



April 13, 2016

TO: Rod R. Knecht
Chief of Police

FROM: Inspector Kevin Brezinski
Professional Standards Branch

RE: QUARTERLY REPORT – Q1 of 2016

This report has been prepared for the April 21, 2016, Edmonton Police Commission meeting.

During the first quarter of 2016 (Q1), Professional Standards Branch received 292 new files:

- 33 Public complaints as defined by Part 5 of the *Police Act*;
- 14 Internal complaints as defined by Part 5 of the *Police Act*;
- 58 EPS Matters; and
- 187 Citizen Contacts.

There were 3 files directed for Criminal Investigation (*Statutory Complaints*) during Q1 of 2016.

Concluded 349 files:

- 14 *Statutory* complaints;
- 58 Public complaints as defined by Part 5 of the *Police Act*, including four (4) complaints regarding policies or services provided by the EPS;
- 25 Internal complaints as defined by Part 5 of the *Police Act*;
- 61 EPS Matter; and
- 191 Citizen Contacts.

The Edmonton Police Service received 113,641 calls in Communications Section (including calls answered by the dispatch line and 911 calls extended to police), dispatched 38,132 of those calls and recorded opening 59 compliments.

Inspector Kevin Brezinski
Professional Standards Branch

cc: Cathy Palmer/Chair
Edmonton Police Commission



Q1 2016 REPORT TO THE EDMONTON POLICE COMMISSION



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The following report is submitted for:

- Approval
- Ratification
- Information

PROFESSIONAL STANDARDS BRANCH
April 21, 2016 *OPEN MEETING*

Approved by:

Rod R. Knecht
Chief of Police APR 11 2016

Kevin Brezinski
Inspector



**Professional Standards Branch
January – March 2016
Q1 Report
Edmonton Police Service**

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Completed Complaints of Service	11
Compliments	15

STATISTICAL SUMMARY

First Quarter of 2016 Update

1. RECEIVED FILES

The following figure shows the number and type of files received during the first quarter (Q1) of 2016. 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 Q1 of 2016, PSB received 245 informal files and 47 formal complaints.

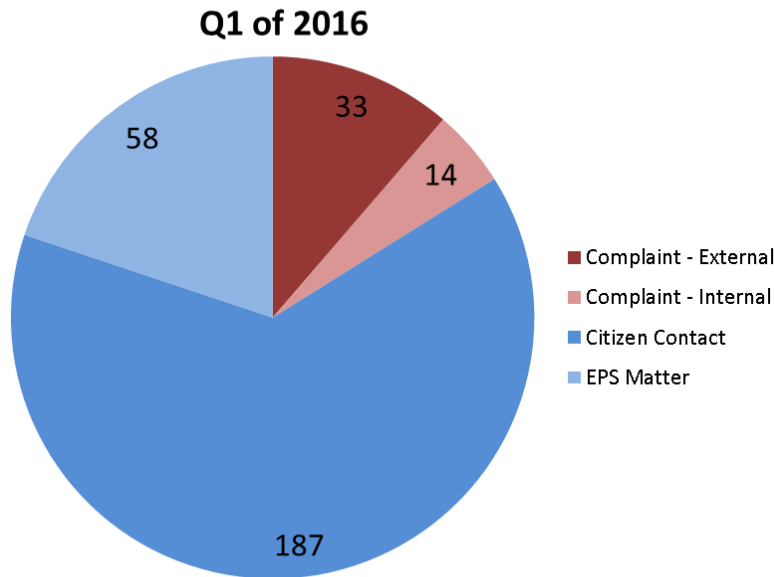


Figure 1-1. Type of Files Received During Q1 of 2016

The following figure shows the yearly percentage increase or decrease in formal complaints and total files received compared to 2015 values. Year-to-date change in Formal Complaints received represents a decrease of 28 complaints (-37%) as compared to 2015. The Year-to-date Total Files Received represents an increase of 25 files (+9%) as compared to 2015.

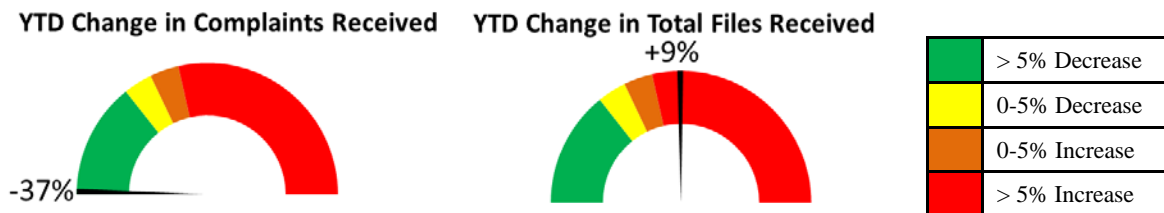


Figure 1-2. Yearly Changes in Files Received

2. CURRENT WORKLOAD

As of March 31st, 2016, PSB had 309 open investigations broken down as follows:

- 122 Complaints External
- 45 Complaints Internal
- 105 Citizen Contacts
- 37 EPS Matters

27 Statutory Complaints (of the 27 statutory complaints, 23 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.

Age and Status of all Open Investigations				
Year	Active	Forwarded	Suspended	Total
2011	0	0	2	2
2012	0	0	4	4
2013	0	1	2	3
2014	13	4	13	30
2015	70	17	55	142
2016	82	25	48	155
Total	165	47	124	336

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

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).

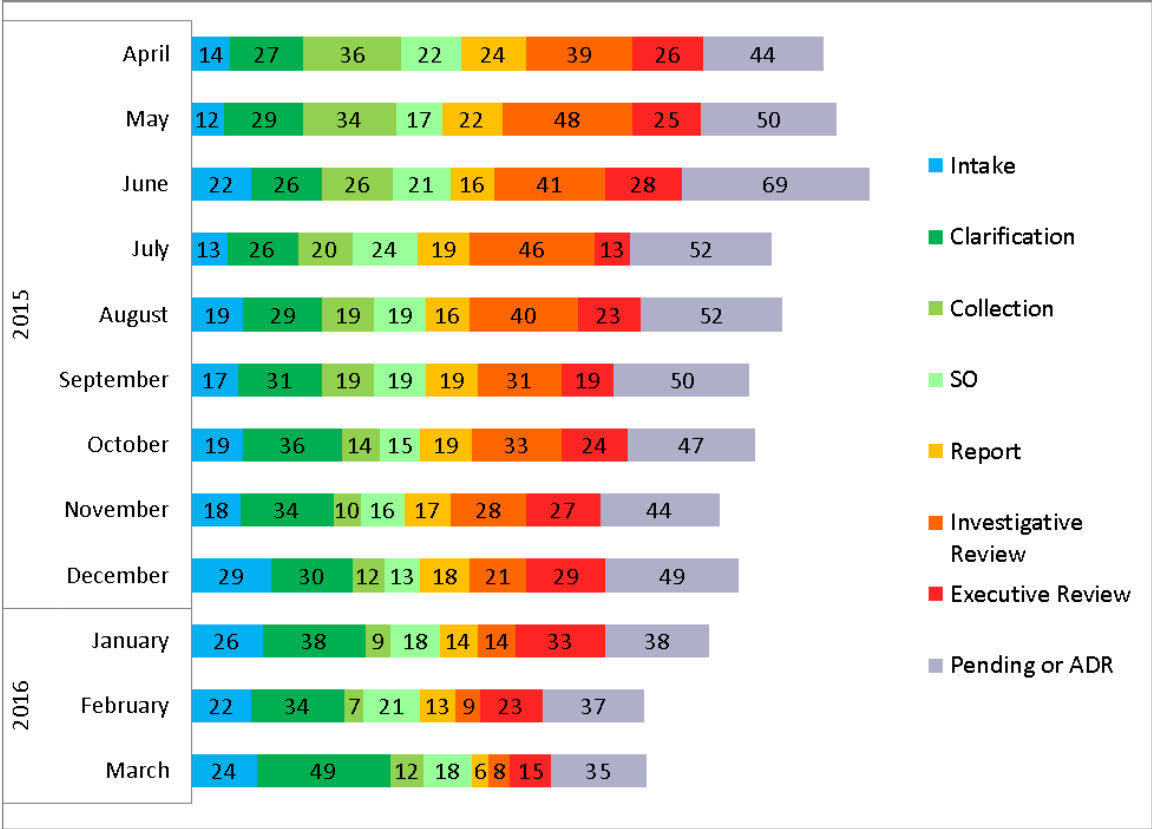


Figure 2-2. Monthly Comparison of Complaint Stages

3. CONCLUDED FILES

The following figure shows the disposition of all Formal Complaints and Statutory Complaints concluded during Q1 of 2016 (83 Formal Complaints, 14 Statutory Complaints).

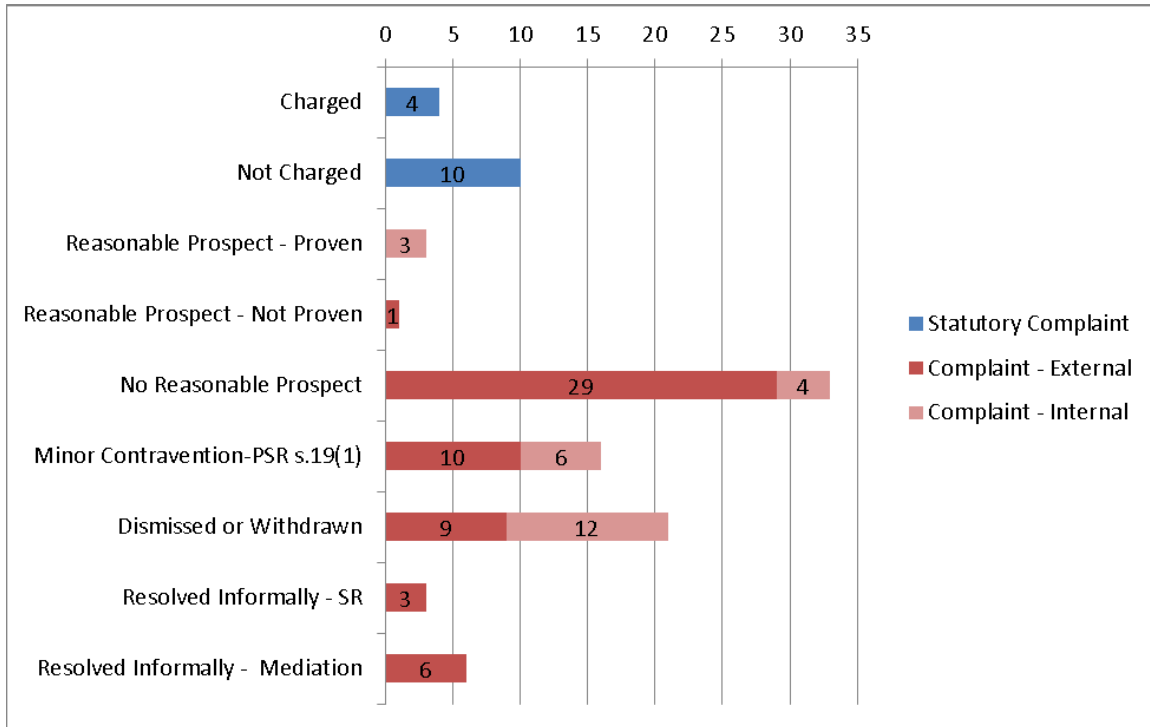


Figure 3-1. Dispositions of Concluded Formal Complaints

	2014		2015		2016	
	Q1	YTD	Q1	YTD	Q1	YTD
Received						
Complaint	42	70	75	75	47	47
Citizen Contact	170	170	151	151	187	187
EPS Matter	15	15	41	41	58	58
Total	227	255	267	267	292	292
Concluded						
Complaint	62	62	68	68	83	83
Citizen Contact	195	195	331	331	191	191
EPS Matter	25	25	35	35	61	61
Total	282	282	388	434	335	335

Figure 3-2. Three-Year File Comparison for Q1 of 2016
 Total numbers do not include Statutory Complaints

The following figure shows the percentage increase or decrease in formal complaints and total files concluded compared to 2015 values. The year-to-date change in Formal Complaints concluded represents an increase of 15 complaints (+22%) and the year-to-date Total Files Concluded represents a decrease of 99 files (-23%).

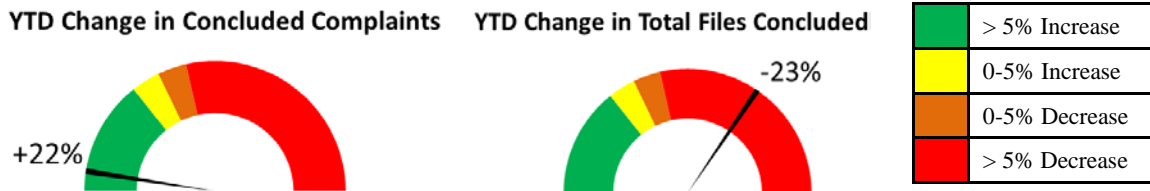


Figure 3-3. Yearly Changes in Files Concluded

4. LEGAL

DISCIPLINARY HEARINGS	Total	File Number
Directed	6	PSB2013-0940 PSB2014-0324 PSB2014-0956 PSB2015-0627 PSB2015-0889 PSB2015-1050
Concluded	6	DH2006-0499b DH2006-0899a PSB2013-0829 PSB2014-0721 PSB2015-0721 PSB2015-0794
LERB	Total	File Number
Appeals Received	12	IA2011-0094 PSB2013-0663 PSB2013-0918 PSB2014-0073 PSB2014-0454 PSB2014-0516 PSB2014-0647 PSB2014-0756 PSB2014-1044 PSB2015-0565 PSB2015-0679 PSB2015-1018
Decisions Rendered	7	IA2011-0669 IA2012-0275 IA2012-1085 PSB2013-0133a PSB2014-0228 PSB2014-0382 PSB2014-1004
Appeals Withdrawn	0	

Figure 4-1. Disciplinary Hearings and LERB during Q1 of 2016

CONCLUDED DISCIPLINARY HEARINGS
January – March 2016

1. 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

On January 12, 2016, the matter was discontinued. Constable A.B. entered into a Section 19(1)(b) Agreement and the officer received a reprimand to remain on his record for 18 months.

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

On January 19, 2015, the one count of Unlawful or Unnecessary Exercise of Authority against the EPS Members was found not proven.

3. File Number: PSB2014-0721
Date of Complaint: September 08, 2014
Subject Officer: Reg. No. 1707 Cst. C. Smart
• Insubordination x 3
• Discreditable Conduct x 2
Presenting Officer: T. Magee, Edmonton Police Service
Presiding Officer: Supt. M. Logar, Edmonton Police Service

On January 21, 2016, Cst. Smart plead guilty to three counts of Insubordination. There was no evidence called on the two counts of Discreditable Conduct. By way of joint submission, Cst. Smart was issued 50 hours suspension without pay.

4. File Number: PSB2015-0721
Date of Complaint: August 24, 2015
Subject Officer: Reg. No. 2236 Cst. S. Rattray
• Discreditable Conduct x 2
Presenting Officer: T. Magee, Edmonton Police Service
Presiding Officer: Chief Supt F. Kamins (Rtd.)

On February 02, 2016, Cst. Rattray pled guilty to two counts of Discreditable Conduct and was issued a global penalty of 120 hours suspension without pay.

5. File Number: IA2006-0899a
Date of Complaint: August 18, 2006
Subject Officer: Constable A.B.
• Unlawful or Unnecessary Exercise of Authority x 1
Presiding Officer: Supt. P. Manuel, (Rtd.)

On February 23, 2016, Supt (Rtd) Manuel provided his decision after the LERB directed the matter back for reconsideration and deemed that the charge of Unlawful or Unnecessary Exercise of Authority was not proven.

6. 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

On March 8, 2015, the one count of Unlawful or Unnecessary Exercise of Authority was found not proven.

7. File Number: PSB2015-0794
Date of Complaint: September 13, 2015
Subject Officer: Reg. No. 3625 Cst. A. Wilson
• Discreditable Conduct x 2
Presenting Officer: T. Magee, Edmonton Police Service
Presiding Officer: Supt. M. Logar, Edmonton Police Service

On March 09, 2016, Cst. Wilson was found guilty of one count of Discreditable Conduct and was issued 70 hours suspension without pay. The second count of Discreditable Conduct was withdrawn.

PENDING DISCIPLINARY HEARINGS

1. 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

Open Disciplinary Hearing is scheduled for April 26 – May 06, 2016.

2. File Numbers: PSB2015-0627
PSB2015-1050
Dates of Complaint: July 24, 2015
November 27, 2015
Subject Officer: Constable A.B.
• Neglect of Duty x 2
Presenting Officer: K. Agnihotri, Edmonton Police Service
Presiding Officer: Supt. T. Grue, Edmonton Police Service

Open Disciplinary Hearing is scheduled for May 11, 2016.

3. File Number: PSB2013-0940
Date of Complaint: December 18, 2013
Subject Officer: Constable A.B.
• Unlawful or Unnecessary Exercise of Authority x 1
• Discreditable Conduct x 1
Presenting Officer: T. Magee, Edmonton Police Service
Presiding Officer: Chief Supt F. Kamins (Rtd.)

Open Disciplinary Hearing is scheduled for May 18, 2016.

4. File Number: PSB2015-0889
Date of Complaint: October 10, 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

Open Disciplinary Hearing is scheduled for May 25, 2016.

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 June 15, 2016.

6. File Number: PSB2015-0631
Date of Complaint: July 25, 2015
Subject Officer: Constable A.B.
 - Deceit x 1
 - Discreditable Conduct x 1Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: Supt. M. Logar, Edmonton Police Service

Open Disciplinary Hearing is scheduled for July 28, 2016.

7. File Number: PSB2012-0179
Date of Complaint: March 8, 2012
Subject Officer: Constable A.B.
 - Discreditable Conduct x 1Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: Supt. T. Grue, Edmonton Police Service

New matter not yet scheduled.

8. File Number: IA2011-0298
Date of Complaint: April 13, 2011
Subject Officer: Constable A.B.
 - Unlawful or Unnecessary Exercise of Authority x 1
 - Discreditable Conduct x 2Presenting Officer: D. Cranna, Field Law LLP
Presiding Officer: Justice M.A. Binder

New matter not yet scheduled.

9. File Number: PSB2014-0324
Date of Complaint: April 15, 2014
Subject Officer: Constable A.B.
 - Unlawful or Unnecessary Exercise of Authority x 1
 - Deceit x 1Presenting Officer: Not yet determined.
Presiding Officer: Not yet determined.

New matter not yet scheduled.

10. File Number: PSB2014-0956
Date of Complaint: November 24, 2014
Subject Officer: Constable A.B.
- Insubordination x 1
 - Discreditable Conduct x 1
- Presenting Officer: Not yet determined.
Presiding Officer: Not yet determined.

New matter not yet scheduled.

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

There were four (4) Complaints of Service under Section 44 of the *Police Act* that were resolved or concluded during the first quarter of 2016.

1. Concluded by the Chief
File Number: PSB2014-0516
Date of Complaint: June 30, 2014
Investigator: Intake Section

Summary

PSB received a written letter of complaint on June 30, 2014, with regard to the lack of communication from Victim Services Unit (VSU) to the complainant. The complainant had been the victim of several threats extending over a significant period of time. VSU reviewed the complainant's concern and it was found that an advocate from VSU called the complainant back within a reasonable amount of time in March of 2014. At that time the complainant indicated they intended to seek professional counseling services through their place of employment. In May of 2014, the complainant contacted VSU's civilian supervisor and left a voicemail message that was missed by VSU's supervisor who upon being alerted to this concern in July of 2014, called the complainant back. At that time, the complainant declined the services of VSU. Upon conclusion of the Divisional Review it was determined that changes to EPS Policy and Procedure were not required. The Chief concluded the complaint of service aspect of the complaint on December 4, 2015, and the disposed of the remaining concerns of the file on January 14, 2016.

2. Concluded by the Chief
File Number: PSB2015-0212
Date of Complaint: March 17, 2015
Investigator: Ian Strom

Summary

On March 17, 2016, PSB received a written letter of complaint, in part, with respect to items belonging to the complainant that was destroyed by Property Exhibit Unit. It was alleged that the complainant's property was destroyed without their knowledge. The complainant attended PEU after

60 days since the property was seized for “safekeeping”. It was discovered that their property had been destroyed after 30 days, and not held for 60 as what was told to them by the EPS member who retrieved the property from the residence. Upon review, it was discovered that the complainant attended PEU after the 60 days which would have also had been too late to claim the property. The complainant was also aware as soon as one week after the property had been seized, providing the complainant with ample amount of time to retrieve their property. EPS policy states that 30 is the minimum amount of days that PEU is required to retain property for “safekeeping”. Upon review of the PSB investigation the Chief concluded that no changes to EPS Policy were required, this matter was concluded on January 22, 2016.

3. Concluded by the Chief
File Number: PSB2015-0314
Date of Complaint: April 15, 2016
Investigator: Gord Batey

Summary

On April 15, 2015, the Professional Standards Branch received a complaint with respect to the information that was provided by Police Information Check Section (PICS). The complainant alleged that the information contained within the Police Information Check Certificate was not accurate, and because of this, the complainant was unable to gain employment which was conditional on a clean Certificate. Upon investigation it was determined that the information disclosed on the complainant’s Certificate was accurately reflected. However, it was recommended by the Chief that EPS Policy Section and PICS should review the form as the information contained within may be limited on options available to PICS employees. The complainant also requested that some of the information released on the PICS Certificate should be removed; the investigation revealed that PICS released specific information under the advisement of Legal Advisor’s Section and as such, the information would not be removed. The Chief was satisfied that proper procedures were considered and concluded the matter on January 20, 2016.

4. Concluded by the Chief
File Number: PSB2015-0253
Date of Complaint: March 27, 2015
Investigator: Darryl Scherr

Summary

On March 27, 2015, PSB received a written letter of complaint with respect to allegations that the Edmonton Police Service failed to comply with a request for disclosure made by the Crown. Due to this, it was alleged that the Crown withdrew the charges against the complainant. However, upon further examination it was clarified that the Crown withdrew the charges against the complainant due to the minimal nature of the alleged offence, not due to a lack of disclosure provided by the EPS. As such, the Chief concluded that an amendment to EPS Policy is not required. This matter was concluded on March 9, 2016.

COMPLIMENTS

During Q1 of 2016, fifty-nine (59) 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:

Re: Fine assistance of Officer

Last Friday, March 11th, 2016 I was at Wild Earth Cafe on 99th Street, with my 14 year old nephew who is autistic. He had a huge meltdown, and for the first time I was not able to physically handle him. My nephew was being very aggressive and violent towards me. There were a lot of people around but no one knew quite how to help me.

Out of the cafe came an off-duty Edmonton Police officer, (deleted). He asked if I needed help, I said yes, then he gently and firmly took my nephew down to a sitting position on the ground, and held him. He spoke quietly to me and to the nephew while holding him from behind. He stayed until the meltdown subsided. (deleted) then helped me get my now peaceful nephew to the car. I hope all your officers are trained in recognizing autism and other mental health issues in citizens. I am forever grateful for the help of (deleted) and hope this message will somehow get to him and to the public.

My phone number is (deleted). (I am an Edmontonian but now live in B.C.) Thank you !!

Sincerely,

2.

Dear Sir,

I wish to write you a brief note on my observation and experience of a very positive encounter that I had with two Edmonton Police officers on March 11, 2016.

In the afternoon of last Friday, I was at work and noticed a man who appeared distraught and had started to remove his clothing on a sidewalk next to an alley on 11th avenue and 101st street. This individual did not appear to be a danger to any passerby, but his behavior was definitely a concern for his own wellbeing.

I called 911 and was put through to Edmonton Police Services. Shortly after, a Constable called me on my cell phone in order to confirm the exact location of this individual. When she and another officer arrived, I was in close proximity to observe how the officers dealt with this individual.

The two officers were calm and the tone of voice was non-threatening. They spoke to this individual at length. I went back to my place of work and came back out five minutes later. Further conversation took place between the officers and this individual. The

officers then retrieved a syringe from this individual's pocket, and this individual allowed the officers to handcuff him without any incident.

I thought the officers conducted themselves so professionally, and as a result, the incident ended so peacefully. This all occurred while this individual was not in the right frame of mind.

I am afraid I do not have more details on the two officers, other than one officer is Constable, and the Police Van has the number "907" painted on its right side.

I thought you may want to know.

Kind Regards,

3.

SUBJECT: Compliment an officer

MESSAGE: Just wanted to let you know that today I witnessed an officer driving by a group of daycare kids and he stopped his vehicle, got out of the car and was talking with them. He then turned his lights on and then his siren to the delight of one little girl who could hardly contain her excitement. I just thought that was really nice to see this officer take the time to stop and talk to these little kids. Not sure who he is or his vehicle number but it was today Feb 26 between 10-10:30am at 101ave - 71 st.

4.

Hi,

My name is (deleted) and tonight on Fort Road, I was in a car accident around 5:10 p.m. I didn't get the EPS officers badge numbers or names, but I did want to say thank you to them and compliment your men and women in uniform. I was so scared, totally upset and they were extremely understanding and caring. They are truly men of honor. In today's headlines, it is so easy to see all the negative but these two gentlemen were a great reminder that there are wonderful people out there who choose to serve the greater public, who put themselves willingly into situations where few would dare and still maintain compassion, humour, and dignity.

Thank you for keeping us all safe, thank you for helping me through my experience and thank you for helping me smile at the hospital. I am forever grateful.

5.

My husband got pulled over on windermere blvd around 3pm today. The officer listened as I (the wife) told him about the hard times we are going through right now. I realize there is no excuse for speeding but this is the first time I have felt listed to by an officer.

He came back with our paper work and explained the reason he was ticketing in the area. Residents had complained to police about speeders and being unable to cross the

road safely. To hear the officer explain the reason for the tickets really got through to my husband and I. We ended up with a warning and we are truly appreciative of the officer (whose name we didn't catch) for listening and understanding our situation while still getting the importance of his message across.

6.

Dear Sir:

I am writing to thank you and the Edmonton Police Service for helping me over the last number of months. My bicycle was stolen in July of 2015 from our locked garage. We reported this event to the Capilano Branch of the Police Service and brought them the bike that was left in its stead. The officers there were very good in handling the event but, alas, my bike was not found. I thought that that was it that I would never again see the bike which I had bought to celebrate my retirement in 2014. It was the first bike I had purchased in over 40 years and had a special place in my heart.

Three days ago, February 23rd, we received a call from Constable (deleted) at the Windermere Police Station. He advised that my bike had been retrieved from a pawn shop and that I could pick it up. My husband and I did this yesterday. I was delighted to see that my bike had only a few scratches on it and was missing only its bell and lock. Great luck! Constable (deleted) was very professional in the way he handled this turnover. He was sure to ask us if we had any questions which he then answered as completely as we needed. He was very approachable and did not demean the event. I left the station feeling strangely uplifted.

I know that this is a mere speck of sand on the great beach of life but it was important to me and I was very grateful to have the police on my side. On your website, your core values list, among others: integrity, respect and community. I firmly believe that the EPS hit the mark on all of these with my small problem and I commend you and the EPS for being the strong force it is in our Edmonton. I thank you all very much.

Edmonton Police Service Professional Standards Branch

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