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: 02/11/2025

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 alleges the respondent officer treated him unprofessionally when he attended the 33 division to report a Fraud under $5000.

The Complainant alleges that the officer mocked him, laughed at him and was hostile toward him.

The Complainant alleges that the officers did not assist him with the Fraud report and believed it was because he is an Asian male.

Unsubstantiated Code of Conduct Allegations

Allegation 1 - Section 10(1) Interaction with the Public - RO1

Allegation 2 - Section 19 Performance of Duty - RO1

Decision and Reasons

Allegation 1 - Section 10(1)

RO was in the lawful performance of their duties and acted in accordance with all governing authorities. The officer was working the front desk when the complainant attended the station to report a fraud under $5000.

During the contact the RO1 advised that he would have to call a car in off of the road in order to do the report, the Complainant wanted the officer to complete the report immediately. RO1 advised the Complainant that he could submit an on-line report which would be later investigated. The Complainant wanted answers to why he could not complete the report immediately, RO1 attended the front lobby area of the station in order to speak with the Complainant because he believed that the complainant could not hear him clearly through the protective safety glass which has been installed in the station lobby during COVID 19 pandemic. The Complainant took this gesture as an attempt to intimidate him and felt threatened.

RO1 does this as common practice when they believe that the protective glass might be hindering his ability to communicate his message effectively.

This investigation has revealed that the members involved were in the lawful performance of their duties and acted in accordance with all governing authorities. CM1 and CM2 are civilian members and are not subject to a misconduct on investigation under the CSPA. Therefore, there is only one sworn officer identified as RO1 involved in the interaction with the Complainant. There is no credible evidence to corroborate that RO1's behavior was unprofessional, insulting or abusive.

Based on the available information, the Investigator has concluded that there is insufficient evidence to establish reasonable grounds that misconduct has occurred.

Allegation 2 - Section 19

This investigation has revealed the officer was in the lawful performance of their duties and acted under all governing authorities. The Complainant wanted his Fraud Report to be taken immediately, then became frustrated and dissatisfied that RO1 would not take the report. There is insufficient evidence to suggest that the RO1's decision was based on a prohibited ground or that the RO contravened the Human Rights Code, nor Procedure 13-14 Human Rights. The evidence supports that RO1 and CM2 tried to explain the process for filing a Fraud Under Report numerous times, and that their direction was in compliance with protocol using CORE, for online reporting of such a crime, and was in accordance with Procedure 05-23 Financial Investigations. The Complainant left the station without submitting the report, however the Complainant attended another station in another jurisdiction where he submitted the Fraud report.

Based on the available information, the Investigator has concluded that there is insufficient evidence to establish reasonable grounds that misconduct has occurred.