

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: 01/13/2025

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 provided a written complaint to LECA alleging between November 1, 2024, and November 29, 2024, he witnessed a female get beat up, thrashed around and had her clothes ripped off by the Respondent Officer (RO). He alleged the female was crying for help and police just beat her relentlessly. He further alleged the female was treated like an animal and it was awful. He indicated this event happened in [REDACTED] Ontario at the intersection of [REDACTED]. Further he alleged the [REDACTED] Detachment just arrest people for fun, they issue false charges, and he wants the entire [REDACTED] Detachment dismissed.

The RO provided a duty report and stated that he was not involved in an arrest of a female during the prescribed time frame, nor was he aware of any other officers who may have engaged in a similar arrest. He stated he was not aware of ever interacting with The Complainant and confirmed The Complainant did not spell his first or last name correctly in his written complaint. He further stated the intersection provided by The Complainant does not exist.

The PSU investigator conducted a NICHE RMS query for police investigations that the RO had been involved with between November 1, 2024, and November 29, 2024. He learned the RO did not have any documented police interactions with a female that indicated he used force to arrest a female.

The PSU investigator confirmed the intersection of [REDACTED] does not exist in [REDACTED]. Further, a highway by the name of [REDACTED] does not exist.

On February 19, 2025, the PSU Investigator attempted to contact The Complainant at the phone number he provided on his written complaint to LECA, but the phone number was not in service. The PSU Investigator sent The Complainant an email to the email address he provided, requesting to be contacted to obtain information to determine when and where the alleged incident took place.

On February 21, 2025, the PSU Investigator emailed The Complainant a second time asking to be contacted to obtain information to determine when and where this alleged incident took place.

On February 27, 2025, the PSU Investigator sent The Complainant the following email, "I am attempting to contact you again in relation to the complaint that you made to LECA. This is the 3rd attempt. Please contact me. If I don't receive a response, I will respect your decision to not want to participate in the investigative process and I will continue the investigation based on your written complaint." One minute later a response was received, "Sure will do."

To date, The Complainant did not contact the PSU Investigator. The PSU Investigator could not obtain specific information about the alleged unlawful arrest of the unknown female, the alleged unlawful force used against her, or why The Complainant believed the entire [REDACTED] Detachment just arrest people for fun, issue false charges, and why he wanted the entire [REDACTED] Detachment dismissed.

Unsubstantiated Code of Conduct Allegations

1. Unlawful Arrest – Ontario Regulation 407/23, Section 7(1) – Unsubstantiated
2. Unnecessary Use of Force - Ontario Regulation 407/23, Section 11(1) - Unsubstantiated

Decision and Reasons

Analysis

Ontario Regulation 407/23, Section 7(1) states a police officer shall not make an arrest if, at the time of the arrest, the officer knows or reasonably ought to know that the arrest is unlawful.

Further, Ontario Regulation 407/23, Section 11(1) states a police officer shall not use force unless,

- (a) the force is used for the purpose of carrying out a duty;
- (b) the officer is entitled, by statute or common law, to use force for the purpose of carrying out that duty;
- (c) the officer is acting on reasonable grounds; and
- (d) the force used is no more than is necessary given the circumstances.

The Complainant alleged the RO illegally arrested an unknown female, for an unknown purpose, and unlawfully used excessive force against her. The Complainant did not participate in this investigation, therefore specific information about the female or the alleged arrest could not be ascertained or used to further this complaint investigation. Additionally, since The Complainant did not participate in this investigation, the PSU Investigator could not investigate why he wanted the entire [REDACTED] Detachment dismissed.

The RO denied knowing The Complainant, or interacting / arresting a female between the time frame specified. The PSU Investigator confirmed the RO did not have a documented interaction / arrest on NICHE RMS. Further the PSU Investigator confirmed the location provided for the alleged arrest of the female did not exist.

In review of the available evidence, reasonable grounds do not exist that the RO unlawfully arrested an unknown female, nor did he use unnecessary force against her. This allegation is unsubstantiated.