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Law Enforcement
Complaints Agency



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: [REDACTED]

Date of Complaint: 07/20/2024

Type of Investigation:

Referred to Same Service:

Referred to Other Service:

Retained by LECA:

Service Investigations Referred to:

De-identified Summary of Complaint

Four allegations of misconduct against a [REDACTED] officer, all arising from an incident on July 5, 2024, the arrest of a youth male reported to be involved in a disturbance at a housing complex [REDACTED]. The incident was investigated by the [REDACTED] [REDACTED] PSB and all allegations were found to be unsubstantiated.

For the first allegation, which involved claims of unnecessary or excessive force during an arrest, the investigation concluded that the officer acted in line with their training, using appropriate force to manage an active resistant subject. A video review (YouTube video) supported this conclusion.

The second allegation concerned neglect of duty regarding notification of the youth's parent following the arrest. The investigation determined the youth had declined to have a guardian present, and the mother was notified shortly after the release, consistent with policy and procedures of the service.

The third allegation accused the respondent officer of deception when informing the complainant about the incident. It was found that the officer provided a transparent account of the arrest, including details of the force used on her child, injuries sustained during the interaction, and the existence of video evidence of the incident.

The fourth allegation alleged racial bias and conduct undermining public trust. The investigation found the officer's actions were prompted by the youth's behavior upon arrival of the police, not bias. No evidence supported claims of racial targeting, and the complainant's lack of cooperation, combined with the absence of corroborating witnesses, further substantiated the decision.

In conclusion, the officer's conduct was deemed consistent with policy, procedure, and training of the [REDACTED] Police Service.

Unsubstantiated Code of Conduct Allegations

10 (1)

YOU ARE ALLEGED TO HAVE COMMITTED MISCONDUCT IN THAT, YOU CONDUCTED YOURSELF IN A MANNER THAT UNDERMINED, OR WAS LIKELY TO UNDERMINE, PUBLIC TRUST IN POLICING, contrary to Section 10 of the Schedule Code of Conduct of Ontario Regulation 407/23 and therefore, contrary to Section 195 (a) of the Community Safety Policing Act, R.S.O. 2019, as amended

11 (1)

~~YOU ARE ALLEGED TO HAVE COMMITTED MISCONDUCT IN THAT, YOU USED~~

Decision and Reasons

Allegation #1

YOU ARE ALLEGED TO HAVE COMMITTED MISCONDUCT IN THAT, YOU USED UNNECESSARY OR EXCESSIVE FORCE AGAINST ANY PERSON, contrary to Section 11 (1) of the Schedule Code of Conduct of Ontario Regulation 407/23 and therefore, contrary to Section 195 (a) of the Community Safety Policing Act, R.S.O. 2019, as amended.

On July 5, 2024, it is alleged that you used unnecessary for or excessive force against the complainant's son during an arrest.

Unsubstantiated

- Officer had formed grounds to have the youth detained/ arrested.
- Officer attempted to place the male under arrest and was met with active resistance from the subject male.
- Officer used soft and hard control techniques to deal with the active resistance.
- The force used by the officer was articulated in his statement.
- A video of the force used was available. There was no excessive force observed by the PSB.
- The force used was in line with the current use of force training model in the Province of Ontario, and [REDACTED] policy and procedure.
- Officer was in the execution of his duties as a police officer and attempting to arrest an active resistant subject.

Allegation #2

YOU ARE ALLEGED TO HAVE COMMITTED MISCONDUCT IN THAT, BY ACT OR OMISSION, YOU FAILED TO PERFORM YOUR DUTIES APPROPRIATELY WITHOUT LAWFUL EXCUSE, THAT YOU KNEW, OR REASONABLY OUGHT TO HAVE KNOWN WOULD AMOUNT TO FAILURE TO PERFORM YOUR DUTIES APPROPRIATELY. contrary to Section 19 of the