

LETHBRIDGE POLICE SERVICE

Professional Standards Unit



2020

Annual Report

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Background

The ***Police Act*** and ***Police Service Regulation*** provide legislation with respect to law enforcement activities in Alberta.

The legislation allows for investigation into complaints against the policies and services provided by a police service, or the conduct of an officer. The ***Police Act*** and ***Police Service Regulation*** describe the disciplinary process to ensure transparency and consistency throughout the Province of Alberta.

This report will address 2020 complaint statistics for the Lethbridge Police Service as well as non-punitive counselling's. The annual report will also speak to matters which were initiated in 2018 and 2019 which were concluded in 2020.

Public Complaint Investigations

A citizen complaint regarding the actions of a police officer, policies or services provided by the Lethbridge Police Service fall under this category. All public complaints are forwarded to the Chief of Police for direction.

As a member of the Lethbridge Police Commission, the Public Complaint Director shall receive complaints against police officers from the public and refer them to the Chief of Police.

Any member of the public may contact the Public Complaint Director via email or cell phone.

Public Complaint Director – Rob Van Spronsen

Email: publiccomplaintdirector.lpc@gmail.com

Cell: 403-308-6709 (**Please note this number is not monitored 24/7**).

When a complaint is in regard to the policies of, or services provided by the police service, the Chief of Police may take whatever action he feels is appropriate or refer the matter to the Lethbridge Police Commission.

- In in 2018, 2019 and 2020 there were no policy complaints.
- In 2017 there was **one** policy complaint.

When the complaint or allegations involve the actions of a police officer, the Chief of Police shall have the complaint investigated. At the conclusion of the investigation the Chief of Police performs a reviewing role and is required to determine if there is "*enough evidence before the Chief that, if believed, could lead a reasonable and properly instructed person to convict the police officer at a disciplinary hearing.*"¹ If so, the Chief should direct that a disciplinary hearing be conducted, unless the matter is deemed to be of a "not serious" nature. Any time before or during an investigation, if the complainant and the subject officer consent, the Chief of Police may attempt to resolve the complaint informally (i.e. agreeable explanation, apology, supervisor intervention, or mediation).

In 2020, the Chief of Police directed an investigation with respect to **seven (7) public**

¹ Land v Law Enforcement Review Board, 2013 ABCA 435

complaints. It is important to note each investigation can include one or more allegation of misconduct, and in some instances include allegations against more than one officer. The total number of public complaints and dispositions are reflected in Table 1. The numbers in Table 1 will not add up for each year as a complaint may not be disposed of in the same calendar year it was received in.

Table 1

Public Complaints	2018	2019	2020
Total	7	1	7

Dispositions	2018	2019	2020
Not Sustained (No Reasonable Prospect of Establishing the Facts - LERB)	5	0	0
Sustained / Sustained in part	3	0	0
Still Under Investigation / Pending Disposition	2	1	7
Dismissed (s.19(1)(a) PSR) / Loss of Jurisdiction	0	0	0
Resolved Informally / ADR	0	0	0
Complaint Withdrawn	1	0	0
Actions Taken			
Supervisor Intervention / Counselling	3	3	0
Official Warning	0	0	0
Forfeiture of hours	0	0	0
Suspension	0	0	0
Reduction in Rank / Class	0	0	0
Resign in Lieu of Termination	0	0	0
Termination	0	0	0

Service Investigations

A complaint involving the conduct or performance of a police officer brought to the attention of the Chief of Police through internal avenues falls under this category. Service Investigations are conducted and disposed of in the same manner as Public Complaints. In fact, the Police Act no longer differentiates between the two.

In 2020, the Chief of Police directed **five (5) service investigations**. It is important to note each investigation can include one or more allegations of misconduct and in some instances involve more than one officer.

The total number of complaints, allegations, and dispositions are reflected in Table 2 The numbers in Table 2 will not add up for each year as a complaint may not be disposed of in the same calendar year it was received in.

Table 2

Service Investigations	2018	2019	2020
Total	7	5	5

Dispositions	2018	2019	2020
Not Sustained (No Reasonable Prospect of Establishing the Facts)	0	0	0
Sustained / Sustained in part	0	2	1
Still Under Investigation / Pending Disposition	6	3	4
Dismissed / Loss of Jurisdiction	1	0	0
Resolved Informally / ADR	0	0	0
Complaint Withdrawn	0	0	0
Actions Taken			
Supervisor Intervention / Counselling	0	0	0
Official Warning	0	2	1
Forfeiture of hours	0	1	0
Suspension	0	0	0
Reduction in Rank / Class	0	0	2
Resign in Lieu of Termination	0	0	0
Termination	0	0	0

Statutory Investigations

In 2020, there was one instance where a Criminal Code charge was laid against an officer; the charge was later withdrawn by the Crown.

Alberta Serious Incident Response Team (ASIRT)

The Alberta Serious Incident Response Team (ASIRT) has jurisdiction over all sworn police officers in Alberta. Their mandate is to investigate incidents or complaints involving serious injury or the death of any person, and matters of a serious or sensitive nature which may have resulted from the actions of a police officer. ASIRT investigations are assigned by the Director of Law Enforcement.

ASIRT maintained carriage of 5 investigations related to the Lethbridge Police Service in 2020.

Counselling / Citizen Contact

Section 6 of the ***Police Service Regulation*** provides for the issuance of a counselling by a supervisor where the actions of the officer are “*not of a sufficient nature*” to require a professional standards investigation. Counselling’s are utilized by an officer’s supervisor as a means to provide preventive measures and/or apply corrective action that focuses on personal development and performance improvement through coaching and mentoring. Counselling’s are used by an officer’s supervisor to assist with the officer’s annual performance review.

A Citizen Contact is an initial contact that may be either verbal or written, between a member of the public and the Police Service or Police Commission. A Citizen Contact may be used to

document complaints, concerns or a matter that is strictly inquiry or assistance-based. Citizen Contacts are usually resolved to the citizen's satisfaction by a frontline supervisor. It is important to note that with many Citizen Contacts the involved supervisor determines the actions of the officer are appropriate.

In 2020, **59 citizen concerns** were resolved and recorded by way of Citizen Contact. In 2020, there were **11 documented counselling's** issued by a supervisor.

By comparison, in 2019, **55 citizen concerns** were resolved and recorded by way of Citizen Contact and there were **20 documented counsellings** issued by a supervisor.

Law Enforcement Review Board Appeals

The Law Enforcement Review Board (LERB) is an independent quasi-judicial tribunal established under the **Police Act**. The principal activity of the board is to hear appeals from citizens who have complained about a police officer's actions and are not satisfied with the disposition of their complaint. Police officers who have been the subject of discipline arising out of a complaint and who themselves feel aggrieved with the decision of the Chief of Police may also appeal to the Board. The Board provides a civilian oversight role for both citizens and police officers separate and apart from the police service involved. The principal objective of the Board is to act as an independent and impartial reviewer.

There were **five (5)** known LERB appeals initiated in 2020 related to 2018 occurrences.

Bias-Based Profiling

Lethbridge Police Service (LPS) Policy requires an annual review of bias-based profiling practices.

Policy defines "bias-based profiling as the selection of individuals based solely on a common trait of a group. This includes but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable groups."

In Alberta, we refer to section 5(2)(e)(vii) of the **Police Service Regulation**, which defines "discreditable conduct" as "differentially applying the law or exercising authority on the basis of race, colour, religion, sex, physical disability, mental disability, marital status, age, ancestry or place of origin."

In 2020 there were **no complaints** of bias-based policing.

In 2019, there was **one (1) allegation** of bias which was dealt with as a **Citizen Contact**. The report was related to the amount of time it was taking to investigate a complaint of sexual assault involving an aboriginal female. The matter was concluded at the supervisory level. It was determined the subject officer was overdue in many of his diary dates and there was nothing to state there was any form of bias.

In 2018, there was **one (1) allegation** of bias which was dealt with as a **Citizen Contact**. In that instance, the complainant refused to follow through with a formal complaint and the incident was handled at the supervisory level.

Biased Based Policing Complaints	2017	2018	2019	2020
Total	1	0	0	0
A result of - Traffic Contacts	0	0	0	0
A result of - Field Contacts	1	0	0	0

Training on the LPS policy covering bias-based policing is conducted on an annual basis. The policy updates are disseminated to all LPS officers through Power DMS.

Additional bias-based policing training in 2020 included:

- Bias Free Policy Review for police and community peace officers.
- Diversity Training 101.
- Walk With Me – Transgender Training video.

Bias Based Profiling Annual Review

Upon conducting a review of LPS practices and bias based policing allegations (including complaints, citizen contacts and corrective measures taken), there are no requirements needed in relation to policy, additional training, equipment nor disciplinary issues.

Compliments

Compliments initiated by citizens, community partners and employees are documented and shared with all employees on a monthly basis.

In 2020, LPS received a total of **109 compliments**. In 2019, LPS received a total of **101 compliments**.

Conclusion

With exception of the lower numbers of documented Counsellings during this reporting year, the overall statistics remain fairly consistent for the last three years. (Table 3)

Table 3

Statistical Overview	2017	2018	2019	2020
Compliments	85	94	101	109
Citizen Contact	50	38	55	59
Public Complaint Investigations	15	7	1	7
Service Investigations	2	7	5	5
Counselling	5	25	20	11
Biased Based Profiling (Allegations)	1	0	0	0
Law Enforcement Review Board Appeals	2	1	0	5
Alberta Serious Incident Response Team Investigations	1	3	5	5