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: 10/08/2024

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' conduct undermines public trust.
The complainant states that after leaving the beach, they were approached by a female officer in an unmarked pick-up truck who advised they were doing a RIDE program for everybody who was leaving the beach. After questioning the officer's grounds another officer attended. The complainant states that the second officer advised that the first officer had run the complainant's licence plate and had information about them and that for "victim safety concerns" the second officer wanted the complainant's friend's name.

The officer advised that the complainant was on domestic violence conditions, and the officer had concerns for the complainant's friend's safety. The complainant states that the complainant pointed out that they were being targeted and this was the reason for the traffic stop. The officer divulged that the complainant was on a domestic violence database and further offered CPIC information that they had a current judicial matter for an alleged driving offence. The complainant states that their friend was horrified by the officers' actions and could not believe their unprofessional conduct by divulging this information. He has a digital recording of this entire interaction for reference.

A third officer, a supervisor, attended and confirmed for the complainant that the police can ask for a breath sample with no reasonable suspicion. The complainant provided a sample and blew a warn. The complainant was seeking a second breath sample into an intoxilyzer at the police station to obtain the numeral level of alcohol in their breath. The supervisor advised that the complainant would be taken into custody, handcuffed, searched, and processed. The complainant states their license was suspended for three days. The complaint also suspects that the officer had a by-law officer issue an offence notice for being parked on municipal property after 11:00pm.

Unsubstantiated Code of Conduct Allegations

CSPA- Section 10- Undermines public trust.

Decision and Reasons

A review of the evidence including the In-Car Camera System (video recording), Computer Aided Dispatch (CAD), radio communications, officers' notes and the general report completed at the time, confirmed that officers complied with their training and responded to the situation as it was unfolding.

The police were conducting a RIDE program during this time period as a project to address on-going community concerns with impaired driving in the area. The officers complied with their lawful responsibilities and [Service] policies. It is alleged that both respondent officers targeted him by conducting traffic stop, made an improper demand for a breath sample and disclosed his private information to his friend, as the officers were colluding with other police services to target them. There is no evidence to support that the complainant was targeted by the involved officers.

The complainant's opinion that the supervisor was dismissive and aggressive while speaking with them was not supported by the evidence. The compliant did have the right to provide a secondary sample of breath. However that right would extend only to the other ASD at the scene. There was no duty on the officers to voluntarily transport this complainant to the police station to provide a sample into an intoxilyzer, which the complainant was specifically requesting. The supervisor was clear and direct while explaining the processes and any jeopardy to the complainant t make an educated decision. There was nothing apparently dismissive or aggressive captured the recorded conversation evidence. The supervisor was recorded through his own ICCS as well as the other officers' recordings.

The complainant alleges that the respondent officers conspired with City of [City] Bylaw to have their vehicle ticketed after the investigation concluded. The evidence does not support this theory. The evidence established that the officers had lawful authority to conduct a traffic stop, investigate the information, and made a lawful decision to issue a three-day driver’s licence suspension. The investigation has determined that there is insufficient evidence to establish that misconduct occurred in relation to interaction with this complainant. There is no evidence to suggest that [Service] contacted Bylaw to have a specific vehicle issued parking violation.