


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: 09/04/2024

Type of Investigation:

Referred to Same Service: ☒

Referred to Other Service: ☐

Retained by LECA: ☐

Service Investigations Referred to:

De-identified Summary of Complaint

The complaint alleges that the officer engaged in racially motivated misconduct while failing to ensure their safety while crossing the street.

The complainant alleges that they were discriminated against due to their gender expression and identity and that the officer swore, berated and used insulting words. The complainant indicates that police also used excessive force in shoving them multiple times to the point where they lost their footing resulting in a stiff neck.

The complainant also alleges that the respondent officer did not have their body worn camera on during the interaction. The complainant states they have video, audio and photos.

Unsubstantiated Code of Conduct Allegations

Unnecessary or excessive use of force
Section 11(1)

Undermine Public Trust
Section 10(1)

Human Rights code (The Code)
Prohibited Ground - Gender Expression

Decision and Reasons

The officer was detailed to a paid duty in which his job was to ensure that the area was safe for pedestrians, cyclists, vehicles and the construction crew. The Complainant was brought to the attention of the Respondent Officer was a result of a motor vehicle honking at them because they were interfering with traffic. The Respondent Officer attended to the Complainant to see what the issue was. The Complainant ignored the Respondent Officer and would not acknowledge him by stopping. The Respondent Officer was able to stop the Complainant off before they entered the closed off area of the construction site

The Complainant states that the Respondent Officer berated and called them insulting names. The Complainant has never provided what names they were called by the investigator and the Complainant has refused to provide the cell phone video to be viewed by the Investigator in an attempt to substantiate these allegations.

During the interaction with the Complainant the RO1 referred to the Complainant as "Sir", as he was attempting to de-escalate his interaction with the Complainant. The officer indicated that he did not knowingly mis-gender the Complainant.