



February 9, 2011

TO : David Korol  
Acting Chief of Police

FROM : Inspector Mark Neufeld  
Professional Standards Branch

RE : MONTHLY REPORT – JANUARY 2011

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This report has been prepared for the February 17, 2011 Edmonton Police Commission meeting.

During the month of January 2011, Professional Standards Branch opened 92 new files:

- 14 Public complaints as defined by Part 5 of the *Police Act*;
- 2 Internal complaints as defined by Part 5 of the *Police Act*;
- 10 EPS Matters; and
- 66 Citizen Contacts.

And concluded 84 files:

- 18 Public complaints as defined by Part 5 of the *Police Act*, including 3 complaints regarding policies or services provided by the EPS;
- 6 Internal complaints as defined by Part 5 of the *Police Act*;
- 15 EPS Matters; and
- 45 Citizen Contacts.

The Edmonton Police Service received 41,807 calls in Communications Section, dispatched 13,846 of those calls, and recorded receiving 24 compliments.



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Inspector Mark Neufeld  
Professional Standards Branch

cc: Arlene Yakely, Chair  
Edmonton Police Commission



## JANUARY 2011 REPORT TO THE EDMONTON POLICE COMMISSION



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The following report is submitted for:

- Approval
- Ratification
- Information

PROFESSIONAL STANDARDS BRANCH  
FEBRUARY 17, 2011 *OPEN MEETING*

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Approved by:

A blue ink signature of David Korol, written in a cursive style.

David Korol  
Acting Chief of Police

A blue ink signature of Inspector Mark Neufeld, written in a cursive style.

Inspector Mark Neufeld



**Professional Standards Branch  
January 2011  
Edmonton Police Service**



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### Overview & Updates

As of January 1, 2011, we have updated our complaint terminology to be consistent with the Solicitor General's *Police Complaint and Use of Force Reporting Initiative* and *Police Complaint Terms Standardization and Categorization* guidelines.

Under the new terminology, all formal complaints as per Part 5 of the *Police Act* are labeled as "Complaint". This includes both complaints under s.44 of the Act (failure to provide adequate services or deficient policy; formerly labeled *Complaints of Service*) and complaints under s.45 of the Act (complaints regarding officer conduct; formerly labeled *Complaints of Conduct*).

Consolidating the intake process for these two types of complaints allows us to contact the complaint and/or do a preliminary analysis to determine the nature of the complaint before defining the complaint as either Service or Conduct, or both. However, since the complaints are no longer strictly defined as only Service or Conduct upon intake, we will now reserve reporting on Complaints of Service until completion of the investigation.

Criminal Investigations, now labeled as *Statutory Complaints*, will be dealt with separately from *Police Act* Complaints. We will report the number of criminal investigations directed by the Chief on a monthly basis, as well as the total number of active *Statutory Complaints*. The number of *Statutory Complaints* should not be considered as additional to the number of *Complaints*; that is, a single incident could result in the creation of both a *Complaint* (dealing with misconduct as defined by the *Police Service Regulations*) and a *Statutory Complaint* (dealing with criminal allegations).

Informal complaints or contacts (i.e. complaints that are not dealt with under Part 5 of the Act) are divided into *Citizen Contacts* and *EPS Matters* (formerly *Information Only*, *Citizen Concerns*, and *EPS Concerns*). As defined by the *Police Complaint Terms*, a *Citizen Contact*:

may take the form of a concern consisting of an actual allegation under the PSR or an offense under the Parliament of Canada or Legislature of Alberta. A Citizen Contact may also consist of a matter that is pure inquiry or assistance-based.

*EPS Matters* include internally generated allegations that are dealt with by Professional Standards without invoking the *Police Act* and/or files that are brought to the attention of Professional Standards for tracking purposes only.

**Files Received in January 2011**

	<i>Internal</i>	<i>Public</i>	<b>Total</b>
Complaint	2	14	16
EPS Matter / Citizen Contact	10	66	76
<b>Total</b>	12	70	92

- 1 Criminal Investigation (Statutory Complaint) was initiated in January
- 24 Compliments were received in January

**Three Year File Comparison in the Month of January**

<b>JANUARY</b>	<b>2009</b>		<b>2010</b>		<b>2011</b>	
	<b>received</b>	<b>concluded</b>	<b>received</b>	<b>concluded</b>	<b>received</b>	<b>concluded</b>
<b>Complaint</b>	30	30	13	8	16	24
<b>Citizen Contact</b>	64	50	57	47	66	45
<b>EPS Matter</b>	3	9	1	0	10	15
<b>Total</b>	<b>97</b>	<b>89</b>	<b>71</b>	<b>55</b>	<b>92</b>	<b>84</b>

Please note, for past years in the above table:

- Complaint includes Complaints of Service, Conduct and Criminal Investigations
- EPS Matters include only EPS Concerns
- Citizen Contacts include both Information Only files and Citizen Concerns

Previous Information Only files may include files that would now be classified as EPS Matters, so the number of Citizen Contact files for previous years may be slightly inflated.

**Concluded files by Completion Time**

<b>File Type</b>	<b>under 6 mos.</b>	<b>6 to 12 mos.</b>	<b>over 12 mos.</b>	<b>Total</b>
Complaint	14	8	2	24
<i>Statutory Complaint</i>	0	0	0	0
Citizen Contact	45	0	0	45
EPS Matter	9	4	2	15
<b>Total</b>	<b>68</b>	<b>12</b>	<b>4</b>	<b>84</b>

**Concluded files by Disposition**

<b>Incident type</b>	<b>Disposition</b>	
Complaint	No Reasonable Prospect	4
	Resolved through PSB	9
	Resolved through SR	7
	Dismissed -1 Year 43(11)	2
	Dismissed - Extension Not Granted	1
	Withdrawn by Complainant	1
Citizen Contact	Resolved through PSB	1
	Resolved through SR	1
	Resolved-Citizen Contact	24
	Referred-Citizen Contact	10
	Abandoned-CitizenContact	8
	Not A Police Matter	1
EPS Matter	Unfounded EPS Matter	4
	Tracking Only-EPS Matter	2
	Resolved EPS Matter	9

**Overview of January 2011**

The following is a snapshot of all *active* files as of January 31, 2011. The files are broken down according to the type of file and the length of time since it was received. This table includes *all currently active files*, thus the length of time presented may include time periods in which the investigation was suspended.

Note that Statutory Complaints typically represent a duplication of Complaint files (i.e. if a file is classified as a Statutory Complaint, there is a corresponding Complaint for the allegations of misconduct under the *Police Service Regulations*). For this reason, the number of active Statutory Complaints is not represented in the sum total.

<b>File Type</b>	<b>under 6 mos.</b>	<b>6 to 12 mos.</b>	<b>over 12 mos.</b>	<b>Total</b>
Complaint	84	50	43	177
<i>Statutory Complaint</i>	2	8	11	21
Citizen Contact	52	2	1	55
EPS Matter	14	2	3	19
<b>Total</b>	<b>68</b>	<b>12</b>	<b>15</b>	<b>251</b>

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**PENDING DISCIPLINARY HEARINGS**

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1. I.A. File Number: IA2004-0040  
Open Disciplinary Hearing scheduled for April 21, 2011.
  
2. I.A. File Number: IA2002-0237  
Open Disciplinary Hearing scheduled for February 11, 2011 and March 25, 2011.
  
3. I.A. File Number: IA2009-0447  
Open Disciplinary Hearing scheduled for February 14, 2011.
  
4. I.A. File Number: IA2003-0275  
Open Disciplinary Hearing scheduled for February 17 and February 18, 2011.
  
5. I.A. File Number: IA2009-0934  
Open Disciplinary Hearing scheduled for February 22 and 24, 2011.
  
6. I.A. File Number: IA2006-0899  
Open Disciplinary Hearing pending.
  
7. I.A. File Number: IA2009-0674  
Open Disciplinary Hearing scheduled for February 25, 2011.
  
8. I.A. File Number: IA2006-0403  
Open Disciplinary Hearing scheduled for March 8, 2011.

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**DELAYED OFFICER NOTIFICATION**

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Professional Standards Branch has delayed notifying subject officers in the following investigation(s):

1. I.A. File Number: IA2010-1015
2. I.A. File Number: IA2010-0101



**Total Number of Extension Requests: 32**

**1.**

**IA2010-0797**

Date of Occurrence: 2009, 2010

Date of Complaint: September 14, 2010

Allegations: Neglect of Duty, Deceit, Discreditable Conduct

A three (3) month extension is requested to the May 2011 meeting

**2.**

**IA2009-0248**

Date of Occurrence: December 2007 to November 2008

Date of Complaint: March 27, 2009

Allegations: Obstruct Justice, Neglect of Duty,

A one (1) month extension is requested to the March 2011 meeting.

**3.**

**IA2009-0424**

Date of Occurrence: July 11, 2008

Date of Complaint: June 4, 2009

Allegations: Assault, Unlawful or Unnecessary Exercise of Authority, Neglect of Duty  
Insubordination (added January 25, 2011)

A one (1) month extension is requested to the March 2011 meeting

**4.**

**IA2009-0552**

Date of Occurrence: July 18, 2009

Date of Complaint: July 21, 2009

Allegations: Unlawful or Unnecessary Exercise of Authority, Insubordination

A two (2) month extension is requested to the April 2011 meeting.

**5.**

**IA2009-0736**

Date of Occurrence: September 14, 2008

Date of Complaint: September 15, 2009 (Date received in PSB)

Allegation: Potential Police Act allegation of Unlawful or Unnecessary Exercise of Authority.

A three (3) month extension is requested to the May 2011 meeting

**6.**

**IA2009-0866**

Date of Occurrence: February 13, 2007, September 14, 15, 2009

Date of Complaint: October 22, 2009

Allegations: Assault, Assault Bodily Harm, Perjury, Deceit

A five (5) month extension is requested to the July 2011 meeting

7.

**IA2009-0942**

Date of Occurrence: September 11, 2009

Date of Complaint: November 23, 2009

Allegation: Insubordination

A three (3) month extension is requested to the May 2011 meeting

8.

**IA2009-0984**

Date of Occurrence: November 25, 2009

Date of Complaint: December 3, 2009

Allegations: Assault (Criminal), Insubordination, Discreditable Conduct

A one (1) month extension is requested to the March 2011 meeting

9.

**IA2009-1053**

Date of Occurrence: December 15 - 19, 2008

Date of Complaint: November 20, 2009

Allegations: Fraud, Discreditable Conduct

A two (2) month extension is requested to the April 2011 meeting

10.

**IA2010-0058**

Occurred Date: January 24, 2010

Date of Complaint: January 25, 2010

Allegation: Unnecessary Exercise of Authority

A two (2) month extension is requested to the April 2011 meeting

11.

**IA2010-0128**

Occurred Date: February 16, 2009

Date of Complaint: February 12, 2010

Allegation: Unlawful or Unnecessary Exercise of Authority

A one (1) month extension is requested to the March 2011 meeting

12.

**IA2010-0160**

Occurred Date: October 2009 – February 2010

Date of Complaint: February 25, 2010

Allegation: Insubordination, Deceit

A two (2) month extension is requested to the April 2011 meeting

**13.**

**IA2010-0221**

Occurred Date: March 2000, April 2006 or March 2007 and November 2009

Date of Complaint: March 9, 2010

Allegations: Deceit, Discreditable Conduct

A three (3) month extension is requested to May 2011 meeting

**14.**

**IA2010-0276**

Date of Occurrence: April 05, 2010

Date of Complaint: September 15, 2010

Allegations: Discreditable Conduct, Unlawful or Unnecessary Exercise of Authority

A two (2) month extension is requested to the April 2011 meeting

**15.**

**IA2010-0285**

Date of Occurrence: March 3, 2010

Date of Complaint: April 27, 2010

Allegations: Discreditable Conduct, Neglect of Duty

A two (2) month extension is requested to the April 2011 meeting

**16.**

**IA2010-0349**

Date of Occurrence: Unspecified

Date of Complaint: December 24, 2009

Allegations: Unknown

A three (3) month extension is requested to the May 2011 meeting

**17.**

**IA2010-0360**

Date of Occurrence: April 21, 2010

Date of Complaint: April 27, 2010

Allegation: Discreditable Conduct

A three (3) month extension is requested to the May 2011 meeting.

**18.**

**IA2010-0502**

Date of Occurrence: June 14, 2010

Date of Complaint: June 14, 2010

Allegation: Discreditable Conduct

A three (3) month extension is requested to the May 2011 meeting

**19.**

**IA2010-0534**

Occurred Date: June 16, 2010

Date of Complaint: June 23, 2010

Allegations: Perjury, Deceit

A one (1) month extension is requested to the March 2011 meeting

**This extension request is not required.**

**20.**

**IA2010-0541**

Date of Occurrence: February 2010.

Date of Complaint: June 8, 2010

Allegation: Discreditable Conduct

A two (2) month extension is requested to the April 2011 meeting

**21.**

**IA2010-0543**

Occurred Date: June 25, 2009

Date of Complaint: June 25, 2010

Allegation: Unlawful or Unnecessary Exercise of Authority x3, Neglect of duty

A two (2) month extension is requested to the April 2011 meeting

**22.**

**IA2010-0560**

Occurred Date: July 8, 2009

Date of Complaint: July 5, 2010

Allegations: Neglect of duty, Unlawful exercise of authority

A two (2) month extension is requested to the April 2011 meeting

**23.**

**IA2010-0594**

Occurred Date: May 2008 – October 2009

Date of Complaint: July 14, 2010

Allegations: Discreditable Conduct, Insubordination x 2

A three (3) month extension is requested to the May 2011 meeting

**24.**

**IA2010-0705**

Date of Occurrence: August 19, 2010

Date of Complaint: August 26, 2010

Allegation: Discreditable Conduct

A three (3) month extension is requested to the May 2011 meeting

**25.**

**IA2010-0707**

Date of Occurrence: 2010 March 18

Date of Complaint: 2010 August 24

Allegations: To be determined

A five (5) month extension is requested to the July 2011 meeting

**26.**

**IA2010-0733**

Date of Occurrence: September 2, 2010

Date of Complaint: September 20, 2010

Allegations: Unlawful or Unnecessary Exercise of Authority x 4, Deceit, Insubordination x 2

A one (1) month extension is requested to the March 2011 meeting

**27.**

**IA2010-0742**

Date of Occurrence: August 13, 2010

Date of Complaint: September 7, 2010

Allegations: Insubordination, Unlawful or unnecessary exercise of authority x 2

A two (2) month extension is requested to the April 2011 meeting

**28.**

**IA2010-0747**

Date of Occurrence: July 11, 2010

Date of Complaint: September 7, 2010

Allegation: Unlawful or Unnecessary Exercise of Authority

A three (3) month extension is requested to the May 2011 meeting

**29.**

**IA2010-0749**

Date of Occurrence: events after September 5, 2009 through to April 22, 2010

Date of Complaint: September 8, 2010

Allegations: Unlawful or Unnecessary Exercise of Authority, Discreditable Conduct, Deceit

A three (3) month extension is requested to the May 2011 meeting

**30.**

**IA2010-0751**

Date of Occurrence: April 25, 2010 - July 22, 2010

Date of Complaint: September 10, 2010

Allegations: Discreditable Conduct, Neglect of Duty

A three (3) month extension is requested to the May 2011 meeting

**31.**

**IA2010-0760**

Date of Occurrence: September 14, 2009

Date of Complaint: September 13, 2010

Allegations: Unlawful or unnecessary Exercise of Authority (x2), Discreditable Conduct (x4),  
Neglect of Duty (x2)

A three (3) month extension is requested to the May 2011 meeting

**32.**

**IA2010-0810**

Date of Occurrence: April 25, 2010

Date of Complaint: September 16, 2010

Allegation: Unlawful or Unnecessary Exercise of Authority

A three (3) month extension is requested to the May 2011 meeting

**JANUARY 2011 COMPLETED COMPLAINTS OF SERVICE** (Section 44 *Police Act*)

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Three Complaints of Service under Section 44 of the *Police Act* were concluded in January 2011.

1. Resolved through Professional Standards Branch  
File No: IA2010-0099  
Date of Complaint: February 4, 2010
  
2. Resolved through Professional Standards Branch  
File No: IA2010-0314  
Date of Complaint: April 26, 2010
  
3. Resolved through Professional Standards Branch  
File No: IA2010-0448  
Date of Complaint: May 18, 2011

## COMPLIMENTS

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During the month of January 2011, twenty four letters of appreciation were received by the Edmonton Police Service. Professional Standards Branch would like to present four of these letters.

Sir:

I simply must tell you of a wonderful officer in your service. Constable Seutter. I called your non emergency number because my ex wife and mother of our son had been missing (at least to us) for over two months. She suffers from a serious mental illness and often disappears but always calls us at least once a month. We haven't in fact heard from her for more than two months, not even over Christmas which is very unusual and even more so since it's [REDACTED] birthday tomorrow. One hears such terrible things, especially about vulnerable people like [REDACTED] that I had to call after contacting Alberta Hospital Edmonton and learning that she wasn't there.

Very fortunately for us the call was answered by Constable Seutter who, despite being terribly busy spent much effort in locating her, speaking to the supervisor at the home where she is staying and eliciting the information as to why she was unable to get in touch, letting us know that she is well and obtaining a contact number so that, in case of an emergency we can phone her.

Constable Seutter even used his own mobile phone to contact the home. In our view Constable Seutter deserves a medal but at the very least deserves a commendation and hearties thanks from us certainly but I'm equally sure that he would receive much gratitude from all the people with whom he comes into contact whether as a policeman or off duty. He is a credit to your Service and to the human race in general.

I'm sure that all of your officers are excellent people and if they are even half as superb as Constable Seutter then you have a Service second to none.

Thank you Edmonton Police Service and thank you Constable Seutter.

And;

Dear Constable Toner:

Just a quick note to say "thanks" for talking to our 11 year old son during our visit to West Edmonton Mall. Hopefully what you said, and what our son witnessed in the Mall's station where you spoke with him made him realize his inappropriate actions. He was better the rest of that day at the Mall and we had very little problems with him the remainder of the trip and the train ride home to Vancouver.

Thanks again for speaking with our son. Sometimes all it takes is a word from an authority figure OTHER than his folks. As parents, we need all the help we can get!



And;

Dear Sirs:

Re: Constable Terry Mitchell

On the very cold and snowy evening of December 15, 2010, my wife and I were attacked on Jasper Avenue. The Officer who responded to the 911 call was Constable Terry Mitchell.

You should know that Constable Mitchell exhibited all of the very best traits of a top-notch Peace Officer. From the moment he arrived we knew he was in control of the situation and we could trust him. He was thorough, knowledgeable and confident in his professional policing abilities. But beyond that he has a fine sense of human nature. That sense allowed him to put together what we were telling him and coordinate and participate in the investigation that led to the apprehension of the culprit.

His strongest attributes were most evident in his dealings with my wife and myself. He was kind, supportive and understanding. That helped us to calm down and feel more secure. It also allowed us to focus on doing what we could to provide information to assist in the investigation. Constable Mitchell took us back to our hotel and then gave us time to complete our statements. He very kindly returned to the hotel an hour later to review with us and pick up the statements. That allowed us to bring the matter, at least for that evening to a close. He remained concerned about our well-being throughout and pointed to the services available to victims of crime.

In short, we were very impressed with Constable Mitchell. He is a credit to the Edmonton Police Service and we, the public, are the beneficiaries.

And;

On December 26 I had the pleasure of meeting two EPS officers. I was visiting a friend of mine and not long into the visit I realized she was having mental health issues. When I had the opportunity, I called the Mental Health Crisis line because I knew they had previous dealings with her. At approximately 6:30 p.m. they arrived with two PES officers. Both officers were kind and considerate, but one in particular spent time with my friend asking her questions and trying to gather information. I believe his name was Ben Todd. I was really impressed with the tone and language he used when speaking to her. Clearly, she did not have a grasp on reality and not once did he indicate to her that her stories were off the wall. He spoke with her with respect and concern.

After their talk my friend went willingly with both officers to Alberta Hospital. It was the caring attitude, empathetic ear, and kind words of the officers that made my friend's horrible ordeal much more bearable.

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# Edmonton Police Service Professional Standards Branch

## **Location**

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