

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: [REDACTED]

Date of Complaint: 03/17/2024

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 provided the following details in his complaint to LECA on March 17th, 2025:
"I had a return dispute with [REDACTED] store at the mall, they called the mall security and police, police tackled me, please punch me in the face, police forcefully drag me out of eleven store, police forcefully search me and remove my wallet, police then check my wallet and then roll the ticket and took me away from the mall and drop me off".

Unsubstantiated Code of Conduct Allegations

Allegation 1 – Unnecessary or Excessive Use of Force- Section 11(1) CSPA
Unnecessary or Excessive Use of force against any person.

It is alleged that Respondent Officer 1 (RO1) and Respondent Officer 2 (RO2) used unnecessary or excessive force when they arrested the complainant during his arrest on December 6th, 2024, at a mall in the Town of [REDACTED].

Decision and Reasons

This investigation finds the actions taken by the Respondent Officers were lawful, measured, and necessary given the totality of circumstances.

The Respondent Officers arrived and received instructions from the responsible persons of the premises, including the business owner (occupier) and agents (security) for the entire mall property. The complainant was directed multiple times by authorized individuals to leave the property and failed to comply, resulting in grounds for arrest under the Trespass to Property Act (TPA).

The CCTV security video obtained from Civilian Witness 1 (CW1) depicts the conversation described by CW1 in his interview. Although no audio is captured, it's clear that RO1 was engaged in speaking with the complainant. They spoke for approximately two and a half minutes prior to both RO1 and RO2 approaching the complainant. RO1 and RO2 reach for the complainant's arm and attempt to guide him up from the seated position. This is standard practice for police when assuming the escort position. The complainant drops himself/ his body weight forward and the officers fall to the ground with him. It is clear on the video that RO1 is injured during the incident (shoulder injury). CW1 provided evidence that the officers were commanding the complainant to "stop resisting" and to comply with their directions. CW1 described the officers responding reasonably to the behaviour of the complainant, who was refusing to be handcuffed.

The complainant refused multiple lawful directives to leave private property, actively resisted arrest, and was taken into custody using objectively reasonable force. The subsequent search and issuance of a Provincial Offences Notice were conducted pursuant to standard procedures and consistent with [REDACTED] Police policy and the officers' training.

This allegation is unsubstantiated.