

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: 07/16/2025

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 that he was unlawfully arrested, that the arrest was in retaliation for a racially derogatory insult that he made towards the Respondent Officer. He further alleges that the Respondent Officer acted inappropriately towards his girlfriend who was dressed in her sleepwear at the time of their interaction.

The Complainant asserts that the Respondent Officer's actions were inappropriate, retaliatory in nature, and involved the fabrication of information, contrary to the standards of professionalism, integrity, and impartiality expected of members of the Toronto Police Service.

Unsubstantiated Code of Conduct Allegations

Allegation #1

Interactions with the Public – Unlawful Arrest Section 7 (1) – A police officer shall not make an arrest if, at the time of the arrest, the officer knows or reasonably ought to know that the arrest is unlawful.

The Complainant alleges that the Respondent Officer unlawfully arrested him for assaulting a peace officer. Additionally, it is claimed that the Respondent Officer fabricated the assault allegation after the Complainant directed a racial insult at him.

Allegation #2

Interactions with the Public – 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.

The Complainant alleges that the Respondent Officer acted unprofessionally when he made observations of the Complainant's girlfriend wearing a minimal amount of clothing.

Decision and Reasons

FINDINGS:

This investigation determined that the Respondent Officer acted lawfully, reasonably, and in full compliance with applicable legal and procedural authorities. The Respondent Officer was obligated to conduct a brief welfare check in response to an "Unknown Trouble" call-for-service involving a potential child at risk and the Complainant's escalating obstructive behaviour.

The arrest for Assault Peace Officer is supported by Body-Worn Camera (BWC) video evidence depicting the Complainant physically obstructing and making contact with the Respondent Officer. While the Investigator acknowledges that the level of force was minor and did not result in injury, the BWC evidence clearly confirms that physical contact occurred, meeting the threshold for the offence. The Complainant's position that the subsequent court withdrawal establishes his innocence is misplaced; a withdrawal does not constitute a judicial determination of guilt or innocence, as the charge was never adjudicated.

The allegation that the arrest was retaliatory due to the Complainant's admitted use of a racial epithet toward the Respondent Officer is unsupported and speculative. BWC video evidence demonstrates no observable adverse reaction or change in demeanor by the Respondent Officer upon hearing the slur, nor any behaviour suggesting any improper or alternative motive. Therefore, the allegation is unsubstantiated.

Further, There is no evidence to support that the Respondent Officer or any of the Witness Officers acted inappropriately toward the Complainant's girlfriend, CW1. On the contrary, multiple officers encouraged her on several occasions to put on additional clothing. She was provided with an ample opportunity to change her clothing during the investigation but declined to do so.

Based on the totality of the available evidence, the Investigator concludes that there are no reasonable grounds to support that misconduct occurred in relation to conduct likely to undermine public trust in policing. Therefore, the allegation is unsubstantiated.