

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: 28/Jan/25

Type of Investigation:

Referred to Same Service: ☒

Referred to Other Service: ☐

Retained by LECA: ☐

Service Investigations Referred to:

De-identified Summary of Complaint

On November 2024 the complainant attended the police services headquarters in an attempt to retrieve some property that had been put together for them by a support unit. During their time inside the police services headquarters the complainant used profane language and a raised voice towards a civilian clerk. The Police Resource Officer became aware of the interaction and provided the complainant with directions to leave the station. Later the same complainant returned to the Police Headquarters and continued to use profane and offensive language. On their refusal to leave the station the Police Resource Officer employed minimal force to direct them off the property. The Complainant continued their disruptive behaviour and left. A complaint was laid by the complainant about the use of force through the Law Enforcements Complaints agency. The Policing Standards Investigator began the investigation into the alleged incident. Due to the Police Services retention of surveillance footage policy any video footage of the incident had been destroyed. When informed of this the complainant included the investigator in the complaint for destruction of evidence.

Unsubstantiated Code of Conduct Allegations

- Unnecessary Force - Oreg 407/23 Section 11
- Destruction of evidence - Oreg 407/23 Section 18

Decision and Reasons

The code of conduct allegations with respect to Unnecessary Force proved unsubstantiated for the following reasons:

While in attendance at the Police Service Headquarters the Complainant engaged in Conduct that constituted an offence under the Trespass to property act. Acting within their powers and authorities the subject officer directed the complainant to leave. When this request was refused the Subject officer utilized minimum force to assist in the eviction. The level of force used was accordance with the Ontario Public-Police Interactions Training Aid 2023. The Criminal Code of Canada Section 25(1) Protects persons acting under authority to use as much force as necessary to do anything in the administration or enforcement of law.

The police service policy with respect to the destruction of surveillance footage is governed by IPC Guidelines for The Use of Video Surveillance. The Subject officer has no control over the retention period of the footage.