

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: 08/20/2024

Type of Investigation:

Referred to Same Service: ☒

Referred to Other Service: ☐

Retained by LECA: ☐

Service Investigations Referred to:

De-identified Summary of Complaint

On May 4, 2024, the complainant called 911 to report a family domestic dispute between her and her husband (Civilian Witness 1). The complainant indicated Civilian Witness 1 had assaulted her and she called 911 because she wanted the him to leave the house.

The complainant alleged a member of [redacted] attended her residence to investigate an incident and discriminated against her.

The complainant also alleged a member of [redacted] lost control of his temper and treated her in an unprofessional manner.

The complainant also alleged members of [redacted] unlawfully arrested her.

The complainant further alleged a member of [redacted] was rude and failed to allow her continued access to her 6 year old daughter, after she was arrest.

Unsubstantiated Code of Conduct Allegations

Allegation 1 – Discrimination – Section 5(1)

Discrimination, in that he or she, in the course of your duties, you treated any person in a manner that, at the time, you knew or reasonably ought to have known, would contravene the Human Rights Code in the performance of their duties.

Allegation 2 – Conduct Undermines Public Trust - Section 10(1)

Conduct Undermines Public Trust in that, in that he or she, without lawful excuse, conducted yourself in a manner that undermined, or was likely to undermine, public trust in policing as a

Decision and Reasons

Allegation 1

This investigation determined there was no evidence of discrimination. The complainant's allegation of racism and discrimination was based on her suggestion the officer was a racist and her arrest was solely based on this belief. The complainant's credibility is questionable, at best, based on the numerous examples of her willfully altering the version of events without any regard for the consequences. A review of the complainant's criminal case, conducted independently, by the Crown's Case Management team found enough evidence to support the matter could go to trial and gave credence to the officer's grounds to arrest the complainant. A review of both officers' ICCS found no evidence to support racism or discrimination. Finally, the two officers who arrived after the arrest both indicated they did not witness any type of discrimination or racism by the arresting officers.

Allegation 2

This investigation determined, there was no evidence of unlawful use of authority by the officer. The complainant alleged the officer lost control of his temper after she called him a racist, which she believed was unprofessional. The only reference made by the complainant to support this allegation is the officer yelled at her, however, she admitted to initiating an argument with the officer at the same time. Civilian Witness 1 believed he heard the officer yell, however, he could not hear the context of what initiated this response from the officer. Both arresting officers stated they were professional, polite and courteous at all times. The two officers who arrived after the arrest indicated they did not witness any examples of unprofessional conduct by the officers. A review of the involved officers ICCS found no examples of unprofessional conduct or any display of anger.

Allegation 3

The investigation has determined there was no evidence of an unlawful arrest. The complainant alleged she was only arrested because she is Chinese and was never provided details of the arrest. There were many examples which established the complainant understood why she was