

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: 01/22/2025

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 (CO), alleged the Respondent Officer (RO) repeatedly neglected a duty to remove trespassers from his property . The CO further alleged the RO ignored crimes, covered up criminal acts and was untruthful to him repeatedly.

Unsubstantiated Code of Conduct Allegations

Neglect of Duty - Sec. 2(1)(c) PSA Reg. 268/10
Discreditable Conduct - Sec. 2(1)(a) PSA Reg. 268/10
Conduct - Undermine Public Trust – Sec. 10(1) CSPA On. Reg. 407/23

Decision and Reasons

Allegation #1 - Neglect of Duty, PSA

Section 2(1)(c)(i), O/Reg 268/10 of the PSA, under the Code of Conduct, states that, any chief of police or police officer commits misconduct if he or she engages in Neglect of Duty, in that he or she, without lawful excuse, neglects or omits promptly and diligently to perform a duty as a member of the police force.

The CO alleged that the RO repeatedly failed to have trespassers removed from his family's property. He further alleged that the RO refused to have criminal complaints investigated and did not follow advice from a previous PSU investigation or an Executive Summary.

The [REDACTED] determined after legal guidance that after initial involvement with the two involved families that the matter was a civil issue and required litigation through a civil court process. The [REDACTED] had no authority to intervene and would maintain peace as required by the PSA.

When the RO became the [REDACTED], the historical incidents related to the dispute were under review by the [REDACTED] under the direction of a police witness (PW) which resulted in an Executive Summary. After legal consultations coordinated through [REDACTED], guidance was provided that resulted in the February 9, 2023, letter (Appendix A) to the other family which stated in part that it was up to them to demonstrate by way of a court order that they had a right to access the property. If they attended without a court order they would be charged pursuant to the TPA. It also stated that incidents would not be revisited that occurred in 2022. The RO relied on the letter as direction.

The other family then obtained a Decision Order from the LTB authorizing their right to be on the property. The [REDACTED] then informed the RO family and the other family after legal consultation that there would be no eviction enforcement indicated in the February 9, 2023, letter as the LTB had assumed jurisdiction. The RO updated detachment personnel by way of email on May 19, 2023. (Appendix B)