



July 14, 2016

TO: Tony Harder
Acting Chief of Police

FROM: Inspector Kevin Brezinski
Professional Standards Branch

RE: QUARTERLY REPORT – Q2 of 2016

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

During the second quarter of 2016 (Q2), Professional Standards Branch received 334 new files:

- 60 Public complaints as defined by Part 5 of the *Police Act*;
- 12 Internal complaints as defined by Part 5 of the *Police Act*;
- 28 EPS Matters; and
- 234 Citizen Contacts.

There were no files directed for Criminal Investigation (*Statutory Complaints*) during Q2 of 2016.

Concluded 252 files:

- 7 *Statutory* complaints;
- 49 Public complaints as defined by Part 5 of the *Police Act*, including seven (7) complaints regarding policies or services provided by the EPS;
- 13 Internal complaints as defined by Part 5 of the *Police Act*;
- 32 EPS Matter; and
- 151 Citizen Contacts.

The Edmonton Police Service received 139,157 calls in Communications Section (including calls answered by the dispatch line and 911 calls extended to police), dispatched 48,788 of those calls and recorded opening 48 compliments.

Inspector Kevin Brezinski
Professional Standards Branch

cc: Cathy Palmer/Chair
Edmonton Police Commission



Q2 2016 REPORT TO THE EDMONTON POLICE COMMISSION



The following report is submitted for:

- Approval
- Ratification
- Information

PROFESSIONAL STANDARDS BRANCH
July 21, 2016 *OPEN MEETING*

Approved by:

Tony Harder
Acting Chief of Police

Kevin Brezinski
Inspector



**Professional Standards Branch
April – June 2016
Q2 Report
Edmonton Police Service**

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Completed Complaints of Service	12
Compliments	16

STATISTICAL SUMMARY

Second Quarter of 2016 Update

1. RECEIVED FILES

The following figure shows the number and type of files received during the second quarter (Q2) 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 Q2 of 2016, PSB received 262 informal files and 72 formal complaints.

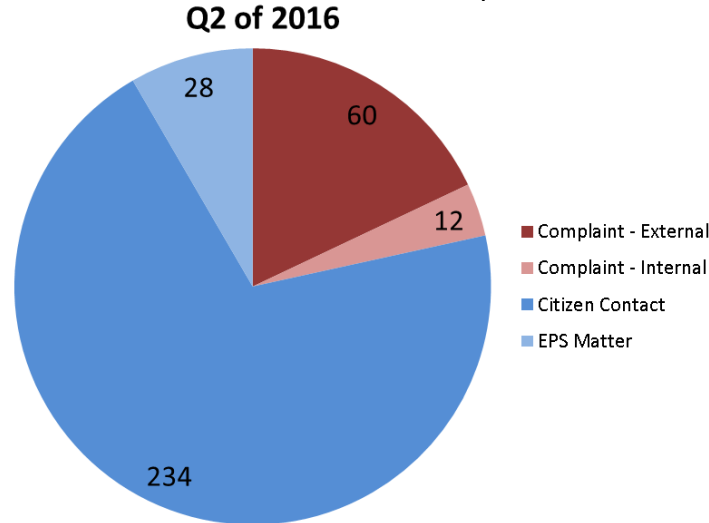


Figure 1-1. Type of Files Received During Q2 of 2016

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 19 complaints (-13%) as compared to 2015. The Year-to-date Total Files Received represents an increase of 82 files (+15%) as compared to 2015.

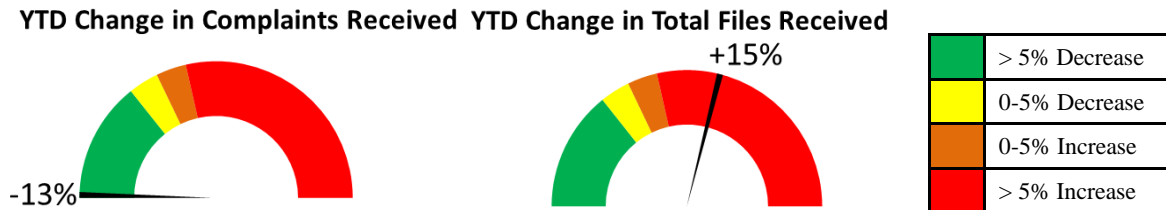


Figure 1-2. Yearly Changes in Files Received

2. CURRENT WORKLOAD

As of June 30th, 2016, PSB had 406 open investigations broken down as follows:

- 143 Complaints External
- 44 Complaints Internal
- 186 Citizen Contacts
- 33 EPS Matters

10 Statutory Complaints (of the 10 statutory complaints, 9 are associated with open PSB files and therefore are considered duplicate files, the remaining 1 file 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, to 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	1	1
2012	0	0	1	1
2013	0	1	1	2
2014	6	2	10	18
2015	42	11	35	88
2016	121	54	131	306
Total	169	68	179	416

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).

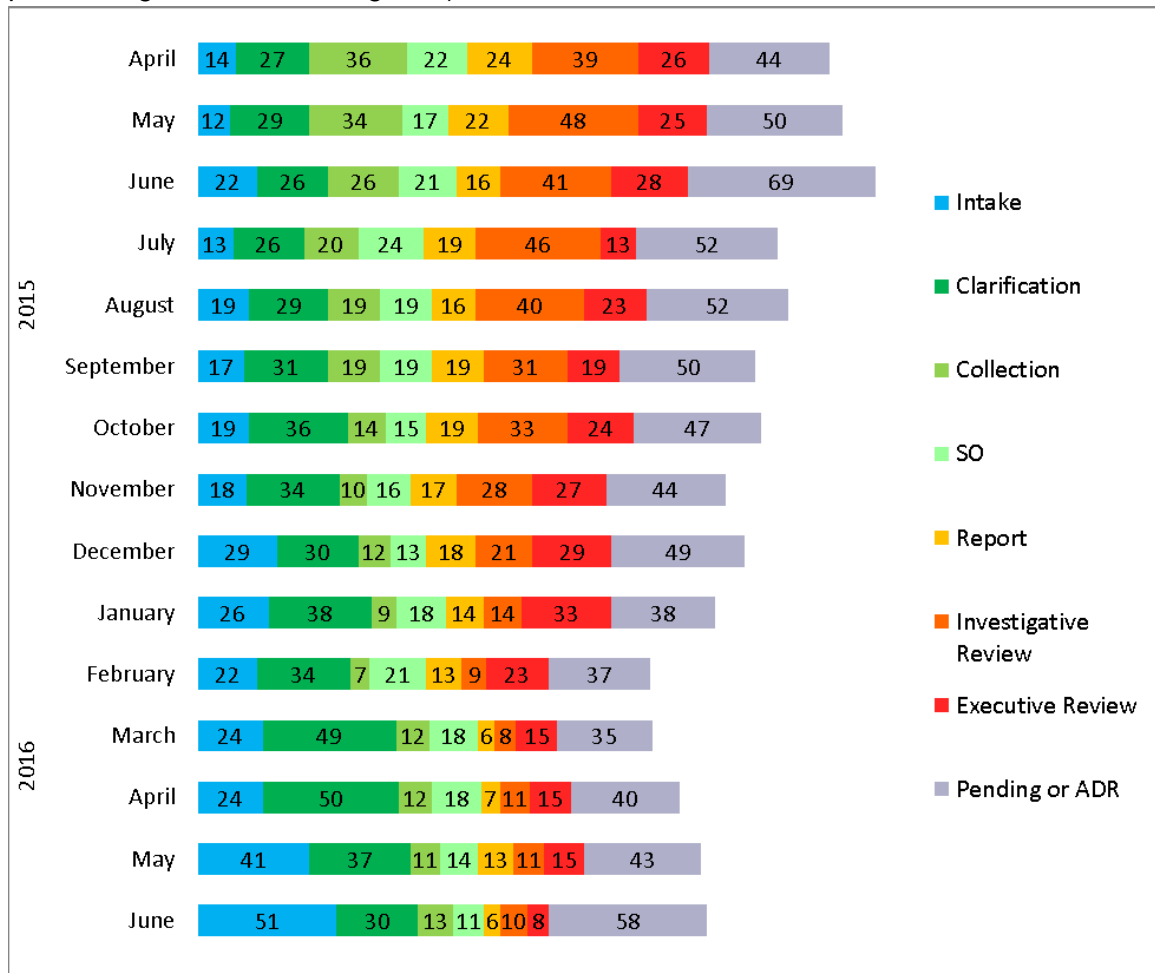


Figure 2-2. Monthly Comparison of Complaint Stages

3. CONCLUDED FILES

The following figure shows the disposition of all Formal Complaints and Statutory Complaints concluded during Q2 of 2016 (61 Formal Complaints, 7 Statutory Complaints).

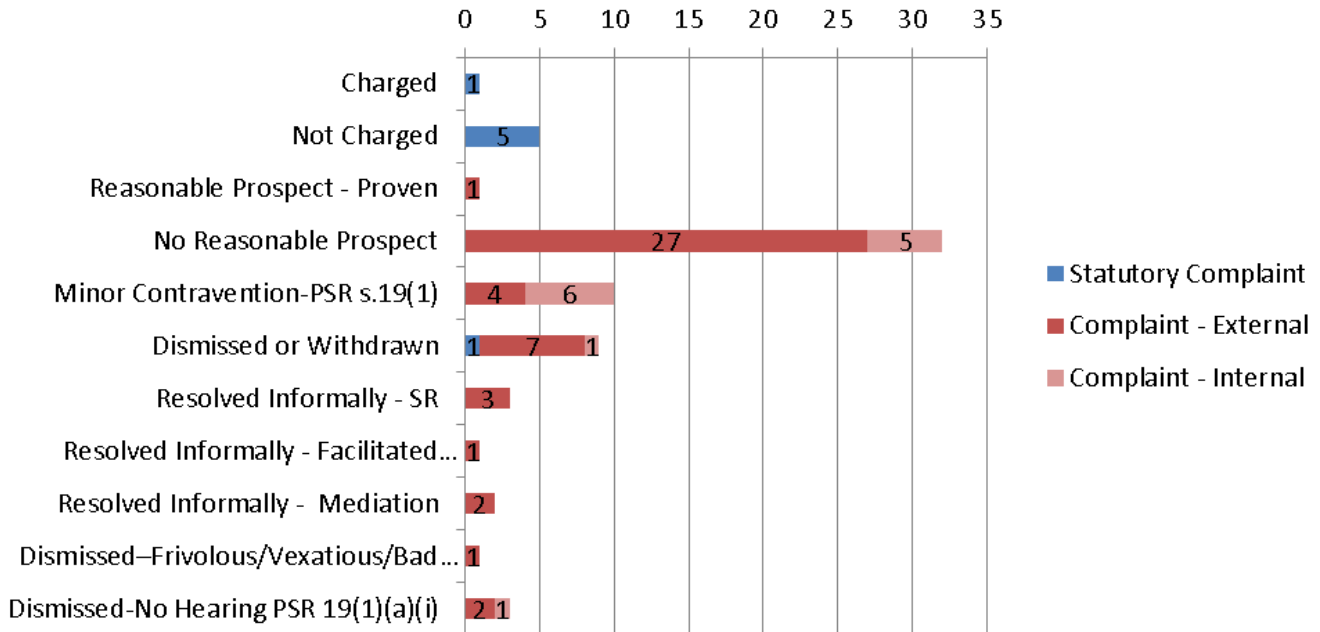


Figure 3-1. Dispositions of Concluded Formal Complaints

	2014		2015		2016	
	Q2	YTD	Q2	YTD	Q2	YTD
Received						
Complaint	21	135	70	145	72	126
Citizen Contact	185	355	181	332	234	415
EPS Matter	21	36	28	69	28	87
Total	227	526	279	546	334	628
Concluded						
Complaint	32	73	97	159	62	146
Citizen Contact	124	319	192	523	151	342
EPS Matter	18	43	30	65	32	93
Total	174	435	319	747	245	581

Figure 3-2. Three-Year File Comparison for Q2 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 a decrease of 13 complaints (-8%) and the year-to-date Total Files Concluded represents a decrease of 166 files (-22%).

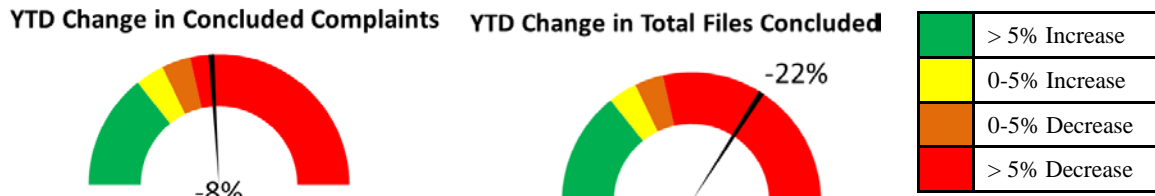


Figure 3-3. Yearly Changes in Files Concluded

4. LEGAL

DISCIPLINARY HEARINGS	Total	File Number
Directed	15	IA2010-0115a
		IA2011-0298
		IA2012-0179
		PSB2013-0914
		PSB2014-0324
		PSB2014-0550
		PSB2014-0956
		PSB2015-0029
		PSB2015-0058
		PSB2015-0631
		PSB2015-0654
		PSB2015-0889
		PSB2015-1123
		PSB2015-0627/PSB2015-1050
		PSB2016-0087
Concluded	1	PSB2013-0940
LERB	Total	File Number
Appeals Received	1	PSB2015-0200
Decisions Rendered	4	DH2013-0467
		PSB2013-0843
		PSB2014-0454
Appeals Withdrawn	0	PSB2014-1004

Figure 4-1. Disciplinary Hearings and LERB during Q2 of 2016

CONCLUDED DISCIPLINARY HEARINGS
April – June 2016

1. File Number: PSB2013-0940
Complainant: S. Ranson
Date of Complaint: December 18, 2013
Subject Officer: Reg. No. 3226 Cst. K. Stel
- 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.)

On May 18, 2016 Cst. Stel was found guilty of one count of Discreditable Conduct and was issued a penalty of 25 hours suspension without pay. The one charge of Unlawful or Unnecessary Exercise of Authority was withdrawn.

PENDING DISCIPLINARY HEARINGS

1. File Number: PSB2016-0087
Date of Complaint: January 29, 2016
Subject Officer: Constable A.B.
 - Discreditable Conduct x 1Presenting Officer: T. Magee, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for July 18, 2016.

2. File Number: PSB2014-0956
Date of Complaint: November 24, 2014
Subject Officer: Constable A.B.
 - Discreditable Conduct x 1
 - Insubordination x 1Presenting Officer: T. Magee, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

Open Disciplinary Hearing is scheduled for July 18, 2016.

3. File Number: PSB2015-1123
Date of Complaint: December 18, 2015
Subject Officer: Constable A.B.
 - Neglect of Duty x 1Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: Supt. M. Logar, Edmonton Police Service

Open Disciplinary Hearing is scheduled for July 18, 2016.

4. 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.

5. File Number: PSB2014-0324
Date of Complaint: April 15, 2015
Subject Officer: Constable A.B.
 - Unlawful or Unnecessary Exercise of Authority x 1
 - Deceit x 1

Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: Supt. M. Logar, Edmonton Police Service

Open Disciplinary Hearing is scheduled for July 28, 2016.

6. File Number: PSB2015-0654
Date of Complaint: August 03, 2015
Subject Officers: Constable A.B.
Constable C.D.
• Discreditable Conduct x 3
Presenting Officer: T. Magee, Edmonton Police Service
Presiding Officer: Supt. T. Grue, Edmonton Police Service

Open Disciplinary Hearing is scheduled for August 08, 2016.

7. 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 August 30, 2016.

8. 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

Written decision reserved until September 02, 2016.

9. 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 September 09 & 12, 2016.

- 10.** File Number: PSB2013-0914
Date of Complaint: November 08, 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 September 26 & 27, 2016.

- 11.** 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

Open Disciplinary Hearing is scheduled for October 11 – 14, 2016.

- 12.** File Number: IA2012-0179
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

Penalty Hearing is scheduled for October 25, 2016.

- 13.** File Number: PSB2015-0029
Date of Complaint: December 28, 2015
Subject Officer: Constable A.B.
 - Insubordination x 1Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: F. Kamins, Chief Supt (Rtd.)

New matter not yet scheduled.

- 14.** File Number: PSB2015-0058
Date of Complaint: January 23, 2015
Subject Officer: Constable A.B.
 - Deceit x 2Presenting Officer: G. Crowe, Edmonton Police Service
Presiding Officer: Supt. M. Logar, Edmonton Police Service

New matter not yet scheduled.

- 15.** File Number: PSB2014-0550
Date of Complaint: July 10, 2014
Subject Officer: Constable A.B.
• Unlawful or Unnecessary Exercise of Authority 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 seven (7) Complaints of Service under Section 44 of the *Police Act* that were resolved or concluded during the second quarter of 2016.

1. Concluded by the Chief
File Number: PSB2014-0720
Date of Complaint: September 4, 2016
Investigator: Detective Gord Batey

Summary

PSB received a complaint on September 4, 2014, where one of their concerns was with respect to a call to Police Dispatch on September 1, 2014. The complainant alleges that EPS failed to adequately respond to their call after an intruder entered their home. Upon review it was determined that Police Dispatch received an additional call regarding the same individual, and the call was cancelled based on another reporter's agreement. Due to the passage of time, the complainant did not want the event re-opened and investigated. The Chief determined that Police Dispatch failed to provide the complainant with adequate service and offered an apology to the complainant. The Chief also directed that a review of the matter will be conducted by Police Communications Branch to address any deficiencies in EPS Policy and Procedure. This matter was concluded on May 5, 2016.

2. Concluded by the Chief
File Number: PSB2015-0448
Date of Complaint: May 29, 2015
Investigator: Detective Ken Mah

Summary

PSB received a written letter of complaint in regards to the length of time the complainant was detained, which was for approximately 20 hours. In addition to that, the complainant alleged that the conditions of their detention were unacceptable; it was alleged that the cell was filthy, dirty and cold. The complainant also complained that they were in the cell with 3 or 4 other people. A review of the Detainee Management Unit Daily Log indicated that at any one time there were a maximum of only two other

detainees with the complainant. It was also determined that the complainant spent 10 hours and 30 minutes detained rather than the alleged 20 hours. The average length of time spent in DMU on that date was 10.5 hours. Upon review of the video footage, the complainant was observed to have taken off their jacket, crawling and laying on the floor. The behavior did not support the complainant's allegations that the cell was filthy and cold. The Chief concluded this matter on May 20, 2016.

3. Concluded by the Chief
File Number: PSB2015-0550
Date of Complaint: June 29, 2016
Investigator: Randy Topp

Summary

On June 29, 2015, PSB received a written letter of complaint with respect to the refusal of an EPS Member to charge the complainant's former spouse with perjury and fraud during civil divorce proceedings. The investigation into the complaint was reviewed by the Division; the review included all pertinent EPS documentation and consultation with the Crown. The Divisional review of the investigation which resulted in the decision not to lay charges was supported. As such, the Chief concluded this matter on May 6, 2016.

4. Concluded by the Chief
File Number: PSB2015-0609
Date of Complaint: July 17, 2015
Investigator: Michelle Donald

Summary

PSB received a written letter of complaint on July 17, 2016, with respect to the services provided by Police Communications Branch. The complainant alleged that the civilian Emergency Call Evaluator refused to change some information on the Police Report which was impacting the complainant in their ability to conduct their personal banking business in person. The audio recording of the telephone conversation was reviewed by PSB where it was determined that the call evaluator behaved professionally and politely and followed policy and procedure with respect to the complainant's request. The Chief concluded this matter on May 6, 2016.

5. Resolved by PSB
File Number: PSB2015-0706
Date of Complaint: August 18, 2015
Investigator: Intake Section

Summary

PSB received a written letter of complaint on August 18, 2015, which included concerns about the complainant's call to Police Dispatch and their call not being classified as an emergency. This portion of the complaint was forwarded to Police Communications Branch and reviewed by a supervisor. Upon review, it was determined that the complainant's call was answered appropriately but was not forwarded to police via the emergency line; rather it was forwarded on the non-emergency line bypassing the Interactive Voice Response system. The error was explained to the complainant who was satisfied with the results, and concluded their concern by way of a signed complaint resolution form on October 2, 2015. The remainder of the investigation was concluded by the Chief with respect to concerns outside of EPS policy and procedure on May 4, 2016.

6. Concluded by the Chief
File Number: PSB2015-0916
Date of Complaint: December 31, 2015 & January 14, 2016
Investigator: Darryl Scherr

Summary

PSB received a written letter of complaint on December 31, 2015, and January 14, 2016, with regard to an incident that took place on October 10, 2014. The complaint was with respect to the conditions, the lack of physical comfort, and lack of medical attention to the complainant while secured in cells. As this complaint was made over one year after the date of incident, the Chief dismissed the complaint as 43(11) time barred.

7. Resolved by PSB
File Number: PSB2016-0052
Date of Complaint: January 14, 2016
Investigator: Jeff Andersen

Summary

On January 14, 2016, PSB received a written letter of complaint with respect to the complainant's criminal allegation regarding a former EPS member. The complainant believed that their criminal allegation should have been investigated by an outside agency. Upon review, it was determined that the complainant's allegation was forwarded to Alberta Justice and Solicitor General for consideration who recommended that EPS should proceed and conduct the investigation. Current legislation requires that each Alberta police agency be primarily responsible for the investigation of complaints against their members. As such, the Chief concluded this matter on June 27, 2016, with no changes to EPS Policy or Procedure recommended.

COMPLIMENTS

During Q2 of 2016, forty-eight (48) letters of appreciation were entered by the Edmonton Police Service. Professional Standards Branch would like to present seven (7) of these letters.

1.

I just wanted to take a moment to recognize Const. [REDACTED]. My father is a Business manager in his beats area of Beverly. [REDACTED] and his team have done a remarkable job with keeping the community safe, and developing a very close relationship with the citizens of the community. I had an opportunity to accompany [REDACTED] on a ride along on June 28th. The professionalism, hard work, dedication and genuine care and concern that [REDACTED] and his team put into their job has not only reflected the amazing efforts that the Edmonton Police Service puts forward by the front line men and women, but has inspired me to put forth my application in joining EPS. I wanted to formally thank [REDACTED], his team, Northeast division, and EPS for showing the hospitality and respect towards me, the community, and its citizens.

Thank you.

2.

Dear Sir:

This letter is to commend Cst. [REDACTED] for going the extra mile on an investigation. On April 17, 2016, my son [REDACTED], a first year university student left his bike in the back seat of his car overnight at the rear of his downtown apartment. Although we harp on him to make sure that he doesn't leave anything visible in his car, he made a bad judgment call. Sometime overnight someone smashed his car window and stole his \$1200 bike (file [REDACTED] refers). We were certain this was going to be an expensive lesson for him.

On Saturday April 25, 2016 [REDACTED] got a voice message out of the blue from Cst. [REDACTED] advising him that he had located the bike. He asked [REDACTED] to contact him the following Wednesday. [REDACTED] was in an exam so I called on Wednesday morning to inquire about picking up the bike. I spoke to Cst. [REDACTED] who was not even on shift yet but still took the call. He took the time to tell me that they had located the bike in a homeless shelter somewhere in the southeast with other stolen property.

The bike was not on CPIC because my son hadn't yet given them a serial number. Cst. [REDACTED] said me that he recognized the bike as being expensive and from United Cycle. He took the time to call the store and was given my son's contact information. [REDACTED] got his bike back later that day.

My husband and I were with the RCMP for 25 years. We worked with many members that would have queried the serial number, not got a hit and then been done. When I spoke with Cst. [REDACTED] he had such a positive attitude about his job, was

accommodating, and genuinely cared. Although this was all in a day's work for him, the extra effort meant so much to my family.

3.

Dear Sir:

We recently had the pleasure of having the Pipes and Drums of the Edmonton Police Service perform at my Mom's 95th birthday at [REDACTED]. It was a very positive and enjoyable experience not only for my Mom, but for all the many residents and staff in attendance. The joy that was clearly brought to our very senior citizens will be a memory I will cherish for a long time. I continued to receive positive comments for many days after the event.

After the performance I had discussion with a therapist who was originally from the Philippines. We compared the Haggis to one of her native dishes. I was struck by what an excellent community outreach the Pipe Band provides. A large percentage of the workers in the home are New Canadians and it was apparent that many enjoyed the opportunity to not only experience this unique facet of Canadian culture, but, perhaps more importantly, the opportunity to see the Police Service in a positive light-something they may not be accustomed to in their home country.

I sincerely wish to compliment the Pipes and Drums on the solid community service they provide. They are an asset to not only the Edmonton Police Service but to the entire city.

4.

Description of compliment:

On 4/9/2016, I was the victim of a cloned debit card that was fraudulently used in Jacksonville, FL. After doing some leg work myself, I was told by the Jacksonville FL Sheriff's Office that I had to initiate the investigation from my present location. Const. [REDACTED] was extremely professional and helpful taking my statement and sending the required messages via CPIC to the States. She even followed up with a phone call.

While the amount of theft wasn't earth shattering, I left impressed with the service received.

Thanks again

5.

Dear Inspector,

I would like to thank Constable [REDACTED] of the EPS NW Division Squad I for his help last week. On March 16, 2016 our Dr.'s and my cell phones and a wallet were stolen from our private offices at [REDACTED].

I was very appreciative of Constable [REDACTED] assistance. This must be a minor concern in the daily lives of the Edmonton Police and yet he was so courteous, respectful and empathetic to our concerns. Due to his diligent work he was able to have our phones and wallet returned the same day.

This was my first interaction with the EPS and I was very grateful for the assistance we received. I am very thankful that the EPS and officers such as Constable [REDACTED] [REDACTED] are there to help.

6.

Chief Knecht

I would like to compliment Cst. [REDACTED] on a job well done. I work as an investigator for the [REDACTED] Program and I am a retired member of the EPS. On 2015 December 10, I inspected a 2006 PJ Gooseneck trailer at [REDACTED], Alberta. I determined that the trailer had been leased from [REDACTED] and had never been returned. Investigation revealed the individual who leased the trailer was the same person who was now requesting the assigned VIN.

Initially the theft/ fraud was not reported to the EPS by [REDACTED] of Edmonton but after I contacted the company they subsequently reported the matter under file [REDACTED]. I was subsequently contacted by Cst. [REDACTED] and after providing him with the details of my identification and investigation he executed a search warrant at the above noted location on 2015 December 15 and seized the trailer. When new the trailer was valued at approximately \$18,000.00.

When I last spoke to Cst. [REDACTED] he advised that he would be laying criminal charges. I would like to thank Cst. [REDACTED] for his investigation relating to the theft of the trailer and on his execution of the search warrant and seizure of the property. His strong work ethic and determination are to be commended and his investigation is a great example of the work done by members of the EPS.

Please pass on my appreciation to Cst. [REDACTED] for a job well done.

7.

On Friday April 15th 2016 we called 911 to respond to our sons mental health crisis. Sgt. [REDACTED] was first to arrive. We would like to commend Sgt. [REDACTED] for his complete understanding and compassion of our and our sons situation. We would like to extend our gratitude to Sgt. [REDACTED] and the EPS and other officers involved as well as the crisis team.

Thank You

Edmonton Police Service Professional Standards Branch

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