



REPORT TO THE POLICE SERVICE BOARD

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Date of Report: 9/17/2024

Type of Report: Public

Title: Hearing Decision Notification Pursuant to Section 85(8)
of the Police Services Act

RECOMMENDATION:

That the Board receives for information, this summary of the Part V *Police Services Act* Hearing Decision for Staff Sergeant Pat Waters #690.

BACKGROUND/PURPOSE

Section 85(8) of the *Police Services Act*, R.S.O. 1990, as amended, states in part, that the Chief of Police shall promptly give written notice of any penalty imposed or action taken under subsection (1), (2), (3) or (7), with reasons, to the police officer who is the subject of the complaint and to the Board.

To comply with s. 85(8) of the *Police Services Act*, the following is submitted for the information of the Board.

Discussion:

Staff Sergeant Pat Waters #690 joined the Durham Regional Police Service (DRPS) in 1999 and is currently assigned to Strategic Planning. At the time of this incident, Staff Sergeant Waters had 22 years of service completed, and was assigned to the Traffic Services Unit.

Between January 2022, and November 23, 2022, Staff Sergeant Waters directly supervised a Sergeant in the Traffic Services Unit. Within the period from February 1, 2022, to November 23, 2022, Staff Sergeant Waters engaged in vexatious commentary and conduct toward the Sergeant that Staff Sergeant Waters ought reasonably to have known was unwelcome, including:

- a) Taking actions that eroded other members perception of the Sergeant's authority within the Traffic Services Unit.
- b) Making inappropriate comments about the Sergeant to subordinate members; and,

- c) Speaking with the Sergeant in an inappropriate manner on or about April 15, 2022, during a telephone conversation, while off duty. This included interrupting the Sergeant, speaking in an elevated voice, and otherwise engaging in a disrespectful and condescending manner.

The Sergeant was materially impacted by Staff Sergeant Waters' conduct and reported experiencing stress.

In November 2022, Staff Sergeant Waters taught a course at the Durham Regional Police Service Education and Training Centre.

During the course, Staff Sergeant Waters made inappropriate comments about another Staff Sergeant, who was a student in the course. On one occasion, Staff Sergeant Waters made contact with the Staff Sergeant's elbow in order to reposition their body to face a whiteboard, which was unwelcome.

The Staff Sergeant reported that Staff Sergeant Waters' conduct resulted in them becoming embarrassed and stressed.

Staff Sergeant Waters' conduct breached the Durham Regional Police Service Code of Professional Conduct (AO-09-010) and the Durham Regional Police Service Anti-Harassment and Violence Policy (HR-02-011).

On July 18, 2024, Hearing Officer Superintendent (Ret.) Greg Walton, accepted the guilty plea by Staff Sergeant Waters for one global count of Discreditable Conduct. Superintendent (Ret.) Walton imposed a penalty of 80 hours. He further ordered Staff Sergeant Waters to deliver written apologies to the Sergeant and Staff Sergeant for his conduct, and ordered Staff Sergeant Waters to participate in remedial training and a workplace restoration session.

Previous Police Services Act Convictions:

Professional Standards files have been reviewed to determine if Staff Sergeant Waters had any previous *Police Services Act* convictions in the past five years. The review determined the officer had no formal Part V *Police Services Act* convictions on file.

Report Approval Details

Document Title:	Hearing Decision Notification Pursuant to Section 85(8) of the Police Services Act - WATERS.docx
Attachments:	
Final Approval Date:	Sep 9, 2024

This report and all of its attachments were approved and signed as outlined below:

Chris Kirkpatrick



Peter MOREIRA