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: 09/15/2024

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 attended the region for a race, as they had for seven years prior.

RO #1 was positioned at a roadway conducting a traffic duty, as per race organizers, as there were several roadways closed off.

The complainant was not able to go down a closed off roadway. The complainant approached RO #1 asking where to go to get around the closed roadway. RO #1 told the complainant to go north or south to get around, or they could use their GPS. At one point, RO #1 pointed passed the complainant's shoulder, telling the complainant that there were racers already in the closed off area. The gesture of pointing made the complainant feel threatened. In addition, the complainant felt as the officer was using rude tones and was speaking loudly.

At the end of their interaction, the complainant walked back to their vehicle where the complainant's friend was also located (in a different vehicle). The complainant stated they heard RO #1 swear, when the complainant asked RO #1 what happened, RO #1 told the complainant that the complainant's friend "stuck their fucking tongue out at me." The complainant advised RO #1 that was no reason to swear and asked for the officer's name and badge number, to which RO #1 complied.

Unsubstantiated Code of Conduct Allegations

RO #1 was alleged to have:
Committed misconduct in that, you conducted yourself in a manner that undermined or was likely to undermine public trust in policing, contrary to Section 10 of the Schedule Code of Conduct of Ontario Regulation 407/23 and therefore, contrary to Section 195(a) of the Community Safety Policing Act, R.S.O. 2019.

Decision and Reasons

RO #1 provided a statement denying that they swore when interacting with the complainant or the complainant's friend.

The day of the incident, after the complainant and their friend left the scene, RO #1 was approached by two people who witnessed the complainant's interaction with RO #1. Both witnesses expressed how patient and calm RO #1 was when the complainant speaking with RO #1. Both witnesses stated that officer was quiet and resolved, while the complainant was the loud talker of the two. At no point did either witness hear RO #1 use any profanities or abusive language. One of the witnesses was a race employee who stood along side RO #1 for over an hour and observed RO #1 to be professional in all of the interactions with people who were informed the roadway was closed, never hearing RO #1 use any abusive or profane language towards the public.

The allegation was unsubstantiated.