



REPORT TO THE POLICE SERVICE BOARD

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Date of Report: 11/14/2024

Type of Report: Public

Title: Discipline of Members

RECOMMENDED MOTION:

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

BOARD POLICY STATEMENT:

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

POLICY APPLICATION:

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

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

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

REPORTING:

In May and November each year, a report shall be prepared and presented to the Board that includes a summary of:

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

INTERPRETATION OF THE CHIEF OF POLICE:

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

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

DATA SUPPORT:

From April 30th, 2024 until October 31st, 2024, twenty (20) members were disciplined as a result of a *Police Services Act* (PSA) or *Community Safety and Policing Act* (CSPA) investigation.

Type of misconduct or unsatisfactory work performance

During the aforementioned period, the substantiated misconduct included one (1) count of Breach of Confidence, two (2) counts of Damage to Clothing or Equipment, five (5) counts of Discreditable Conduct, four (4) counts of Insubordination, seven (7) counts of Neglect of Duty, one (1) count of Unlawful or Unnecessary Exercise of Authority, two (2) counts of Conduct that Undermines Public Trust, one (1) count of Compliance with Laws-Guilty of Offence under Criminal Code, and three (3) counts of Codes of Conduct violations (Civilian). Those offences relate to eighteen (18) separate discipline investigations.

Division and/or Unit the Member was assigned to when the misconduct occurred

Two (2) members were assigned to North Division, one (1) member was assigned to Central East Division, Three (3) members were assigned to East Division, Two (2) members were assigned to Central West Division, four (4) members were assigned to West Division, one (1) member was assigned to Executive Staff, three (3) members were assigned to Field Support, one (1) member was assigned to Serious and Organized Crime, two (2) members were assigned to Operational Support, and one (1) member was assigned to Administrative Support.

The number and type of disciplinary measures imposed

Three (3) members received penalties that were resolved formally as a result of a PSA hearing process. As is required by section 85(8) of the PSA, notification to the Board is required when a penalty is imposed or actions are taken under section 85, subsections (1), (2), (3) or (7), and accordingly, all three investigations were reported to the Board.

The following were the penalties:

- 1) Forfeiture of 80 hours off, 2 Letters of Apology to two members and Remedial Training.

- 2) Demotion from First Class Constable to Second Class Constable for a period of 12 months from date of return to work.
- 3) Demotion from First Class Constable to Second Class Constable for a period of nine (9) months from date of return to work.

Fourteen (14) members received penalties that were resolved informally through the PSA or CSPA.

The following were the penalties:

- 1) Letter of Reprimand.
- 2) Letter of Reprimand.
- 3) Forfeiture of 12 hours pay.
- 4) Letter of Reprimand.
- 5) Forfeiture of 20 hours pay.
- 6) Forfeiture of 36 hours off to be completed 6 months after officer's return to work date.
- 7) Forfeiture of 40 hours off, Remedial Training at the ETC for Use of Force, Articulation in Report Writing and Review of Suspect Apprehension Pursuit directive.
- 8) Forfeiture of 24 hours pay and 26 hours off.
- 9) Forfeiture of 48 hours off. Officer shall not be entitled or permitted to apply or receive a lateral position or enter a promotional process for a period of two years.
- 10) Forfeiture of 24 hours pay.
- 11) Letter of Reprimand.
- 12) Forfeiture of 24 hours pay.
- 13) Forfeiture of 12 hours pay.
- 14) Forfeiture of 12 hours pay.

Three (3) members received penalties that were resolved informally by the Civilian Internal Disciplinary Process.

The following were the penalties:

- 1) Suspension (46 days).
- 2) Verbal Reprimand.
- 3) Verbal Reprimand.

DATA SUPPORT:

From April 30th, 2023, to October 31st, 2023, fifteen (15) members were disciplined compared to twenty (20) in 2024 during the same timeframe as a result of a *Police Services Act* (PSA) investigation.

Comparison to the same period of 2023

Five (5) members received penalties that were resolved formally as a result of a PSA hearing process. The following were the penalties:

- 1) One member from East Division received a Demotion from 1st Class Constable to 3rd Class Constable for 12 months, followed by the rank of 2nd Class Constable for a further 12 months. The member is to return to 1st Class Constable after a total Demotion of 24 months. Not eligible for promotion until back to 1st Class Constable.
- 2) One member from East Division received a forfeiture of 32 hours off.

- 3) One member from Central West Division received a forfeiture of 32 hours off.
- 4) One member from Central West Division received a forfeiture of 60 hours off.
- 5) One member from Central West Division received a forfeiture of 24 hours pay.

Eight (8) members received penalties that were resolved informally through the PSA. The following were the penalties:

- 1) One member from Central East Division received a forfeiture of 24 hours pay.
- 2) One member from West Division received a Letter of Reprimand and Training related to arrest authorities and note taking procedures.
- 3) One member from West Division received a forfeiture of 32 hours off and Training related to Respectful Communications at Work.
- 4) One member from East Division received a forfeiture of 24 hours pay.
- 5) One member from Serious and Organized Crime received a Letter of Reprimand.
- 6) One member from East Division received a forfeiture of 36 hours off.
- 7) One member from East Division received a forfeiture of 24 hours pay.
- 8) One member from East Division received a forfeiture of 24 hours pay.

Two (2) members received penalties that were resolved informally by the Civilian Internal Disciplinary Process. The following were the penalties:

- 1) One member from Administrative Support received a two (2) day suspension.
- 2) One member from Operational Support received a one (1) day suspension.

In reviewing the disciplinary dispositions for the same period of time in 2023 and 2024, there are no discernible patterns related to members or work locations.

Report Approval Details

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

Chris Kirkpatrick



Peter MOREIRA