

Professional Standards Section

2019 Annual Report

Ethics and Accountability Division
Office of the Chief
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CPS PROFESSIONAL STANDARDS SECTION AND 2019

CPS Professional Standards Section (PSS) policy and procedure had remained relatively static for over a decade. In 2018, PSS initiated a body of work designed to revitalize their business processes which resulted in the development of a four-year business revitalization work plan. An internal CPS audit was also requested. CPS received the LERB Arkinstall Inquiry report and it was determined its recommendations significantly overlapped with the PSS business revitalization work plan. These findings were further corroborated with the results of the internal audit, received in early 2019. CPS Executive Leadership Team (ELT) supported the opportunity to deliver sustainable systemic changes to PSS business process that would address all recommendations from all three important documents by allocating resources to create a PSS Business Revitalization Project Team.

OVERVIEW OF PSS IMPROVEMENTS

In 2019, the Professional Standards Section initiated numerous improvements to structure and processes with the end goal of delivering sustainable improvements to PSS investigations. These revisions were approved by the CPS ELT; and include engaging investigators earlier, enhancing file ownership, integrating quality assurance and documenting decision making throughout the file life cycle. Weekly File Review Meetings allow for timely check-in points for investigators, the PSS management team and the Chief on file progression.

Since June 2019, Chief Neufeld has taken a keen interest in the operations of PSS. He has a strong background in complaints and discipline as he was previously assigned to ASIRT. Effective October 2019, PSS is reporting directly to the Chief, rather than through a Deputy Chief. The PSS Inspector and Superintendent provide the Chief with weekly investigative review updates, and the Chief is actively engaged in decision making as required.

PROCESS AND STAFFING REVISIONS

Key process changes include a risk-based file triage at intake using a structured professional judgement approach that identifies and assesses files as high-, medium-, or low-risk based on an established set of risk factors. This triage enables PSS to resource all files according to risk and complexity to ensure appropriate staffing levels, which enables both internal and external complaints to be investigated proportionately, effectively and efficiently.

In the second half of 2019, the Intake Team started performing enhanced backgrounding on files that could result in an internal complaint. This process is aimed at providing CPS ELT with a more robust understanding of each file which then enables better-informed decision making. Intake members compile an array of information from all available CPS systems, search for and review any related video and audio footage, research existing previous PSS complainant and officer information, check officer notes and documentation, look for policy deficiencies, and



request legal opinions. This comprehensive process is time consuming but the resulting compilation aids immensely in directing the file and saves investigators time and effort managing the file.

As part of process reviews and improvements, PSS has also enhanced the systematic review, reporting, and quality control checks of 46.1 Notifications (serious incidents and complaints) and of PSS tracking files. This review is done by the PSS Intake Team with the intention of reviewing all available reports, video, notes and other materials to compile and present a summary to the Chief and aid him in his duties. It ensures that the Chief has the most accurate picture available as to what happened in an incident when he is making a decision whether to order an internal complaint. This comprehensive review of 46.1 Notifications and tracking files has increased the PSS Intake Team workload by approximately 10%.

Changes to the backgrounding process for internal investigations will result in approximately 100 additional files per year which represents the workload of a full-time equivalent (FTE) position. PSS has requested the allocation of a civilian FTE growth position to the creation of a Complaint Intake Administrator reporting to the Intake Supervisor. This request was approved by CPS ELT for 2020. A six-month Human Resources Plan has been drafted, detailing the necessary steps to support all position changes.

Staffing changes aimed at increasing administrative and investigative oversight and to support the enhanced backgrounding on internal complaints will also provide more stability and expertise through civilianization of certain roles.

In October 2019, CPS ELT made a commitment to stabilize PSS through establishing a 2-year tenure expectation for investigators. This step is expected to assist in decreasing staff turnover and resulting expenditure of time and efforts dedicated to training newly onboarded investigators, as well as in decreasing delays in the investigative life cycle of current complaint files resulting from files being taken over by other investigators.

Following a review of CPS policy, PSS ceased conducting 'administrative reviews' into issues related to operational use of force (unintentional discharges of firearms, conducted energy weapons, and less lethal weapon systems). PSS now has direction to initiate an investigation into the circumstances of such use of force. The Chief may direct such file for formal investigation.

PSS invests a significant amount of time and effort into collaboration with other areas of the Service. This is particularly reflected in PSS working closely with Human Resources when preparing updates related to officer status and placement and presenting them to the Chief for decisions.

The PSS Management Team completed a review of investigative SOPs and will be engaging intake and investigative teams for their input. Team reviews of SOPs will be used as a training opportunity and will support the development of training resources and reference materials.

The CPS ELT also extended the appointment of current PSS managers to support fulsome implementation of PSS process and staffing revisions.



TRAINING DEVELOPMENT

The Service has committed a curriculum designer to the development of comprehensive onboarding training for all PSS investigators and personnel that equips members with the knowledge and skills to conduct thorough and impartial investigations under the *Police Act* and *Police Service Regulation*.

In January 2019, twenty-four PSS employees received training, and subsequent certification, in risk management and structured professional judgement. This training has directly supported the adoption of risk-based triage and a structured professional judgement approach to ensure all complaints are investigated proportionately, effectively and efficiently.

In 2019, CPS launched a value-focused Ethos project and the resulting Ethos document was introduced to every area of the Service. PSS held a facilitated discussion in August 2019 around several aspects of this project and the results outlined several opportunities for improvements of business processes of PSS. These will be introduced as part of the ongoing PSS Business Revitalization Project that is already on the way, and will include: designing and delivering an Ethos training module/curriculum that would outline the relevance of Ethos to PSS investigations; incorporating values-based language into all business processes of PSS through a values-based language curriculum and into all communication pieces distributed to sworn members subjected to a complaint and to complainants; and utilizing the Ethos “lens” to inform decision making, critical thinking, and shared collateral learning.

CPS have championed the need for a provincial training standard for PSS investigators through communication with Bill Sweeney, Assistant Deputy Minister for Alberta Justice and Solicitor General and the Alberta Association of Chiefs of Police (AACP). A working group was established in September 2019 with the objective of establishing provincial training standards for PSS investigators; CPS will be represented on the working group by a PSS Staff Sergeant.

ENHANCED AUDIT AND OVERSIGHT

PSS have worked with their file management system vendor to deliver enhanced auditing and oversight functions for tracking the investigations status of investigations. Changes are planned to be implemented to enhance real-time reporting and assist supervisors in timely analysis of investigations.

Over the course of a PSS investigation, every file is subject to multiple reviews at various stages. Files receive several legal reviews throughout the investigative process and the PSS Management Team monitors the investigation as it progresses for accuracy and completeness. At the end of the investigative process the file is reviewed by the PSS Management Team. The file is summarized and presented to the Chief and the ELT to review the evidence and determine if the allegations are sustained and if so, what the appropriate outcome would be.



LOOKING FORWARD

CPS Executive Leadership Team's commitment to supporting the implementation of the business revitalization work plan, and the recommendations of both the CPS internal audit and the Arkinstall Inquiry have all been reflected on and actioned as part of CPS and PSS organizational learning. Their outcomes resulted in a more rigorous quality-assurance focused process for all investigations, and in the creation of a quality assurance team and civilian investigative and supervisory roles that will ensure that process improvements are sustained. CPS has requested that the Operations Audit Section re-audit PSS in two to three years to confirm implementation and status of process improvements.

PSS and the Calgary Police Association work collaboratively and hold regular meetings as a platform for productive discussions around current issues and concerns.

CPS will introduce a new 10-hour PSS Foundations e-learning module that PSS members will complete during their Intake on-the-job training, supported by mentorship guidance, support, and feedback from the Quality Assurance Manager (new position) within the Section. This will ensure an aligned approach to ethics and accountability when assessing and investigating complaints. The Quality Assurance Manager will assume responsibility for mentoring and coaching future PSS employees in risk-based triage and a structured professional judgement.



CPS AND CALGARY

The CPS 2019

Sworn Members: (actual strength)	2,231.0
Civilian Employees: (actual strength)	780.5
Total Employees:	3,011.5

The City of Calgary 2019

City Population (2019 civic census):	1,285,711
Sworn Members per 1,000 pop.:	1.74

PSS AND THE CALGARY POLICE COMMISSION

The Calgary Police Commission are citizen volunteers appointed by Calgary City Council who provide independent civilian oversight and governance of the Calgary Police Service to ensure a safe community. The Commission is responsible for appointing the Chief of Police and evaluating his or her performance. The Commission also provides direction to the Calgary Police Service through the Chief of Police, who then implements those directions while overseeing the day-to-day operations of the Service.

Additionally, the Calgary Police Commission monitors the public complaints process, handles complaints regarding the Chief of Police and handles appeals regarding the policies of, or services provided by, the Calgary Police Service. While the Chief of Police is responsible for the investigation of complaints, the Commission's Complaints Oversight Committee and the Public Complaint Director conduct audits of police complaints and hold monthly meetings to obtain an overview of all complaints, review investigations and the complaint process, and ensure investigations are thorough, fair to all parties, and conducted in accordance with laws and policies.



PSS FILES OPENED IN 2019

The CPS Professional Standards Section opened 1256 files between January 1 and December 31, 2019. This count represents a 4.8% decrease (or 64 fewer files) over volumes seen in 2018, and 4% (52 files) below the five-year average for received files.

In addition to these newly opened files, 402 open files were carried forward into 2019 from previous years.

NEWLY OPENED FILES, 2014-2019

	2014	2015	2016	2017	2018	2019	5yr avg	2019 vs 5yr avg
Citizen Contacts	846	846	1094	908	960	831	931	-10.7%
External Complaints	213	244	282	226	260	264	245	7.8%
Internal Complaints	23	41	33	69	36	59	40	46.0%
Statutory Complaints*	20	32	41	34	43	36	34	5.9%
Administrative Reviews	23	40	46	16	2	0	25	-100.0%
46.1 Notification Files**	18	37	50	32	40	41	35	15.8%
Tracking Files**	61	28	2	41	22	61	31	98.1%
TOTAL	1184	1236	1507	1292	1320	1256	1308	-4.0%

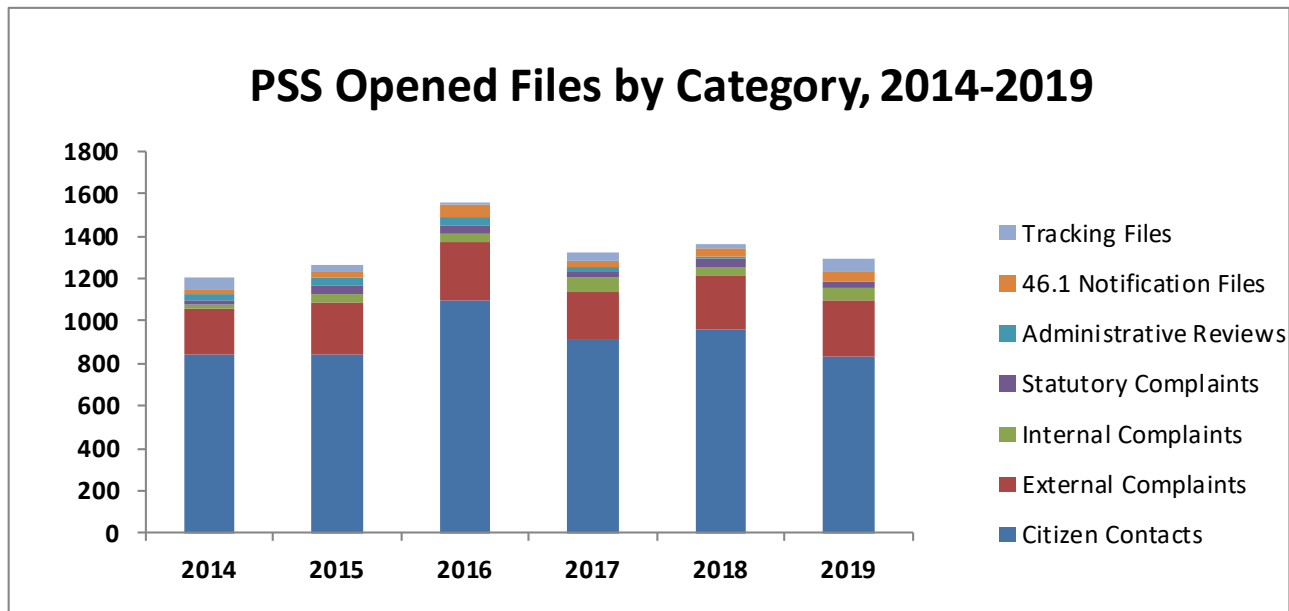
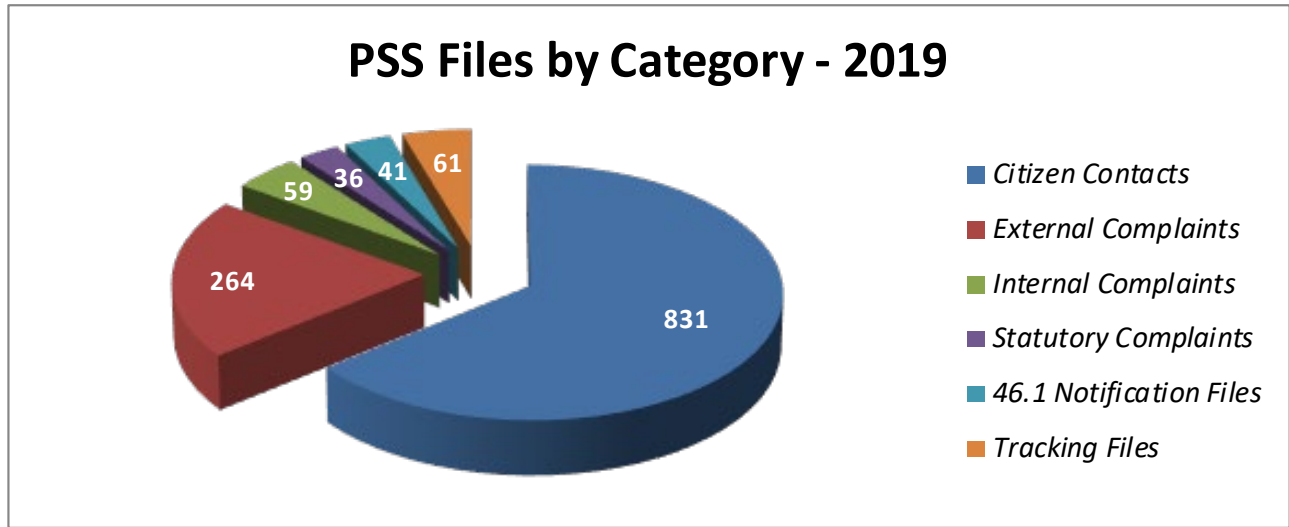
*Statutory complaints are files that include one or more allegations of a breach of statute. This complaint type starts either externally or internally. Their counts are not included in the newly opened files total to avoid double-counting files.

** Tracking Files and 46.1 Notifications are additional file types that form a substantial part of PSS workload each year. Starting with 2019 report, their counts are included in the total number of files opened each year.

The number of citizen contacts received was the lowest it has been in the last six years; down nearly 11% lower than the five-year average. External complaints were at par with the volume received in 2018. The volume of internal complaints opened, by contrast, was 64% higher than average (23 additional files). No new administrative review files were opened as a direct result of an LERB recommendation to discontinue the practice of these reviews. Statutory complaints have decreased to a count comparable to the five-year average. The tracking files and 46.1 notifications represent, on average, additional 66 files a year and 2019 was significantly above that average.



2019 PSS FILES BY CATEGORY



**Statutory complaints are files that include one or more allegations of a breach of statute. This complaint type starts either externally or internally. Their counts are not included in the newly opened files total to avoid double-counting files.*

There was a small decrease in newly open files in 2019 compared to the previous period as well as compared to the five-year average.

The total count of files opened represents a return to volumes seen in 2015 and 2017. This is largely due to the fluctuating citizen contact volume that registered both the lowest count and the lowest proportion (66%) to all opened files in any of the periods reported.



PSS FILE RATES, 2014-2019

	2014	2015	2016	2017	2018	2019**	2019 vs 5yr avg	2019 vs 5yr avg
CPS Sworn Officer Population	2153	2129	2166	2162	2161	2231	2154	3.6%
Dispatched CFS	259,468	276,074	274,312	282,290	280,524	279,524	274,534	1.8%
Public Interactions*	613,905	629,393	633,125	614,009	641,337	605,687	626,354	-3.3%
PSS Files Opened	1184	1236	1507	1292	1320	1256	1308	-4.0%
<i>per 100 Officer pop.</i>	<i>55.0</i>	<i>58.1</i>	<i>69.6</i>	<i>59.8</i>	<i>61.1</i>	<i>56.3</i>	<i>60.7</i>	<i>-7.2%</i>
<i>per 10,000 Dispatched CFS</i>	<i>45.6</i>	<i>44.8</i>	<i>54.9</i>	<i>45.8</i>	<i>47.1</i>	<i>44.9</i>	<i>47.6</i>	<i>-5.7%</i>
<i>per 10,000 Public Interactions</i>	<i>19.3</i>	<i>19.6</i>	<i>23.8</i>	<i>21.0</i>	<i>20.6</i>	<i>20.7</i>	<i>20.9</i>	<i>-0.6%</i>
PSS Complaints (Internal/External) Opened	236	285	315	295	296	323	285	13.2%
<i>per 100 Officer pop.</i>	<i>11.0</i>	<i>13.4</i>	<i>14.5</i>	<i>13.6</i>	<i>13.7</i>	<i>14.5</i>	<i>13.2</i>	<i>9.3%</i>
<i>per 10,000 Dispatched CFS</i>	<i>9.1</i>	<i>10.3</i>	<i>11.5</i>	<i>10.5</i>	<i>10.6</i>	<i>11.6</i>	<i>10.4</i>	<i>11.3%</i>
<i>per 10,000 Public Interactions</i>	<i>3.8</i>	<i>4.5</i>	<i>5.0</i>	<i>4.8</i>	<i>4.6</i>	<i>5.3</i>	<i>4.6</i>	<i>17.1%</i>

*Public interactions are calculated as a combination of public-generated (dispatched and walk-in) and officer-generated calls for service (on-view and traffic stops). They have been re-calculated for the 2019 report and now include manned traffic enforcement interactions resulting in summons issued and interactions resulting in persons charged. This count serves to illustrate the volume of face-to-face interactions between members of CPS and the public.

**2019-reported dispatched CFS and public interactions counts are slightly under-reported due to data (system) unavailability and are estimated to be approx. 8-9% higher than reported.

In 2019, the ratio of received PSS files to public interactions was 20.7 files per 10,000 public interactions (or 0.2%), slightly lower than the five-year average. Put another way, this is one PSS file opened for every 482 public interactions.

The ratio of received formal PSS complaints to public interactions in 2019 translates to approximately one PSS complaint received for every 1875 public interactions; and at 5.3 files per 10,000 interactions, it is slightly higher than the five-year average of 4.6.

The PSS complaint file count prorated to sworn population shows a ratio of 14.5 complaints per 100 officers; or one complaint for approximately every seven officers; and is slightly above the five-year average of 13.2.

STATUTORY FILES OPENED, 2014-2019

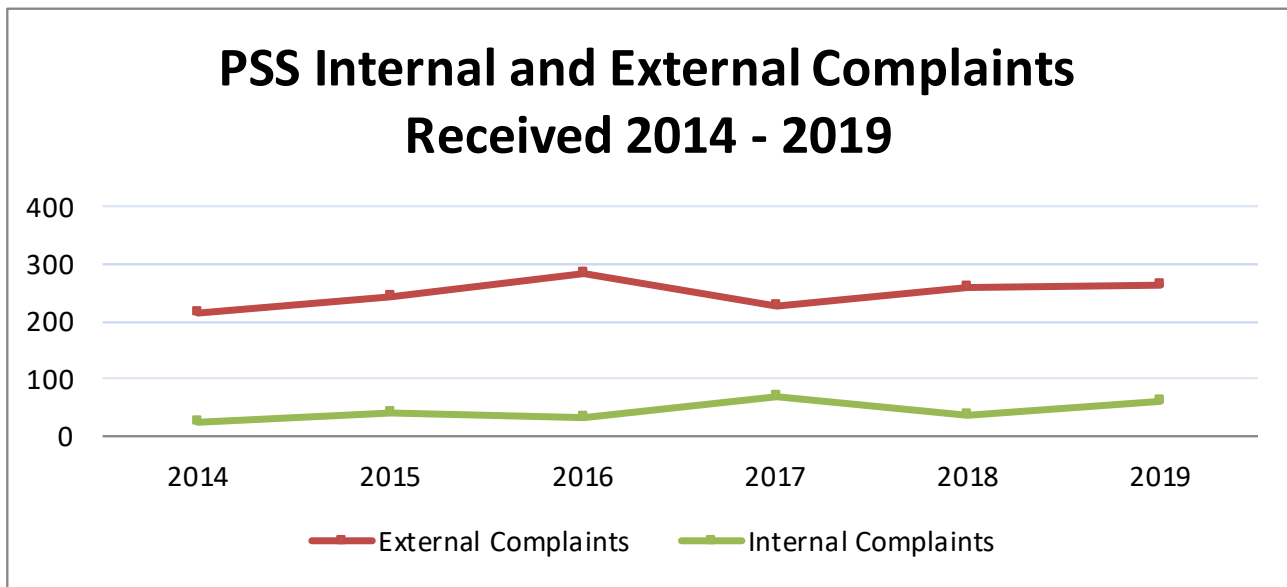
	2014	2015	2016	2017	2018	2019	2019 vs 5yr avg	2019 vs 5yr avg
Investigated by PSS	8	11	8	24	17	18	14	32.4%
Investigated by a CPS Specialty Unit	9	8	8	4	4	3	7	-54.5%
Investigated by an Outside Agency	9	13	25	6	22	15	15	0.0%
TOTAL	26	32	41	34	43	36	35	2.3%

In 2019 PSS opened 36 statutory files. 50% of them were investigated by PSS (18 files) and 8% by CPS specialty units (3 files). Another 42% (15 files) were investigated by an outside agency, mostly by ASIRT (14 files). Of the files investigated by PSS, 14 were initiated internally within CPS and 4 were initiated externally.



INTERNAL & EXTERNAL COMPLAINTS RECEIVED

PSS INTERNAL AND EXTERNAL COMPLAINTS RECEIVED, 2014-2019



By Complaint Type:	2014	2015	2016	2017	2018	2019	2019 vs	
							5yr avg	5yr avg
Received External Complaints	213	244	282	226	260	264	245	7.8%
<i>Formally Investigated</i>	95	63	79	65	75	69	75	-8.5%
<i>Alternative Dispute Resolution</i>	118	181	203	161	185	195	170	15.0%
Received Internal Complaints	23	41	33	69	36	59	40	46.0%
<i>Formally Investigated</i>	23	41	33	66	35	59	40	49.0%
<i>Alternative Dispute Resolution</i>	0	0	0	3	1	0	1	-100.0%
TOTAL	236	285	315	295	296	323	285	13.2%
By Method of Resolving:								
<i>Formally Investigated</i>	118	104	112	131	110	128	115	11.3%
<i>Alternative Dispute Resolution</i>	118	181	203	164	186	195	170	14.4%
TOTAL	236	285	315	295	296	323	285	13.2%

The 323 complaints received in 2019 represent an increase of 13.2% over the five-year average of 285. This 38-file increase from average is spread evenly between external and internal files (19 additional files each). External complaints in 2019 were at par with 2018 but registered a slight increase of 8% over the five-year average. Received internal complaints increased more significantly, 64% from 2018 (23 additional files) and 47% (19 files) from the five-year average.

A slight increase in formally investigated PSS complaints received is noted in 2019 (18 more than previous year, and 13 more than the five-year average). PSS complaints going through alternative dispute resolution registered a slight increase as well, with 9 files more than 2018 and 25 files more than average.

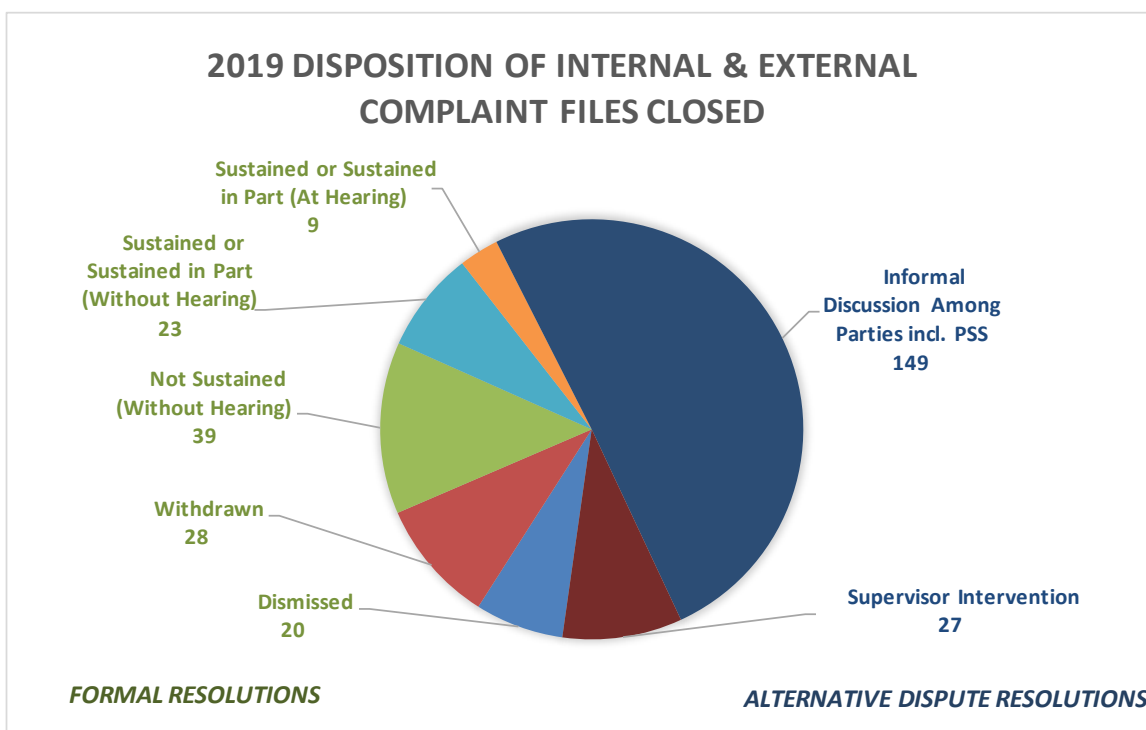


DISPOSITION OF FILES CLOSED

FILE DISPOSITION - INTERNAL AND EXTERNAL COMPLAINTS CLOSED, 2014-2019

	EXTERNAL COMPLAINTS						INTERNAL COMPLAINTS					
	2014	2015	2016	2017	2018	2019	2014	2015	2016	2017	2018	2019
Dismissed-Outside of 1-Year Investigative Jurisdiction s. 43(11)	9	8	8	4	10	6						
Dismissed-At Hearing-Loss of Jurisdiction								1	1			
Dismissed-Extension Not Granted		2	1									
Dismissed-Frivolous/Vexatious/Bad Faith s. 43(7)	12		4	1		1						
Dismissed-Loss of Jurisdiction Member Resigned/Retired	1	3	3		2	2	2	3	2	4	5	5
Dismissed-No Hearing-PSR 19(1)(a)(i)						2						
Dismissed-No Hearing-No Reasonable Prospect			2		1	2			1		6	2
TOTAL DISMISSED - AS A PORTION OF GRAND TOTAL	11.2%	5.6%	5.5%	2.2%	5.1%	5.1%	16.7%	17.4%	10.8%	13.3%	25.0%	17.5%
Withdrawn by Complainant	9	13	13	4	5	14						
Withdrawn by Service-At Hearing						1					1	1
Withdrawn by Service-Without Hearing							6	2	6	3	14	12
TOTAL WITHDRAWN - AS A PORTION OF GRAND TOTAL	0.0%	0.0%	0.0%	0.0%	0.0%	5.9%	50.0%	8.7%	16.2%	10.0%	34.1%	32.5%
Not Sustained-At Hearing		1	1		2	2			1			
Not Sustained-Without Hearing	27	26	52	68	52	36			2	3	1	3
TOTAL NOT SUSTAINED - AS A PORTION OF GRAND TOTAL	13.8%	11.6%	16.3%	29.8%	21.2%	14.1%			8.1%	10.0%	2.3%	7.5%
Sustained in Part-At Hearing			1	2	1	1		3				4
Sustained in Part-Without Hearing	4	4	14	9	10	10		4	9	5	5	4
Sustained-At Hearing		2	1			1		7	2	3	5	3
Sustained-Without Hearing			3	1	1	3	4	3	11	12	7	6
TOTAL SUSTAINED - AS A PORTION OF GRAND TOTAL	0.0%	0.9%	1.2%	0.4%	0.4%	5.9%	33.3%	43.5%	35.1%	50.0%	27.3%	42.5%
Resolved Through ADR-Informal Discussion Among Parties, incl. PSS	77	124	175	111	141	149						
Resolved Through ADR-Supervisor Intervention	55	49	47	28	30	27		2				
Resolved Through ADR-Professional Mediation	2	1										
TOTAL RESOLVED INFORMALLY - AS A PORTION OF GRAND TOTAL	68.4%	74.7%	68.3%	61.0%	67.1%	69.0%		5.4%	0.0%	0.0%	0.0%	0.0%
GRAND TOTAL	196	233	325	228	255	255	12	23	37	30	44	40

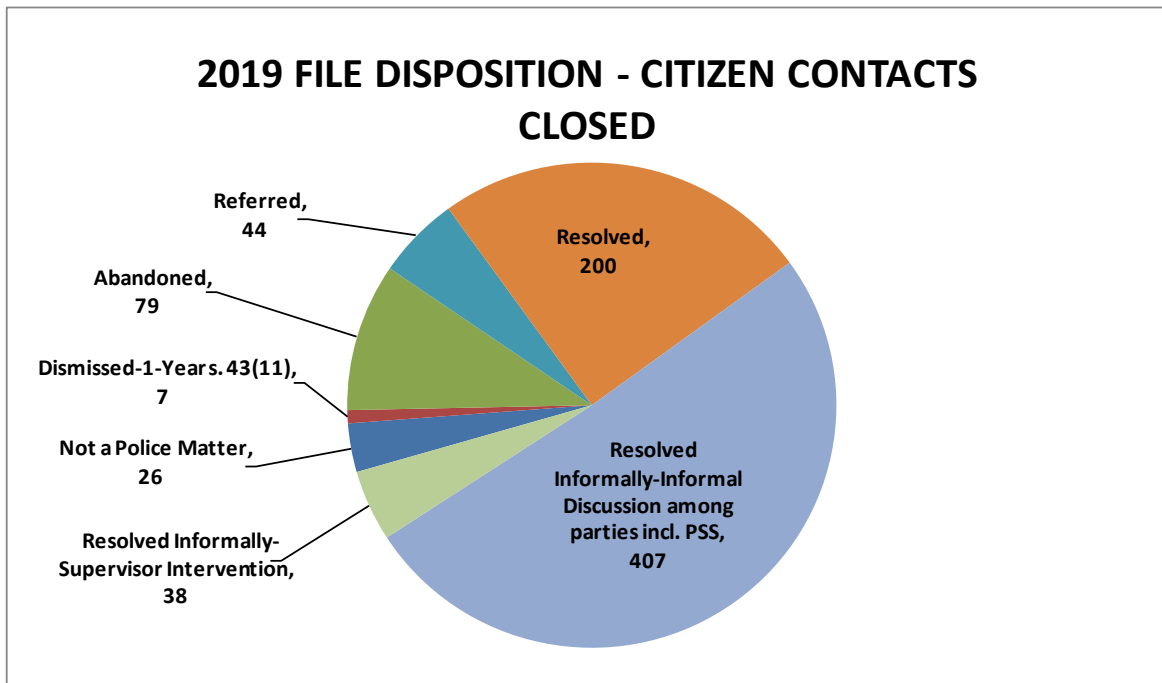
PSS completed a total of 295 files in 2019. The number of external complaint files reaching a disposition in 2019 was exactly at par with those completed in 2018 and 3% higher than the five-year average of 247. The count of internal complaint files reaching a disposition in 2019 decreased slightly from 2018 (by 9%, or 4 files) but was still 37% higher than the five-year average of 29.



FILE DISPOSITION - CITIZEN CONTACTS CLOSED, 2014-2019

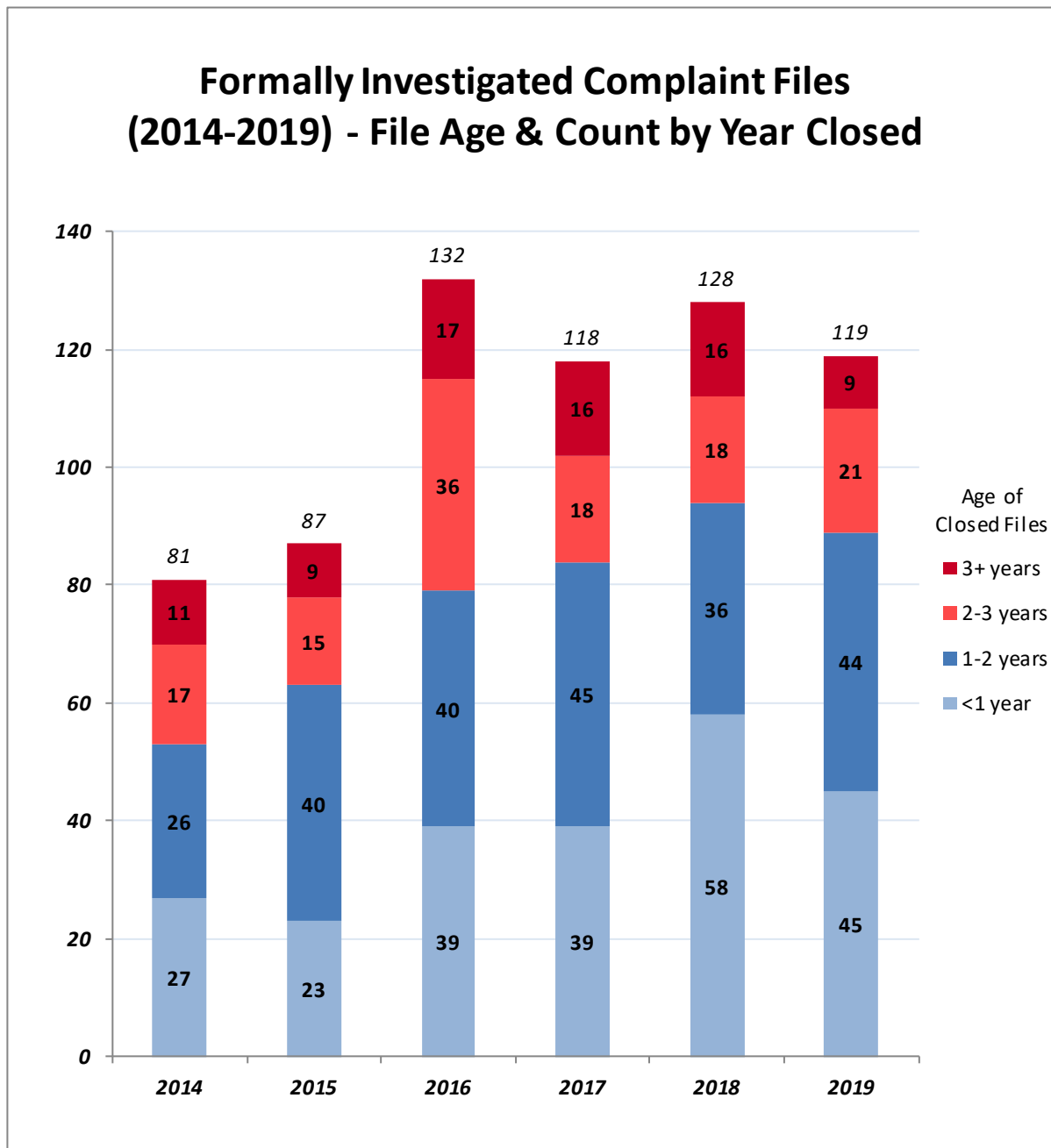
	2014	2015	2016	2017	2018	2019
Not a Police Matter	29	37	44	25	26	26
Dismissed-Outside of 1-Year Investigative Jurisdiction s. 43(11)	4	5	12	8	6	7
Abandoned by Complainant	109	127	160	108	97	79
TOTAL DISMISSED/NOT PURSUED - AS A PORTION OF GRAND TOTAL	15%	19%	20%	16%	14%	14%
Resolved Informally-Informal Discussion Among Parties incl. PSS	404	403	520	442	477	407
Resolved Informally-Facilitated Discussion				9	2	
Resolved Informally-Supervisor Intervention	98	85	81	59	52	38
Resolved Informally-Public Complaint Director	1					
TOTAL RESOLVED INFORMALLY - AS A PORTION OF GRAND TOTAL	54%	56%	55%	57%	57%	56%
Resolved	215	141	193	172	205	200
TOTAL RESOLVED - AS A PORTION OF GRAND TOTAL	23%	16%	18%	19%	22%	25%
Referred to Other Areas	67	70	90	73	61	44
TOTAL REFERRED - AS A PORTION OF GRAND TOTAL	7%	8%	8%	8%	7%	5%
GRAND TOTAL	927	868	1100	896	926	801

The 2019 count of citizen contact files reaching a disposition decreased slightly from 2018 and was 15% lower than the five-year average.



AGING OF PSS FILES

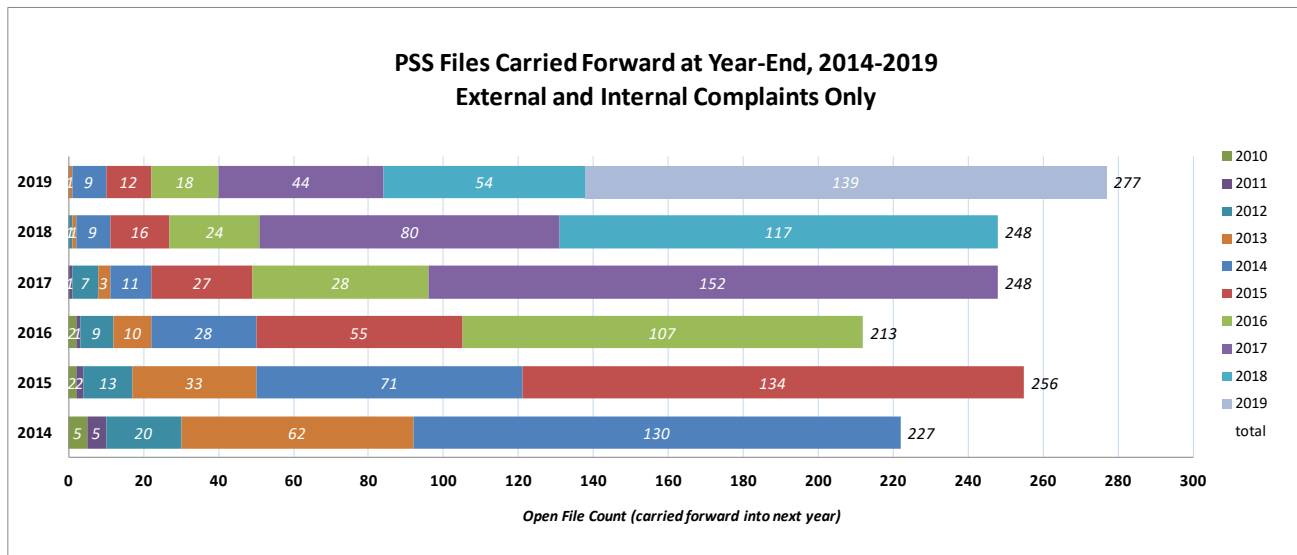
FORMALLY INVESTIGATED COMPLAINT FILES (2014-2019) – AGE OF CLOSED FILES



The chart above illustrates annual counts of completed formally investigated complaint files, grouped by length of the individual investigations - file “age”. 2019 marked the fourth year in a row where a large volume of files was concluded. A significant portion of these were older than 2 years - 30 files or 25% of all closed formally investigated files. This is the result of sustained efforts to reduce the backlog of active files received in previous years, as well as resolve newly received files in the shortest time possible.

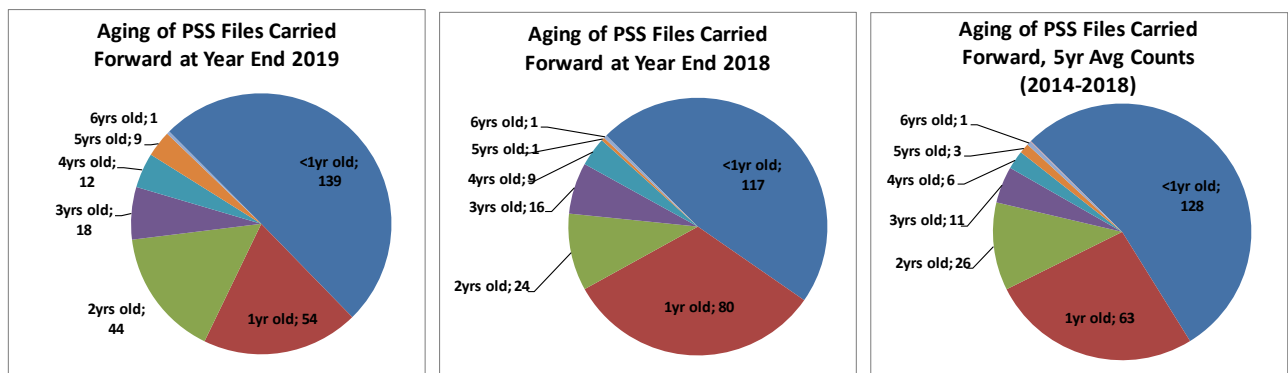


PSS COMPLAINT FILES CARRIED FORWARD PER YEAR, 2014-2019



PSS complaint files investigated in any year include newly received files, as well as open files carried over from previous periods. The chart above illustrates counts of external and internal complaint files carried forward at the end of each year, by year received. At the end of 2019, the proportion of files carried forward that are older than two years represented approximately 30%, mostly due to the larger count of 2017 complaint files still open.

AGING OF PSS EXTERNAL & INTERNAL COMPLAINT FILES



These charts illustrate the age proportions of open complaint files at the end of the period indicated. Compared to 2018, files carried forward at the end of 2019 show a larger proportion of files less than one year old (50%) and a smaller proportion of one-year old files (19%). The portion of files older than two years (30%) is higher than it was in 2018, mostly due to the volume of active files received throughout 2017.

PSS is very conscious of file aging and is expending efforts to complete older files in the shortest length of time possible. A large portion of these files aged for an extended period pending a resolution of a corresponding statutory file, i.e. files involving criminal charges need to be resolved before courts before PSS investigation of a file could be completed.



DISCIPLINE

COMPLAINTS ORDERED TO A PROFESSIONAL CONDUCT HEARING, 2014-2019

	2014	2015	2016	2017	2018	2019	5yr avg '14-'18	2019 vs 5yr avg
External Complaints	3	4	3	3	1	1	3	-64.3%
Internal Complaints	10	6	3	6	5	6	6	0.0%
Total Ordered	13	10	6	9	6	7	9	-20.5%

The volume of complaints ordered to a professional conduct hearing tends to fluctuate year over year. The count of files ordered to a disciplinary hearing in 2019 was slightly lower than the average level of 9 files, but one file more than in 2018.

2019 ALLEGATIONS AND DISCIPLINE – PROFESSIONAL CONDUCT HEARINGS

Allegation	Total Count of		Disciplinary Actions	
	Allegations	Penalties Applied	Sustained - Adjudicated With a Hearing	
<i>Breach of Policy</i>	1	<i>Suspension Without Pay</i>	<i>Forfeiture of 20hrs OT</i>	1
<i>Discreditable Conduct</i>	5	<i>Suspension Without Pay</i>	<i>Forfeiture of 40hrs OT</i>	2
		<i>Official Warning</i>	<i>Reduction in Rank (Sr Constable to 1st Class)</i>	1
		<i>Dismissal</i>	<i>Suspension From Duty Without Pay (40hrs)</i>	1
<i>Insubordination</i>	8	<i>Forfeiture of OT Hours</i>	<i>Suspension From Duty Without Pay (70hrs)</i>	1
		<i>Reduction in Rank</i>	<i>Suspension From Duty Without Pay (80hrs)</i>	2
		<i>Dismissal</i>	<i>Dismissal</i>	1
		<i>Forfeiture of OT Hours</i>		
<i>Neglect of Duty</i>	1	<i>Forfeiture of OT Hours</i>		
TOTAL - SUSTAINED ALLEGATIONS (HEARING)	15		TOTAL	9

Disciplinary actions are counted per officer per allegation, and some are applied globally per file. Disciplinary action counts therefore are not the same as counts of files, allegations or officers involved.

Nine files sustained in 2019 were adjudicated with a disciplinary hearing. These involved 8 involved officers, and 15 sustained allegations. Disciplinary measures adjudicated included forfeiture of overtime (OT) hours, suspension from duty without pay, reduction in rank, reduction of seniority within rank and a dismissal.



2019 ALLEGATIONS AND DISCIPLINE - MINOR CONTRAVENTIONS

Allegation	Total Count of		Disciplinary Actions	
	Allegations	Penalties Applied	Sustained - Adjudicated Without a Hearing	
Discreditable Conduct	18	Forfeiture of OT hours (40hrs max)	Forfeiture of 10hrs OT	1
		Official Warning	Forfeiture of 24hrs OT	2
		Other Action Considered Appropriate	Forfeiture of 30hrs OT	1
		Suspension Without Pay (80hrs max)	Forfeiture of 40hrs OT	1
Insubordination	10	Forfeiture of OT hours (40hrs max)	Official Warning (1yr)	6
		Official Warning	Official Warning (2yrs)	1
		Other Action Considered Appropriate	Official Warning (3yrs)	8
Neglect of Duty	10	Forfeiture of OT hours (40hrs max)	Other Action Considered Appropriate	4
		Official Warning	Suspension From Duty Without Pay (10hrs)	1
		Other Action Considered Appropriate		
Unlawful/Unnecessary Exercise of Authority	2	Official Warning		
TOTAL - SUSTAINED ALLEGATIONS (WITHOUT HEARING)	40		TOTAL	25

Disciplinary actions are counted per officer per allegation, and some are applied globally per file. Disciplinary action counts therefore are not the same as counts of files, allegations or officers involved.

Twenty-four sustained files were adjudicated without a hearing in 2019 (sustained or sustained in part). These files involved a total of 26 officers and 40 sustained allegations. The prevalent discipline adjudicated was official warning (60% of all disciplinary actions) and forfeiture of overtime hours (32%), followed by other action considered appropriate (counselling) and suspension from duty without pay.



COMPLIMENTS

COMPLIMENTS RECEIVED, 2014-2019

	2014	2015	2016	2017	2018	2019	5yr avg '14-'18
Compliments Received	413	358	375	359	337	305	368
Members Complimented	666	651	621	581	553	560	614

CPS members, both sworn and civilian, receive compliments and positive feedback from the public on a regular basis. Most are shared with PSS - those counts are reported above.

In 2019, PSS received a total of 305 written compliments praising a total of 543 named or identified members (sworn and civilian) and 17 unknown members. Another 13 compliments were received for the entire CPS and 5 compliments commended an entire CPS unit or team.



GLOSSARY OF TERMS

FILE CATEGORIES

ADMINISTRATIVE REVIEW

Refers to the examination of specific incident types to ensure all CPS policy and procedures have been followed; to determine if existing policy is adequate or to determine if any potential misconduct occurred as outlined in the *Police Service Regulation*. CPS ceased conducting administrative reviews and these incident types are now investigated as internal complaints.

CITIZEN CONTACT (formerly Citizen Concern)

A citizen contact is an initial contact that may be either verbal or written, from a member of the public to the police service or police commission. A citizen contact may take the form of a concern consisting of an actual allegation under the *Police Service Regulation* or an offense under the Parliament of Canada or Legislature of Alberta. A citizen contact may also consist of a matter that is purely inquiry- or assistance-based. A citizen contact may become a complaint or a statutory complaint.

COMPLAINT – EXTERNAL (formerly Public Complaint)

A “complaint” as defined in Section 42.1 and as per Part 5 of the *Police Act* is a complaint as to the conduct of a member that may contravene the regulations governing the discipline or performance of duty of police officers; a complaint includes a complaint under Section 43 of the Act, related to the actions of a police officer; or, Section 44 of the Act, related to the policies of and services provided by a police service. A complaint may take the form of a written complaint, an e-mail complaint, an on-line complaint submitted on the website of a police service or police commission. A complaint may be lodged by a complainant as described in Section 42.1.

COMPLAINT – INTERNAL (formerly Service Investigation)

A “complaint” as defined in Section 43.6 (where the Chief of Police initiates a complaint with respect to a police officer) and as per Part 5 of the *Police Act* is a complaint as to the conduct of a member that may contravene the regulations governing the discipline or performance of duty of police officers.

FRIVOLOUS/VEXATIOUS/BAD FAITH COMPLAINT

A frivolous complaint is one having the simple absence of an air of reality to a position, or the simple lack of any threshold basis on which to put forward an argument and further connotes an argument, which does not have a realistic prospect of success.

A vexatious complaint is one or a series of unsubstantiated complaints from the same person, all of which share a common theme, and/or one where issues raised are rolled forward into subsequent complaints about officers investigating the original complaint.

A bad faith complaint is one that is made dishonestly or for an improper purpose, such as the harassment or oppression of others for the purposes other than the assertion of legitimate rights.



STATUTORY COMPLAINT (formerly Criminal Complaint)

A statutory complaint is a criminal complaint consisting of any act by a police officer that may constitute an offense under the *Criminal Code* or *Controlled Drugs and Substances Act*; and/or a complaint consisting of any act by a police officer that may contravene an Act of the Legislature of Alberta. A statutory complaint may be generated by way of a citizen contact or a *Police Act/Police Service Regulation* complaint by a complainant or by a police service.

TRACKING FILE

A tracking file is an internal matter file type. It starts with an initial information to which additional facts and data are added, collected from various available sources. Once all the materials are collected and analyzed, the information is compiled into a concise document presented to the Chief for direction. A tracking file may be converted into an internal complaint or be concluded with no further action directed.

46.1 NOTIFICATION

Section 46.1(1) of the *Police Act* in Alberta requires the chief of police to notify the commission and the Minister as soon as practicable about any incidents involving serious injury or death that may have resulted from the actions of a police officer; or of any complaint made that alleges a serious injury or death may have resulted from the actions of a police officer, or that alleges any serious or sensitive matters related to actions of a police officer. This notification is referred to as a 46.1 notification.

FILE DISPOSITION TYPES

ABANDONED (Citizen Contact)

Refers to a received citizen contact where, besides initial contact, no other communication with a complainant was possible. E.g. complainant leaves an anonymous voicemail but does not provide a name or method of contacting them, complainant refuses to communicate, etc.

DISMISSED - 1YEAR s.43(11)

Section 43 (11) of the *Police Act* directs the chief of police to dismiss any complaint that is made more than one year after the conduct complained of occurred, or the complainant first knew or ought to have known that the conduct complained of had occurred, whichever occurs later, i.e. any such complaints and citizen contacts are time-barred from being investigated.

DISMISSED - FRIVOLOUS/VEXATIOUS/BAD FAITH s. 43(7)

If, at any time before or during an investigation into a complaint with respect to a police service or a police officer other than the chief, it appears to the chief of police that the complaint is clearly frivolous, vexatious or made in bad faith, the chief may recommend in writing to the commission that the complaint be dismissed. The Police Commission grants the application to dismiss such allegation(s).



DISMISSED – LOSS OF JURISDICTION – MEMBER RESIGNED/RETIRED

If, at any time during the investigation of a complaint (where the allegations against the actions or conduct of a police officer do not constitute an offence under an Act of Parliament of Canada or under the legislature of Alberta) the subject member resigns or retires, CPS loses jurisdiction to investigate and the allegation(s) related to the retired/resigned member are dismissed.

DISMISSED – AT HEARING – LOSS OF JURISDICTION

If, at any time during the process of professional conduct hearings or appeals (where the allegations against the actions or conduct of a police officer do not constitute an offence under an Act of Parliament of Canada or under the legislature of Alberta) the subject member resigns or retires, CPS loses jurisdiction to conduct such hearings related to the complaint matter and the complaint is dismissed.

DISMISSED – NO HEARING – PSR 19(1)(a)(i)

Where a complaint matter is of such nature that it constitutes a minor contravention of the regulations governing the discipline or the performance of duty of police officers, the chief of police may dismiss the matter without conducting a hearing.

DISMISSED – NO HEARING – NO REASONABLE PROSPECT

Where a complaint matter is of such nature that it constitutes a minor contravention of the regulations governing the discipline or the performance of duty of police officers, the chief of police may dispose of the matter without conducting a hearing.

NOT A POLICE MATTER (Citizen Contact)

The complaint matter does not relate to a CPS policy or service or to a conduct or actions of a CPS police officer. E.g. a complaint related to a Calgary Transit matter.

REFERRED (Citizen Contact)

The complaint matter was referred to another area of the Service or to the Commission.

RESOLVED (Citizen Contact)

The complaint matter was closed from a PSS perspective - the complainant was provided alternative dispute resolution (ADR) options but no response or direction was received OR unusual circumstances exist where no other file disposition applies.

RESOLVED INFORMALLY - DISPUTE RESOLUTION (DR): FACILITATED DISCUSSION

The complaint matter was resolved through Supervisor Intervention or through Informal Discussion Among Parties Including PSS after a formal investigation commenced.

RESOLVED INFORMALLY – DISPUTE RESOLUTION(DR): INFORMAL DISCUSSION AMONG PARTIES INCLUDING PSS

After a discussion with PSS members, the complainant is satisfied with the provided explanation or the offered resolution of their complaint; and the complaint is resolved.



RESOLVED INFORMALLY - PROFESSIONAL MEDIATION

The complaint was resolved after a professional mediation was conducted.

RESOLVED INFORMALLY - DISPUTE RESOLUTION(DR): PUBLIC COMPLAINT DIRECTOR

The complaint was resolved with the assistance of the Public Complaint Director.

RESOLVED INFORMALLY - DISPUTE RESOLUTION (DR): SUPERVISOR INTERVENTION

The complaint matter was referred to subject member's supervisor who will discuss key issues with the complainant and the involved officer(s) to resolve the complaint.

SUSTAINED – AT HEARING

All of the allegations included in the complaint were sustained at a Professional Conduct Hearing.

SUSTAINED – WITHOUT HEARING

All of the allegations included in the complaint were sustained without a Professional Conduct Hearing being held.

SUSTAINED IN PART – AT HEARING

A part (one or more) of the allegations included in complaint was sustained at a Professional Conduct Hearing.

SUSTAINED IN PART – WITHOUT HEARING

A part (one or more) of the allegations included in complaint was sustained without a Professional Conduct Hearing being held.

NOT SUSTAINED – AT HEARING

The complaint was not sustained at a Professional Conduct Hearing.

NOT SUSTAINED – WITHOUT HEARING

The complaint was not sustained, and a Professional Conduct Hearing was not held.

WITHDRAWN BY COMPLAINANT

The complainant chose to withdraw their complaint and the file was closed as a result.

WITHDRAWN BY SERVICE – AT HEARING

The Service elected to withdraw the file at a Professional Conduct Hearing.

WITHDRAWN BY SERVICE – WITHOUT HEARING

The Service elected to withdraw the file without holding a Professional Conduct Hearing.



OTHER TERMS

ALTERNATIVE DISPUTE RESOLUTION

The chief of police or the chair of the commission shall, where appropriate, offer an alternative dispute resolution process to the complainant and the subject police officer prior to commencing a formal investigation of the complaint; or may attempt to resolve the complaint informally at any time before or during an investigation into a complaint.

PROFESSIONAL CONDUCT HEARING

Where the chief of police is of the opinion that the actions of a police officer constitute a contravention of the regulations governing the discipline or the performance of duty of police officers, the chief or a person designated by the chief who is eligible to serve as the presiding officer at a hearing, shall conduct a disciplinary hearing into the matter as it relates to the contravention.

*This report was created by CPS Centralized Analytical Unit using amended statistical methodology.
As the reporting process evolves, updates and amendments will be incorporated into future reports.*

