

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: 12/05/2024

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 alleges neglect of duty and unnecessary abuse of authority. An investigation into police conduct seeks to determine whether there are grounds to believe that the officer committed misconduct. The complainant is concerned that there may exist a conflict of interest, as they believe the officer is related to the family who owns the property management company. The officer having a relationship to any member or members of the property management company is not misconduct. However, if the officer's decisions or actions have been compromised because of a possible relationship, this may warrant investigation. The officer has allegedly forced the complainant to avoid contacting the property manager's employer to report his behaviour. An investigation would serve to uncover what the motivation behind this would be and if the officer used his position improperly, undermining public trust. The complainant alleges that the police have been neglectful in their duty to adequately respond to concerns about their safety. This may or may not have anything to do with a possible connection between the officer and the owners.

Unsubstantiated Code of Conduct Allegations

Community Safety and Policing Act:
15(1) - Improper Use of Position
19 - Neglects to Do Duty
10 - Conduct Undermines Public Trust

Decision and Reasons

Regarding Section 10 - Conduct Undermines Public Trust:

This allegation was made in regard to the officer being influenced by his having a familial relationship to the complainant's property manager or their associates. There was no evidence of any relationship provided by the complainant, other than the fact that the officer shares the same last name of these persons of concern. The officer was questioned as to whether or not he has a familial relationship to the property manager or their associates and he stated that he did not, nor were they in any way familiar to them. There is no evidence that the officer's actions or decisions were based on his relationship to the persons of concern to the complainant, thus this allegation was unsubstantiated.

Regarding Section 15.(1) - Improper Use of Position

This allegation was made in regard, again, to the officer's actions and decisions, having been compromised by a familial relationship, possibly resulting in material gain to the officer or his family. As it had been determined that there was, in fact, no relationship, familial or otherwise, between the complainant's property manager or their associates, and neither the investigator, nor the officer, could conceive of any material benefit to anyone that could come as a result of the officer's actions or decisions in this matter, this allegation was unsubstantiated.

Regarding Section 19 - Neglects to do a Duty

This allegation was made in regard to the officer failing to perform his duty by responding appropriately to the complainant's safety concerns. It is important to note that the police were not contacted by the complainant, but rather by her property manager, as the complainant had been engaging in unwanted behaviour. The officer contacted the complainant to discuss the behaviour, which the officer had determined had not reached the threshold of being a criminal offence. The officer spoke with the complainant regarding her behaviour and provided the complainant with a mechanism for her to make her concerns known to the property management company. In addition, the complainant did not share any concerns with the officer that would have compromised her safety. As such, there was no evidence that there was a duty incumbent upon the officer to perform, so there was no neglect to be substantiated.