

**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: 2024 05 28

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 stated that they met a person in a parking lot and asked them if they wished to make some money digging up cedar trees and selling them to [REDACTED]. The person agreed to assist the complainant for a set amount of money. Due to the complainant not having a valid driver's license the person rented a U-Haul so that they could complete the task. After an uneventful day looking for trees, the person decided that they did not wish to continue with the business arrangement and returned the U-Haul rental. Additional expenses were incurred for kilometres and cleaning of the vehicle and the complainant refused to reimburse the person for their out of pocket expenses. The person confronted the complainant at their residence and at that time the complainant stated that the person stole two USB keys and refused to return them. The complainant stated that the contents of the USB keys were worth approximately 1 million dollars. The complainant stated that they met with an officer at a police division who took the complaint. The complainant stated that the officer did not complete a thorough investigation and failed to follow directions laid out by a Justice of the Peace.

## Unsubstantiated Code of Conduct Allegations

Neglects to do duty - Sec. 19 CSPA.

## Decision and Reasons

The complainant did not participate in the complaint investigative process.

The complainant alleged that the officer failed to investigate the theft complaint fully and did not execute the directions of the Justice of the Peace.

The officer asked the complainant if there was any video surveillance or independent witnesses to the incident. The complainant stated, there was no video or witnesses.

The officer documented the information provided by the complainant in a general occurrence report with assigned incident number [Redacted].

The officer identified the person who the complainant stated stole the USB keys. The officer contacted this person and cautioned them for theft. Despite the caution, they provided their account of the incident. The officer conducted an interview of this person. They stated that they never saw any USB keys and did not take any property from the complainant.

The officer attempted to resolve the matter with the person. The officer informed them, that the complainant was willing to pay the owed money in exchange for the USB keys. The person again adamantly denied seeing or taking any USB keys. The officer believed the person was being truthful. The officer stated that the USB keys would hold no value to the person and believed that the offer of being reimbursed would have caused them to give back the USB keys, if they were in their possession. The officer suggested to the complainant that the USB keys may have fallen out of the laptop when it was grabbed from the complainant's lap. The complainant disagreed with this suggestion.

The officer interviewed both parties involved in the complaint. The officer inquired about video or independent witnesses. The person identified was adamant that they never observed any USB keys during their interaction with the complainant. The officer determined that there was insufficient evidence to form reasonable and probable grounds to arrest the person for theft.

The complainant attended the police station front desk and met with the officer a second time. The complainant provided a handwritten note to the officer that they stated was written by Justice of the Peace. The complainant requested the full name and address of the person. The officer informed the complainant that they were not legally allowed to provide that information, as the police are bound by the Municipal Freedom of Information and Protection of Privacy Act.

The officer informed the complainant on the procedure to obtain a copy of the general occurrence report through Freedom of Information.

The officer conducted a complete and thorough investigation.