



ISC: Unclassified

2021

Formal Complaint Outcomes

Professional Standards Section

2022 05 10



2021 Formal Complaint Outcomes

The following information is a summary of all public and internal formal complaints concluded by the Professional Standards Section in 2020. This information has been prepared to better inform the public and our members as to the outcome of public and internal complaints, where unprofessional conduct on the part of an officer was found.

The document summarizes the situation in which the conduct occurred and the allegation that was investigated and proven. The document also indicates whether the matter was decided through a hearing, or without a hearing, as well as the resulting corrective action that was applied in the circumstances.

Under the *Police Act*, the complainant determines whether a concern is investigated formally, or whether it can be resolved informally through the provision of information, the use of supervisory intervention, or through alternative dispute resolution. If the complainant requests a formal investigation, or an internal complaint is made, a comprehensive and detailed formal investigation follows.

Where misconduct is proven through investigation, a formal sanction or remedial action results. The ultimate action taken is dependent on the situation, whether the officer's behaviour is non-cooperative or obstructive, any identified aggravating or mitigating circumstances, and whether the officer has received previous discipline. The approach taken is remedial and corrective, with the goal being prevention of future misconduct.

If the alleged misconduct is not what the Act would consider "of a serious nature" according to those criteria, then the Chief Constable determines whether misconduct occurred and decides what – if any – of the discipline allowed under the *Police Act* are appropriate.

If the alleged misconduct is "of a serious nature" and there is enough evidence to reasonably believe the misconduct occurred, the case must go to a Disciplinary Hearing. A retired senior police officer or retired judge is appointed to preside over these hearings, determine whether misconduct occurred, and decide what – if any – discipline is appropriate.

In order to respect the privacy of complainants and officers, and in compliance with *Freedom of Information and Protection of Privacy Act* requirements, names have not been published.

The *Police Act and Police Service Regulation* sets out whether matters may be decided with or without a hearing, as well as the range of corrective action that may be applied should misconduct be proven.

Summary of Sustained Complaints Completed in 2021

Situation	Allegation	Action
Concluded Without a Hearing		
Member did not have sufficient information when updating a report	Discreditable Conduct	Official Warning 1 Year on Record
Member used a disproportionate level of force during an incident	Neglect of Duty Insubordination	Official Warning 2 Years on Record
Member did not conduct an adequate investigation	Neglect of Duty Discreditable Conduct	Official Warning 2 Years on Record
Member used inappropriate language when arresting someone	Discreditable Conduct	Official Warning 2 Years on Record
Member used inappropriate language when arresting someone.	Discreditable Conduct	Counselling
Member used a disproportionate level of force during an arrest	Neglect of Duty	Official Warning 1 Year on Record
Member driving dangerously while off-duty.	Discreditable Conduct	Official Warning 1 Year on Record
Member conducted an investigation into a traffic accident and did not collect all the statements before making an arrest	Unlawful or Unnecessary Exercise of Authority	Official Warning 1 Year on Record
Member failed to properly investigate and follow up on a theft complaint	Insubordination	Official Warning 1 Year on Record
Member made an arrest and upon release of arrestee they did not receive their personal belongings back	Neglect of Duty Unlawful or Unnecessary Exercise of Authority	Official Warning 2 Years on Record
Member made an arrest and upon release of arrestee did not receive their personal belongings back	Neglect of Duty	Official Warning 3 Years on Record
Member used a disproportionate level of force during an arrest	Unlawful or Unnecessary Exercise of Authority Insubordination	Official Warning 1 Year on Record
Member took firearm out when the situation did not require it	Use of Firearm Discreditable Conduct	Reprimand 2 Years on File

Summary of Sustained Complaints Completed in 2021

Member unnecessarily and unlawfully used force and made an arrest	Unlawful or Unnecessary Exercise of Authority x 2	20 Hours Overtime Forfeiture 3 Years on Record
Member involved in a vehicle pursuit that resulted in the vehicle rolling over	Insubordination x 3	Facilitated Discussion
Member involved in a vehicle pursuit that resulted in the vehicle rolling over	Insubordination x 4 Unlawful or Unnecessary Exercise of Authority x 2 Discreditable Conduct	Facilitated Discussion Official Warning 2 Years on Record
Member used inappropriate force following an arrest of an impaired driver	Unlawful or Unnecessary Exercise of Authority	10 Hours Overtime Forfeiture 2 Years on Record
Member investigated by outside agency regarding criminal harassment	Insubordination	Official Warning 2 Years on Record
Member failed to properly process court documents	Neglect of Duty Discreditable Conduct	Official Warning 1 Year on Record
Member was unprofessional and used inappropriate language when dealing with a youth	Insubordination Discreditable Conduct	Official Warning 2 Years on Record
Member was unprofessional and entered a locked vehicle to issue a summons	Discreditable Conduct	Official Warning 1 Year on Record
Member did not conduct a thorough investigation of a hit and run and did not submit a report for a stolen motor vehicle	Unlawful or Unnecessary Exercise of Authority Neglect of Duty x 2 Insubordination	Official Warning 2 Years on Record
Member laid charges without lawful grounds	Unlawful or Unnecessary Exercise of Authority Insubordination x 2	20 Hours Suspension from Duty without Pay Reprimand 3 Years on Record
Member laid charges without lawful grounds	Discreditable Conduct x 2 Unlawful or Unnecessary Exercise of Authority Insubordination	20 Hours Suspension from Duty without Pay 3 Years on Record

Summary of Sustained Complaints Completed in 2021

Member did not thoroughly investigate an assault	Neglect of Duty x 2 Insubordination x 2	Supervisor Intervention 1 Year on Record
Member was unprofessional via email	Insubordination	Official Warning 1 Year on Record
Member issued violation tickets incorrectly	Insubordination Discreditable Conduct	Official Warning 2 Years on Record
Member provided false information	Insubordination	Official Warning 3 Years on Record
Member communicated inappropriately internally	Insubordination Discreditable Conduct Neglect of Duty	20 Hours Overtime Forfeiture Official Warning 2 Years on Record
Member communicated inappropriately internally	Insubordination Discreditable Conduct	Facilitated Discussion Official Warning 1 Year on Record
Member communicated inappropriately internally	Insubordination Discreditable Conduct	Facilitated Discussion Official Warning 1 Year on Record
Member was charged for domestic assault and property damage while off-duty	Discreditable Conduct	Reprimand 3 Years on File
Member made inappropriate comments to another member in relation to charging an officer	Discreditable Conduct	15 Hours Overtime Forfeiture Official Warning 3 Years on File
Member while off-duty identifies themselves as a police officer to assert themselves in a property dispute	Discreditable Conduct	Official Warning 2 Years on Record
Member did an inadequate investigation, did not put a report on the system and failed to respond to the complainant	Insubordination Neglect of Duty	Reprimand 2 Years on File
Member communicated inappropriately internally	Insubordination Discreditable Conduct	Facilitated Discussion Official Warning 1 Year on Record
Member communicated inappropriately internally	Insubordination Discreditable Conduct	Facilitated Discussion Official Warning 1 Year on Record
Member issued violation tickets incorrectly	Insubordination Discreditable Conduct	Official Warning 2 Years on Record

Summary of Sustained Complaints Completed in 2021

Member unintentionally discharged service shotgun	Use of Firearm Discreditable Conduct	Remedial Training Official Warning 1 Year on Record
Member had vehicle towed when unnecessary	Neglect of Duty	Official Warning 1 Year on Record
Member did not adhere to Body Worn Camera Policy	Insubordination	Official Warning 2 Years on Record
Member did not adhere to Body Worn Camera Policy	Insubordination	Official Warning 2 Years on Record
Member tried to use position as an officer to gain advantage at a registry office	Discreditable Conduct	Official Warning 1 Year on Record
Member was unprofessional and got physical while issuing a summons for open alcohol	Unlawful or Unnecessary Exercise of Authority Discreditable Conduct x 2	30 Hours Overtime Forfeiture Official Warning 2 Years on Record
Member was unprofessional and got physical while issuing a summons for open alcohol	Unlawful or Unnecessary Exercise of Authority Discreditable Conduct	20 Hours Overtime Forfeiture Official Warning 2 Years on Record
Member used inappropriate language	Unlawful or Unnecessary Exercise of Authority Discreditable Conduct x 2	Official Warning 2 Years on Record
Member applied and worked a Pay Duty shift while being paid for a regular scheduled shift	Discreditable Conduct Insubordination	10 Hours Overtime Forfeiture Official Warning 3 Years on Record
Member failed to read a person their Charter rights when detaining them and threatened to charge the individual without lawful grounds	Unlawful or Unnecessary Exercise of Authority Insubordination	Official Warning 2 Years on Record
Member failed to read a person their Charter Rights	Neglect of Duty	Official Warning 1 Year on Record
Member failed to read a person their Charter Rights	Neglect of Duty	Official Warning 1 Year on Record
Member failed to read a person their Charter Rights	Neglect of Duty	Official Warning 1 Year on Record
Member failed to read a person their Charter Rights	Neglect of Duty	Official Warning 1 Year on Record
Member used disproportionate level of force	Insubordination x 2	Official Warning 1 Year on Record

Summary of Sustained Complaints Completed in 2021

Member did not adhere to Body Worn Camera Policy	Insubordination	Facilitated Discussion Official Warning 1 Year on Record
Member did not adhere to Body Worn Camera Policy	Insubordination	Facilitated Discussion Official Warning 1 Year on Record
Member commenced a vehicle pursuit without the grounds to do so and breached policy by not continually updating location and disregarded an order from their commander	Insubordination x 4	10 Hours Suspension from Duty Official Warning 2 Years on Record
Member commenced a vehicle pursuit without the grounds to do so and breached policy by not continually updating location and disregarded an order from their commander	Insubordination x 6	20 Hours Suspension from Duty 20 Hours Forfeiture Official Warning 2 Years on Record
Member drove dangerously responding as a back-up unit in a pursuit	Discreditable Conduct	Official Warning 1 Year on Record
Member used inappropriate language, failed to read a person their Charter of Rights and used excessive force during an arrest	Unlawful or Unnecessary Exercise of Authority x 2 Discreditable Conduct x 2 Insubordination x 2	Reprimand 2 Years on Record 10 Hours Overtime Forfeiture Official Warning 2 Years on Record
Member failed to advise that they were not able to work a shift	Insubordination	Facilitated Discussion Official Warning 1 Year on Record
Member was involved in an off-duty road rage incident with a citizen	Discreditable Conduct Insubordination	Official Warning 3 Years on Record
Member found driving dangerously while off-duty	Insubordination x 2	Official Warning 2 Years on Record
Member driving dangerously in unmarked police vehicle	Insubordination	Official Warning 1 Year on Record
Member charged by RCMP for uttering threats in relation to a domestic situation while off-duty	Discreditable Conduct	Reprimand 3 Years on Record

Summary of Sustained Complaints

Completed in 2021

Member found to have improperly stored service pistol at home	Discreditable Conduct Insubordination Use of Firearms x 2	Reprimand 3 Years on Record 30 Hours Overtime Forfeiture
Member used inappropriate language	Discreditable Conduct	Official Warning 1 Year on Record
Member used a disproportionate level of force during an arrest	Unlawful or Unnecessary Exercise of Authority	20 Hours Overtime Forfeiture Official Warning 2 Years on Record
Member used inappropriate language and failed to read a person their Charter of Rights during an arrest	Discreditable Conduct x 2 Unlawful or Unnecessary Exercise of Authority	20 Hours Overtime Forfeiture Official Warning 3 Years on Record Official Warning 2 Years on Record
Member failed to read Charter of Rights before questioning a person	Insubordination	Official Warning 1 Year on Record
Member did not appropriately charge a drunk driver to avoid paperwork	Discreditable Conduct	Official Warning 2 Years on Record
Member conducted an improper vehicle search during a drug investigation	Insubordination Unlawful or Unnecessary Exercise of Authority	Reprimand 2 Years on Record
Member sent inappropriate text messages to subordinates	Discreditable Conduct Insubordination x 2	Official Warning 2 Years on Record
Member did not adequately investigate or update complainant on an identity theft investigation	Neglect of Duty Discreditable Conduct	Official Warning 3 Years on Record
Member used inappropriate language when dealing with youths	Discreditable Conduct	Official Warning 2 Years on Record
Member accessed CPS IT resources for non-police related matters	Insubordination	40 Hours Overtime Forfeiture Official Warning 3 Years on Record

Summary of Sustained Complaints Completed in 2021

Concluded With a Hearing		
Member used excessive force and did not read person Charter of Rights when detaining	Unlawful or Unnecessary Exercise of Authority	30 Hours Overtime Forfeiture Official Warning 2 Years on Record Remedial Training
Member used inappropriate and profane language during a training event	Discreditable Conduct	Reprimand 5 Years on Record
Member damaged property belonging to personnel as a form of discipline or corrective action	Discreditable Conduct	Reprimand 5 Years on Record
Member failed to fill out required court documents after seizing items from a residence associated to a search warrant resulting in charges being dismissed	Neglect of Duty Discreditable Conduct	Counselling for a minimum of 2 Years
Member engaged in sexual acts while on duty	Discreditable Conduct Insubordination	20 Hours Overtime Forfeiture Counselling
Member sexual harassed another member	Discreditable Conduct Insubordination	Suspension from Duty 80 Hours Forfeiture