

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: 03/09/2025

Type of Investigation:

Referred to Same Service: ☒

Referred to Other Service: ☐

Retained by LECA: ☐

Service Investigations Referred to:

De-identified Summary of Complaint

On March 9, 2025, the Officer's attended [REDACTED] and continued an arrest under the Trespass to Property Act.

It is alleged that the Respondent Officers used unnecessary force against the Complainant

Unsubstantiated Code of Conduct Allegations

CSPA OREG 407/23:

Section 11 (1) 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.

Decision and Reasons

It is alleged that the Respondent Officers used unnecessary force against the Complainant

Respondent Officer 1 (RO1)

Respondent Officer 2 (RO2)

Finding: This investigation has revealed the officers were in the lawful performance of their duties and acted in accordance with all governing authorities. CW1 verified that the Complainant can walk and was medically cleared twice and refused to leave the hospital property. Security arrested the Complainant for trespassing and failure to leave. The Respondent Officers continued the arrest and used minimal force when escorting the Complainant to the service vehicle. The Complainant was non-compliant with the direction of officers or security. The Complainant was a passive resistant subject in his refusal to leave the premise. voluntarily. CW1 confirmed the Complainant was carried out by the officer shoulder to shoulder. The BWC confirmed the Complainant was unharmed and transported to his residence by the ROs and then moved from the police vehicle. He refused to walk into his residence so he was taken inside on a stretcher by paramedics. Upon review of the information and evidence available, the Investigator has concluded that the amount of force used was lawful, minimal, reasonable, proportional and necessary under the circumstance to overcome the Complainant's non-compliance.

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

Therefore, the allegation is unsubstantiated.