Law Enforcement Complaints Agency Ontario

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: (selected) Referred to Other Service: Retained by LECA:

Service Investigations Referred to:

De-identified Summary of Complaint

The Complainant alleged that [redacted] Police Service [redacted] officers did not have the grounds to arrest them for Criminal Code offence of Assault after being called to the residence by the victim of the assault. The Complainant alleged that they were discriminated against under Human Rights Code, and that the officers did not investigate fully or properly, and completed their investigation without obtaining any evidence. Complainant also alleged that while in police custody, they were not provided the proper necessities of life.

Unsubstantiated Code of Conduct Allegations

Allegation #1 - Human Rights Code Discrimination - Sec. 5

Allegation #2 - Interactions with the Public (Conduct Undermines Public Trust) - Sec. 10(1)

Allegation #3 - Performance of Duties (Neglects to do Duty) - Sec. 19

Decision and Reasons

Allegation #1:
A 9-1-1 call was placed by CW#1 alleging and assault had occurred. CW#1 requested an ambulance attend and take the complainant, who was suffering from a mental illness, to the hospital. Both Paramedics and police attended and police learned of an Intimate Partner Violence Assault committed by the Complainant against CW#1. Injuries were observed on CW#1 and recorded on body worn video (BWV) that were consistent with the alleged assault. Due to mandated procedures, the Complainant was arrested and taken into custody for a show cause hearing.

The Complainant alleges that officers did not take into account racialized considerations, and that their medical requirements were not met. The respondent officers were found to have taken both racialized and medical requirements into consideration when conducting their investigation. The actions of the involved officers did not support the allegation of Discrimination.

Allegation #2:
The officers were equipped with BWV. The BWV footage debunked the Complainant's claims. The Complainant was treated fairly and with respect. The actions of the officers did not support the allegation of Conduct Undermines Public Trust.

Allegation #3:
CW#1 was observed by the officers to have visible injuries and stated that the Complainant assaulted them. Objective grounds existed to arrest the Complainant for Assault. The investigation was completed appropriately and according to procedure. The actions of the officer did not support this allegation of Neglects to do Duty.

CONCLUSION: The Chief did not have reasonable grounds to believe that the actions of the officers constituted misconduct.