

In the matter of the Police Act, R.S.A. 2000, c. P-17 and
in the matter of the Police Service Regulation, Alta. Reg. 356/1990

And in the matter of Complaints and Disciplinary Proceedings against
[REDACTED]
of the Calgary Police Service

Penalty Decision

Summary of Proceedings

On July 13th, 2020 [REDACTED] was charged with seven (7) counts of disciplinary misconduct. He made his first appearance on August 26th, 2020 at which time he reserved his plea on all counts.

On October 15th, 2020, Constable [REDACTED] entered "admit" pleas to count #'s 2, 3 and 7.

Counts 1, 4, 5 and 6 have been withdrawn.

The remaining counts as amended and contained in the Agreed Statement of Facts (ASF) are as follows:

Count #2:

Neglect of Duty, contrary to section 5(1)(h) of the *Police Service Regulation*, as further defined by section 5(2)(h)(i) of the *Police Service Regulation* by neglecting, without a lawful excuse, to promptly and diligently perform his duties as a police officer in that on or between October 7, 2013 and September 14, 2016, at or near the City of Calgary, in the Province of Alberta, Constable [REDACTED]:

- a. did not arrest or process approximately 50 individuals that you knew were wanted on outstanding warrants; and
- b. did not conduct a proper investigation into a collision involving a suspected intoxicated person who drove into a parked car. Specifically, Constable [REDACTED] did not conduct an impaired driving investigation and issued a 72-hour suspension instead of demanding a breath sample.

Count #3

Insubordination, contrary to section 5(1)(g) of the *Police Service Regulation*, as further defined by section 5(2)(g)(ii) of the *Police Service Regulation* as omitting or neglecting, without adequate reason, to carry out a lawful order, directive, rule or policy of the commission, the Chief of Police or other person who has the authority to issue or make that order, directive, rule or policy in that on or between October 7, 2013 and September

14, 2016, at or near the City of Calgary, in the Province of Alberta, Constable [REDACTED], [REDACTED]:

- a. located what he believed was a small quantity of Methamphetamine and drug paraphernalia in a vehicle and disposed of them into a garbage as opposed to processing seized drugs and paraphernalia according to section 40.7 (CPS Property Handling policy).
- b. On approximately four or five occasions, he did not properly report domestic assault complaints according to section 7 (CPS Domestic Conflict policy).
- c. On other occasions, while having located a variety of property including, but not limited to, a bicycle, baton, and pepper spray, he disposed of them into a dumpster or pond, contrary to sections 26.1 and 4.2(a) (CPS Property Handling policy).

Count #7

Discreditable Conduct, contrary to section 5(1)(e) of the *Police service Regulation*, as further defined by section 5(2)(e)(viii) of the *Police Service Regulation* as doing anything prejudicial to discipline or likely to bring discredit on the reputation of the police service, in that on or between October 7, 2013 and September 14, 2016, at or near the City of Calgary, in the Province of Alberta, Constable [REDACTED]:

- a. While off-duty, took his CPS issued firearm to [REDACTED], Alberta, and discharged it a number of times at a firearms range, and at a friend's acreage. On or between October 7, 2013 (1st date following classes) to September 14, 2016 (polygraph date), in or near the City of Calgary, in the Province of Alberta, you, while off-duty, took his CPS issued firearm to [REDACTED], Alberta, and discharged it a number of times at a firearms range, and at a friend's acreage.

The full Agreed Statement of Facts was read into the record and entered as Exhibit #4. The facts contained in Exhibit #4 were admitted to by Constable [REDACTED].

With the admit plea and the admission of the contents of the agreed statement of facts which supported the charges, I found the charges of Discreditable Conduct pursuant to s. 5(2)(e)(viii), Neglect of Duty pursuant to s. 5(2)(h)(i) and Insubordination pursuant to s. 5(2)(g)(ii) of the *PSR* to have been proven on a balance of probabilities. Constable [REDACTED] was found guilty of the misconduct.

The parties made submissions on penalty and the matter was set over to November 18, 2020 for the decision.

Evidence

Exhibits:

- Exhibit 1 Notice and Record of Disciplinary Hearing.
- Exhibit 2 Presiding Officer Appointment Memo.

Exhibit 3 Presenting Officer Appointment Memo.

Exhibit 4 Agreed Statement of Facts.

Exhibit 5 Resume and Behavioral Event – [REDACTED]

Facts as per the “Agreed Statement of Facts”

1. On 2016 September 14 and while an employee of the Calgary Police Service (CPS), Constable [REDACTED] participated in a pre-Employment polygraph interview for the [REDACTED]. He completed a "Personal Disclosure Form" prior to the polygraph interview and matters of concern disclosed therein were explored during the interview. As a result of those concerns, Constable [REDACTED] was released from the [REDACTED] employment process.
2. On 2016 September 26, [REDACTED] sent a letter to CPS PSS outlining the disclosures made by Constable [REDACTED] during the polygraph examination. The PSS internal investigation commenced shortly thereafter.
3. The following are admissions made by Constable [REDACTED] during the polygraph examination and his subsequent interview with PSS Det. [REDACTED]:
 - a. He found a small bag of drugs and a pipe in the red Honda Civic he had towed to the impound lot. He wasn't sure what to do with the drugs regarding putting it into property so he took them back to the district office and placed them in the dumpster. He received a call from a residence saying there was a bicycle left in the area. He stated that it was just a bit of metal, no seat and no handle bars. In his opinion it wasn't worth anything, so he just put it in the dumpster. He seized bear spray and a baton from a mother at a domestic call as she didn't want it in the house. He can't remember if he threw the items in a pond in the NE as he has witnessed other officers do or put it in the dumpster.
 - b. When he was going through the property in an abandoned vehicle, he came across a small key chain with a knife on it. He placed the other items in the hold locker to place them in the property store but kept hold of the key chain and knife. He said he kept it because it looked cool and it would come in handy. Eventually he placed the key ring and knife into the property store when he was taken off the street and put into PST (some 13 months later).
 - c. Failing to process individuals who had outstanding warrants for their arrest. He stated that this was a common occurrence that people in the North East would have bylaw warrants and rather than getting tied up with that, he would advise people to go to the district office the following day

and have it dealt with.

- d. On four or five occasions, he has attended domestic calls and not dealt with the incident in the way policy states. His reasoning for this was that when people don't want to say anything or can't remember what happened and he can't see any injuries, he would submit a report and stating there was mutual pushing or shoving. He said that if there was a broken nose or blood shot eyes then he would arrest, but a scratch or something then he wouldn't. When he was told the offender has left and no one is talking about what happened, he would leave and not investigate further and put something on a report but with very few details. If there was a minor injury he would either not make note of it or would note down what the victim stated, for example, they got that injury by walking into a door or something like that, even if he did not believe the victim was being truthful.
 - e. When he arrived on scene the offender was drunk and slurring his speech. This was the time that the 24-hour suspension had replaced with the 72-hour suspension. He stated that he hadn't a 72-hour suspension before and that he didn't have a roadside breath kit. He was filling in the form and there was no space for a 24-hour suspension, only for a 72, so he checked off the 72 hours box, filled in the paperwork and drove the driver home. He can't remember if he made up a number or not regarding the reading from the ASD. But he didn't demand a breath test as he didn't have an ASD. He does recall that there were two major calls ongoing (shootings) and that no one was available to bring him an ASD. He can't remember what is on the form, but he would have made up the final reading whether it is a number to put in or a fail. He said he would run a 72-hour suspension the same way as he would have conducted a 24-hour suspension.
 - f. Taking his CPS issue firearm to [REDACTED] on a number of occasions, while off-duty, for use at a private gun range [REDACTED]. When he wasn't using the handgun, he kept it [REDACTED] in a locked gun safe for peace of mind. He knew he needed the Chief's approval to carry his firearm when off duty but didn't know the policy on taking it out of the police service area and used non-CPS ammunition while in [REDACTED]. When he took his service firearm to [REDACTED] he used non-police ammunition. He didn't take the 45 rounds that were issued by CPS, he left them in Calgary and travelled [REDACTED] [REDACTED] with empty magazines. He has done this on 2 or 3 occasions.
4. Searches were carried out regarding Constable [REDACTED] deployment to: Impaired drivers, property damage, noise complaints, domestics, traffic stops, disturbances and drug related calls. Because of the wide-ranging dates, it was impossible to link what Constable [REDACTED] disclosed to certain events as he was

unable to tie down any specific dates.

5. Constable [REDACTED] was not under duress at the time of taking the polygraph examination. He was fully informed that any information arising from the polygraph examination (with the exception of medical information) could be shared to any person in the [REDACTED] hiring process and to accredited police personnel in any police agency in Canada. Lastly, he fully authorized release of same.
6. The following exhibits form part of this Agreed Statement of Facts:
 - 1) PEAKS Behavioural Events, Calgary Police Service;
 - 2) PEAKS 2018 Annual Assessment, Calgary Police Service;
 - 3) PEAKS 2016 Annual Assessment, Calgary Police Service;
 - 4) PEAKS 2015 Annual Assessment, Calgary Police Service;
 - 5) PEAKS 2014 Annual Assessment, Calgary Police Service; and
 - 6) Calgary Police Service Property Handling Policy; and
 - 7) Calgary Police Service Domestic Conflict Policy.

Submissions of the Presenting Officer

Ms. Campbell advises that Constable [REDACTED] has been a member of the Calgary Police Service for [REDACTED] and currently holds the rank of 1st Class Constable. During his tenure with CPS he has worked in a number of units including [REDACTED]. In 2017 he received the Chief's Life Saving Award.

She stated, following his 15-week period Field Training, members of his team, as well as his Sergeant, noticed he was struggling with areas of Investigations, enforcement, and officer safety.

She advised that referencing Constable [REDACTED] performance assessments dated 2015, 2016 and 2018, they highlight positive feedback including; compassion, dedication, development, decision making, communication and problem solving. They contain no mention of negative feedback and refer instead to professional learning and development. Note-worthy on file between 2013 and 2018 include positive notes regarding community involvement, decision making, communication, public speaking, and personal leadership.

According to his District Commander, Constable [REDACTED] is one of the leaders on his team regarding calls for service, violation tickets and info posts. He is in the middle of the pack with regards to Criminal Code charges and executed warrants.

Ms. Campbell then referenced [REDACTED] who wrote that Constable [REDACTED] is a team player and a pleasure to supervise. His reports are of good quality and need truly little reworking or adjustment. Constable [REDACTED] can also be counted on for attendance,

punctuality, and deportment. There have not been any instances during his short tenure in the district that would lead one to believe there are any major concerns with his performance given his seniority, experience, and workplace demeanor. Constable [REDACTED] supervisors describe him as having an exceptional attitude and he has brought his partner's performance "way up" with his leadership and tenacity within that car crew. He does not fear asking questions for clarification or approval.

His Sergeant further states, "*Historical actions aside, his current performance has spoken for itself and, if the opportunity presented itself, I would campaign to have him return which ever work area I occupy.*"

Ms. Campbell also advises that Constable [REDACTED] and his partner [REDACTED] received the Chiefs Award for the excellent work they did at a mental health call.

Ms. Campbell states there are few details surrounding the allegations other than the bare admissions. There is no supporting or corroborating evidence; and no witnesses. Constable [REDACTED] is the only witness who can put the allegations into context.

Despite admitting to the above misconduct there does not appear to be any performance issues with Constable [REDACTED] for the past three years. All current supervisors have nothing but praise for Constable [REDACTED] performance and are highly complementary and supportive.

Ms. Campbell concluded her submissions stating: "*Taking into consideration the lack of particulars in the misconducts admitted to; the seemingly vast improvement in Constable [REDACTED] performance of duties and maturity; the legal requirements for Corrupt Practice and Deceit, and finally, the like cases noted above, the Service is seeking a reduction of seniority in rank. The Service will also impose a requirement to attend HR as and when required for the purpose of undertaking any courses, examinations or reviews as deemed necessary.*"

Ms. Campbell also provided several Police Disciplinary matters as like cases. These cases are:

- 2009/11/27** **EPS v** [REDACTED]
- 2015/07/18** **CPS v** [REDACTED]
- 2017** **CPS v** [REDACTED]
- 2018/10/17** **CPS v** [REDACTED]

The details of these like cases will be discussed in the penalty discussion portion of this decision.

Submissions of Counsel for the Cited Officer

Mr. Kothari advised he joins with Ms. Campbell with respect to penalty and submits the penalty should be a reduction in rank from his current rank of Senior Constable Level I

to First Class Constable – 5th Year. He submits the reduction should be for a period of one-year.

Mr. Kothari provided background career information on Constable [REDACTED] and further provided information regarding the amount of time this matter has taken to get to the Hearing stage. He advised the initial investigation commenced almost three and a half years ago, and during that time frame, there have been a number of punitive aspects that Constable [REDACTED] has had to endure. He submits that these aspects should be taken into consideration when coming to a decision on penalty.

Mr. Kothari advises that Constable [REDACTED] was pulled from the street and placed on limited duties. He was then placed back on the street and again pulled from the street.

Mr. Kothari then gave a chronology of the PSR investigative timeline and the temporary transfers of Constable [REDACTED] between street duties and administrative positions. Mr. Kothari spoke of the matter “hanging over the head” of Constable [REDACTED]. He submitted that the process has been punitive in terms of psychological considerations and this should be taken into consideration.

Mr. Kothari spoke of the personal strains experienced by Constable [REDACTED]. He advised how Constable [REDACTED] spoke of how much his work life affected his personal life. He states Constable [REDACTED] has overcome those issues as is evidenced by the submissions of Ms. Campbell.

Mr. Kothari stated Constable [REDACTED] has grown as an officer, and an individual. When Constable [REDACTED] started as a police officer, he was [REDACTED] years old. He is now [REDACTED] and over those years he has gained a lot of insight into his life becoming an adult.

Mr. Kothari then spoke of the Chief’s Awards received by Constable [REDACTED]. In [REDACTED] he received a “Life-saving” award, and [REDACTED] [REDACTED] he received a Chief’s award for a “Mental Health Intervention.”

Counsel provided a list of Constable [REDACTED]’s training and courses as well as his resume’. He then spoke to the “behavioral events” contained in exhibit 5. He states they speak to an individual who has been going above and beyond in certain circumstances. Notwithstanding that the information that is contained within the agreed statement of facts is serious, Constable [REDACTED] is an individual who has grown since then.

Mr. Kothari spoke to the specifics of the count involving the impaired driving investigation. He described the scenario that Constable [REDACTED] was in as problematic in achieving a conviction. The issue surrounded the request for the ASD, and the time delay despite the fact one was not available to be brought to the scene. He stated there was a decision to make and Constable [REDACTED] made the wrong decision at the time. There were other options, but he only had “reasonable suspicion, not reasonable and

probable grounds. He concluded this discussion stating: *“But when you look at it from a criminal law perspective, there very well could have been unlawful detention based on what was going on without the ASD.”*

He stated Constable [REDACTED] told him he was in a tough spot. He did not want the person to get back into his vehicle, drive away and get into a collision. He filled out the paperwork and drive him home. He got an impaired driver off of the street. He agreed in hindsight, he made the wrong decision, and it is the submission of Counsel, none of these issues are going to happen again.

He clarified that this was not a defence and it is not and not a reason for any type of mitigation, but it is an explanation from an outside perspective he wanted taken into consideration.

Mr. Kothari advised that if his penalty submission is accepted, there will be a financial hardship that will affect Constable [REDACTED]

He asks that the penalty decision be tempered with the fact that socially we are in a pandemic and there are social factors to take into consideration.

He advises that this matter is being resolved in a timely fashion. The parties have worked diligently on the Agreed Statement of Facts. This matter would have been a protracted hearing with numerous witnesses and a number of applications in relation to the polygraph. A costly hearing has been avoided and this should be taken into consideration. He further stated the most important part is remorse and the guilty plea.

Mr. Kothari then read a statement on behalf of Constable [REDACTED]

Analysis

Constable [REDACTED] has been found guilty of three counts of misconduct under the *Police Service Regulation* and it is required that a penalty be imposed upon him.

Determining an appropriate penalty involves the assessment of many factors. In 1993 the Law Enforcement Review Board (LERB) provided a statement of principles regarding disciplinary sanctions in the matter of *Amery v. Young*,². Since that time, these principles have been the guidelines used to assist Presiding Officers in imposing disciplinary sanctions.

The Amery principles are as follows and I will speak to those principles that I believe are relevant to the matter before me.

¹ Transcript. Pages 45-46. Lines 24-26, 1-22.

² Amery v. Young ALERB #007-093

1. *The principle purpose of police discipline is to advance the organizational objective of effective and efficient police services to the community.*

At the time of this misconduct, Constable [REDACTED] was a front-line patrol officer tasked with responding to calls for service from the community. The front-line police officer is the face of any policing organization, and accordingly bears great responsibility to uphold the values of the organization, providing each and every person they come into contact with, effective and efficient policing services.

When a police officer is found guilty of disciplinary misconduct as it relates to calls for service, they have let the public and the police service down. They have not met the rightful expectations of the public nor the standards expected by the police service. When this occurs, the objectives of the police service have failed and the police service as a whole has let the public down, especially those members of the public, directly affected by the misconduct.

It is incumbent upon a policing agency to maintain the trust of the public. One of the mechanisms in maintaining that trust is an effective, fair, and credible disciplinary process.

The public must also see that the police service is able to recognize when the service provided by a police officer is deficient and is willing to educate the member in order to correct those deficiencies.

2. *A fair and just sanction in the circumstances is the goal. The public interest must be considered in those cases where it is engaged.*

This is a unique matter. The actions of Constable [REDACTED] that led to the charges of misconduct were identified through self-disclosure to another police agency as part of a pre-employment interview. The information was sufficiently generic that it did not allow for any particular member of the public who may have been affected by Constable [REDACTED] actions to be identified.

That does not mean the public interest has not been engaged. The Calgary police Service had a police officer on patrol that did not perform his duties as expected or required.

In this instance, the police service is not looking to have this officer dismissed from the service. The focus of the discipline is now to educate and correct the behavior that led to the misconduct, and to put into place as best as possible, assurances the misconduct will not be repeated.

That does not mean that the sanction to be imposed will not have a punitive aspect. There are other considerations that often times make that a necessity and, in this instance, this is a must.

3. *In cases where organizational or administrative factors have played significant roles in contributing to the misconduct that contribution must be considered. In those instances, organizational policy or procedure should take priority for correction. Any individual discipline imposed in such circumstances must consider the overall context.*

Not applicable

4. *A remedial approach which seeks to correct and educate, rather than to punish, should be considered as a priority in those circumstances where it is appropriate. In the Alberta context Regulation 17 (3) promotes the use of special training or professional counseling. The constructive use of this option, in some circumstances, may work to achieve this goal.*

It is clear from the misconduct charges and the information contained in the Agreed Statement of Facts that the cited officer was not familiar with the investigative policies and procedures involving both impaired driving investigations. He also did not properly follow “property/exhibit handling” processes. He chose not to follow the policy relating to the investigation of domestic violence complaints.

It is critical that police officer’s responding to such complaints have a solid understanding of all aspects of the investigative and reporting processes.

It is also incumbent upon the police service to recognize when a member is deficient in their understanding of process and policy, and then to provide the opportunity to learn through appropriate training.

I have reviewed Constable [REDACTED] resume’ and it lists a significant number of courses and training opportunities he has undertaken.

Surprisingly, despite his apparent lack of knowledge relating to impaired driving investigations and the proper method of investigation and reporting of domestic violence complaints, he has not undertaken additional training in either area.

I noted information in his PEAKS Assessment that Constable [REDACTED] has been tasked with the role of Police Trainer Officer. I find this troubling. How can a recruit in their field training phase properly learn from their Field Trainer, when that person tasked with teaching them is deficient in such important aspects of policing?

Constable [REDACTED] would benefit significantly from additional training in both impaired driving investigations and domestic violence investigations. With the proper training, he will be better equipped as a police officer, and will provide a more capable level of service to the community.

While it is not within my authority to order, it may be prudent that Constable [REDACTED] not be assigned the role of a Field Trainer until such time as he completes training in the areas he has proven to be deficient.

5. *Both aggravating and mitigating factors should be considered in determining a just sanction or punishment.*

(a) Previous good record of the officer

Constable [REDACTED] service record includes several positive noteworthy events. Two of these result from calls for service including a domestic related stabbing and a stolen car in progress. Constable [REDACTED] received a "Chief's Life Saving" Award for his actions that saved a women's life when he responded to the scene of the stabbing.

He also received a positive behavioral event for a stolen car in progress where he and his partner were complimented on the tactics and calmness after they observed the stolen car, then followed it into an alley. Three suspects were arrested.

Constable [REDACTED] also [REDACTED] received a Chief's "Mental Health Intervention" Award.

The Presenting Officer commented on the supervisor comments contained in Constable [REDACTED] annual PEAKS assessments and Behavioural Events. She stated: *"there does not appear to be any performance issues with Constable [REDACTED] for the past three years and all current supervisors have nothing but praise for Constable [REDACTED] performance and are highly complementary and supportive."*

The most current PEAKS Assessment provided was the 2018 assessment authored by Sergeant [REDACTED] in November 2018. This assessment speaks to the work done by Constable [REDACTED] while assigned to the [REDACTED]. This is a complimentary assessment however it is far removed from assessing the work and performance of a patrol officer.

The assessments from 2016, 2015, and 2014 also contain positive comments and praise Constable [REDACTED] work abilities. Unfortunately, this is also the timeframe of the misconduct committed by Constable [REDACTED]. It is quite clear that Constable [REDACTED] supervisors were unaware of his actions, and his obvious inadequacies in his abilities to manage and investigate the calls for service he was attending.

I have to question how closely Constable [REDACTED] sergeant(s) actually supervised him or reviewed his work and reports. Snapshots do not show the entire picture. This was a member who struggled after his field-training phase and obviously continued to struggle through the period of October 2013 to September 2016.

The generic complimentary comments contained within the PEAKS Assessments are positive, but unfortunately their credibility is highly questionable.

I recognize that the Assessments and Behavioral Events do contain some specific examples of some of Constable [REDACTED] work, and in these instances, he was rightfully recognized for the good work he has done.

He is one of the few members of the Calgary Police Service to receive a "Chief's Award," and to his credit, has been the recipient on two occasions. He should be proud of the actions he took in both of these situations.

Ms. Campbell spoke of information received from a more recent supervisor, Sergeant [REDACTED] who supervised the cited officer in [REDACTED] from August 2019 until April 2020. This information advised that Constable [REDACTED] was performing well and was a pleasure to supervise. There were no identifiable concerns with his work, and he did not fear asking questions for clarification or approval.

(b) Long service of the officer

Constable [REDACTED] has over [REDACTED] of service with the Calgary Police Service. He [REDACTED] achieved the pay level of Senior Constable Level I.

(c) Whether or not the misconduct was an isolated incident in the employment history of the officer.

The actions of Constable [REDACTED] leading to the misconduct charges spanned an approximate timeframe of three years. There are numerous single acts that have been admitted to by the cited officer.

This is a protracted pattern of neglect of duty and insubordination that cannot be characterized as an isolated incident in the employment history of the cited officer.

(d) The existence or absence of provocation.

Not Applicable

(e) Whether or not the misconduct was premeditated or was done on the spur of the moment being aberrational in nature.

In reviewing the proven counts of misconduct along with the Agreed Statement of Facts, it can be reasonably concluded that Constable [REDACTED] actions were as a result of the way he chose to conduct his policing duties. If he came across what he described as a "Bylaw warrant," it was more important to him to stay out on the street. He would advise the subject to go to the District Office the next day. These actions alone are a specific breach of the *Police Act* which states:

38(1) Every police officer is a peace officer and has the authority, responsibility and duty

(a) to perform all duties that are necessary

(i) to carry out the police officer's functions as a peace officer,

(ii) to encourage and assist the community in preventing crime,

(iii) to encourage and foster a co-operative relationship between the police service and the members of the community, and
(iv) to apprehend persons who may lawfully be taken into custody,

And

(b) to execute all warrants and perform all related duties and services.

(Bolding and Underline added for emphasis)

The Act does not give a police officer a choice. It does not use the term “may.”

His reasoning behind this was this was a common occurrence inferring it was the way things were done in the North East. This is an unacceptable practice.

Constable [REDACTED] method of handling recovered/found property including drugs and drug paraphernalia was also an indication of how he conducted his daily work. He took shortcuts when handling seized/recovered property in contravention of policy. Shortcuts such as these can tend to roll-over into other aspects of his duties.

This is also the case with his method of investigating and reporting on domestic violence calls for service. He deliberately provided false, inaccurate and or misleading information in the occurrence reports on these calls to downplay the seriousness of the matter. These actions were calculated and premeditated.

Constable [REDACTED] actions that resulted in the misconduct cannot in any way be considered “spur of the moment” and therefore aberrational in nature.

While I believe his actions should be considered “premeditated,” I do not believe his intent was to be malicious. However, he did choose his course of action in each and every instance.

(f) Whether the imposition of a particular penalty will create a special economic hardship for an officer in light of his/her particular circumstances.

Counsel for the cited officer advises that a reduction in seniority in rank to First Class Constable would be a financial hardship that will affect Constable [REDACTED]. He has experienced financial hardship since this matter began with his placement in administrative positions.

The context of the term “special economic hardship” in in my view is quite strict and should not be confused with financial loss, or financial inconvenience. If a penalty involving a loss of income is such that it forces a person into mortgage foreclosure, defaulting on financial obligations, or the inability to afford the basics, then that would meet the definition of “special financial hardship.” If a penalty means that a cited officer

has to re-budget and forego the purchase of certain items, vacations, or lifestyle adjustments, then I would not consider that “special economic hardship.”

I have not been provided any detailed information on Constable [REDACTED] financial situation other than he has lost some earning opportunities as a result of the disciplinary process. [REDACTED]

(g) Evidence that the rules or internal policies of the police service (written or unwritten) have not been uniformly enforced or applied, thus constituting a form of discrimination.

Constable [REDACTED] inferred some of his actions were grounded in the way things are done in policing the North East area of Calgary. He spoke of the way bylaw warrants were often handled; not arresting but advising the subject to go to the District Office. He also spoke of disposing of property by throwing items into a pond or dumpster as he witnessed other officers do.

This is not acceptable behavior by Constable [REDACTED] or any other police officer. It is against CPS Policy and given that he admitted to disposing of “Bear Spray” and a “Baton” in this manner, the violation of other statutes may come into play.

Just because he saw other police officers dispose of property in this manner, is not in any way a justification for his actions. This is an indicator of a potentially greater problem within the CPS relating to supervision.

(h) Evidence indicating that a police officer misunderstood the nature or intent of a given order or directive and as a result disobeyed it.

I am confident that Constable [REDACTED] was fully aware that he was not following proper protocols in all matters relating to the proven misconduct.

In relation to taking the CPS firearm to the [REDACTED] area, the ASF states he knew he needed the Chief’s approval to carry off-duty. He then stated he did not know the policy on taking it out of the police service area and using non-CPS ammunition. This does not make sense. While he may not have known the specifics of the policy, he was certainly aware that this was improper given he knew about the requirements to have the Chief’s approval for off-duty carry.

It also comes down to a member’s responsibility to familiarize themselves with policy. CPS policy is readily accessible and common sense would dictate if Constable [REDACTED] was interested in taking his firearm anywhere off-duty, there would likely be a restriction, so look up the related policy.

Speaking to the matter of domestic conflict investigations and reporting, again I believe Constable [REDACTED] was knowledgeable about what was required. I will speak to this more in the next section.

The same comments apply to his handling of recovered/ seized property.

(i) The seriousness of the misconduct. In circumstances involving a member of the public the impact or consequence to that person, or persons.

The actions and inactions of Constable [REDACTED] that have led to the misconduct are extremely serious, and extremely troubling.

By far, the most serious aspect is his failure to thoroughly and properly investigate and report on calls of domestic violence. This type of call is one of the most serious a police officer will attend and have the responsibility to investigate. The stakes are immeasurably high. These calls involve vulnerable spouses and often times children at a time of crisis.

Domestic conflict investigations can be complex. It is not uncommon to have an uncooperative victim, conflicting versions of events, and little physical evidence. That is why it requires a complete and unbiased investigation. A police officer must be exhaustive in their efforts in these types of investigations. Sometimes lives depend on it.

When a police officer shuns their duty at a domestic violence call, it can embolden the offender who can recognize the police officer's inaction. The cycle continues, sometimes with tragic results.

Constable [REDACTED] reasoning for not following policy is disturbing; it was lazy, irresponsible, and obviously negligent. Making the matter worse, he submitted reports that contained fabricated information, or he would intentionally omit critical information. He apparently went to great pains to not perform his duties as required. This "get in, get out" attitude when attending such calls is an embarrassment to policing.

Constable [REDACTED] method of handling recovered/seized/found property is reflective of his handling of domestic conflict complaints. I can only describe his conduct as lazy. He chose not to follow policy in the handling of property. He considered his time more valuable doing what he viewed as important police work. While disposing of property in dumpsters or ponds is highly improper, keeping recovered property for personal use is intolerable. The keychain and knife that Constable [REDACTED] kept for his personal use, after placing the other property in a hold-locker can easily be described as stolen property and his actions, would meet the threshold of theft. The fact that he placed the items into Property some thirteen months later in my view is the act of a guilty mind. At the time, he had been removed from street duty while under investigation. He did not want to be caught with the property.

This policing attitude was also reflected in his handling of warrants. He stated he did not want to get tied up with bylaw warrants and would advise people to go to the District

Office to have them dealt with. While bylaw warrants may be less serious than other warrants, they are still warrants and a police officer is not only bound by their oath of office, the *Police Act*, and policy, they are bound by the wording of Form 7, or Form 21 of Criminal Code. The warrant clearly states in the case of a Form 7: “*therefore, you are ordered, in Her Majesty’s name, to immediately arrest the accused and to bring them before (state court, judge or justice), to be dealt with according to law.*” In the case of a Form 21: “*You are hereby commanded, in Her Majesty’s name, to arrest the offender if it is necessary to do so in order to take the offender into custody...*” This is not optional.

The next aspect of the misconduct to be discussed is Constable [REDACTED] failure to properly investigate a collision involving a suspected impaired driver. It has been submitted that Constable [REDACTED] was not fully aware of how to proceed. In the ASF he stated he could not remember if he made up a number or not regarding the reading from the ASD, but then stated he did not have an ASD with him and one could not be brought to the scene. His memory on this matter is sketchy as he also could not recall if the form required a final reading, or a “fail.” He was obviously confused as to how to proceed however he did not make any effort to obtain advice. This actually is a common failing and it is where some police officers get themselves into trouble. Instead of seeking advice and or assistance, they proceed and often times make mistakes that cause further issues.

The seriousness of this matter is the fact that Constable [REDACTED] purposely falsified a legal document. He made up some of the information. The impacts of such being the person who was the subject of the suspension had a legal document filed against him that contained false information.

The last matter to speak to is Constable [REDACTED] taking his service issue pistol to [REDACTED] where he used it at a private gun range [REDACTED]. Such actions again demonstrate a significant lack of judgement and a disregard for CPS policy. He gave no thought to the “what ifs.” What if there was an accidental discharge with an injury? What if the firearm was stolen? What if he was stopped for a traffic violation and the police officer learned there was a firearm in the vehicle? Constable [REDACTED] gave no consideration to these possibilities.

The issues identified above reflect extremely poorly on Constable [REDACTED] He showed a significant lack of judgement but even more so, a lack of integrity and frankly honesty.

He kept seized property for his personal use. He filed occurrence reports that purposely contained false and misleading information. He failed to abide by the orders of warrants for bylaw offences issued pursuant to the *Criminal Code*, and he purposely falsified a driver’s suspension form. He also disregarded the firearms policy.

The Calgary Police Service core values are honesty, integrity, respect, fairness, accountability, compassion, and courage. Constable [REDACTED] actions are affront to each and every one. The core competency of accountability has been recently added to the police service’s core values as its importance cannot be understated. While it

may not have been a listed value at the time of the misconduct, accountability has always been an expectation of the police service, and the public.

One other measure of the seriousness of this matter is the fact that upon learning of Constable [REDACTED] actions, the [REDACTED] released Constable [REDACTED] from its hiring process and notified the Calgary Police Service of the disclosures.

(j) Officer cooperation, frankness, and overall attitude.

Constable [REDACTED] has been cooperative throughout the investigation. He was open in his disclosure and assisted in the preparation of the Agreed Statement of Facts. He pleaded guilty at an early stage in hearing process, thus saving a protracted, and likely difficult hearing from being held.

(k) Circumstances of mental or emotional stress or a context of substance addiction or drug dependence. In considering such circumstances the likelihood of future misconduct arising from the same cause or causes is an important factor.

Not applicable

(l) Other mitigating or aggravating factors unique to the personal circumstances of the officer or the misconduct involved.

Not applicable

6. *Deterrence of other police officers and maintenance of public respect of the police are legitimate goals in the context of police discipline.*

General deterrence is an especially important consideration. The information contained within the Agreed Statement of Facts indicates the type of misconduct admitted to by the cited officer is common practice amongst other police officers as it relates to the handling of some types of warrants and the disposal of property. If this is true, then a strong message of deterrence must be sent to all police officers, that such actions may attract serious disciplinary consequences.

When speaking of public respect, how can respect be achieved or maintained when a police officer is seen to be shirking their sworn duties. A goal of the disciplinary process is to ensure the public sees there are consequences to improper actions.

7. *Consistency in disciplinary sanctions should be strived for. Like instances of misconduct should attract like sanctions.*

Consistency in disciplinary sanctions is an important consideration to the point where the *Alberta Court of Appeal* spoke to the principle in *Constable A. v. Edmonton Police*

*Service.*³ In that matter the *Court* stated: “A marked departure from these considerations, without adequate reason or explanation, can be an indicator that a sanctioning decision is unreasonable.”

Constable [REDACTED] misconduct relates to his failure to properly investigate and report on calls for service to domestic complaints, a failure to properly investigate a collision involving a suspected impaired driver, the failure to execute warrants of arrest, as well as the failure to follow policy with regards to the handling of seized/recovered property. He faces an additional charge of discreditable conduct relating to his off-duty transport and use of service issued firearm.

His misconduct runs a gamut of disciplinary defaults where all but one are related to his duties as a District patrol officer. The count of discreditable conduct is a stand-alone off-duty matter involving his service firearm.

The Presenting Officer provided several matters to be considered for the purpose of crafting a penalty for Constable [REDACTED]. In each of these matters, the cited officer was reduced in seniority in rank for one to three years.

While each of the matters presented have some analogous facts to Constable [REDACTED] misconduct, none of the matters have the cumulative scope of actions committed by the cited officer.

The penalties assessed in the matters offered by the Presenting Officer are helpful in establishing a baseline for determining an appropriate penalty for Constable [REDACTED].

Discussion re penalty

The police service is seeking a reduction of seniority in rank. The Service also seeks the imposition of a requirement to attend Human Resources as and when required for the purpose of undertaking any courses, examinations or reviews as deemed necessary.

Counsel for the cited officer has submitted that Constable [REDACTED] be reduced in seniority in rank from Senior Constable Level I to First Class Constable for a period of one-year.

In this decision where I addressed the principles stated in *Amery and Young*, I detailed at length my findings and my observations of Constable [REDACTED]. I apply those observations and findings to this discussion.

In crafting an appropriate penalty, the *Alberta Court of Appeal* in *Furlong*⁴ stated:

*“The task before the Presiding Officer and the Board was to select a fit sanction for the respondent, having regard to the misconduct for which he was being sanctioned. The fitness of a sanction depends on numerous factors, **and is***

³ *Constable A v Edmonton (Police Service)*, 2017 ABCA 38 para: 53 (CanLII)

⁴ *Edmonton (Police Service) v Furlong*, 2013 ABCA 121 para 36 (CanLII)

particularly sensitive to the factual underpinnings of the offences. The factors mentioned in Amery v Young, Lingl v Calgary Police Service and other decisions will be relevant in many cases. The appropriate sanction will depend on the seriousness of the misconduct, the moral culpability of the constable, the existence of remorse and recognition of responsibility, the consequences for the public and the administration of law that resulted, the need for deterrence, denunciation or rehabilitation, the overall fitness of the constable for police service, the impact that the misconduct had on the relationship between the constable and his police service, and any other relevant factor.

(Bolding and underline added)

Counsel for the cited officer stated that since the investigation into Constable [REDACTED] misconduct commenced, he has in essence suffered penal consequences. Over the course of the investigation which commenced in September 2016 when the information provided by the [REDACTED] was received by CPS Professional Standards, Constable [REDACTED] was moved around the police service, in and out of administrative positions. Mr. Kothari described this as having the matter “hang over his head.” He further advises that assignment to these administrative positions has had a financial consequence as well, not having the ability to work overtime or earn court time.

He stated: *“For example, anybody who's in the position of having an oversight committee looking into you and not making a decision, changing your roles, changing your duties, changing the nature of your employment on a consistent basis before there's any finality, in my respectful submission, that ought to be taken into account during the course of your -- essentially your considerations on what the appropriate penalty is to be.”*

Without attributing blame to any one party, four years from the time of receiving the complaint, to the time of a Disciplinary Hearing is excessive and an unfortunate reality of process. For a disciplinary penalty to be most effective in correcting behavior, timeliness is important.

Counsel for the cited officer attributes some of the misconduct to a lack of confidence and a lack of knowledge. These are things that can be remedied through additional training, coaching, and mentoring, and the sooner done the better.

Constable [REDACTED] has worked limited patrol duties since the time the investigation commenced. I have not been provided information that would indicate that Constable [REDACTED] has addressed his deficiencies in impaired driving investigations, or the investigation of domestic violence incidents.

A penalty that imposes conditions such as additional training is warranted in such circumstances however, a police officer charged with such misconduct, and who attributes his actions to such deficiencies can also be proactive. Upon realizing they are lacking in the knowledge or skills required of the position, they could seek out additional

training and coaching thus addressing some aspects of the misconduct and helping to mitigate their circumstances.

The question before me is what type of penalty should be imposed that is both just and fair given all of the circumstances.

The misconduct committed by Constable [REDACTED] is a blatant breach of his duties as a police officer. The types of misconduct, the period of time the Constable engaged in the misconduct and the potential consequences of the misconduct all speak to the imposition of a significant penalty.

A further consideration is the public trust. While this matter was the result of information received from the [REDACTED], the public's interest is engaged. The cited officer neglected to properly perform his duties on calls for service. It is also reasonable to find that the reputation of the Calgary Police Service suffered in the eyes of the [REDACTED].

The presenting officer was able to provide a number of Calgary Police matters as "like instances" which demonstrates to me that there continues to be an on-going problem in the CPS related to this type of misconduct. Accordingly, the need for general deterrence is an important consideration.

The details of the matters offered by the presenting officer for penalty comparisons are as follows:

2009/11/27 EPS [REDACTED]. On 6 separate occasions, the member arrested and released individuals on Promises to Appear (PTA). The member did not submit the PTA documentation, instead, retained them in his possession. On 18 occasions, the member issued a violation ticket which he did not submit and instead retained them in his possession. The member arrested and released an individual on a PTA. He did not submit the PTA Documentation, instead, retaining it in his possession. At a later date, he submitted reports requesting an arrest warrant and did so on the basis of inaccurate information. He was charged and found guilty of, Neglect of Duty, Deceit X 2. A global penalty of a reduction in seniority in rank by two years for a period of three years; He was required to attend HR for the purpose of undertaking a Fitness for Duty Test. Required to present to Recruits on the topic of report writing and court procedures. Attend a course on "Administration of Criminal Justice." For a period of two years, report to HR, as directed by HR, for the purpose of attending and tests, examinations, or reviews as deemed necessary.

2015/07/18 CPS [REDACTED]. The member failed to submit a disclosure package regarding an impaired driver investigation. Due to investigative deficiencies relating to the investigation, the charges were withdrawn. A voluntary audit of the member's locker and duty bag further revealed numerous reports, documents and exhibits relating to his policing duties that had not been properly processed or completed. The member was charged and pleaded guilty to: Neglect of Duty

Insubordination, Discreditable Conduct. The member was reduced in seniority in rank, from Sr. Constable Level I to 1st Class Constable for one-year.

2017 CPS v [REDACTED] Cst. [REDACTED] was Reduced in rank from First Class Constable to Second Class Constable for one year having been convicted of Insubordination x 3 and Neglect of Duty x 2. He did not process and respond to four separate Police Action Requests (PAR's) from the Crown Prosecutor and did not process or submit documents and exhibits relating to his duties. His Sergeant conducted an audit of his duty bag following the discovery of numerous unactioned PAR's and Promises to Appear as well as numerous unprocessed documents. Also discovered were unsubmitted Occurrence Reports for 25 different incidents between the dates of May 1, 2011 and September 19, 2015. A number of these occurrence reports related to domestic conflict call for service.

2018/10/17 CPS [REDACTED]. The member responded to a House Break and enter where he did not submit the Occurrence Report in a timely manner. He conducted no investigation. Several pieces of jewelry were located by the victim at a Pawn Shop. The victim notified the officer who did not retrieve the items for almost two weeks. The member stored the recovered jewelry in his locker. He stated after several weeks he was logging the items at the District Office when he left to go on a call. He left the jewelry behind and when he returned it was missing. The jewelry was never recovered. The member was charged and pleaded guilty to: Neglect of Duty, Insubordination, Discreditable Conduct. He was reduced in seniority within the rank, from First Class Constable 5th year, to Second Class Constable 4th year, for a period of two years.

Some CPS matters not offered by the Presenting Officer are as follows:

CPS and [REDACTED], 2019/11/28. While on duty the member received a backpack that contained a quantity of marijuana. The member did not follow property handling procedures for the drugs, and instead went to his residence where he placed the backpack and drugs in a garbage can at the rear of the residence. Later and off shift, he retrieved the drugs from the backpack and took the marijuana into his residence. The member was under surveillance during this incident. He was arrested at his house and the drugs retrieved during a consensual search. He was found not guilty of criminal charges however he was charged and convicted of two counts of insubordination for failing to follow CPS policy relating to seized drugs. He was reduced in seniority in rank from Senior Constable Level II to First Class Constable for a period of one-year.

Two CPS matters relating to police officers' taking their issue firearms out of the city without permission are: **CPS and [REDACTED], 1994** and **CPS v. [REDACTED] 2004.** In the [REDACTED] matter, the off-duty officer took his issue pistol to British Columbia. There was an accidental discharge of the firearm that caused a minor injury. He was charged and found guilty of discreditable conduct and ordered to forfeit 40 hours overtime. With the second matter, the CPS officer took his service pistol with him on annual leave. While at a campground, he shot and killed a bear then denied killing

the bear to the Conservation Officer. He was charged and found guilty of discreditable conduct and insubordination and ordered to forfeit a total of 55 hours overtime.

The two matters above are similar only in the fact that the two officers possessed their issue firearms off-duty and outside of the city without permission. Constable [REDACTED] actions did not result in any injuries, or the shooting of wildlife.

In the matters other than the firearms incidents, the police officers were reduced in seniority within the rank ranging from one to three years. As previously mentioned, when comparing the facts of each matter to those of the [REDACTED] matter, there are similarities, however the actions of Constable [REDACTED] range beyond most of these matters. Several of the admitted facts in the [REDACTED] matter are far more serious than the matters offered for comparison.

In the [REDACTED] and [REDACTED] matters, the misconduct charges were each related to a single investigation. [REDACTED] is a somewhat similar case to an inadequate investigation, while [REDACTED] is on point relating to the improper handling of seized/found drugs. Constable [REDACTED] was reduced from First Class Constable 5th year, to Second Class Constable 4th year, for a period of two years while Constable [REDACTED] was reduced from Senior Constable Level II to 1st Class Constable for one-year.

It is my view that Constable [REDACTED] misconduct is far more serious than that of either of these two officers.

The [REDACTED] matters relating to unsubmitted reports, and failing to process documents were rooted primarily in poor time management and a call-driven mentality. The EPS [REDACTED] matter has some similarities in that he was a relatively new police officer with little confidence in his abilities. The other matters are analogous given there were numerous instances of the members failing to perform their required duties, however they are absent certain relevant aggravating factors.

In the matters offered by the Presenting Officer, while profoundly serious, the misconduct of those cited officers did not involve submitting reports that contained fabricated and/or misleading information as Constable [REDACTED] did with the domestic violence reports. His actions amount to deceit. They also did not involve the cited officer misappropriating seized property for their personal use as Constable [REDACTED] did with the key chain and knife. These particular actions were not spoken to by either the cited officer or his Counsel. They are by far the most serious aspects of the admitted misconduct.

These are significant honesty and integrity issues that cannot be attributed to a lack of training or subject matter knowledge.

As such, it is my view that Constable [REDACTED] misconduct is far more serious than the misconduct of these three officers.

It is apparent that Constable [REDACTED] misconduct should attract a more serious penalty than the CPS matters listed above. The penalty assessed Constable [REDACTED] from the EPS is more in-line with what would be an appropriate penalty.

The question is, are there sufficient factors in the personal and professional circumstances of the cited officer to mitigate such a penalty.

The 2014, 2015 and 2016 PEAKS Assessments were written during the period of Constable [REDACTED] admitted misconduct. It is quite apparent the cited officer was loosely supervised. His supervisors were unaware of how Constable [REDACTED] actually performed his duties as a district patrol officer. Outside of the limited specific examples of Constable [REDACTED] work performance where I do find he performed admirably, I am hesitant to give significant weight to the 2014, 2015 and 2016 PEAKS Assessments written by Constable [REDACTED] supervisors.

The 2018 Assessment describes some good work done by the officer and is specific in describing certain competencies. The work he did with the [REDACTED] is commendable. This however was a controlled environment with where he was placed while under investigation. It was not an assessment of his patrol officer work. I do give credit that he took the role seriously and performed very well.

The Presenting Officer provided some comments from Constable [REDACTED] supervisor in [REDACTED] as well as the District Commander, [REDACTED]. Both of these members are aware of the cited officer's misconduct charges therefore they would be supervising him with a watchful eye. I give the comments provided by both of these individuals significant weight.

He has apparently made some strides in his work performance which in itself is mitigating.

The [REDACTED] staff view Constable [REDACTED] as an asset to the District and the Police Service. This bodes well for the cited officer as the police service sees him as a member who can be re-habilitated and who can contribute into the future. This is important as I also assess the potential of rehabilitation of the officer.

I also recognize that Constable [REDACTED] has pleaded guilty at an early stage in the hearing process. This could have been a difficult matter for the Presenting Officer to prove and would have been an involved hearing. Constable [REDACTED] has accepted responsibility for his actions and wishes to move forward. This is a factor that speaks in favour of the cited officer.

The last point to speak to as a mitigating factor is the length of time this matter has taken from the time of complaint, to this date has been four years. This is not attributable to the cited officer. His assignment to and from non-patrol duties during this period has had a financial impact. This is also a factor to be considered in mitigation.

The cited officer also asks me to consider the financial consequences that any penalty will have citing “financial hardship.”

Special economic hardship is a mitigating factor which is more frequently being argued but rarely applied. Anytime a penalty that has a financial consequence is imposed, that will have a financial impact; it is supposed to. The issue of financial hardship was discussed in the Amery Principles at 5.f and I apply those comments here. I do not find the submissions of the cited officer on this point to be sufficiently compelling to find it a significant mitigating factor.

Specific to penalty, I agree with both the Presenting Officer and Counsel for the cited officer that Constable [REDACTED] should be reduced in seniority in rank. The question is, to what level and for how long. As well, Constable [REDACTED] requires additional training in both the area of impaired driving investigations, and the investigation of domestic violence incidents.



The actions of Constable [REDACTED] as exhibited by the proven misconduct are not those that are expected of a Senior Constable Level I, or any police officer.

It is my view, Constable [REDACTED] has not earned or at this time deserves the pay level of Senior Constable Level I or even that of a 1st Class Constable. While I am aware that the only prerequisites to achieve the level of Senior Constable Level I are time as a 1st Class Constable as well as passing a written exam, it should still be expected that the police officers receiving both of these levels of compensation are knowledgeable of their duties and perform them according to expectations. This is certainly the expectation of the public police officers serve.

I must also give consideration to the issue of general deterrence. The cited officer indicated several aspects of his misconduct were accepted practices in his work area. This is troubling. Assessing anything less than a significant penalty would send a harmful message to other police officers concerning the behaviour in question. The actions of Constable [REDACTED] went far beyond the normal facts of a neglect of duty matter or that of an insubordination for failing to follow policy. His misconduct included deceitful acts in relation to the domestic conflict reports, and honesty and integrity issues relating to property handling. In this regard, the serious nature of these disciplinary offences requires that general deterrence be properly factored into the sentencing equation.

After an assessment of the facts, the circumstances of the cited officer along with the aggravating factors, I find that it would be appropriate that Constable [REDACTED] should be reduced in seniority within the rank a multi-level, and for multi-year period of time.

When I apply the mitigating factors that have been identified and discussed, I am able to temper the penalty somewhat.

ORDER

Counts one, four, five and six are withdrawn.

On count two, count three and count seven, I order a global penalty as follows:

Pursuant to s. 17(1)(d) of the *Police Service Regulation*, Constable [REDACTED] is to be reduced within the rank, from Senior Constable Level I, to Constable 1st Class for a period of two (2) years. After the two-year period, he is to be returned to Senior Constable Level I.

In addition, pursuant to s. 17(3) of the *PSR* I impose the following conditions on [REDACTED]

1. At the earliest opportunity, [REDACTED] is to register and successfully complete, the Impaired Driving Investigation Course (40 hour) offered by the CPS Chief Crowfoot Learning Centre. Due to COVID-19 restrictions, the required completion of the course will be extended to December 31, 2021.
2. [REDACTED] is directed to undergo training in "Domestic Violence Investigations" as determined appropriate by the CPS Human Resources Division. Due to COVID-19 restrictions, the required completion of the course will be extended to December 31, 2021.
3. For a period of two years, report to the CPS Human Resources Division, as directed by the CPS Human Resources Division, for the purpose of attending any tests, examinations, or reviews as they deem necessary.

Original Signed

Superintendent Paul Manuel (Ret'd)
Presiding Officer

Presenting Officer: Ms. Valerie Campbell
Counsel for the Cited Officer: Mr. Shasher Kothari

Issued at the City of Calgary, in the Province of Alberta, November 18th, 2020