments.

Inspector Kevin Brezinski
Professional Standards Branch

cc: Shami Sandhu, Chair
Edmonton Police Commission



Q3 2015 REPORT TO THE EDMONTON POLICE COMMISSION



The following report is submitted for:

- Approval
- Ratification
- Information

PROFESSIONAL STANDARDS BRANCH
October 22, 2015, *OPEN MEETING*

Approved by:

Rod R. Knecht
Chief of Police

OCT 14 2015

Kevin Brezinski
Inspector



**Professional Standards Branch
July – September 2015
Q3 Report
Edmonton Police Service**

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STATISTICAL SUMMARY

Third Quarter of 2015 Update

1. RECEIVED FILES

The following figure shows the number and type of files received during the third quarter (Q3) of 2015. 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 Q3 of 2015, PSB received 258 informal files and 50 formal complaints.

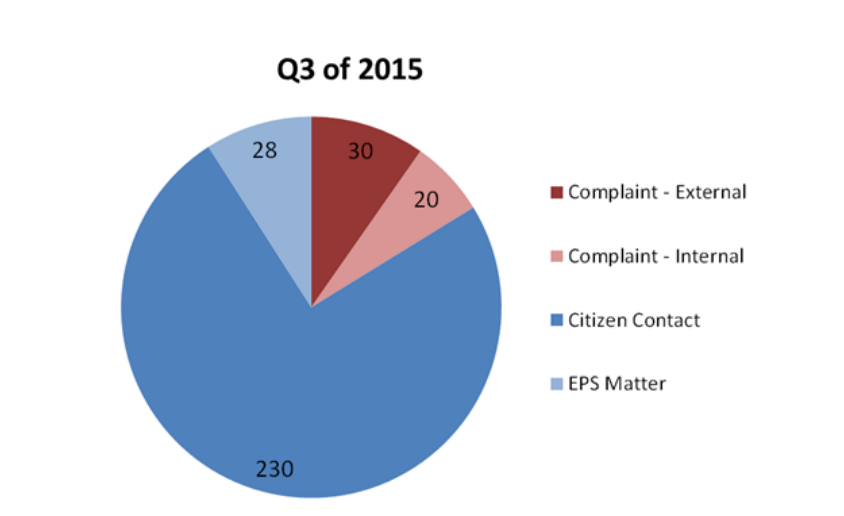


Figure 1-1. Type of Files Received During Q3 of 2015

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 6 complaints (-3.06%) as compared to the same point in time in 2014. The YTD Total Files Received represents an increase of 42 files (+5.2%) as compared to the same point in time in 2014.

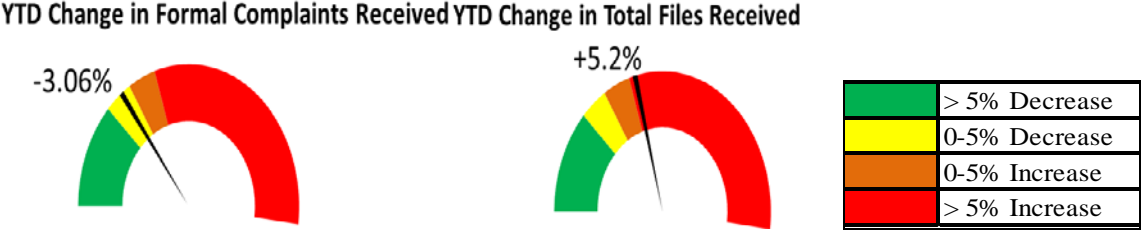


Figure 1-2. Yearly Changes in Files Received

2. CURRENT WORKLOAD

As of September 30th, 2015, PSB had 411 open investigations broken down as follows:

- 140 Complaints External
- 70 Complaints Internal
- 142 Citizen Contacts
- 35 EPS Matters

24 Statutory Complaints (of the 24 statutory complaints, 20 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. 2006 has a total of 1 active file)

Age and Status of all Open Investigations				
Year	Active	Forwarded	Suspended	Total
2006	1 ¹	0	0	1
2011	1	0	0	1
2012	3	0	2	5
2013	2	1	11	14
2014	37	15	41	93
2015	167	65	65	297
Total	211	81	119	411

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

¹ LERB file IA2006-0499a sent back for re-investigation.

The following figure shows the stages 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).

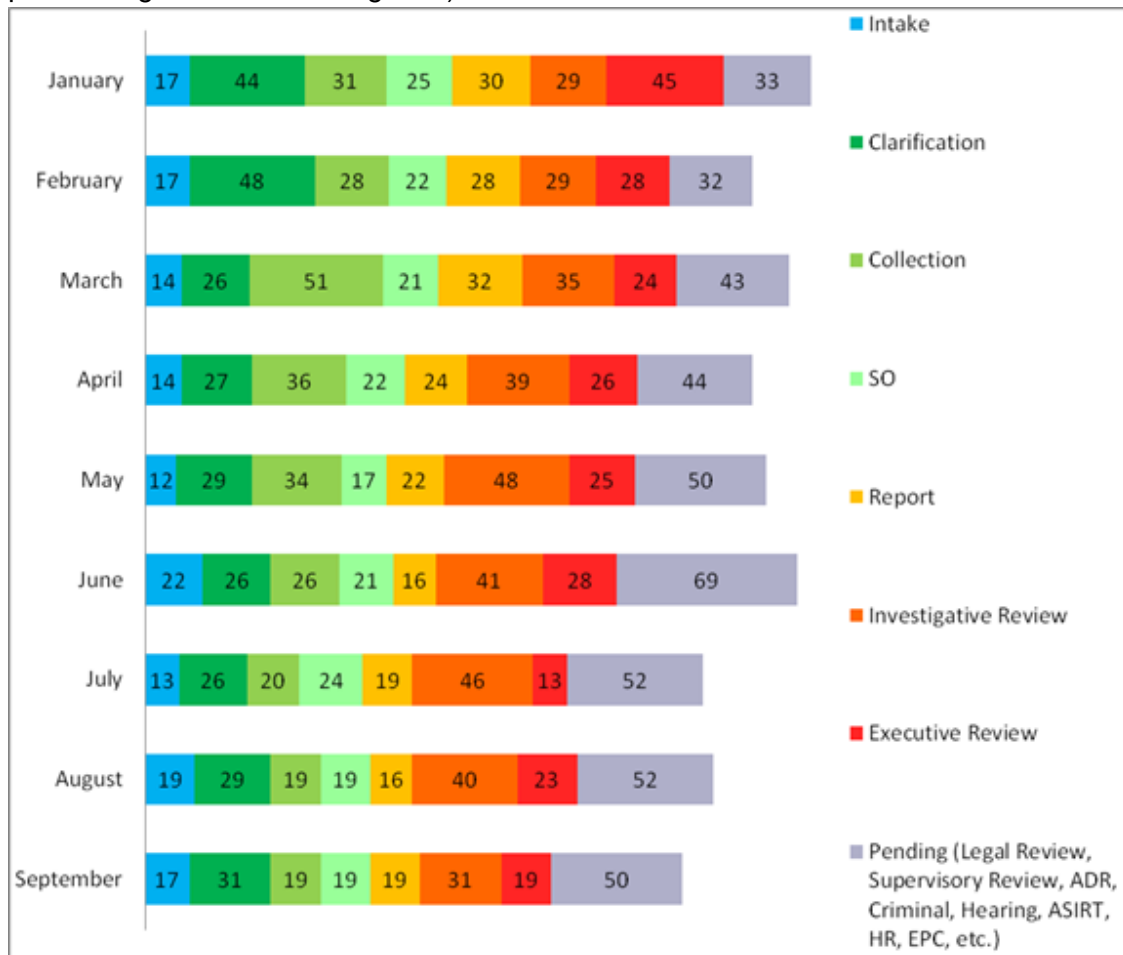


Figure 2-2. Monthly Comparison of Complaint Stages

3. CONCLUDED FILES

The following figure shows the disposition of all Formal Complaints and Statutory Complaints concluded during Q3 of 2015 (76 Formal Complaints, 5 Statutory Complaints).

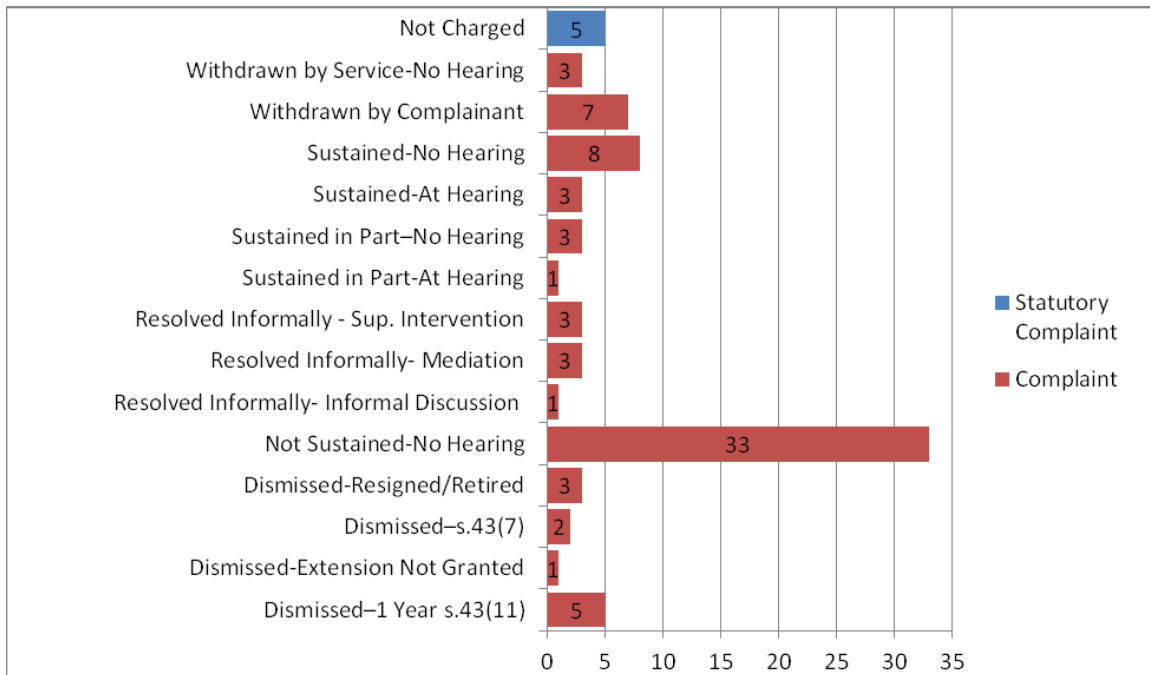


Figure 3-1. Dispositions of Concluded Formal Complaints

	2013		2014		2015	
	Q3	YTD	Q3	YTD	Q3	YTD
Received						
Complaint	67	171	57	196	50	190
Citizen Contact	193	549	201	556	230	565
EPS Matter	19	79	24	60	28	99
Total	279	799	282	812	308	854
Concluded						
	Q3	YTD	Q3	YTD	Q3	YTD
Complaint	46	189	39	144	76	244
Citizen Contact	197	579	164	484	178	701
EPS Matter	30	100	21	64	33	97
Total	273	868	224	692	287	1042

Figure 3-2. Three-Year File Comparison for Q3 of 2015
 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 100 complaints (+69.4%) as compared to the same point in time in 2014. The YTD Total Files Concluded represents an increase of 350 files (+50.6%) as compared to the same point in time in 2014.

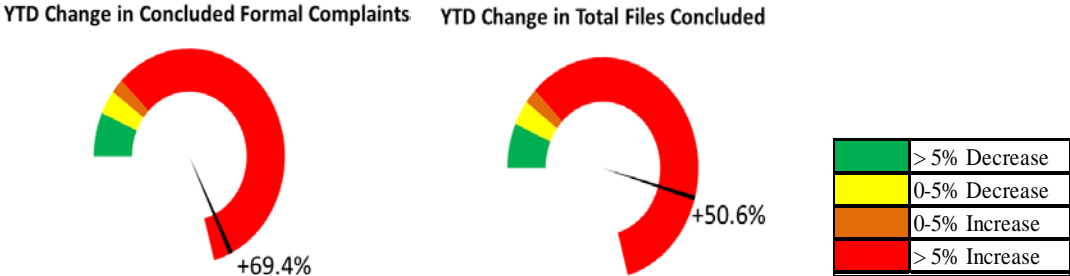


Figure 3-3. Yearly Changes in Files Concluded

4. LEGAL

DISCIPLINARY HEARINGS		
Hearings	Total	File Number
Directed	7	PSB2013-0829 PSB2014-0721 PSB2015-0524 PSB2015-0510 PSB2015-0184 IA2010-0115a PSB2015-0631
Concluded	3	DH2014-0916 DH2013-0636 DH2012-0537
LERB		
LERB	Total	File Number
Appeals Received	4	PSB2011-0094 PSB2014-1004 PSB2013-0776 PSB2014-0654
Decisions Rendered	6	LRB2011-0298 LRB2013-0420 LRB2014-0032 LRB2013-0391 LRB2013-1014 LRB2011-0441
Appeals Withdrawn	1	LRB2013-1032

Figure 4-1. Disciplinary Hearings and LERB during Q3 of 2015

DISCIPLINARY ACTION TAKEN AGAINST MEMBERS
July - October

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

On July 22, 2015, the officer was found guilty of one count of Discreditable Conduct and issued a reprimand.

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

On July 23, 2015, there was a loss of jurisdiction because the officer formally resigned from the Service.

3. File Number: PSB2013-0636
Complainant: EPS
Date of Complaint: August 09, 2013
Subject Officer: Reg. No. 2862 Cst. W. Paesch
• Discreditable Conduct x 1
• Insubordination x 1
Presenting Officer: M. Sallaberry, Edmonton Police Service
Presiding Officer: Supt. T. Grue, Edmonton Police Service

On August 28, 2015 Supt Grue submitted his written decision on penalty. Cst. Paesch was found guilty of one count of Discreditable Conduct and one count of Insubordination and was issued a global penalty of 80 hours suspension without pay.

4. File Number: PSB2013-0298
Complainant: EPS
Date of Complaint: April 18, 2013
Subject Officer: Reg. No. 3272 Cst. B. Power
- Insubordination x 1
 - Unlawful or Unnecessary Exercise of Authority x 1
- Presenting Officer: D. Cranna, Field LLP
Presiding Officer: Supt. M. Logar, Edmonton Police Service

On September 21, 2015, the officer was found guilty of one count of Insubordination and one count of Unlawful or Unnecessary Exercise of Authority and was issued a global penalty of 50 hours suspension without pay.

PENDING DISCIPLINARY HEARINGS

1. 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 October 09, 2015.

2. File Number: IA2006-0499a
Date of Complaint: May 15, 2006
Subject Officers: Constable A.B.
Constable C.D.
 - Unlawful or Unnecessary Exercise of Authority x 1Presenting Officer: C. Bailey, Field Law LLP
Presiding Officer: Supt. M. Logar, Edmonton Police Service

Open Disciplinary Hearing is scheduled for October 16, 2015

3. 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 October 16, 2015

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

Open Disciplinary is scheduled for October 27, 2015.

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

Open Disciplinary Hearing is scheduled for January 26, 2016.

6. File Number: IA2010-0115a
Date of Complaint: February 12, 2010
Subject Officers: Constable A.B.
Constable C.D.
Constable E.F.
• Unlawful or Unnecessary Exercise of Authority x 1
Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: Justice M.A. Binder

New matter not yet scheduled.

7. File Number: PSB2015-0184
Date of Complaint: March 04, 2015
Subject Officer: Constable A.B.
• Discreditable Conduct x 2
Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: Supt. M. Logar, Edmonton Police Service

New matter not yet scheduled.

8. File Number: PSB2015-0510
Date of Complaint: June 19, 2015
Subject Officer: Constable A.B.
• Discreditable Conduct x 1
Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: Justice M.A. Binder

New matter not yet scheduled.

9. File Number: PSB2014-0721
Date of Complaint: September 08, 2014
Subject Officer: Constable A.B.
• Insubordination x 1
• Discreditable Conduct x 1
Presenting Officer: T. Magee, Edmonton Police Service
Presiding Officer: Supt. M. Logar, Edmonton Police Service

New matter not yet scheduled.

10. File Number: PSB2013-0829
Date of Complaint: October 16, 2013
Subject Officer: Constable A.B.
• Unlawful or Unnecessary Exercise of Authority x 1
Presenting Officer: K. Agnihotri, Edmonton Police Service

Presiding Officer: Supt. T. Grue, Edmonton Police Service

New matter not yet scheduled.

- 11.** File Number: PSB2015-0524
Date of Complaint: June 22, 2015
Subject Officer: Constable A.B.
 - Deceit x 1
 - Insubordination x 1Presenting Officer: M. Sallaberry, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for October 26, 2015.

- 12.** File Number: PSB2015-0631
Date of Complaint: July 25, 2015
Subject Officer: Constable A.B.
 - Deceit x 1Presenting 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 nine (9) Complaints of Service under Section 44 of the *Police Act* that were resolved or concluded during the third quarter.

1. Concluded by the Chief
File Number: PSB2013-0509
Date of Complaint: June 16, 2014
Investigator: Intake Section

Summary

PSB received a written letter of complaint on June 16, 2015, with regards to EPS Policy as it relates to the use of the Residential Tenancy Addendum Agreement for the Crime Free Multi-Housing (CRHC) Program. As a result of the signed Agreement between the complainant and CRHC, information about the complainant was disclosed to the CRHC for the Residential Tenancy Dispute Resolution Service eviction hearing. The complainant had concerns over what type of information would be released to landlords in the future. PSB conducted inquiries with respect to the practice and policy of disclosing information to CRHC. Collaborative Policing Section confirmed that the process of releasing information pursuant to the Residential Tenancy Addendum Agreement for Crime Free Multi Housing Program of Edmonton was reviewed on August 6, 2014. The Memorandum of Understanding with participating agencies has also been recently reviewed by the Legal Advisors Section and the Investment Governance Section. Internal EPS documents suggest that the practice of providing CRHC with information have been reviewed and appear to be updated as necessary and on an ongoing basis. There is no evidence to suggest that changes to this practice or EPS Policy are required at this time. As such, the Chief concluded this matter on July 21, 2015.

2. Concluded by the Chief
File Number: PSB2013-0987
Date of Complaint: December 6, 2013
Investigator: Detective D. Scherr

Summary

On December 6, 2013, PSB received a complaint from an EPS member that in part was with respect to the delay in receiving his police issued service firearm after charges against the member were dropped. In consultation with Legal Advisors Section it was determined that the firearm issued to the EPS member is EPS Property and that it is not mandated that Police officers carry firearms but are authorized to issue firearms under the Public Agents Firearms Regulation. The EPS member's duty status did not require a firearm to be carried. As such,

changes to EPS Policy and Procedure are not required. The Chief concluded this matter on September 16, 2015.

3. Concluded by the Chief
File Number: PSB2013-1048
Date of Complaint: November 8, 2013
Investigator: Detective K. Mah

Summary

PSB received a written letter of complaint on November 8, 2013, regarding the complaint's process with respect to the assignment of complaints to EPS members to investigate. *The Police Act* stipulates that the Chief of Police will cause a complaint to be investigated and the complainant gave no indication, nor did the circumstances of the complaint warrant the investigation to be forwarded to an outside agency. Therefore it was determined that this portion of the complaint did not amount to a training issue in PSB and that changes to current EPS Policy and Procedure are not required. The Chief concluded this matter on September 23, 2015.

4. Concluded by the Chief
File Number: PSB2014-0205
Date of Complaint: July 14, 2014
Investigator: Detective I. Strom

Summary

PSB received a written letter of complaint where it was alleged that EPS did not attend to the complainant's residence after reporting a robbery. The PSB investigation determined that there was no record of the complainant's call to Police Communications Branch on or around the time indicated in the letter of complaint. The closest date on file revealed that a 911 call was placed but the caller hung up before information could be obtained. Upon call back, the caller indicated that EPS attendance was no longer required. Based on this information PSB did not identify any issues with the 911 operator or the evaluator's handling of the incident. Therefore, no services or policies of the EPS need to be addressed. The Chief concluded this matter on September 11, 2015.

5. Concluded by the Chief
File Number: PSB2014-0488
Date of Complaint: June 24, 2014
Investigator: Detective D. McFaul

Summary

PSB received a complaint on June 25, 2014, which alleged that EPS failed to provide adequate service by not promptly responding to the citizen's complaint. The complainant called Police Communications Branch regarding a confrontation with a company employee completing work outdoors. The work required the placement of pylons which blocked the complainant's driveway obstructing the complainant from leaving for an appointment. The circumstance described classified the event as a general service level dispatch call. An EPS member responded to the call approximately 2 hours after the initial call, by that time the parking issue had resolved itself. Due to the type of call the response by EPS was found to be reasonable. The Chief concluded this matter on September 2, 2015.

6. Concluded by the Chief
File Number: PSB2014-0515
Date of Complaint: June 25, 2013
Investigator: Detective I. Strom

Summary

PSB received a complaint on June 25, 2013, with regard to the complainant's area of residence and that the policing area is divided between West Division and Downtown Division. The complainant had concerns about the construction in the area, and their belief that there is not enough policing in their area. The complainant also took issue with the multiple thefts that have occurred at the complainant's home which were amalgamated into one police file which the complainant felt may skew the numbers to make the residential area look safer. The matter was forwarded to West Division for review and the results of that review were emailed to the complainant with no response from the complainant. Attempts to meet with the complainant by the Division and PSB were unsuccessful as the complainant failed to respond to a meeting time. At the September 17, 2015, Edmonton Police Commission (EPC) meeting, the EPC did not grant the extension request sought by PSB and therefore jurisdiction was lost and the file was concluded. The Chief was satisfied with the efforts of West Division to address the complainant's concern and the matter was concluded July 21, 2015.

7. Concluded by the Chief
File Number: PSB2015-0206
Date of Complaint: March 16, 2015
Investigator: Detective D. Scherr

Summary

PSB received a letter of complaint on March 17, 2015, which included an allegation that the response by EPS was delayed. The complainant indicates that calls were made to Police Dispatch at 0945hrs, 1008hrs, and that EPS arrived at 1111hrs. During an interview with the complainant it was clarified that there were neither concerns with the conduct of EPS members who arrived, nor the response time. As such, this allegation was concluded as withdrawn. The Chief concluded the matter on August 25, 2015.

8. Concluded by the Chief
File Number: PSB2015-0407
Date of Complaint: May 23, 2015
Investigator: Intake Section

Summary

On May 23, 2015, EPS received a written letter of complaint with regard to the arrest of the complainant on a witness warrant, who was taken downtown, searched, and alleged to have been placed in a dirty cell with a homeless individual. The complainant alleged to have been held for an extended period of time before being pulled out of the cell and told that it was a mistake. The matter was forwarded to Court Services Section to conduct a review of the incident, it was determined that the court failed to recall the Witness Warrant when the Warrant for the accused was not issued, at that time is when the Courthouse should have notified the EPS' CPIC Warrant Unit about the recall for the complainant's Witness Warrant. The responsibility for this oversight remains with the Provincial Court. The Staff Sergeant i/c of Court Services Section met with the complainant and addressed the complainant's questions regarding the state of the detention cell. The complainant's primary concern could not be addressed through changes to current EPS Policy and Procedure and as such the Chief concluded the matter on September 29, 2015.

9. Concluded by the Chief
File Number: PSB2015-0663
Date of Complaint: July 19, 2015
Investigator: Intake Section

Summary

PSB received a written letter of complaint on July 19, 2015, with regard to a call to Police Dispatch Branch about a male individual who appeared to be suffering from a medical episode. The complainant believed the response time of EPS was slow. Upon review of the calls to 911, about the same incident, it was noted that the complainant was the third caller and that there were no available units to respond immediately. Once police resources were available, they were dispatched and immediately attended the scene. Changes to EPS Policy or Procedure were not recommended. The Chief concluded this matter on September 18, 2015.

COMPLIMENTS

During Q3 of 2015, fifty-five (55) letters of appreciation were entered by the Edmonton Police Service. Professional Standards Branch would like to present six (6) of these letters.

1.

To whom it may concern,

This is a quick thank you to Constable [REDACTED] of the southeast division, and his partners for stopping a drug deal that was occurring in our community on June 28th. Cst. [REDACTED] and all responding members of EPS were extremely professional and helpful. I appreciated their quick response. The dispatcher on the non-emergency police line was also extremely helpful and deserves a thank you.

Thank you for all that you do to keep our community safe and secure!

Regards,

2.

Cst. [REDACTED] was assigned to investigate a hate crime/assault that was committed against me, my partner and several close friends. I have worked in law enforcement all my life, now I work as a Public Safety Investigator with Alberta Transportation. She was professional and emphatic. Additionally, she was very communicative about the process and the actions she would be taking moving forward. Cst. [REDACTED] is a fine example of the Edmonton Police Service Officer.

3.

I was a translator for my Uncle [REDACTED] [REDACTED], who incurred an unfortunate incident the evening of June 29. They requested me to write this compliment on their behalf. There was a dispute between two families, which resulted in one party taking an aggressive approach (verbal, physical and some minor property damage). My uncle's kids were quite shaken up by the event. It was just a bad bad situation. As we know people are often confused and emotionally burdened when such things occur. It doesn't help when there is a language barrier but Constable [REDACTED] was so polite that he made the family feel safe and calmed them down. He treated my uncle's family with respect and actually listened to them despite the communication barrier. He did not undermine their concerns and was there for them throughout the process. We apologize in submitting this late but he deserves a good word.

Thank you and keep up the good work!!

4.

I'd like to pay compliments to two amazing police officers who attended at my home, Edmonton, on Thursday, August 27th. I didn't get their names. My 14 year old son, who has FASD, was threatening to kill himself. The officers were both professional and very understanding. They were able to connect with my son, and to communicate in an effective and non-judgemental manner. The Edmonton Police Service is extremely well represented by these two, wonderful police officers.

5.

To Whom It May Concern:

Good Morning/Afternoon, I hope you're having a pleasant day. This letter is to make sure that one of your officers gets the recognition he deserves. On Sunday night, August 23, 2015, I was at the Sturgeon Community Hospital and an officer who answered as Bravo 41, was with an elderly man who had been severely intoxicated, fallen and needed 4 staples in his scalp (it was an open air room, the Internal Waiting room).

Your officer was very kind, with the elderly man telling him stories all night (my husband and I left around 11 I believe – sorry, I was quite medicated, and they were still there). Not only did your officer patiently listen to this man, he truly listened, at times clarifying points in the story. Even the elderly man thanked him for spending time with him repeatedly and said that he was a very good man.

Opportunities to show gratitude and appreciateion, properly, to the men and women who serve under you to protect us from crime, unfortunately don't present themselves very often. This is why I have written this letter, to thank Bravo 41 for being an amazing police officer and a truly great human being.

Thanks for reading

6.

Chief Knecht, on behalf of EPCOR I would like to express our gratitude for the excellent police work that was done in apprehending the suspect that had entered our Gold Bar Waste Water Facility last Friday. In particular I would like to thank your team for the high priority they put on the safety of our staff who were working at the plant. I also understand from our Security department who set up our Emergency Operations Centre, that your team were extremely professional and well prepared to deal with a very challenging situation on a very difficult site. The fact that this situation ended without incident is testament to the outstanding work of the Edmonton Police. And while with any complex incident, it's the combination of well trained individuals working effectively as a team that results in good outcomes, our staff wanted to point out the exceptional work and leadership of Sergeant's [REDACTED], [REDACTED] and [REDACTED].

Please pass on our thanks to the entire team that responded last Friday from the entire EPCOR staff.

Edmonton Police Service Professional Standards Branch

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