

REPORT TO THE POLICE SERVICES BOARD



Author: Chief (Interim) Todd Rollauer #714 Date of Report: August 31st, 2021
Subject: Monitoring Report – Discipline of Members

RECOMMENDED MOTION:

That the Board finds that all provision of the *Discipline of Members Executive Limitations Policy* has been complied with.

I hereby submit my monitoring report on your *Executive Limitations Policy: Discipline of Members* according to the schedule set out. I certify that the information contained in this report is true.

Signed:  _____
Chief of Police (Interim)

Date: Sept 9/21

BOARD POLICY STATEMENT:

High levels of public trust and confidence in the police are essential features of a safe community. In order to achieve high levels of trust and confidence, the police must be held accountable, and be perceived to be held accountable, when they engage in conduct that is contrary to the values and high ethical standards that the DRPS strives to uphold. The handling of discipline within the Police Service by the Chief of Police is therefore demonstrative of the DRPS' commitment to the safety and wellbeing of the community.

POLICY APPLICATION:

The Chief of Police shall be guided by consideration of the following principles in the imposition of disciplinary measures of sworn and civilian members, recognizing that each situation is unique and aggravating or mitigating factors may be present including:

- *The public interest*
- *Fairness to the police member*
- *Consistency (internal and external)*
- *Efficiency*

All disciplinary processes and procedures shall be carried out in accordance with legislated requirements.

REPORTING:

Each quarter, a report shall be prepared and presented to the Board that includes a summary of:

- a) The type of misconduct or unsatisfactory work performance that occurred*
- b) The Division and/or Unit that the Member was assigned to when the misconduct occurred*
- c) The number and type of disciplinary measures imposed*
- d) A comparison to the previous reporting period's statistics*

INTERPRETATION OF THE CHIEF OF POLICE:

It is my interpretation of this policy that the Police Service shall have written procedures for holding members accountable when their conduct does not meet acceptable standards. Though each situation is unique, I shall ensure that discipline is administered in accordance with legislated requirements and guided by public interest, fairness, consistency, and efficiency.

I shall demonstrate the Police Service's commitment to safety and well-being through the appropriate handling of discipline of its members and by reporting to the Board: the types of misconduct or unsatisfactory work performance that have occurred, the division or unit where the incident(s) occurred, the types and number of disciplinary measures imposed, and a comparison to the previous reporting period. Further, it is my interpretation that providing the foregoing information according to the reporting schedule set out by the Board satisfies the reporting requirements of this policy.

DATA SUPPORT:

During the third quarter of 2021, seven matters were resolved involving discipline of members.

1. The type of misconduct or unsatisfactory work performance that occurred.

Between May 1st, 2021 and August 31st, 2021, six matters were concluded as a result of Police Service Act (PSA) investigations, and one matter was resolved after an internal conduct investigation. The substantiated misconduct identified included five matters of Discreditable Conduct, one matter of Neglect of Duty, and one matter of unsatisfactory work performance.

2. The Division and/or Unit that the Member was assigned to when the misconduct occurred.

One of the members was assigned to Operational Support, three members were assigned to Central East Division, two were assigned to West Division and one was assigned to East Division.

3. The number and type of disciplinary measures imposed.

One matter was resolved formally within the PSA hearing process. As is required by section 85(8) of the PSA, notification to the Board is required when penalty imposed or actions are taken under section 85, subsections (1), (2), (3) or (7), and accordingly, the matter was

reported during the in camera session of the July 2021 Board meeting. The sentencing imposed in this matter was Held In-Camera and therefore cannot be released.

The other matters were resolved informally by Police Service Act and/or Civilian Discipline process. Forfeiture of 18 hours, 24 hours and 12 hours to be worked without pay was the disposition imposed in three matters. Written Reprimands were received in three of the other penalties imposed, and one member receiving workplace harassment training.

4. A comparison to the previous reporting period's statistics.

Year over year comparisons will be reported beginning in March 2022. By comparison, three matters were resolved during the second quarter of 2021.

It should be noted little correlation can be drawn when comparing the number of dispositions, between quarters or year over year, as there are a variety of factors that impact the resolution of discipline, including:

- Criminal charges – Members facing criminal charges will have their PSA matters stood down, at the request of the crown, until the completion of the criminal proceedings.
- Medical – The medical needs of a member, will at times result in adjournment requests and subsequent granting of the adjournment.
- Multiple PSA matters – Should a member be facing multiple PSA matters, subsequent sentencing may be deferred until the resolution of other matters, in order that the hearing officer may consider progressive discipline.
- SIU Investigations – Incidents that meet SIU mandate are not investigated until the conclusion of the SIU process.