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: [redacted] Date of Complaint: 08/30/2024

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 was in a residence with a family member. A police officer attended and seized suspected stolen property during the course of their investigation.

The complainant overheard the police officer threaten harm to some dogs should they attack the officer. The dogs were on the porch and barking at the officer. The complainant believed the language used by the officer to be abusive.

The complainant engaged in a physical altercation with the police officer over the stolen property and sustained some minor injuries as a result.

The complainant believes that the officer did not conduct a fulsome investigation regarding the stolen property and used unnecessary force during the seizure of the property.

Unsubstantiated Code of Conduct Allegations

Conduct that Undermines Public Trust Sec. 10(1) C.S.P.A. O'Reg. 407/23

Unnecessary Force Sec. 11(1)(d) C.S.P.A. O'Reg 407/23

Abusive or Insulting Language Sec. 12(1) C.S.P.A. O'Reg 407/23

Decision and Reasons

There was no clear and convincing evidence presented by the Complainant that substantiated the allegations of Conduct that Undermines Public Trust, Unnecessary Force and Abusive or Insulting Language.

While the officer was attempting to conduct their investigation, the officer was confronted with two dogs barking at them which initially prevented the officer from going onto the property. The officer explained what action they would take should the dogs attack the officer.

The officer was in the lawful execution of their duties when seizing stolen property before the complainant interfered with the officer. The complainant suffered minor injuries attempting to prevent the officer from preforming his duties.

A video provided by the complainant depicted the physical altercation that took place and was reviewed. The Complainant provided an interview to the PSB investigator and additional witness statements were obtained and reviewed. Furthermore, the Complainant provided photographs to the PSB investigator and additional photographs and video provided by various witnesses were obtained and reviewed.

The officer had legal authority to attend the residence and continue an investigation which resulted in seizing suspected stolen property. There was no evidence provided that would show that the Respondent Officer conducted themselves in a manner that would undermine public trust, used abusive language or used unnecessary force.

Given the reasons above, it has been determined that all noted allegations are unsubstantiated.