

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: 04/16/2025

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 reported that after their arrest, they awoke in their cell at the detachment, sore and were unable to walk or use the toilet. They called for the guard who attended and provided assistance. The complainant then requested help from an officer who advised they needed a cane and left. The complainant stated that EMS was called but did not arrive to provide further assistance for approximately 30 to 45 minutes.

Unsubstantiated Code of Conduct Allegations

Duty-Neglect or Omit - Sec 19 CSPA Reg. 407/23

Decision and Reasons

Section 19 – Ontario Regulation 407/23, Code of Conduct of the CSPA, states: A police officer shall not, by act or omission, fail to perform their duties appropriately without lawful excuse if, at the time, they know or reasonably ought to know that their act or omission would amount to a failure to perform their duties appropriately. The complainant alleged that the respondent officer did not provide adequate medical assistance while the complainant was in custody.

The complainant was contacted but declined to participate in the investigation. The Professional Standards Unit (PSU) relied on the complainant's written submission to the Law Enforcement Complaints Agency (LECA) as outlined in the overview. PSU made repeated attempts to contact the complainant, including sending a frontline member to the complainant's residence. Despite these efforts, the complainant did not provide an official statement.

During a phone call with PSU, the complainant's account changed multiple times, and no specific details, dates or involved officers were provided. A witness confirmed recalling assisting the complainant with the use of a toilet on one occasion following a prior domestic incident but did not observe any officer cause injury or deny medical treatment. The witness could not provide a specific date, having guarded the complainant on multiple occasions. PSU reviewed the duty report of the respondent officer who did not recall any such incident and without further information, could not provide additional details or a response to the allegation.

PSU examined records management system (RMS) entries for all of the complainant's in-custody interactions from 2021, to present, totaling 41 occurrences. None matched the complaint, although records indicated the complainant had received medical attention multiple times while in custody, primarily for overdose or self-harm-related concerns.

PSU conducted a thorough and diligent investigation into the complaint, making repeated attempts to contact the complainant, arranging for frontline assistance in communication, interviewing relevant witnesses, reviewing the respondent officer's duty report, and examining all related RMS entries. PSU also consulted with the LECA complaint monitor to ensure all investigative steps were appropriate. Upon reviewing Section 19 of the Community Safety and Policing Act, Ontario Regulation 407/23, and comparing it to the evidence obtained from witnesses and records, there was no indication that the respondent officer failed to perform duties appropriately or neglected to act when required.