

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: 03/13/2025

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 concerns the unprofessional conduct of Constable [REDACTED] during a phone conversation on February 20th, 2025. On February 19th, 2025, at 5:00 PM, the complainant contacted [REDACTED] Police to report a known individual trespassing on their driveway despite prior police warnings.

Upon following up four hours later, they were informed that the complaint had been assigned to a Resource Officer. However, the complaint had been inaccurately recorded as a parking issue rather than a trespassing concern, and their request for correction was denied until they could speak with the assigned officer.

The next morning, Constable [REDACTED] contacted the complainant and immediately displayed a condescending and dismissive attitude. She made degrading remarks, including suggesting that the complainant's neighbors dislike them due to frequent police reports and ridiculing their concerns. Additionally, she implied that the complainant was excessively monitoring their surroundings, which they found both inappropriate and unprofessional.

Constable [REDACTED] also attempted to deflect responsibility for addressing the complaint. When the complainant questioned whether her attitude was influenced by the fact that the trespasser's brother is a former police officer, the call abruptly ended. The officer later stated that she had attempted to return the call and informed the complainant that she had spoken with the former officer, who agreed to ask his sister to avoid using the complainant's driveway in the future. While the final resolution aligned with the complainant's expectations, the way Constable [REDACTED] handled the situation was unprofessional and concerning. Her dismissive tone and inappropriate remarks did not reflect the professionalism expected from law enforcement.

Unsubstantiated Code of Conduct Allegations

S. 10 (1)

YOU ARE ALLEGED TO HAVE COMMITTED MISCONDUCT IN THAT, YOU CONDUCTED YOURSELF IN A MANNER THAT UNDERMINED, OR WAS LIKELY TO UNDERMINE, PUBLIC TRUST IN POLICING, contrary to Section 10 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.

S. 15 (1)

YOU ARE ALLEGED TO HAVE COMMITTED MISCONDUCT IN THAT, YOU ACCEPTED A GRATUITY OR PRESENT OF MORE THAN NOMINAL VALUE, FROM A PERSON OR ENTITY, IF THE GRATUITY OR PRESENT COULD INFLUENCE OR COULD BE PERCEIVED TO INFLUENCE THE PERFORMANCE OF YOUR DUTIES, contrary to Section 15 (1) 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.

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.

Decision and Reasons

PSB has reviewed all statements, the complaint document itself, the partial recording of the conversation, and the conclusion was reached regarding the three allegations of misconduct.

S. 10 (1) UNSUBSTANTIATED

PC [REDACTED] explanations about the legal definitions of trespassing were accurate. The conversation was intense at times and frustration was evident on both sides. PSB believes that PC [REDACTED] intent in the situation was to highlight that this issue did not require police intervention as it could escalate the situation between the neighbours.

PC [REDACTED] was not making fun of the complainant, her language used was not abusive, and two parties were disagreeing over a situation and both sides were refusing to accept each other positions in this matter. The phone call was disconnected at one point but there was no evidence provided by other side to suggest that it was deliberate. PC [REDACTED] was able to get the complainant back on the line and conclude the call.

PC [REDACTED] tone in the recording heard by PSB did come off at times as dismissive to the complainant however, this did not constitute misconduct. PC [REDACTED] message to the complainant, the General Report submitted, and internal report submitted to PSB clearly demonstrates on a balance of probabilities, that her conduct was in good faith and in the performance of her duties.

S. 15 (1) UNSUBSTANTIATED

This allegation of bias due to the neighbour being a former employee of the [REDACTED] Police Service was speculation only by the complainant.

There was no direct evidence to suggest that PC [REDACTED] was influenced by a former employee.

There was evidence uncovered by PSB to conclude that this was not the case, and PC [REDACTED] went into the investigation without any bias.

S. 19 UNSUBSTANTIATED

PC [REDACTED] addressed the complainant's matter by attempting to explain that the minimal use of his driveway did not constitute a trespass at face value. She attempted to explain that this act did not require the use of police resources.

PC [REDACTED] provided information about trespassing and a more appropriate way of dealing with the situation.

Again, while PC [REDACTED] tone may have been perceived as dismissive or ridiculing, there was no clear indication that she failed to perform her duties as defined.

PC [REDACTED] researched the ongoing matter, she assessed the situation, communicated her concerns with the situation, dealt with the issue by contacting the neighbour and requesting them to stop using the driveway, and submitted a report documenting her actions.

PC [REDACTED] completed her duties as an Alternate Response Unit member for this incident. However, PSB agrees that PC [REDACTED] did come off as dismissive at times when the conversation became frustrating. PSB would hope that PC [REDACTED] and other officers at the Brantford Police Service continue to work on their communication and display more empathy when dealing with members of the community. Although the communication was not perfect, there was no misconduct identified in this matter.