

**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: Toronto

Date of Complaint: 08/08/2024

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 Respondent Officers used excessive force against him causing bruising to his ribs; detained him unnecessarily and without legal authority; and the Respondent Officers interfered with the Complainant obtaining medical attention.

## Unsubstantiated Code of Conduct Allegations

Allegation 1 - Unnecessary or Excessive force, s. 11(1)(d) (i.e. Caused Complainant injury).

Allegation 2 - Unlawful Detention, s 8.

Allegation 3- Neglects Health and Safety of Person in Custody s.9.

## Decision and Reasons

### Allegation 1:

The investigation determined that a minimal level of force was required and appropriate to defuse and assist with the arrest of the Complainant who was the suspect for an assault and threatening radio call.

The Complainant alleges that officers punched him in the ribs. Officers deny these allegations and state that the level of force was not excessive, as contemplated by the Criminal Code of Canada.

This investigation has revealed the Respondent Officer's were in the lawful performance of their duties and acted in accordance with all governing authorities.

Based on a review and analysis of the information, the investigation has determined that there is insufficient evidence to establish that misconduct occurred in relation to the allegation of unlawful use of force. As a result, with respect to this allegation, the conclusion is unsubstantiated.

### Allegation 2:

The investigation determined that the officer's had clear reasonable and probable grounds to investigate, detain and arrest the Complainant.

This investigation has revealed the Respondent Officer's were in the lawful performance of their duties and acted in accordance with all governing authorities.

### Allegation 3:

The investigation determined that the officer's attempted to assess the medical condition of the Complainant after his unconditional release from the allegations he was making. The officers deny using any force other than soft physical control options. The force that was used would have required no medical attention, and officers also deny that they caused any injuries to the Complainant.