

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: 11/05/2024

Type of Investigation:

Referred to Same Service: Referred to Other Service: Retained by LECA:

Service Investigations Referred to:

De-identified Summary of Complaint

On August 8th, 2024, the Complainant called police for assistance after attempting to take his own life by overdosing on cocaine. The Witness Officers apprehended the Complainant under the Mental Health Act and transported him to [REDACTED] Hospital for psychological assessment. These Officers were relieved by the Respondent Officers. The Complainant states that he is unsatisfied with RO1's attitude and alleged that she failed to provide phone numbers to assist with suicide prevention and failed to activate her body worn camera. The Complainant indicates that while at the hospital, Respondent Officer 1 gave him attitude in responding to his questions and attempted to diagnose him even though she is not a doctor. The Complainant also states the officers at the hospital did not identify themselves properly and that RO2 was concealing his badge number.

Unsubstantiated Code of Conduct Allegations

12(1) Interactions with public

13(1) Conceal identification

13(2) Fail to provide identification

10(1) Undermine public trust

Decision and Reasons

Allegation #1

Interactions with the Public

Section 12(1) A police officer shall not, in the course of their duties, use abusive language with any person or otherwise treat any person in a manner that is abusive.

• It is alleged that RO1 was rude in responding to the Complainants questions and denied him a cigarette, diagnosed his mental state and failed to provide him with resources for his suicide attempt. Respondent Officer 1 (RO1)

Finding: This investigation has revealed the officer was in the lawful performance of their duties and acted in accordance with all governing authorities. The Complainant stated he was treated poorly by RO1 by avoidance, diagnosis of a medical condition and general rudeness. Both the RO1 and RO2 in this matter have provided separate responses that are consistent in the fact that the RO1 did not provide a diagnosis to the Complainant's medical condition. RO1 acknowledges responding to a question from the Complainant in which he requested her opinion. Offering an opinion does not constitute providing a medical or psychological diagnosis nor can it be construed as misconduct.

Based on the available information, the Investigator has concluded that there is insufficient evidence to establish reasonable grounds that misconduct has occurred. Therefore, the allegation is unsubstantiated.

Allegation #2

Section 13(1) A police officer shall not deliberately conceal any of the following information that is part of their uniform or is otherwise required to be displayed:

1. The officer's name.
2. The officer's badge number.
3. The name of the officer's police service.

• It is alleged that that RO2 attempted to conceal the identity by hiding his name tag and badge number on his shoulders. Respondent Officer 2 (RO2)

Finding: This investigation has revealed the officer was in the lawful performance of their duties and acted in accordance with all governing authorities.

The evidence is clear that both RO2 was properly attired in accordance with procedure and readily identifiable as [REDACTED] Police Officers. There is no evidence that the Complainant requested the officers names or badge numbers, nor that they engaged in behavior to conceal their displayed identification.

Based on the available information, the Investigator has concluded that there is insufficient evidence to establish reasonable grounds that misconduct has occurred.

Therefore, the allegation is unsubstantiated.

Allegation #3

Interactions with the Public

Section 13(2) While acting in the course of their duties, a police officer shall, upon request, provide their name, badge number and the name of their police service to any member of the public in a manner reasonable in the circumstances that allows the member of the public to identify the officer, unless the officer has reason to believe that doing so would undermine the safety of an individual.

• It is alleged that the Respondent Officers failed to identify themselves. Respondent Officer 1 (RO1)

Respondent Officer 2 (RO2)

Finding: This investigation has revealed the officer was in the lawful performance of their duties and acted in accordance with all governing authorities.

The evidence is clear that both RO2 was properly attired in accordance with procedure and readily identifiable as [REDACTED] Police Officers. There is no evidence that the Complainant requested the officers names or badge numbers, nor that they engaged in behavior to conceal their displayed identification.

Based on the available information, the Investigator has concluded that there is insufficient evidence to establish reasonable grounds that misconduct has occurred.

Therefore, the allegation is unsubstantiated.

Allegation #4

Interactions with the Public

Section 10(1) A police officer shall not conduct themselves in a manner that undermines, or is likely to undermine, public trust in policing.

• It is alleged that the Respondent Officers did not record the interaction with the Complainant on their Body Worn Cameras. Respondent Officer 1 (RO1)

Respondent Officer 2 (RO2)

Finding: This investigation has revealed the officers were in the lawful performance of their duties and acted in accordance with all governing authorities. The Respondent Officers were in compliance with [REDACTED] Police Service procedure when in attendance at a healthcare facility.

Based on the available information, the Investigator has concluded that there is insufficient evidence to establish reasonable grounds that misconduct has occurred.

Therefore, the allegation is unsubstantiated.