



REPORT TO THE POLICE SERVICES BOARD

Author: Chief Paul Martin #818

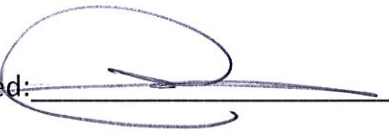
Date of Report: June 30, 2015

Subject: By-Law Administration of the Complaints System

Decision Report

RECOMMENDATION:

That the Board receives for information the review of investigations conducted by the Professional Standards Unit from January 1st to June 30, 2015.

Signed: 
Chief of Police

Date: July 6, 2015

Professional Standards Unit

This report provides a review of investigations involving Public Complaints, Internal Complaints, and Chief's Complaints.

Public complaints are generated by the public through the Office of the Independent Police Review Director (OIPRD). The majority of Public Complaints are investigated by the Professional Standards Unit (PSU) however the OIPRD have the authority to retain a Public Complaint and can conduct their own investigation. Public complaints can be filed at any Division however public complaints can also be submitted electronically via the internet to the OIPRD website.

Public complaint investigations are bound by specific legislative timelines. Some investigations are expedited through the cooperation of the respondent officer and complainant, resulting in either a withdrawal or a Customer Service Resolution as a form of mediation. More common is the fact that public complaints require investigation, which has proven to be quite time consuming, sometimes requiring months to complete as evidenced in lengthy Concluding Reports.

Internal complaints are generated by PSU in response to potential misconduct by members of the Service. Information used to generate an internal complaint originates from any source but usually comes from a member of the Service, or a member of the public. Civilian members can also be the focus of an internal investigation and may be subject to discipline as detailed in Service directive AO-09-004 *Civilian Discipline Process*.

Chief's Complaints are investigations into the conduct of sworn members that uncover sufficient evidence of misconduct as established by the *Police Services Act*. Although Chief's complaints may arise from an internal investigation, most investigations are initiated by order of the Chief of Police to address matters of misconduct. Sworn members are thus compelled to participate in an interview conducted by PSU in furtherance of an investigation of misconduct.

A statistical review of complaints generated in 2015 confirms that the most frequent type of complaint investigated by PSU is discreditable conduct or perceived discreditable conduct by DRPS officers. Followed closely are complaints of neglect of duty. Of the 50 complaints directed to PSU by the OIPRD, 19 public complaints are related to discreditable conduct and neglect of duty. This number is extremely low considering the totality of DRPS engagement with the public.

Public Complaints

As of June 30, 2015, fifty (50) Public Complaints about the conduct, services or policies of the DRPS were received at the OIPRD. During the same timeframe in 2014, fifty-two (52) complaints had been received by the OIPRD.

Of the fifty (50) Public Complaints received at the OIPRD:

- Twenty-six (26) Public Complaints were originally managed by the OIPRD.
 - Nineteen (19) of those were screened out by the OIPRD and closed for a variety of reasons including; vexatious, not within time limits or, could be dealt by other legislation.
 - The remaining seven (7) complaints were retained for investigation by the OIPRD;
 - Six (6) of which are still under investigation and
 - One (1) deemed unsubstantiated.
- One (1) Public complaint was directed to York Regional Police Service to conduct an investigation. This is still ongoing.
- The remaining twenty-three (23) Public complaints were forwarded to the Professional Standards Unit for investigation.

Internal Complaints

As of June 30, 2015 the PSU has investigated fifteen (15) Internal Complaints, down considerably from thirty-two (32) during the same timeframe for 2014.

Chief's Complaints

As of June 30, 2015 the number of Internal complaints' that rose to the level of a Chief's Complaint were six (6), representing a decrease from eighteen (18) Chief's Complaints for January to June 2014.

Suspended Members

As of June 30, 2015, there were four (4) officers suspended from duty. Of the four (4) officers, two (2) officers were suspended due to criminal prosecution; one dating back to 2007, the other 2012.

Type of Complaints		
Year	January – June 2014	January – June 2015
Policy/service	1	1
Conduct	50	48
Not about Conduct or Service	1	1
Total	52	50

Public Complaints Screened Out by OIPRD		
	January – June 2014	January – June 2015
Not about the Conduct or Services or Policies of Police	1	1
Third Party	1	0
Over 6 Months	1	2
Frivolous, Vexatious, Bad Faith	3	2
Abandoned by Complainant	0	0
No Breach of PSA or Code of Conduct	0	0
More Appropriately Dealt with by Another Act or Law	4	2
No Jurisdiction	0	0
Not in Public Interest	10	11
Withdrawn	1	1

Public Complaints Investigated by OIPRD		
	January – June 2014	January – June 2015
Unsubstantiated	0	1
Informal Discipline	0	0
Formal Discipline	0	0
Pending	5	6

Investigations by the Professional Standards Unit				
Allegations	Public Complaints		Chief's Complaints	
	January – June 2014	January – June 2015	January – June 2014	January – June 2015
Discreditable Conduct	14	12	11	5
Neglect of Duty	8	7	4	2
Unnecessary Arrest/Unnecessary Exercise of Authority	10	3	1	0
Breach of Confidentiality	0	0	0	1
Service	1	1	0	0
Insubordination	0	0	1	1
Deceit	0	0	1	1
Corrupt Practice	0	0	0	0
Other (Damage to Clothing and/or Alcohol Consumption)	0	0	0	0

Investigations by the Professional Standards Unit				
Dispositions	Public Complaints		Chief's Complaints	
	January – June 2014	January – June 2015	January – June 2014	January – June 2015
Unsubstantiated	8	5	4	1
Withdrawn (Public)	4	2	N/A	N/A
Customer Service Resolution (Public)	0	0	N/A	N/A
Informal Resolution	0	0	N/A	N/A
Informal Discipline	0	0	4	2
Formal Discipline	0	0	4	0
Resigned	0	0	0	0
Pending	17	16	6	3
Other	0	0	0	0

Supplemental Data				
	Public Complaints	Public Complaints	Chief's Complaints	Chief's Complaints
	January – June 2014	January – June 2015	January – June 2014	January – June 2015
Number of Local Complaints	0	0	0	0
Number of Active Investigations	17	16	6	3
Number of Complaints Referred to Another Agency	1	1	0	0
Number of Requests for Review Made to Board	0	1	0	0

2015 PROFESSIONAL STANDARDS UNIT

PUBLIC COMPLAINTS & INVESTIGATIONS

