

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: 07/10/2024

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 alleged that a [REDACTED] officer did not have the grounds to apprehend them under the Mental Health Act.

The Complainant further alleged the [REDACTED] officer used excessive force during the arrest, throwing them to the ground and affixing the handcuffs too tight. Additionally the officer was unprofessional and used inappropriate language when interacting with the Complainant.

Unsubstantiated Code of Conduct Allegations

1. Interactions with the Public 7(1) i.e. (Unlawful Arrest)
2. Unnecessary Use of Force 11(1) (i.e. Unnecessary Force)
3. Conduct Undermines Public Trust 10(1) (i.e. Undermine public trust)
4. Incivility 12(1) (i.e. Insulting Language)

Decision and Reasons

Allegation #1:

A 9-1-1 call was placed by occupants of a residence related to someone who was suicidal. The Complainant was the individual and appeared in crisis. The [REDACTED] officer apprehended the Complainant under the Mental Health Act.

The actions of the officer did not support this allegation of Unlawful Arrest.

Allegation #2:

There were several witnesses and another [REDACTED] officer present during the interaction with the Complainant. Their statements and recollections debunked the Complainant's claims. The officer attempted to build rapport and deescalate the situation with the Complainant. The [REDACTED] officer utilized physical control soft techniques while affecting the apprehension of the Complainant who did not suffer any injury as a result.

The actions of the officer did not support this allegation of Unnecessary Force.

Allegation #3:

The Complainant was observed by the [REDACTED] officer acting in an escalated and aggressive manner and believed they were in mental health crisis. Objective grounds existed to apprehend the Complainant under the Mental Health Act. The [REDACTED] officer took time to speak with all those involved, including witnesses on scene. Consultation with other [REDACTED] members took place and a prudent course of action was determined.

The actions of the officer did not support this allegation of Undermines Public Trust.

Allegation #4:

The Complainant alleged the [REDACTED] officer used unprofessional language and yelled at them. Civilian Witnesses disputed that claim and indicated the [REDACTED] officer was professional during their interaction. Admittedly, the [REDACTED] officer indicated they could have been more professional, however the conduct did not rise to the level of misconduct.

The actions of the officer did not support this allegation of Insulting Language.

CONCLUSION: The Chief did not have reasonable grounds to believe that the actions of the [REDACTED] officer constituted misconduct.