

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:

Type of Investigation:

Referred to Same Service: ☒

Referred to Other Service: ☐

Retained by LECA: ☐

Service Investigations Referred to:

De-identified Summary of Complaint

This complaint outlines an incident that occurred on , involving a student at a local school in Ontario.

CW1 alleges that following a physical altercation between two students during a science class, their son (CW2) was subjected to inappropriate and potentially unlawful actions by a school resource officer identified as respondent officer. According to the complaint, while the altercation involved both students, only the other student's parents were contacted immediately, and the complainant's son was isolated, questioned by a police officer without the presence of a parent or legal guardian, and instructed to complete an impact statement without being informed of his rights as a youth.

CW1 further alleges that, despite the other student's parents expressing no interest in pursuing charges, the attending officer proceeded to lay charges against their son. The matter subsequently proceeded through the court system, resulting in a plea to a lesser charge.

CW1 contends that the actions of the officer were improper and violated established protocols for interacting with youth, and they are seeking accountability from the officer, the Police Service, and the school.

Unsubstantiated Code of Conduct Allegations

Allegation #1

S. 19

YOU ARE ALLEGED TO HAVE COMMITTED MISCONDUCT IN THAT, BY ACT OR OMISSION, YOU FAILED TO PERFORM YOUR DUTIES APPROPRIATELY WITHOUT LAWFUL EXCUSE, THAT YOU KNEW, OR REASONABLY OUGHT TO HAVE KNOWN WOULD AMOUNT TO FAILURE TO PERFORM YOUR DUTIES APPROPRIATELY, contrary to Section 19 of the Schedule Code of Conduct of Ontario Regulation 407/23 and therefore, contrary to Section 195

Decision and Reasons

Allegation #1

S. 19

YOU ARE ALLEGED TO HAVE COMMITTED MISCONDUCT IN THAT, BY ACT OR OMISSION, YOU FAILED TO PERFORM YOUR DUTIES APPROPRIATELY WITHOUT LAWFUL EXCUSE, THAT YOU KNEW, OR REASONABLY OUGHT TO HAVE KNOWN WOULD AMOUNT TO FAILURE TO PERFORM YOUR DUTIES APPROPRIATELY, contrary to Section 19 of the Schedule Code of Conduct of Ontario Regulation 407/23 and therefore, contrary to Section 195 (a) of the Community Safety Policing Act, R.S.O. 2019, as amended.

UNSUBSTANTIATED

Allegation #1 was not substantiated for the following reasons:

- No evidence of questioning or statement-taking by respondent officer: Sources confirmed that they did not conduct a formal interview or take a statement from CW2.
- respondent officer stated he only asked CW2 if he required medical attention.
- CW4 confirmed respondent officer did not question CW2 or take a statement.
- review of police reports, notes, and Crown disclosure showed no record of any statement taken from CW2 by respondent officer.
- Written statement was obtained by CW4, not the police and not shared with police.
- CW2's handwritten statement was taken by the CW4 for school investigative purposes, without RO's involvement or direction. PC BRUSH only later received a summary of the school collected information when the matter turned into a criminal investigation.