

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: 07/26/2024

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 he was recording officers on a traffic stop and the officers walked straight towards him, pushing him twice and attempted to knock his phone, telling the Complainant to back off. The Complainant also alleges the officers strobed a flashlight in his face.

Unsubstantiated Code of Conduct Allegations

Allegation #1

Interactions with the Public,

Section 11(1) Unnecessary or Excessive Use of Force - A police officer shall not use unnecessary or excessive force against any person.

- It is alleged that the Respondent Officer pushed the Complainant twice, and attempted to knock his phone out of his hand.

Allegation #2

Interactions with the Public,

Section 10(1) A police officer shall not conduct themselves in a manner that undermines, or is likely to undermine, public trust in policing.

- It is alleged that Respondent Officer 2 used pointed a strobe light in the Complainant's face.

Decision and Reasons

Allegation #1

Interactions with the Public,

Section 11(1) Unnecessary or Excessive Use of Force - A police officer shall not use unnecessary or excessive force against any person.

- It is alleged that the Respondent Officer pushed the Complainant twice, and attempted to knock his phone out of his hand.

Respondent Officer 1 (RO1)

Finding: This investigation has revealed the officer was in the lawful performance of his duties and acted in accordance with all governing authorities.

The Complainant interfered with the officer's investigation and placed himself in a position causing RO1 to be concerned for the Complainant's safety. RO1 acted accordingly and at no time did RO1 use any force on the Complainant or attempt to knock the phone out of the Complainant's hand.

Based on the available information, the Investigator has concluded that there is insufficient evidence to establish reasonable grounds that misconduct has occurred.

Allegation #2

Interactions with the Public,

Section 10(1) A police officer shall not conduct themselves in a manner that undermines, or is likely to undermine, public trust in policing.

- It is alleged that Respondent Officer 2 used pointed a strobe light in the Complainant's face.

Respondent Officer 2 (RO2)

Finding: This investigation has revealed the officer was in the lawful performance of their duties and acted in accordance with all governing authorities.

The Complainant placed himself in a position that the Respondent Officers identified as being a risk to the Complainant's safety. After illuminating the path to direct the Complainant to safety, the officer's flashlight turned to the strobe function in error.

Based on the available information, the Investigator has concluded that there is insufficient evidence to establish reasonable grounds that misconduct has occurred.