

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: 08/13/2024

Type of Investigation:

Referred to Same Service:

Referred to Other Service:

Retained by LECA:

Service Investigations Referred to:

De-identified Summary of Complaint

On August 13, 2024, [REDACTED] Police Service Professional Standards received a screened in complaint for investigation from the Law Enforcement Complaints Agency submitted by a complainant. The investigator was the assigned was Professional Standards.

On May 17, 2024, at 1700 hours, the complainant advised that they was served documents by a process server. The documents were related to a lawsuit initiated by the Respondent Officer. The complainant provided details of the time frame provided to her relating to the lawsuit. The complainant indicated that they were served the Notice at her residence.

The complainant advised in the complaint that they believes that RO #1, "used thier position as a police officer to query my name on the internal police database and obtain my address to serve me with an intent to file a lawsuit for personal benefit. I know this action to be unlawful and consider it a violation of my privacy."

Unsubstantiated Code of Conduct Allegations

Section 10 of the Community Safety and Policing Act (O.Reg 407/23) – conduct undermines public trust.

Section 16(1) of the Community Safety and Policing Act (O.Reg 407/23) – improper use of position.

Section 17 of the Community Safety and Policing Act (O.Reg 407/23) - Access, collect, use, alter, retain or destroy information.

Decision and Reasons

Allegation 1 – Section 16(1) of the Community Safety and Policing Act (O.Reg 407/23) - improper use of position.

There is no evidence to support that RO #1 used [REDACTED] Police Service internal police databases to search for the personal address or information of the complainant.

There is no evidence to support that RO #1 used their position at the [REDACTED] Police Service to obtain information to serve the complainant with personal civil matter documents.

Allegation 2 – Section 17 of the Community Safety and Policing Act (O.Reg 407/23) - Access, collect, use, alter, retain or destroy information.

There is no evidence that RO #1 used [REDACTED] Police Service internal police databases to search for the personal address or information of the complainant. There is no evidence to support that RO #1 used their access to various police databases to obtain personal information of the complainant, to serve personal civil matter documents. There is no information to support that RO #1 breached internal procedures regarding accessing/using confidential information obtained as a result of being a member of the [REDACTED]

Allegation 3 – Section 10 of the Community Safety and Policing Act (O.Reg 407/23) – conduct undermines public trust.

There is no evidence to support that RO #1 used [REDACTED] Police Service internal police databases to search for the personal address or information for the complainant. There is no evidence to support that RO #1 conducted themselves in a manner that undermined public trust.

Based on a review and analysis of all information, the Professional Standards investigation has determined that there is insufficient evidence to establish that misconduct occurred in relation to this incident. As a result, with respect to these allegations, the conclusion is unsubstantiated.