



ISC: Unclassified

2022

Formal Complaint Outcomes

Professional Standards Section

2023 05 10



2022 Formal Complaint Outcomes

The following information is a summary of all public and internal formal complaints concluded by the Professional Standards Section in 2022. 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 *Police 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.

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 2022

Situation	Allegation	Action
Concluded Without a Hearing		
Member conducted a high-risk vehicle stop when it was unnecessary and used inappropriate language.	Unlawful or Unnecessary Exercise of Authority Discreditable Conduct	20 Hours Overtime Forfeiture 2 Years on Record
Member conducted a high-risk vehicle stop when it was unnecessary and used inappropriate language.	Insubordination	Counselling
Member unlawfully searched the offender's vehicle and contravened the rules of the road.	Unlawful or Unnecessary Exercise of Authority	Counselling
Member did not conduct an adequate investigation and misled the complainant.	Neglect of Duty	Official Warning 2 Year on Record
Member questioned an individual and the company they were with and told the restaurant manager of the situation. The manager subsequently asked the group to leave.	Unlawful or Unnecessary Exercise of Authority	Reprimand 3 Years on Record
Member questioned an individual and the company they were with and told the restaurant manager of the situation. The manager subsequently asked the group to leave.	Unlawful or Unnecessary Exercise of Authority	Reprimand 3 Years on File
Member failed to properly investigate and follow up on a suspicious person complaint.	Neglect of Duty	Official Warning 2 Year on Record
Member failed to read a person their Charter rights when detaining them.	Insubordination	Official Warning 1 Year on Record
Member failed to read a person their Charter rights when detaining them.	Insubordination	Official Warning 1 Year on Record
Member allegedly was racist and discriminatory when issuing COVID-19 related tickets while not wearing a mask.	Unlawful or Unnecessary Exercise of Authority	Counselling
Member failed to read a person their Charter rights when detaining them.	Insubordination	Official Warning 1 Year on Record

Summary of Sustained Complaints

Completed in 2022

Member used a disproportionate level of force when arrestee was handcuffed.	Unlawful or Unnecessary Exercise of Authority Insubordination	80 Hours Suspension from Duty without Pay Reprimand 3 Years on Record
Member failed to properly investigate a hit and run incident.	Neglect of Duty Insubordination x 2	20 Hours Overtime Forfeiture 3 Years on Record
Member used a disproportionate level of force during an arrest.	Unlawful or Unnecessary Exercise of Authority 1	20 Hours Overtime Forfeiture 2 Years on Record
Member disclosed multiple complainants' confidential information, made inappropriate comments during a sensitive investigation, and did not follow through on important investigative steps.	Breach of Confidence Neglect of Duty Discreditable Conduct X 3	Official Warning 10 Hours Overtime Forfeiture 3 Years on Record
Member did not provide name and regimental number and was not wearing a mask during COVID mandate.	Discreditable Conduct	Official Warning 1 Year on Record
Member did not conduct a proper investigation regarding lost jewelry.	Neglect of Duty	Official Warning 1 Year on Record
Member investigated by outside agency for obstruction and improper investigation.	Insubordination x 2 Neglect of Duty x 2 Discreditable Conduct Breach of Confidence	40 Hours Overtime Forfeiture 3 Years on Record
Member used IT resources for non police matters.	Insubordination	40 Hours Overtime Forfeiture 3 Years on Record
Member used a disproportionate level of force during an arrest.	Insubordination	Official Warning 1 Year on Record
Member intentionally damaged a person's personal property, did not complete proper paperwork and, was unprofessional while working with members from partner agency.	Discreditable Conduct x 2 Insubordination x 2	10 Hours Overtime Forfeiture 3 Years on Record Official Warning

Summary of Sustained Complaints Completed in 2022

Member failed to read a person their Charter Rights.	Insubordination	Official Warning 1 Year on Record
Member conducted an inadequate investigation into a sexual assault.	Discreditable Conduct	Official Warning 1 Year on Record
Member was driving at excessive speed while on duty and was issued a summons by outside agency.	Discreditable Conduct x 2	20 Hours Overtime Forfeiture 3 Years on Record
Member consumed and authorized team to consume liquor while on duty.	Insubordination Discreditable Conduct Liquor/Drug Consumption on Duty	Counselling 3 Years on Record
Member did not adhere to Body Worn Camera and In Car Digital Video Policy.	Insubordination	Official Warning 1 Year on Record
Member did not adhere to Body Worn Camera and In Car Digital Video Policy.	Insubordination	Official Warning 1 Year on Record
Member did not adhere to COVID 19 policy.	Insubordination x 3 Discreditable x 3	Official Warning 1 Year on Record
Member did an inadequate investigation by not obtaining information from the other party involved in a domestic dispute.	Discreditable Conduct	Facilitated Discussion 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 improperly used CPS email when corresponding with an outside agency regarding off-duty incident.	Discreditable Conduct	Official Warning 1 Year on Record
Member accessed CPS IT resources for non-police related matters.	Insubordination	Official Warning 1 Year on Record
Member accessed CPS IT resources for non-police related matters.	Insubordination	Official Warning 1 Year on Record

Summary of Sustained Complaints Completed in 2022

Member did not adhere to Body Worn Camera and In Car Digital Video Policy, failed to read a person their Charter Rights, and did not submit a report.	Insubordination x 2 Discreditable Conduct	40 Hours Overtime Forfeiture 3 Years on Record
Member did not submit a use of force report as per policy.	Insubordination	Official Warning 1 Year on Record
Member unintentionally discharged service shotgun.	Use of Firearm	Remedial Training 1 Year on Record
Member communicated inappropriately with a member of the public.	Insubordination Discreditable Conduct	Official Warning 1 Year on Record
Member involved in an off-duty matter where RCMP were called.	Discreditable Conduct	Reprimand 1 Year on Record
Member unintentionally discharged service gun and had non-issued accessories added to the gun against policy.	Use of Firearm Insubordination	40 Hours Overtime Forfeiture 3 Years on Record Official Warning 1 Year on Record
Member wrote an opinion article that was published identifying themselves as a CPS member with their name and rank.	Insubordination	Official Warning 1 Year on Record
Member involved in an altercation off-duty.	Discreditable Conduct	Suspension from Duty 60 hours Forfeiture 3 Years on Record
Member involved in an altercation off-duty.	Discreditable Conduct	Suspension from Duty 50 hours Forfeiture 3 Years on Record

Summary of Sustained Complaints Completed in 2022

Concluded With a Hearing		
Member used multiple CPS resources for off-duty employment purposes.	Discreditable Conduct	Dismissal from Service
Member used multiple CPS resources for off-duty employment purposes.	Discreditable Conduct x 2	Dismissal from Service
Member used inappropriate level of force during an arrest causing injuries to the subject.	Unlawful or Unnecessary Exercise of Authority Insubordination	24 Hours Overtime Forfeiture 5 Years on Record
Member used inappropriate level of force during an arrest causing injuries to the subject.	Neglect of Duty Insubordination	30 Hours Overtime Forfeiture 5 Years on Record
Member used inappropriate level of force during an arrest causing injuries to the subject.	Unlawful or Unnecessary Exercise of Authority	40 Hours Overtime Forfeiture 5 Years on Record
Member used inappropriate level of force during an arrest causing injuries to the subject.	Unlawful or Unnecessary Exercise of Authority	40 Hours Overtime Forfeiture 5 Years on Record
Member accessed CPS IT resources for non-police related matters.	Insubordination x 2	Reprimand 5 Years on Record
Member used inappropriate level of force during an arrest.	Unlawful or Unnecessary Exercise of Authority	40 Hours Overtime Forfeiture 5 Years on Record
Member communicated inappropriately internally.	Insubordination Discreditable Conduct	Reprimand 5 Years on Record
Member communicated inappropriately internally.	Insubordination Discreditable Conduct	Reprimand 5 Years on Record
Member communicated inappropriately internally.	Insubordination Discreditable Conduct	Reprimand 5 Years on Record
Member accessed CPS IT resources for non-police related matters and provided false statements in an official police document.	Insubordination x 4 Deceit	Dismissal from Service

Summary of Sustained Complaints

Completed in 2022

Member accessed CPS IT resources for non-police related matters and provided false statements during an investigative interview.	Insubordination Discreditable Conduct	Dismissal from Service
Member used inappropriate level of force during an arrest.	Unlawful or Unnecessary Exercise of Authority	Suspension from Duty 10 hours Forfeiture 5 Years on Record
Member used profane language and made inappropriate comments while using the CPS radio system.	Insubordination Discreditable Conduct	40 Hours Overtime Forfeiture 5 Years on Record
Member used profane language and made inappropriate comments while using the CPS radio system.	Insubordination	Reprimand 5 Years on Record
Member used profane language and made inappropriate comments while using the CPS radio system.	Insubordination	Reprimand 5 Years on Record
Member failed to conduct an investigation, retrieve any evidence, submit a report or make any notes in regard to a fraud complaint.	Insubordination Neglect of Duty	9 Month Reduction of Seniority Within rank Remedial Training 5 Years on Record
Member sent inappropriate text messages to a subject involved in an investigation	Insubordination	20 Hours Overtime Forfeiture 5 Years on Record
Member off-duty charged with impaired driving and leaving the scene of an accident by the RCMP	Discreditable Conduct	Suspension from Duty 40 hours Forfeiture 5 Years on Record