

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:

Type of Investigation:

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

Service Investigations Referred to:

De-identified Summary of Complaint

The Complaint alleges that the Respondent Officers used excessive force towards her daughter who was allegedly making suicidal comments.

Unsubstantiated Code of Conduct Allegations

Public – Unnecessary Force – Section 11, CSPA, Reg. 407/23

Public – Undermine Public Trust – Section 10, CSPA, Reg 407/23

Decision and Reasons

Section 10(1) of the Community Safety Policing Act states “a police officer shall not conduct themselves in a manner that undermines, or is likely to undermine, public trust in policing.”

Section 11(1) of the Community Safety Policing Act states “a police officer shall not use force unless, the force is used for the purpose of carrying out a duty; the officer is entitled, by statute or common law, to use force for the purpose of carrying out that duty; the officer is acting on reasonable grounds; and the force used is no more than is necessary given the circumstances.”

The Investigator reviewed both officer's reports, notes, Interviews, body worn (BWC) and In-Car Camera video (ICC), dispatch audio, Section 8 Charter of Rights and Freedoms.

It is clear from review of BWC and the ICC footage that Complaint's daughter showed signs of a person in crisis which is described in Police Orders as “the onset of an emotional disturbance or situational distress, which may be cumulative, involving a sudden breakdown of an individual's ability to cope; substance abuse is considered a mental health diagnoses and may be a factor in a person in crisis.” Pursuant to the Mental Health Act section 17, when a police officer has reasonable ground to believe a person is a danger to themselves or others, they can apprehend and transport the subject for assessment at a hospital.

In these circumstances, the attending physician also had concerns about Complaint's daughter's mental health and detained her in the hospital to receive the proper medical treatment she required.

At no time, did any of the Respondent Officers use excessive force on the Complaint's daughter. This is corroborated by the BWC and ICC video footage.

A review of all four (4) Respondent Officers' Duty Reports proved consistent with their involvement and actions as depicted in the BWC and the ICC footage.

Based on all the evidence reviewed by the PSU Investigator, the officers were authorized by law (MHA) to apprehend the Complaint's daughter. They were professional and conducted themselves in accordance with their training and the expected high standards of the [REDACTED]. The allegation that they committed misconduct under the CSPA is unsubstantiated.