

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: 10/13/2025

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 alleges the RO1 and RO2 neglected their duty.

The Complainant alleged:

- 1) his driver's license was suspended but he did not receive any paperwork
- 2) he was told the suspension was for three days but it turned out to be for seven days
- 3) he advised RO2 that he had used mouthwash in the last ten minutes but RO2 ignored this information
- 4) he attended the local police station and was given an incorrect occurrence number and the name of an officer for whom he had never spoken with.

Due to these circumstances the Complainant was concerned officer misconduct had occurred.

Unsubstantiated Code of Conduct Allegations

19 neglects to do duty

Decision and Reasons

The investigation into the Complainant's allegations revealed no evidence to corroborate misconduct on behalf of RO1 and RO2. RO1 and RO2 were in the lawful execution of their duties throughout the incident. Of note, RO1 had no contact with complainant.

The Complainant's allegation was multifaceted, as outlined above. The investigation corroborated some aspects of the complaint but also identified pertinent circumstances that were present as well, resulting in an Unsubstantiated conclusion.

Relevant Circumstances

On the date in question, RO1 and RO2 were part of a larger police operation, titled "(Redacted)". This project was a comprehensive initiative combining impaired operation interdiction with a public education campaign. The project aimed to enhance safety on both the water and land by targeting impaired operation of vehicles and vessels. RO1 was operating a police cruiser and conducting vehicle stops as part of this project. RO2 was the coordinator of the project and was based out of a Mobile Command Unit vehicle. RO2's role did not involve traffic stops.

On the date in question RO2 observed the Complainant's vehicle being driven in a manner that caught his attention. Due to the needs of the Service, a significant amount of resources previously allocated to (Redacted) had to be diverted. When RO2 made the observation of the complainant's vehicle there were no other officers to assist, including RO1.

RO2 investigates and formed a reasonable suspicion that the Complainant had alcohol in his body and had just operated a conveyance. RO2 read the Approved Screening Device Demand. RO2 proceeds to have technical issues accessing the Ministry of Transportation system and does not see the complainant's previous suspension nor can he print off the Notice of Suspension documents. This is why RO2 told the Complainant the suspension would be for three days, not seven. This is also why the Complainant did not receive a Notice of Suspension at the time.

RO2 would request another unit to attend his location to facilitate the printing of the Notice of Suspension. RO1 eventually arrives on scene and is able to access the Ministry of Transportation system from their cruiser, at the request of RO2. By this time the Complainant had left the scene as he did not want to wait, nor could RO2 compel him to do so.

This is when the error is discovered that the suspension will be for seven days, not three, due to the Complainant's past suspension. In addition, as the Ministry of Transportation system is being accessed by RO1 in her cruiser, the certain preformatted sections of the Notice of Suspension document bear RO1's name, not RO2.

This preformatted issue is part of the problem when the Complainant attends the police station looking for documentation relating to his suspension. His suspension bears RO1's name at the top of the page, but he did not have any contact with RO1. It should be noted, the rest of the Notice of Suspension has RO2's name and it is clear RO2 is the investigating officer.

Exacerbating this circumstance was an error made by front desk staff at the police station which does not involve RO1 or RO2. Front desk staff provided the complainant with the wrong occurrence number. The occurrence number provided to the Complainant was an unrelated traffic stop that was conducted by RO1 on the same date on a similar time and location.

Regarding the issue of mouthwash use prior to the breath sample being collected, the Complainant's account could not be corroborated.

The investigation revealed RO2 was acting in the role of Coordinator when he made an observation that demanded further investigation. Typically this investigation would have been conducted by an officer equipped to do traffic stops but in this incident no such officer was available. RO2 had two options. The first was to do nothing, the second was to engage and then request assistance if needed. RO2 chose the latter which came with the unintended consequence of not being equipped to access the Ministry of Transportation system which led to the above mentioned issues. It is the opinion of the PSB investigator that the former option of ignoring the vehicle in question altogether would have been misconduct.

The complainant's frustrating experience at the police station is unfortunate, but there is no evidence to support RO1 or RO2 committed misconduct in this incident.