

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: 07/09/2024

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 the police were called to her residence under false pretenses. Complainant alleges that she was told that police were there to check on someone that was locked in a room. Complainant alleges the officers were kicking on her door several times. Complainant advised that she was standing in the doorway when a police officer opened the door. Complainant advised that the officer put his hands on her to attempt to forcefully move her out of the way. Complainant alleges that as the officer was entering the apartment, she told him that he was assaulting her and that police did not have a warrant to enter the apartment. Complainant alleges that as the officer was leaving the apartment he told her that he was going to “make her life a living hell”.

Unsubstantiated Code of Conduct Allegations

Allegation 1 – Conduct Undermines Public Trust O. REG 407/23 s.10.(1) (Police attended the residence under false pretences) A police officer shall not conduct themselves in a manner that undermines, or is likely to undermine, public trust in policing.

Allegation 2- Unnecessary Use of Force- O. 407/23 11. (1) A police officer shall not use force unless,

(a) the force is used for the purpose of carrying out a duty.

(b) the officer is entitled, by statute or common law, to use force for the purpose of carrying out that duty.

(c) the officer is acting on reasonable grounds; and

(d) the force used is no more than is necessary given the circumstances.

Allegation 3- Insulting Language- O. Reg 407/23 12. (1) A police officer shall not, in the course of their duties, use abusive language with any person or otherwise treat any person in a manner that is abusive.

Decision and Reasons

Allegation #1 UNSUBSTANTIATED- Witness #1 was concerned for the well being of a family member. Witness #1 attempted to make contact on her own at that unit after hearing voices inside. She had negative results, went back down to the lobby area and contacted Port Hope Police to attend and do the well being check on her behalf as she had serious concerns for the safety of her sister. Police were called there to look into the concern of Witness #1 and did so in good faith.

Allegation #2 UNSUBSTANTIATED- Police were at the residence for a lawful purpose. Concerns were substantiated by Witness #1 Where for the well being check of family member. This section must provide a clear answer to each of the allegations.

Allegation #3 UNSUBSTANTIATED- There is no evidence to support the allegation from the complainant that Police made the comment “I am going to make your life a living hell”. Once officers confirmed that Patricia NELSON was ok, they left the apartment and informed her sister that she did not want to speak with her anymore.