

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: 12/11/2024

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 the victim of theft and alleges that the respondent officer failed to complete a fulsome and timely investigation, including the allegation that the respondent officer did not review surveillance video that could have identified the suspect.

On February 10, 2025, the Law Enforcement Complaints Agency (LECA) sent correspondence to [REDACTED], directing the Professional Standards Bureau (PSB) to investigate the allegations made by the complainant. Subsequently, PSB commenced an investigation into the conduct of the responding officer.

The complainant had no further correspondence with the PSB investigating officer after filing the initial complaint. In reviewing information provided by the respondent officer and witness, it was found that the respondent officer reviewed 102 surveillance videos recorded at the time of the reported theft, however, despite investigative efforts made, was unable to identify a suspect in the theft. The case was closed, and the respondent officer had advised complainant that the investigation would be reopened if any additional information came to light. The allegation that the respondent officer was negligent in the performance of their duty, contrary to section 19 of the *Community Safety and Policing Act*, 2019 was not substantiated.

Unsubstantiated Code of Conduct Allegations

Allegation #1 – Performance of Duties, section 19, Community Safety and Policing Act, 2019

A police officer shall not, by act or omission, fail to perform their duties appropriately without lawful excuse if, at the time, they know or reasonably ought to know that their act or omission would amount to a failure to perform their duties appropriately.

Decision and Reasons

Allegation #1 – Performance of Duties, section 19, Community Safety and Policing Act, 2019

A police officer shall not, by act or omission, fail to perform their duties appropriately without lawful excuse if, at the time, they know or reasonably ought to know that their act or omission would amount to a failure to perform their duties appropriately.

It is alleged that the respondent officer failed to conduct a timely and fulsome investigation into the reported theft of \$70,000 in currency and personal items stolen from the complainant, which, if substantiated would be in contravention of Performance of Duties, pursuant to section 19 of the Community Safety and Policing Act, 2019.

The complainant alleged that [REDACTED] did not prioritize their complaint and informed them that the reported theft was not urgent, and would have to be reported later in the night on the date of the incident. It was found that the complainant's call for service was generated and placed in a work queue balanced by level of exigency (risk) and time queued. Two (2) hours after the reported incident, the complainant contacted [REDACTED] to request the complaint be re-opened the next day.

The complainant re-opened the complaint the next day and the witness in this incident was dispatched to the call for service and attended within thirty-nine (39) minutes of the start of their shift. Meeting with the complainant, the witness collected pertinent information and generated a report the same day, including the information and details provided by the complainant.

The complainant alleged that video was not collected at the scene of the theft in a timely manner, which cost the ability to locate and identify a suspect. The respondent officer reviewed 102 videos that were recorded at the time of the theft, however, none of the cameras within the plaza (where the theft occurred) captured the exact area the theft had taken place. Having reviewed the 102 videos, the respondent officer was not able to locate a suspect. The video was uploaded and sent to the responding officer by plaza security twenty-six (26) days from the time the theft had taken place. However, it was the video placement within the plaza, and not the time it took the respondent officer to review the video footage that negated the ability to identify a suspect.

The complainant alleged that an investigator was not assigned in a timely manner. However, the investigation was assigned to the respondent officer's unit within six (6) days of the report having been generated. After reviewing the report, the respondent officer tasked the witness to conduct a video canvass, and two (2) days later, the respondent officer received the 102 video files which were then reviewed.

Through previous investigations, the respondent officer had knowledge of the limitations of video surveillance installed within the plaza, however, still made efforts to review video and attempt to locate any evidence of the offence and/or identification of the suspect. The respondent officer reviewed 102 videos and despite the significant amount of video evidence, was unable to locate either the suspect, the complainant or the complainant's vehicle within the plaza parking lot at the time of the offence.

Based on the evidence obtained, the PSB investigation has determined that there is insufficient evidence to establish that misconduct occurred in the allegation listed above. As a result, with respect to the allegation, the conclusion is unsubstantiated.