DISCLAIMER: In accordance with the *Community Safety and Policing Act* and the *Freedom of Information and Protection of Privacy Act*, the summary below has been de-identified to remove the personal information of individuals, including public complainants and persons who were the subject of the investigation.

DE-IDENTIFIED SUMMARY UNDER SECTION 167(2) OF THE CSPA

Original Police Service: Date of Complaint: 07/10/2024

Type of Investigation:

Referred to Same Service: ☉ Referred to Other Service: ○ Retained by LECA: ○

Service Investigations Referred to:

De-identified Summary of Complaint

The Complainant is a third-party complainant who alleges the respondent officer(s) failed to recognize her son was in medical distress, did not provide needed medical assistance and further the officer(s) used excessive force.

Unsubstantiated Code of Conduct Allegations

Allegation 1 - Section 11(1) Unnecessary Force - RO1 & RO2

Allegation 2 - Section 10(1) Conduct Undermines Public Trust - RO1, RO2, RO3

Allegation 3 - Section 9 Neglect health or safety of person in custody - RO1, RO2, RO3

Allegation 4 - Section 19 Neglect of duty - RO1, RO2, RO3

Decision and Reasons

Allegation 1 - Section 11(1)

RO1 and RO2 were in the lawful performance of their duties and acted in accordance with all governing authorities. RO1 and RO2 did not taser CW1 and the use of force they used were minimal in controlling him, the officers did not use any hard techniques to control CW1.

The Investigator has concluded that there is insufficient sufficient evidence to establish reasonable grounds that misconduct has occurred.

Allegation 2 - Section 10(1)

RO1, RO2 and RO3 were in the lawful performance of their duties and acted in accordance with all governing authorities. The officers were attempting to medically assist with CW1, however, due to the language barrier it was challenging for them to understand fully what the medical issues were. Although CW1 was in medical distress, injuries on the Complainant and the assaultive behaviour of CW1 by pushing and slapping at the officers was reasonable grounds to attempt to handcuff CW1.

Based on the available information, the Investigator has concluded that there is insufficient evidence to establish reasonable grounds that misconduct has occurred.

Allegation 3 - Section 9
TRO1, RO2, & RO3 were in the lawful performance of their duties and acted in accordance with all governing authorities. The officers attempted to communicate the best they could with the language barrier about CW1's medical issues and requested paramedics to attend. [Redacted] was present and examined CW1's vitals at the time of the incident. CW1 was transported to the hospital when the paramedics arrived.

Based on the available information, the Investigator has concluded that there is insufficient evidence to establish reasonable grounds that misconduct has occurred.

Allegation 4 - Section 19 Neglect of duty

RO1, RO2 and RO3 were in the lawful performance of their duties and acted in accordance with all governing authorities. The officers attempted to communicate the best they could with the language barrier about CW1's medical issues and requested for Paramedics to attend, [Redacted] was present and examined CW1's vitals at the time of the incident. CW1 was transported to the hospital upon their arrival by the Paramedics.

Based on the available information, the Investigator has concluded that there is insufficient evidence to establish reasonable grounds that misconduct has occurred.