



Edmonton Police Service

Committed to Policing Excellence



Professional Standards Branch 2014 Annual Report

March 2015

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Abbreviations

ASIRT	Alberta Serious Incident Response Team
EPC	Edmonton Police Commission
EPS	Edmonton Police Service
CPB	Community Policing Bureau
LERB	Law Enforcement Review Board
PA	<i>Police Act</i>
PSB	Professional Standards Branch
PSR	<i>Police Service Regulation</i>
ISB	Investigative Support Bureau



Professional Standards Branch Values:

Truth, Integrity, Courage, Honour

Introduction from Professional Standards Branch

While 2013 was a year of stability for PSB, 2014 was a year of change and continued improvements to the investigative process. Through collaboration with the managers and Legal Counsel in PSB, the process for investigating complaints is continually assessed to ensure efficiency and effectiveness. While the average number of files per investigator was 10 in 2013, this number increased significantly in 2014. The increased number of formal complaints was directly related to this.

Due to the intense workload in PSB it is difficult to move files to conclusion in a timely fashion. A consistent observation was the bottleneck of files that were awaiting disposition at the Investigative Manager and Inspector level. The request for additional support to assist the Inspector with writing disposition recommendations was approved and will be prioritized in 2015. During 2014, PSB was assisted in these efforts by a retired Inspector.

Through the setting of goals and expectations, and through the recognition of good work, PSB has a strong achievement culture that has proven its effectiveness not only in volume of work but in effectiveness of investigation in major files. The goal for 2015 is to maintain this culture and to continue to identify efficiencies in the Branch.

Finally, November 2014 marked the end of Inspector Al Murphy's tenure in PSB. We wish to thank Inspector Murphy for his dedication and leadership in PSB. Inspector Murphy was replaced by Inspector Kevin Brezinski.

Executive Summary

The Professional Standards Branch of the Edmonton Police Service is responsible for investigating all complaints regarding the conduct of sworn members of the EPS, with the exception of the Chief of Police, and for complaints regarding the policies and services provided by the EPS. This annual report will outline the number of complaints received and concluded, and will break down the nature of complaints by category and division.

In 2014, Professional Standards Branch opened 1082 files which is the highest number of files opened in 5 years. The 1082 files was comprised of 234 formal complaints and 848 concerns brought forward for resolution outside the formal complaint process. Of the 234 formal complaints, 178 were made by citizens outside the EPS and 56 were made by members internal to EPS. Formal complaints increased by 19 in 2014, but this number has been relatively consistent over the last 5 years. A slight decrease in externally generated formal complaints was observed, while an increase in internally generated formal complaints was realized.

The number of concluded files in 2014 dropped significantly, however a solution to improve this in 2015 was developed.

PSB has decreased the amount of time it takes to conclude a formal complaint file. Formal complaints took, on average, 14 months to conclude (from receipt to the disposition of the complaint by the Chief), compared to 16 months in 2013. Concerns took close to 3 months on average to conclude.

PSB continues to work to resolve matters through informal resolution processes where possible as this has proven to be an effective way to satisfy the concerns of the public and meet the needs of our officers. Informal resolution takes many forms including supervisor reviews, facilitated discussions and formal mediations. In 2014, the Alternative Dispute Resolution initiative was responsible for completing 7 mediations and 12 facilitated discussions. In addition, 24 formal complaints were successfully concluded by supervisory review. PSB will continue to focus on the informal resolution process. The provincial police complaint mediator roster will likely enhance the work that is already being done.

In terms of the number of complaints across the city, it was noted that Downtown Division members received the most complaints in 2014. Downtown Division also recorded the highest number of dispatched calls for this period. There are a number of factors that may contribute to this, but in response, Downtown Division management has worked with their members to ensure they are committed to professionalism, public engagement and customer service. It's important to note that Downtown Division also received the highest number of compliments in 2014 for the Community Policing Bureau.

Finally, the number of compliments received by the EPS in 2014 totalled 268, compared to 337 compliments received in 2013. The total number of compliments received in 2014 is higher than the number of formal complaints received during the same period.

1. The EPS and the Community

The EPS		The City of Edmonton	
Employees:	2,350.8	City Population:	877,926
Sworn:	1,665.6	Officers per 1,000 Population:	1.90
Non-sworn:	685.2		

2. Professional Standards Files Generated in 2014

PSB uses a number of different classifications for their files. All contacts to PSB generate a “file”. Contacts will then either be classified as a “complaint” if they meet the requirements of the Police Act or a “concern” if they do not meet the requirements of the Act. In this Report, “concerns” are referred to interchangeably as “concerns”, “citizen contacts” or “informal files”. Criminal investigations conducted by PSB are referred to as “Statutory Complaints”. For further explanation please see the Addendum to this Report.

During 2014, the EPS dispatched officers to 152, 002 calls for service. As a result of these calls, along with a multitude of other interactions with the community, 1,082 inquiries were made to PSB regarding the service or conduct of the organization or its members during 2014. Additionally, of files opened in 2014, 234 (22%) were classified as complaints under the criteria provided in the *Police Act*. The remaining 848 (78%) files were classified as informal Citizen Contacts or EPS Matter files. The following table provides some context for these numbers.

Table 1: Five-Year Comparison of File Rates as a Function of Dispatched Calls for Service

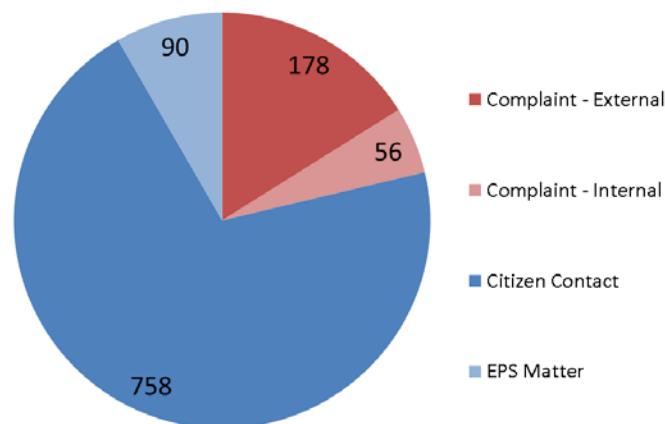
	2010	2011	2012	2013	2014
Dispatched calls	134,136	135,050	140,518	147,315	152,002
Total PSB files opened	1,058	1,009	1,077	1,048	1,082
Rate per 10,000 dispatched calls	79	75	77	71	71
PSB Complaints opened	240	215	218	215	234
Rate per 10,000 dispatched calls	18	16	15	15	14

As was the case over the past three years, less than 0.2% of all calls for service dispatched to first responders in 2014 resulted in a formal complaint being made. It is important to remember that many more contacts occur between police members and the community than are captured as the initial response to a call for service. As such, if the complaint rate is considered to be a function of all interactions (recorded and non-recorded), the rate of formal complaints is likely much lower than 0.2%.

Comparing the number of files generated over the last five years, a relatively steady relationship between the number of calls for service and the number of files opened is observed. In contrast, the rate of complaints per 10,000 dispatched calls has shown a slight decreasing trend since 2012.

Of the 1,082 files opened by PSB in 2014, 936 related to concerns raised by members of the public. The remaining 146 concerns (13%) were internally generated concerns. The following figure shows the number and type of files received during the 2014. Blue colours represent informal files and red colours represent formal investigations. Lighter shades indicate internally generated files and darker shades indicate externally generated files.

Figure 1: Distribution of PSB File Types During 2014



Comparing the distribution of PSB files over the previous three years (Table 2, below), the number of public complaints (i.e., Complaint – External) was exceptionally low in 2012, both in the overall number of complaints and as a percentage of total files. Overall, the number of files opened has remained steady throughout 2012 – 2014.

Table 2: Categorization of Files, 2012-2014

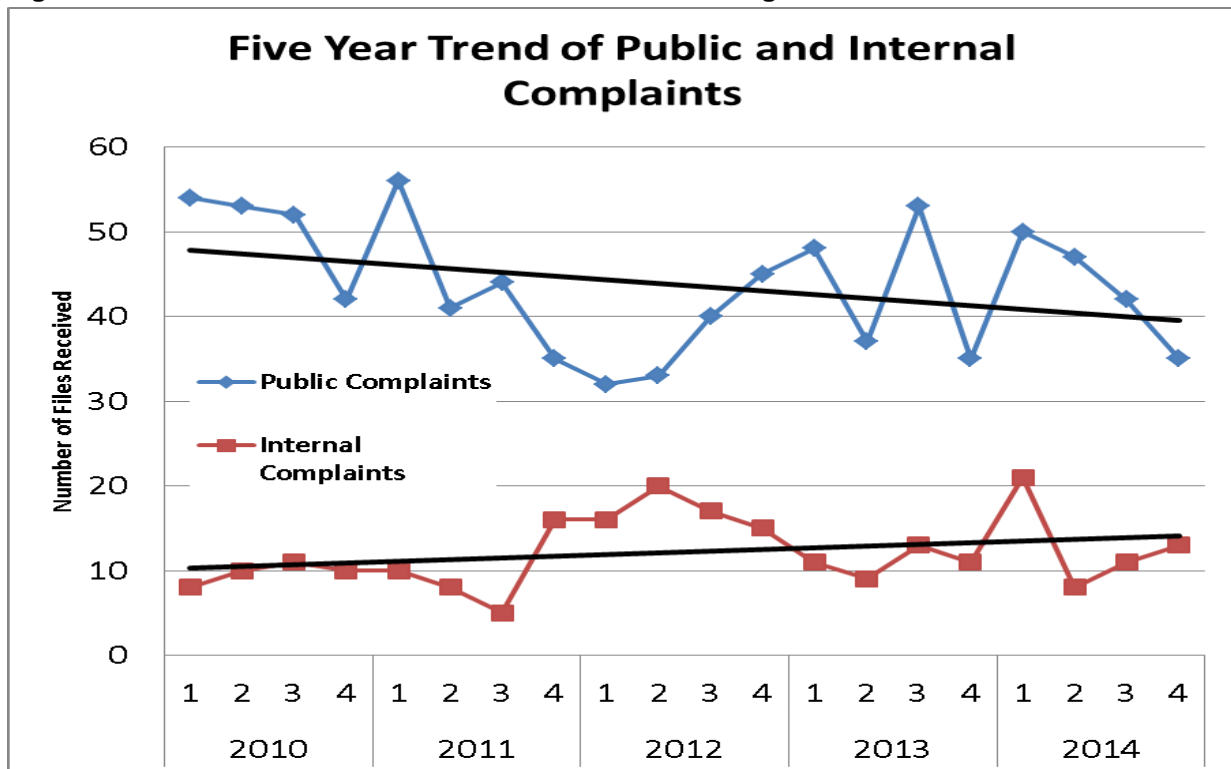
Type of File	Number of Files Opened During 2012		Number of Files Opened During 2013		Number of Files Opened During 2014	
	Count	Percentage	Count	Percentage	Count	Percentage
Complaint – External	152	14%	174	16%	178	16%
Complaint – Internal	66	6%	41	4%	56	5%
<i>Statutory Complaint</i> ¹	28	3%	12	1%	18	2%
Citizen Contact	744	69%	735	70%	758	70%
EPS Matter	115	11%	106	10%	90	8%
Total	1,077		1,056		1,082	

¹ “Statutory Complaints” represent a duplication of “Complaint” files (i.e., all files classified as a “Statutory Complaint” have a corresponding “Complaint – External” or “Complaint – Internal” for allegations of misconduct under the *Police Service Regulation*). For this reason, the number of active “Statutory Complaints” is not represented in the sum total.

2.1 Formal Complaints Received by PSB in 2014

As seen in Figure 2, below, publicly generated complaints (blue line) have shown a decreasing trend over the past five years. In 2010 PSB received an average of 50 public complaints per quarter and an average of 10 internal complaints per quarter for the same year. This is in comparison to 2014 wherein PSB received an average of 44 public complaints per quarter and 14 internal complaints per quarter in the same year. In contrast to the decrease in public complaints, the number of internally generated complaints (red line) has been increasing slightly over the past five years.

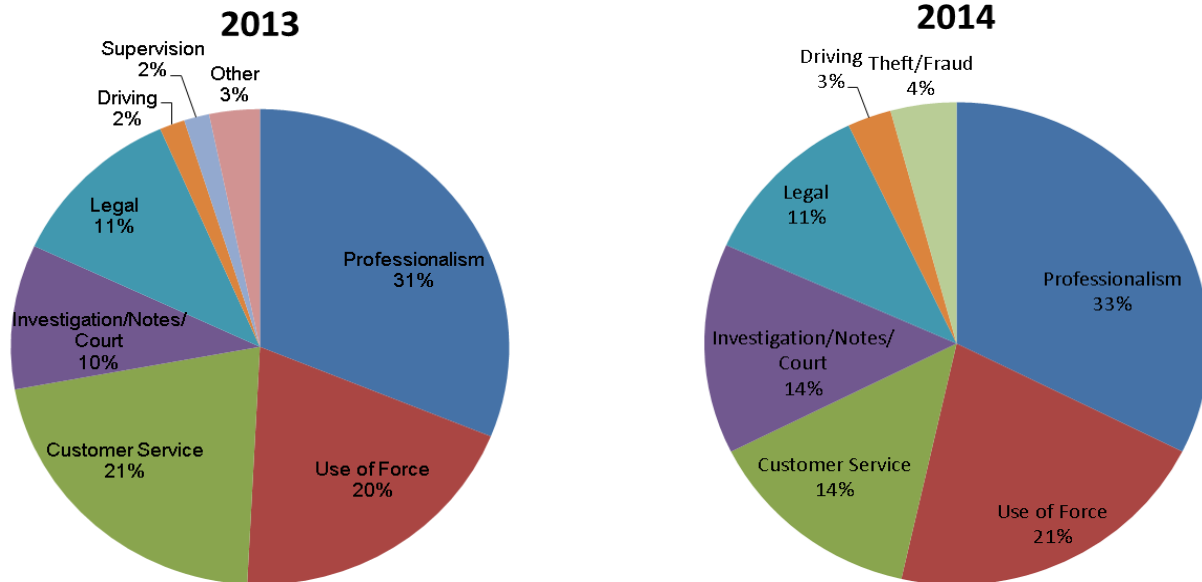
Figure 2: Five-Year Trend of Public and Internal PSB Investigations



2.1.1 Causes of Complaints Received in 2014

For each file received, PSB classifies the file in order to capture data about the specific causes of concerns. This process is intended to assist the organization in better identifying the trends of behaviour or conduct that contribute to concerns and complaints. Figure 3, below, shows the principal causes of complaints in 2013 and 2014.

The professionalism of officers remained the highest cause for complaints in 2014. This includes complaints about rudeness, deceit, and insubordination. Complaints about customer service (including dissatisfaction with tickets or charges, lack of police response, or inappropriate police responses) decreased in 2014, however complaints about Investigation/Notes/Court have increased from 2013 to 2014.

Figure 3: Principal Causes of Formal Complaints in 2013 and 2014

2.2 Statutory Complaints Initiated During 2014

Criminal investigations, labeled as “Statutory Complaints,” are dealt with separately from *Police Act* complaints; that is, a single incident could result in the creation of both a Complaint (dealing with misconduct as defined by the *Police Service Regulation*) and a Statutory Complaint (dealing with criminal allegations). Thus, the number of Statutory Complaints should not be considered as additional to the number of Complaints, but rather as a duplication of a subset of the Complaints. Statutory Complaints are initiated once the Chief of Police directs that a criminal investigation be conducted. This may occur initially when the complaint is received or after some preliminary investigative work has been conducted on an associated PSR Complaint. In 2014, 18 criminal investigations were directed regarding the conduct of officers. Of those, 1 investigation was related to a complaint received during 2012, 8 were related to complaints received in 2013 and the remaining 9 were related to complaints received during 2014.

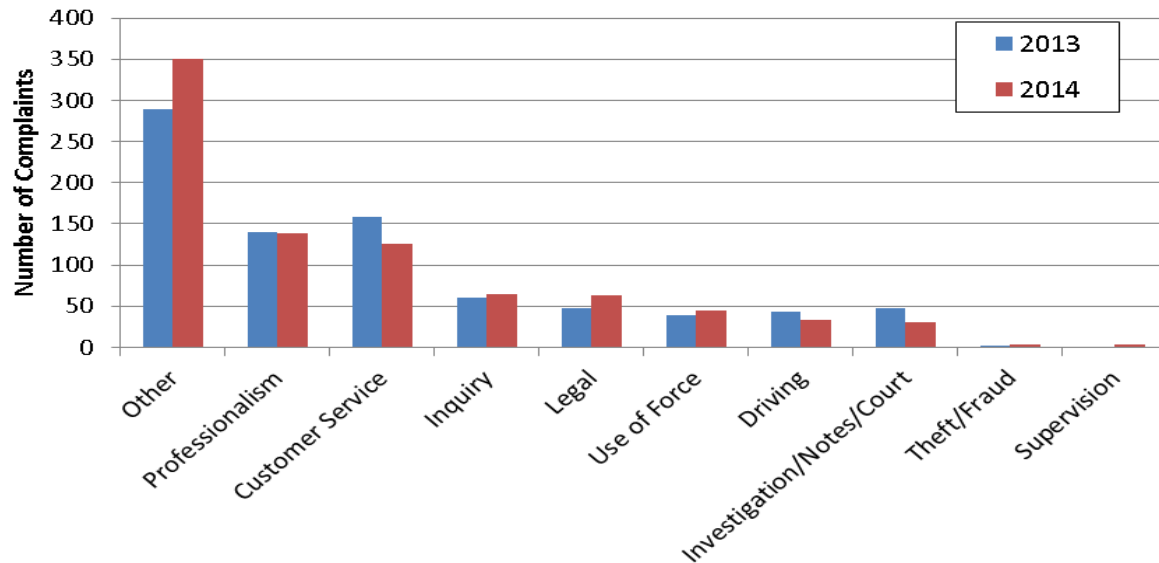
2.3 Informal Files Received by PSB in 2014

As shown in Table 2, above, the number of informal files increased slightly from 841 files in 2013 to 848 files in 2014. However, there was virtually no change in the proportion of informal files; that is, informal files accounted for 79.6% of PSB’s total files in 2013 and 78.4% of PSB’s total files in 2014.

2.3.1 Types of Informal Files Received in 2014

Informal concerns and inquiries are often more difficult to classify than formal complaints in terms of the primary cause of contact. As seen in Figure 4, below, the majority of informal files receive a primary classification of “Other,” which includes contacts wherein a citizen expresses their comments or opinion for information purposes only, risk management files that are used for internal tracking, and files where PSB is unable to make contact with a complainant to determine their intent.

Figure 4: Principal Causes of Informal Files in 2013 and 2014



The majority of informal concerns and inquiries (excluding those classified as “Other”) are primarily about officer professionalism (including rudeness, harassment, swearing, and lack of empathy) and customer service (including refusal to lay charges, lack of police response, inappropriate police response, dissatisfaction with tickets/charges, and communication).

2.4 Distribution of PSB Files

In order to develop effective intervention and prevention strategies that best assist members in avoiding conduct that could lead to concerns or complaints, it is important for the EPS to analyze which groups are most likely to be the subject of a PSB file.

Community Policing Bureau (CPB) officers provide the first-line response to the majority of calls for service. As such, the number of interactions they have with the public tends to be higher than those officers employed within other areas of the service. Files that are not generated within the CPB divisions are typically generated by the specialized units within the Investigative Support Bureau (ISB) that have a high level of interaction with the public. These include areas within Operational Support Division such as Police Communications Branch, Traffic Services Branch, Canine/Flight Operations Section, and Tactical Section. The “Other” row in Table 3, below, refers to files generated by areas such as PSB, the Office of Strategy Management, Recruits, and the Chief of Police.

There are some files that cannot be defined as having been generated by any particular division or area; these can include files where the complaint is about policy or services provided by the EPS generally, and many Citizen Contact files. A large portion of Citizen Contact files (40%) are classified in either the “Other” category, which includes sub-categories such as “Unresponsive Complainant” and “Comments/Opinion,” or the “Inquiry” category.

Table 3: Distribution of PSB Files Across Bureaus and Divisions

	Complaint	Citizen Contact	EPS Matter	Disp Calls
Community Policing Bureau				
Downtown	71	88	11	26,578
Northeast	27	78	12	26,425
Southeast	19	58	4	23,414
Southwest	25	55	7	25,160
West	22	56	12	25,323
CPB Total Files	164	335	46	126,900*
Investigative Support Bureau				
Criminal Investigations	6	8	1	
Operational Support	27	88	13	
Spec Investigation	11	17	3	
ISB Total Files	44	113	17	
Corporate Services Bureau				
Human Resources Div	0	3	0	
Informatics Div	0	1	0	
Supply Services	0	0	0	
CBS Total Files	0	4	0	
Other/Unspecified	26	306	27	
Grand Total	234	758	90	

*Please note that there are an additional 24,972 dispatched calls to Northwest Division as well as 130 dispatched calls to unknown. This equals the total of 152,002 calls were dispatched in 2014. These were not included in the above chart as Northwest Division was not functional until later in the year. Northwest Division will appear on the 2015 report.

3. Professional Standards Files Concluded in 2014

During 2014, PSB concluded 903 files, decreasing from 1155 in 2013. This included the resolution of 586 files opened during 2014, with the remainder of the files (317) being from previous years. The *Police Act* requires that complaints are investigated promptly and thoroughly. Fairness to all parties requires that these complaints also be investigated in as timely a fashion as possible. This ensures that the best evidence is available and allows people to move on with their lives and careers without undue pressure or stress associated with a drawn-out investigative process.

3.1 Resolution of Formal Complaints

In 2014, there were several sustained complaints. As seen in Table 4, in the majority of sustained complaints the Chief of Police was of the opinion that the alleged misconduct was not of a serious nature (see section 45(4) of the Police Act and s. 19 of the Police Service Regulation). These are often referred to as Minor Contraventions.

Table 4: Disposition of Complaints Concluded by PSB During 2012-2014

	2012	2013	2014
Formal Resolutions			
Reasonable Prospect (at hearing) - Proven	9	10	7
Reasonable Prospect (at hearing) - Not Proven	3	1	1
No Reasonable Prospect	59	124	84
Minor Contravention	16	29	27
Dismissed/Withdrawn*	34	54	52
Informal Resolutions			
Supervisory Review	29	33	24
Resolved through PSB	12	5	3
Mediation or Facilitated Discussion	1	16	11

*Please Note: Dismissed/Withdrawn can include the following dispositions: Dismissed – 1 year 43(11), Dismissed - Frivolous/Vexatious/Bad Faith s. 43(7), Dismissed - Loss of Jurisdiction: Member retired/resigned, Withdrawn by Service – No Hearing.

A total of 209 formal complaints (including Statutory Complaints) were concluded during 2014. Those files contained a total of 772 allegations of misconduct by police officers and 31 allegations regarding the policies or services provided by the EPS. Those allegations and their outcomes are detailed in Table 5, below.

Table 5: Outcome of Allegations Concluded During 2014

Disciplinary Hearings			
	Sustained	Not Sustained	Total
Consumption or Use of Liquor/Drugs	1	0	1
Deceit	5	0	5
Discreditable Conduct	5	1	6
Insubordination	3	0	3
Neglect of Duty	2	1	3
Unlawful/Unnecessary Exercise of Authority	1	3	4
<i>Disciplinary Hearing Total</i>	17	5	23
Minor Contraventions and Informal Resolutions			
	Minor Contravention	Informal Resolution	Total
Breach of Confidence	1	0	1
Deceit	0	2	2
Discreditable Conduct	16	36	52
Insubordination	11	10	21
Neglect of Duty	6	21	27
Unlawful/Unnecessary Exercise of Authority	4	7	11
Deficient Policy or Services (s. 44 PA)	0	7	7
<i>Minor Contravention / Informal Total</i>	38	83	121
Not Sustained, Dismissed, or Withdrawn			
	Not Sustained	Dismissed / Withdrawn	Total
Breach of Confidence	1	2	3
Corrupt Practice	0	3	3
Deceit	55	6	61
Discreditable Conduct	190	20	210
Insubordination	20	11	31
Neglect of Duty	94	20	114
Unlawful/Unnecessary Exercise of Authority	195	18	213
Deficient Policy or Services (s. 44 PA)	21	3	24
<i>Not Sustained, Dismissed, Withdrawn Total</i>	576	83	659

3.2 Resolution of Statutory Complaints

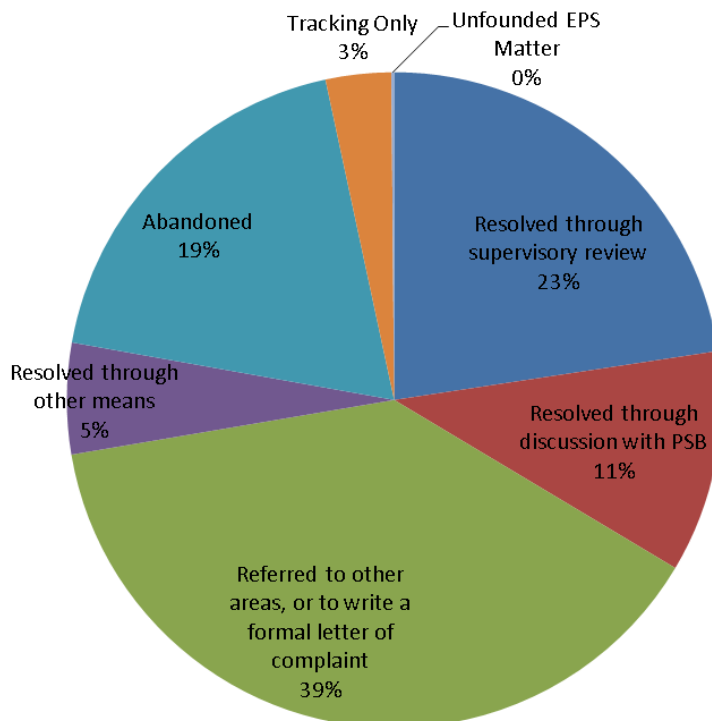
During 2014, PSB concluded 18 criminal investigations. Criminal charges were laid in 2 of the 18 investigations. The 18 criminal investigations included a total of 24 criminal allegations. Table 6, below, details the criminal allegations and their outcomes.

Table 6: Outcome of Criminal Allegations Concluded During 2014

Allegation	Total # of Allegations	Not Substantiated	Conviction / Outcome
Assault Causing Bodily Harm, Assault with Weapon, Assault (CCC 266, 267)	12	11	Charges Stayed
Impaired Driving (CCC 253)	3	1	Guilty Plea Entered
Criminal Harassment (CCC 264(1))	1	1	
Obstruction of Justice (CCC 139)	2	2	
Utter Threats (CCC 264.1)	1	1	
Unlawfully in a Dwelling House (CCC 349 (1))	1	1	
Dangerous Operation of a MV CBH (CCC 249(3))	1	1	
Dangerous Driving (TSA 115(1))	2	2	
Breach of Trust (CCC 122)	1	1	

3.3 Resolution of Informal Files

In 2014, PSB resolved 712 informal concerns or inquiries. On average, files were resolved in approximately four months. The breakdown of the resolutions is shown in Figure 5, below.

Figure 5: Resolutions of Informal Concerns and Inquiries During 2014

3.4 Complaints Directed to Disciplinary Hearings in 2014

In 2014, a total of 20 complaints were directed to disciplinary hearings.

3.5 Discipline Ordered During 2014

11 complaints were concluded through disciplinary hearing during 2014.

Table 7: Discipline Resulting from Disciplinary Hearings Concluded During 2014

Allegation	Total # of Allegations	Not Sustained	Sustained	Penalties Applied
Deceit	5	0	5	Reduction of Rank* Reduction of Seniority within Rank
Discreditable Conduct	6	1	5	Directed Remedial Training** Reduction of Rank* Reduction of Seniority within Rank Suspension without Pay
Insubordination	3	1	2	Directed Remedial Training** Reduction of Rank* Suspension without Pay
Neglect of Duty	4	1	3	Reduction of Rank* Reprimand Suspension without Pay
Unlawful / Unnecessary Exercise of Authority	6	4	1	Reduction of Seniority within Rank
Consume Liquor on Duty	1	0	1	Suspension without Pay

* Penalty was applied as a global penalty for multiple allegations.

** Applied in conjunction with other penalties

Twenty-seven complaints were concluded as minor contraventions, with discipline applied as per section 19(1) of the *Police Service Regulation*.

Table 8: Discipline Resulting from Minor Contraventions During 2014

Allegation	Total # of Allegations	Penalties Applied
Discreditable Conduct	23	Forfeiture of OT hours , Official Warning, Reprimand, Suspension without Pay
Insubordination	15	Directed Remedial Training, Official Warning, Reprimand, Forfeiture of OT hours
Neglect of Duty	8	Forfeiture of OT hours , Official Warning, Suspension without Pay
Unlawful / Unnecessary Exercise of Authority	6	Directed Remedial Training, Forfeiture of OT hours, Reprimand, Suspension without Pay
Breach of Confidence	2	Official Warning

4. Compliments

Along with ensuring that the highest standards of professionalism and conduct are maintained by EPS members, PSB also receives a number of compliments on the performance of organizational members. In 2014, EPS received 268 compliment files from citizens of the community.

These compliments referenced a total of 544 members, with 108 members receiving multiple compliments over the course of the year. Passing on these compliments to the hard-working members of the EPS allows PSB and command teams to reinforce positive behaviours and conduct. It also serves to remind members that the citizens of Edmonton appreciate the efforts being made on their behalf. The following table describes the distribution of citizen-generated compliments.

Table 9: Compliments Received by the EPS During 2014

	Number of Compliments	Total Involved Officers
Community Policing Bureau		
Downtown	44	69
Northeast	24	109
Southeast	20	41
Southwest	34	76
West	24	38
CPB Total Files	146	333
Spec Community Support Bureau		
Criminal Investigations	6	9
Operational Support	70	103
Spec Investigation	7	21
ISB Total Files	83	133
Corporate Services Bureau		
Human Resources Division	8	20
CSB Total Files	8	20
Other/Unspecified	13	58
EPS (General)	18	
Grand Total	268	544