

**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: 08/25/2025

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 states that he was arrested unlawfully and sustained sprained wrists when he was handcuffed during the arrest. The Complainant was released unconditionally at the scene when police informed him the arrest was a result of mistaken identity.

## Unsubstantiated Code of Conduct Allegations

Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Schedule 1 Code of Conduct for Police Officer: Ontario Regulation 407/23.  
This regulation sets out the code of conduct with which every police officer must comply

### Allegation #1

#### Undermine Public Trust - 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 Officer failed to adequately conduct a proper and thorough investigation and arrested the Complainant unlawfully as a result.

Respondent Officer 1 (RO1)

### Allegation #2

#### Unnecessary or excessive use of force - Section 11(1)

A police officer shall not use unnecessary or excessive force against any person.

- It is alleged that the Respondent Officers arrested the Complainant with no Reasonable and Probable Grounds and caused injuries from excessive use of force.

Respondent Officer 1 (RO1)

## Decision and Reasons

### Allegation #1

#### Undermine Public Trust - 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 Officer failed to adequately conduct a proper and thorough investigation and arrested the Complainant unlawfully as a result.

Respondent Officer 1 (RO1)

Finding: This investigation revealed that the Respondent Officer was in the lawful performance of his duties and acted in accordance with all governing authorities. The officer focused on a specific geographical area, conducting surveillance to locate an individual wanted on an outstanding arrest warrant. The Respondent Officer gathered photos and other information to assist in identifying the wanted person if observed during their surveillance. The Complainant was located in the specific area and noted similar physical characteristics to the wanted individual. Acting on the reasonable grounds established, the Respondent Officer arrested the Complainant without incident, using minimal force. Ultimately, the investigation determined that the Complainant was not the subject of the warrant, and he was subsequently released unconditionally.

Based on a review and analysis of the information, the investigation has determined that there is insufficient evidence to establish that misconduct occurred. Therefore, the allegation is unsubstantiated.

### Allegation #2

#### Unnecessary or excessive use of force - Section 11(1)

A police officer shall not use unnecessary or excessive force against any person.

- It is alleged that the Respondent Officers arrested the Complainant with no Reasonable and Probable Grounds.

Respondent Officer 1 (RO1)

Finding: This investigation revealed that the Respondent Officers were in the lawful performance of their duties and acted in accordance with all governing authorities.

The review of the BWC video evidence, along with statements from both the Complainant and the involved officers, corroborates that the Respondent Officer acted professionally and appropriately, utilizing a minimum of force to affect the Complainant's arrest.

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.