



2021

**CALGARY POLICE
SERVICE**

**PROFESSIONAL
STANDARDS SECTION
ANNUAL REPORT**

Accountability, Transparency, & Integrity
2022-04-22



2021 PSS Annual Report

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Executive Summary

2021 continued to be affected by the pandemic and continued to provide challenges for society and policing. With these challenges present, the Calgary Police Service Professional Standards Section (PSS) made adjustments to continually improve its processes, including:

- District Commanders attend weekly meetings with PSS and the Executive Leadership Team (ELT) for increased collaboration when discussing final PSS file allegation dispositions.
- Continuing to educate front line officers about PSS processes, identifying common pit falls and frequent areas of citizen concern.
- Increased Civilian Investigators
- Developed a civilian Quality Assurance Team
- Began updating the external PSS website to make the complaint process clearer and more user friendly.

A full in-depth analysis of the trends for the past year are provided in the pages that follow. They are best summarized by highlighting:

- A modest increase, year-over-year comparison, in complaints and compliments.
- A notable increase (36% vs. the 5-year average) in complaint file closures and the resolution of minor conduct concerns.

And while the pandemic continued, PSS has set goals to increase the following outcomes, and to develop indicators to assess and communicate our progress:

- Enhance public trust and confidence in the Service and its officers by adding some civilian investigators to our current sworn detective staff.
- Implemented equity, diversity, and inclusion data collection to be applied to the PSS Intake policy and process.

The Professional Standards Section

Introduction

The Calgary Police Service (CPS) is committed to ensuring its officers serve their community in a safe, professional, and respectful manner. PSS responds to concerns and receives compliments about officer actions and interactions. PSS reports directly to the Chief of Police. PSS:

- Receives, investigates, and resolves citizen complaints about
 - Interactions with CPS officers.
 - CPS policies and services.
- Investigates complaints about officers' actions started by the Chief (CPS complaints) when he learns of possible breaches of the Police Service Regulation (PSR).
- Receives and acknowledges compliments about CPS officers and their actions.
- Provides officers and their supervisors with those compliments.
- Alerts the Minister responsible for the Alberta Serious Incident Response Team (ASIRT) when there has been:
 - A serious injury to or death of a person which may have resulted from police action.
 - Allegations of police actions of a serious or sensitive nature.
- Consults the Alberta Crown Prosecution Service (the Crown) about criminal charges when a CPS officer may have acted contrary to the Criminal Code.

The public expects prompt, professional, and lawful action by CPS officers. PSS values its role in meeting these expectations and strives to do so by:

- Listening carefully to all those who have concerns, complaints, and compliments about the actions of a police officer and CPS policies and services.
- Exploring whether citizen contacts can be resolved informally, resolving them when possible.
- Focusing and identifying learning opportunities where possible.
- Helping complainants make a complaint under the Police Act (the Act) if they want their matter investigated.
- Thoroughly investigating citizen and CPS complaints.
- Resolving citizen contacts and complaints efficiently, effectively, and in a transparent manner.
- Educating the Calgary Police Commission (CPC), CPS officers, and the public about its role, processes, and outcomes.
- Reporting on formal discipline resolution statistics and related trends affecting officer conduct.

PSS and the Calgary Police Commission

The CPC is a diverse group of citizen volunteers appointed by Calgary City Council who provide independent civilian oversight and governance of the CPS to ensure a safe community. The 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 CPS. The Commission's Complaint Oversight Committee and the Public Complaint Director work closely with PSS to track trends and oversee investigations to ensure complaints are dealt with in accordance with law and policy and are processed in a fair, transparent, and efficient manner.

2021 Successes

In 2021, PSS worked diligently to improve its processes to resolve complaints efficiently and effectively, share this information with stakeholders, and better support frontline officers and PSS staff.

PSS has developed a Quality Assurance Unit which is embedded into every process in PSS to ensure internal oversight of file timelines including those that are considered to be high risk or have a criminal component. This has assisted Detectives with file progression management and ensuring technical process aspects of PSS investigations are captured and tracked.

PSS leadership has also increased access to File Review meetings with the Chief and ELT providing opportunities for District Commanders, Detectives, Civilian Investigators, and Quality Assurance Team members to participate in discussion directly with CPS executive during final disposition decisions.

To increase equity, diversity and inclusion, PSS began collecting race-based data and report on this information monthly.

PSS meets regularly with the Employee Advisory Committee, a collaborative committee involving PSS, Human Resources and Return to Work

Weekly PSS decision updates are posted on the CPS internal website for increased transparency.

2021 Trends

Although the number of complaints increased in 2021, the number of complaints ordered to a disciplinary hearing continued to decline, 33% compared to 2020. This means the increased number of investigations – and scrutiny of officer actions – did not result in additional serious sustained discipline. This is good news for Calgarians, officers and CPS.

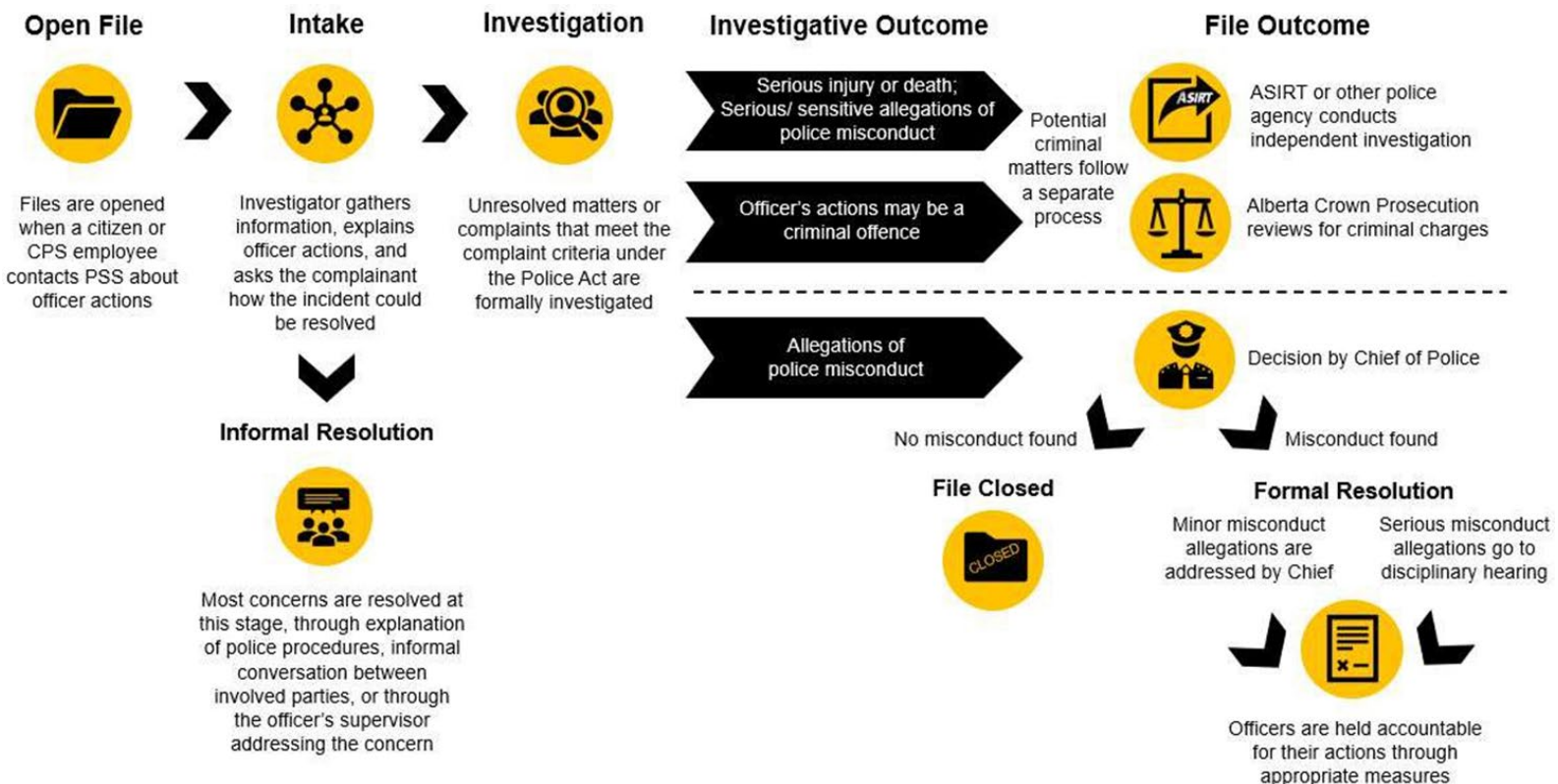
PSS closed 424 files in 2021, up from 348 in 2020. This increase was attained as PSS staff achieved authorized strength amongst all teams, the addition of some Civilian Investigators and a Quality Assurance Team. With refined and streamlined processes a 36% increase was achieved in file closures over the 5-year average.

Despite increased file caseloads in 2021, PSS continues to address the backlog of aging files. There was a 16% increase in file closures within 2yrs in 2021 compared to 2020.

The Complaint Process

Police officer performance and accountability are governed by the Police Act and PSR. The Act sets out the requirements for a valid complaint. PSS opens files when it receives information from a citizen or when asked by the Chief or his designate to investigate any perceived misconduct, including PSR breaches and criminal acts. Figure 1 shows the steps PSS takes after it opens a file.

Figure 1: PSS Complaint Process



2021 CPS and Our Community

The Calgary Police Service	City of Calgary ¹
Total Authorized Strength: 2873	City Population: 1,306,784
Sworn Authorized Strength: 2113	Officers per 1,000 Population: 1.62
Civilian Authorized Strength: 760	

2021 Results

CPS responded to 555,584 calls for service in 2021.² These interactions with Calgarians generated 1,434 files, 374 of which were formal complaints. That means 0.07% of all calls for service gave rise to a complaint.³

CPS members have more interactions with citizens than are reported. Examples: Community Resource officer(s) attending events, investigative follow-up and routine patrol duties may not be included as a Call for Service. It is important to realize that as a result, the number of complaints received does not take into consideration the number of citizen-police interactions that take place.

This report focuses primarily on formal complaints that are filed with PSS. Citizen contacts may turn into a complaint, and depending on the severity of the allegation, these complaint files may be turned over to ASIRT, RCMP, or the Crown before the file can be closed by PSS. File types are described in the following table.

File Type	Complainant	Definition	# Opened in 2021
Contacts	Any citizen	Citizen concern or question that does not meet the requirements of a formal complaint	977
Citizen Complaint	Citizen (including CPS officers)	Formal allegations of police misconduct	331
CPS Complaint	Chief of Police	Internal allegation of police misconduct	43
46.1 Files	None. This is a statutory mechanism that flags cases for independent review by an external police agency	Serious injury/death; sensitive allegations of police misconduct	49
Criminal Files	Citizen, Chief of Police	Criminal offences	34
Compliments	Citizen (including CPS officers)	Positive feedback from the public	324

¹ Statistics Canada. 2022. (table). Census Profile. 2021 Census. Statistics Canada Catalogue no. 98-316-X2021001. Ottawa. Released February 9, 2022. [Census Profile, 2021 Census of Population \(statcan.gc.ca\)](https://www150.statcan.gc.ca/n1/pub/98-316-x2021001/00001-eng.htm)

² This included public and police generated calls for service and traffic events.

³ Complainants have up to one year to file a complaint. Complaints filed in 2021 may have resulted from interactions in 2020

Understanding 46.1 & criminal (statutory) files

Section 46.1(1) of the Act requires the Chief to notify the CPC and the Minister about any incidents involving serious injury or death that may have resulted from the actions of a police officer or any other serious or sensitive matters related to the actions of a police officer.

Upon receiving notification, the Director of Law Enforcement (the Minister’s delegate) determines whether the incident falls within ASIRT’s mandate. Incidents outside ASIRT’s scope are returned to CPS to conclude.

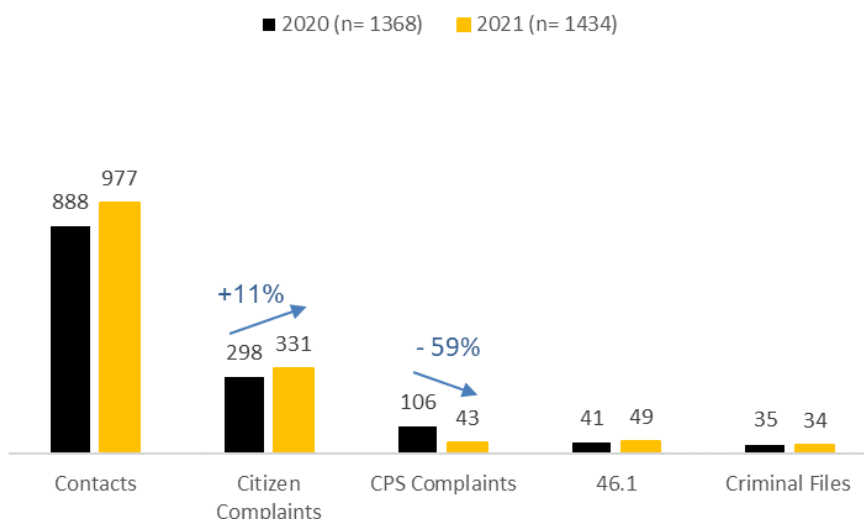
Criminal investigations (referred to as statutory files) are investigated under the Criminal Code, not the Act, and may result in criminal charges against officers. When PSS initiates a criminal investigation, elements of the related PSR must be paused until the criminal matter is concluded. Criminal matters may require 46.1 notifications. Whether the criminal matter is investigated by the CPS, ASIRT or another agency, the time required to complete and conclude criminal matters in the Alberta courts adds to the global timelines of the related PSR investigations. CPS welcomes the oversight of its files by these external agencies.

File caseload

PSS opened 63 more files in 2021 than in 2020 – a 7% increase, largely driven by increases in citizen complaints. Compared to historical data, the 2021 file caseload is slightly higher than the 5-year average at 1,341.⁵



PSS Files Opened



⁵ Historical data can be found in the Appendix

2020 was an anomaly of a year regarding CPS Complaints process, which has affected the results in 2021. 2021 shows a 59% decrease in CPS complaints compared to 2020 due to the fact that 32% of the CPS complaints in 2020 were initiated based on 2019 incidents.

Nature of complaints

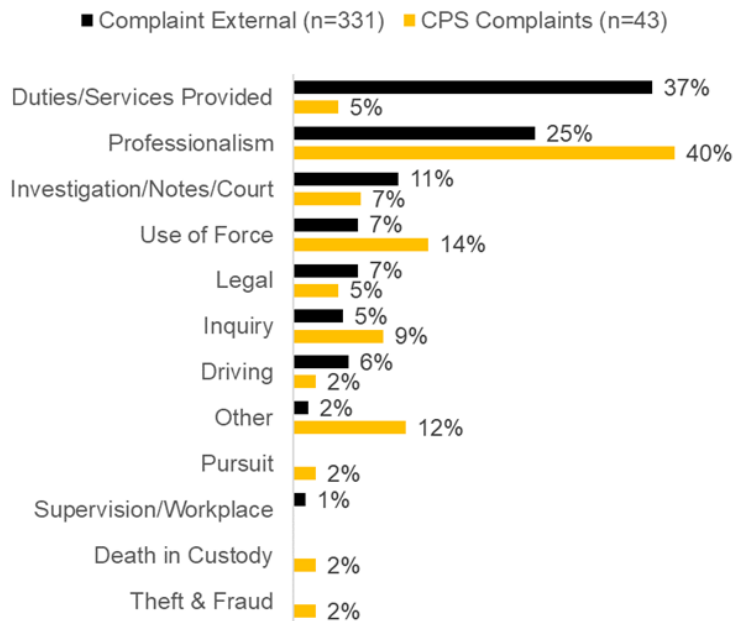
The duties/services provided by officers was the most common complaint by citizens in 2021 (37% of complaints).



- 24% of citizen complaints focused on the professionalism of officers (e.g., inappropriate police response or dissatisfaction with a ticket/charge)
- 11% alleged deficient or negligent officer investigations. Citizens also complained about use of force, and legal issues, such as freedom of information, and the lawful presence of officers.

There was a wide range of classifications for CPS complaints. Like citizen complaints, the most common reason CPS investigated its officers was for professionalism. Improper use of force accounted for 12% of files opened by CPS and the remaining 48% of files arose from workplace issues, misuse of police information systems, negligent investigation, inappropriate police response, and serious matters referred to ASIRT.

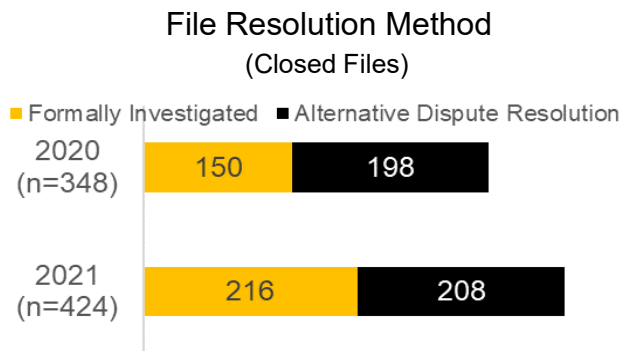
Complaint File Theme
(Files opened in 2021)



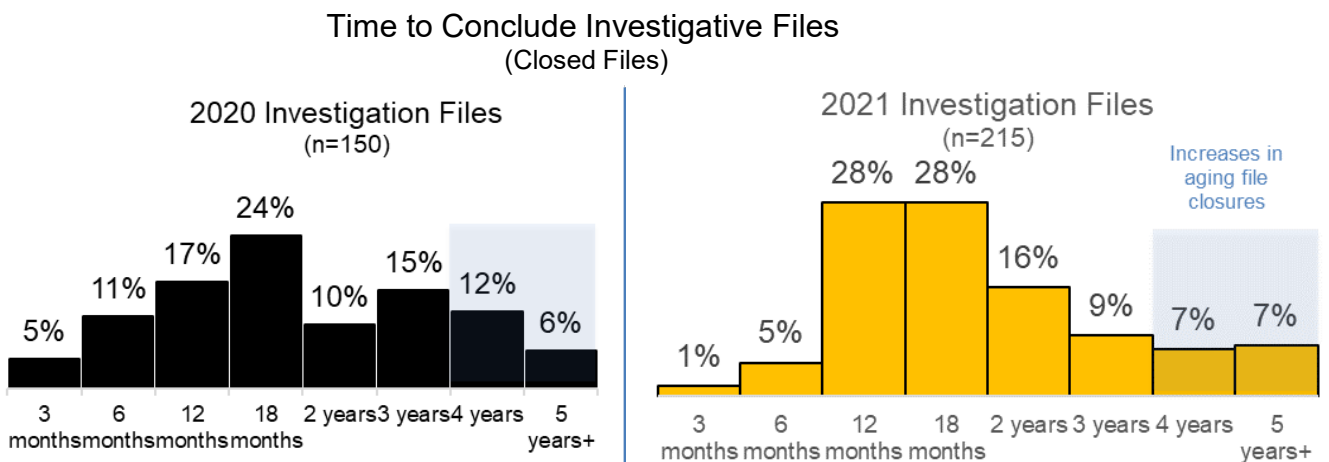
Regardless of the complaint’s origin, each complaint follows the same investigative and resolution process. For the remainder of this report, these complaints will be combined into a single complaint category.

Complaint resolution

PSS closed 424 complaints in 2021, up 22% from 348 complaints in 2020. Of the 424 complaints, 216 files were formally investigated (up 70% from the 5-year average). 208 were resolved by PSS personnel through alternative dispute resolution (ADR) (up 4% from the 5-year average). ADR is a resolution through an informal or facilitate discussion, or supervisor intervention.



PSS closed more complaints in 2021 than in 2020 and closed more investigative files, many of which were aging files. Compared to 2020, a 16% increase was noted in the timeframe closure of files within 2 years. (e.g., 78% of files concluded within 2 years in 2021 and 67% in 2020). However, PSS closed more aging files in 2021, closing 14% of investigative files that had been open four years or longer. Despite increased file caseloads in 2021, PSS continues to address the backlog of aging files.



Understanding file aging

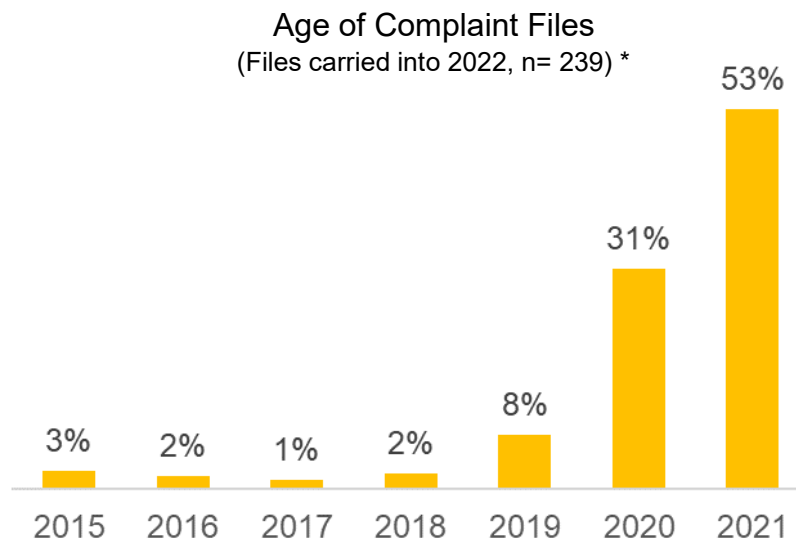
In most cases, files that have been open for 18 months or longer involve complex incidents. These files can involve many officers and allegations, with difficult factual and legal issues.

Each file has a specific story explaining its investigative length. PSS is required to report these cases to the CPC every six months to demonstrate continued progress and obtain their approval to continue investigating. In many cases, the file is awaiting investigation results from another agency such as ASIRT or the RCMP (e.g., 14 new files were sent to other agencies in 2021). Other cases are criminal matters working their way through the justice system as discussed above (e.g., 34 new criminal files in 2021).

Complaint Aging

Of the 239 complaint files carried into 2021, 53% were opened in 2021.

- 31% were opened in 2020
- 8% in 2019
- 2% in 2018
- 1% in 2017
- 2% in 2016
- 3% opened in 2015 or earlier



*Age of files as of December 31, 2021

Complaint outcomes

Complaint outcomes are determined by the severity of the alleged misconduct, investigative requirements, and formal investigation results. When PSS concludes its investigation, it recommends an outcome for the Chief's consideration. Complaints may be resolved informally or addressed by accountability measures imposed by the Chief. Some complaints are adjudicated in a disciplinary hearing.



- **Resolved informally:** Alternative dispute resolution is offered as an option to address the issue instead of conducting a formal investigation. These files are resolved through an informal or facilitated discussion, or supervisor intervention. Informal resolutions allow complainants to have their concerns efficiently addressed, while providing officers with the necessary feedback, training, and direction to improve future actions.
- **Sustained without a hearing:** After a formal investigation, evidence was found to support less serious misconduct allegations (this can be for all allegations or for specific allegations). This means that the officer's alleged misconduct has been proven and the Chief will hold the officer accountable for those actions without the need for a hearing.
- **Sustained with a hearing:** After a formal investigation into more serious misconduct allegations, if sustained, the case will go to a disciplinary hearing where evidence is presented by a representative (chosen by the Chief) to a retired senior officer or judge appointed by the Chief in accordance with the Act. These disciplinary hearings are open to the public and decisions are published by CPS following their release.⁶ When evidence is found to support all or some of the allegations, the presiding officer will impose a penalty on the officer.
- **Not sustained:** Insufficient evidence was found to support the allegations and the officer is found not to have engaged in misconduct. This can be determined with or without a hearing, depending on the severity of the allegation.
- **Dismissed:** The complaint does not meet requirements for further action as defined by the Act or PSR. For example, complaints may have passed the 1-year timeframe or the officer under investigation has retired or resigned. Files may be dismissed with or without a hearing, depending on the severity of the allegation.
- **Withdrawn:** The complainant (citizen or CPS) decides to retract or close the complaint at any time during the process. Citizens may withdraw their complaints because their concerns have been satisfied

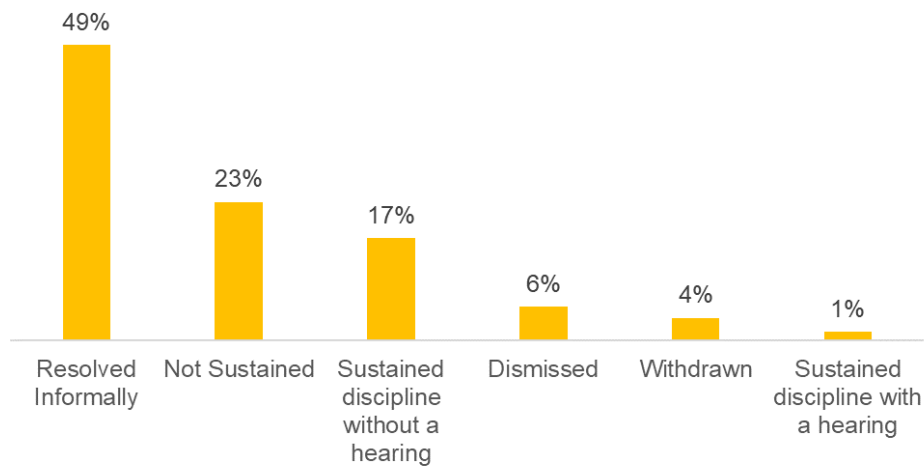
⁶ Specific details for each complaint and sustained allegations are published online at <https://www.calgary.ca/cps/public-services/community-accountability/formal-discipline-.html>.

(perhaps in a different forum), they have moved out of the province, or they are no longer interested in this process.

Of the 424 complaints closed in 2021, 49% were resolved informally with complainant agreement, most through discussion or supervisor intervention. 17% of complaints were closed with minor sustained discipline (e.g., without a hearing) and 1% were closed with more serious sustained discipline (e.g., with a hearing).⁷

In 81% of complaints, the allegations were not sustained. 6% of complaints were dismissed, most due to officer retirement/resignation: when an officer leaves CPS, CPS no longer has jurisdiction to seek to hold him or her accountable for any alleged misconduct. Finally, 4% of complaints were withdrawn.

Complaint Outcomes
(Closed files, n=424)



⁷ Officers may have been found to have engaged in the misconduct alleged in one or more allegations.

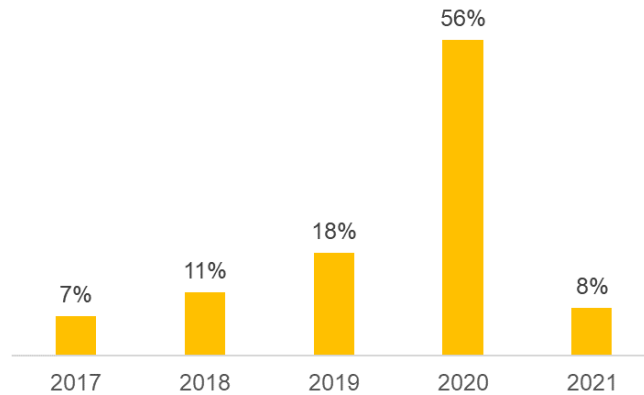
Accountability for sustained allegations



Complaints resolved without a hearing

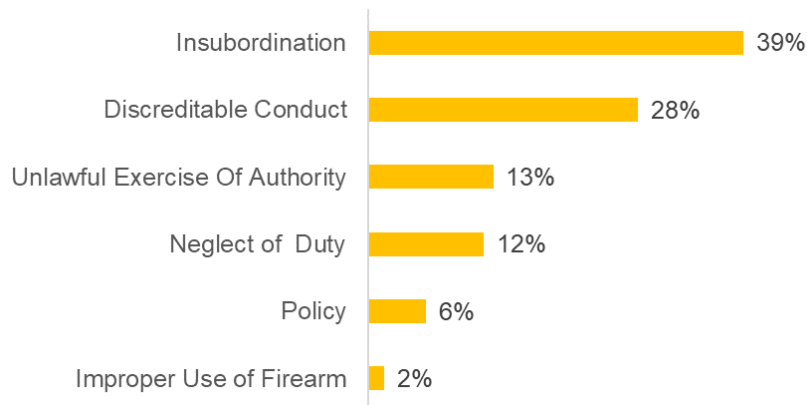
In 2021, 72 complaints were concluded by the Chief without a hearing.

Minor Complaint Year Received
(n=72)



These files involved 66 officers and 163 sustained allegations. Each file can have multiple officers with multiple allegations. The minor allegations that were sustained are distributed as follows:

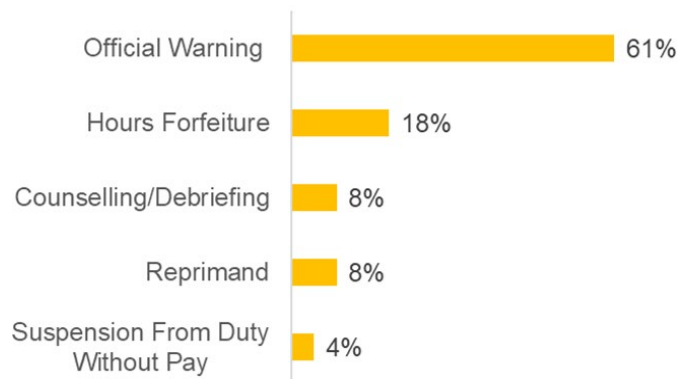
Allegations – Minor Complaints
(n=163)



Insubordination is an officer’s failure to follow a CPS rule, policy, or order. An officer who does not activate his or her body worn camera or in car digital video can be insubordinate. Discreditable conduct reflects poorly on the CPS, for example, being unprofessional while on duty. An officer neglects duty by failing to complete required duties such as conducting thorough investigations and submitting reports.

Officers are held accountable for their actions through various penalties, depending on the severity of the conduct.⁸ Common penalties in 2021 included official warnings (61% of all actions) and forfeitures of overtime hours (18%). Officers were also reprimanded and suspended temporarily from duty without pay.

Penalties – Minor Complaints (n=71)



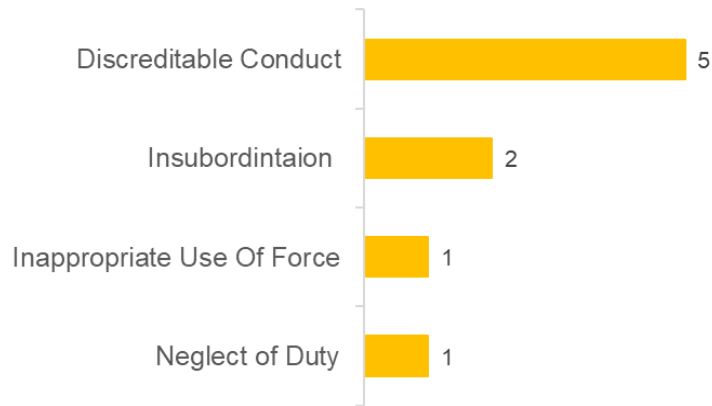
An official warning is a less serious warning which is added to the officer's personnel file. A reprimand is a more serious penalty which is also added to the personnel file. An officer forfeits overtime by removing up to 40 saved overtime hours from his or her overtime bank. An officer is suspended from duty by being required to stay home without pay for up to 80 hours.

Complaints resolved through hearing

In 2021, 6 complaints were concluded in a disciplinary hearing. These files involved 6 officers and 9 sustained allegations, including 5 allegations of discreditable conduct and 2 of insubordination. The number of complaints concluded at hearing in 2021 (6) saw a slight reduction compared to 2020 (9). The decisions made by the Presiding Officers in each of these hearings are available on the CPS website, another reflection of CPS' commitment to transparency and accountability.

⁸ Penalties are counted per officer per allegation, and some are applied globally per file. Penalty counts therefore, are not the same as counts of files, allegations or officers involved.

Allegations – Serious Complaints
(n=9)



Penalties for the above allegations included forfeiture of overtime hours, reduction of seniority within rank, suspension from duty without pay, and remedial training. These penalties, except remedial training, impact officers financially and may affect their career advancement. Penalties may also result in additional attention and support by a supervisor to help support behavior change by the officer.

Penalties – Serious Complaints
(n=9)



Compliments

CPS members, both sworn and civilian, regularly receive compliments and positive feedback from the public. In 2021, PSS received 324 compliments, a slight decrease compared to 327 compliments received in 2020. Those complimenting praised specific officers, units/teams, or CPS in general.

The complimented officers and their supervisors are told the details of the compliment. The Chief is briefed each week on compliments received and each month the CPC receives a report of the compliment and complimented officer.

Compliments range from citizens thanking officers for the everyday things they do on and off the job, to supporting citizens during specific incidents of trauma and crisis. Citizens appreciated that officers were professional, compassionate, kind, prompt, and thorough in their interactions or investigations.

Citizens thanked CPS members for the work they do in responding to calls, proactive policing, and providing mentorship, leadership, and information to the community. Many citizens also wanted to convey their support of the police during the changing social and political issues around policing.

Following a residential Break & Enter at a citizen's residence: "most professional, patient and compassionate. We are very proud of the services we receive from the CPS."

Thanking the CPS for their compassion, generosity and for making a difference.

Expressing gratitude towards all police officers who work tirelessly to serve and protect.

"Your organization have kindled our faith again and we hope this is just the beginning of the healing process."

Citizen appreciates the Calgary Police Service "for all you do for the City of Calgary"



After a Community meeting: "I sincerely appreciate and admire your openness and willingness to receive feedback and input from community members like myself."

Looking ahead to 2022

PSS is committed to the timely resolution of complaints and will use alternative dispute resolution options wherever appropriate. PSS will continue to work with the Chief and executive leadership team to improve the efficiency and effectiveness of these processes.

PSS will also continue to educate officers about PSS process and the consequences of alleged misconduct. PSS will seek to intervene early and often when made aware of less serious conduct to help officers change behavior. It does so by empowering the districts to address their officers' performance issues before they rise to the level of requiring discipline. PSS is also working with the Employee Advisory Committee, a collaborative committee involving PSS, Human Resources and Return to Work, to achieve this goal.

PSS is dedicated to achieving the following goals:

1. Increase Professionalism and Accountability

- The CPS will continue to improve and modernize the complaints process and increase transparency regarding its processes and interactions with citizens.
- Collaborate with District Commanders to facilitate informed decisions and provide follow-up to mitigate future occurrences.

2. Increase use of Alternative Dispute Resolution

- Seek growth in positional expertise specific to Alternative Dispute Resolution and work to build capacity in this area

In 2022 PSS will also develop indicators to assess and communicate the progress made towards its goals. It will continue to track the:

- Percent of formal PSS investigations open and closed within 12 months.
- Number of officer compliments received.
- Percent of citizen complaints processed to resolution or advanced to investigations within 60 days.
- Percent of citizen complaints from racialized populations.

If you or anyone you know has a complaint or compliment, please call 403-428-5904 or e-mail pss@calgarypolice.ca. You may also contact the Public Complaint Director at the CPC at 403-428-8914 or cpcpcd@calgarypolicecommission.ca.

Appendix: Historical data

Files Opened

	2016	2017	2018	2019	2020	2021	5yr avg	2021 vs 5yr avg	2016-2021 Trendline
Total Files Opened**	1502	1269	1341	1224	1368	1431	1341	7%	
Contacts	1088	909	958	831	888	976	935	4%	
Citizen Complaints	286	226	262	262	298	331	278	19%	
CPS Complaints	33	69	36	60	106	43	61	-29%	
46.1 Files*	-	-	-	35	41	47	38	24%	
Criminal Files	45	33	45	36	35	34	39	13%	
Compliments	375	359	337	305	326	324	340	-5%	

*Documenting 46.1 incident types changed in 2019 and is not available for 2016-2018

**Total files Opened does not include Compliments

- ◆ Highest value in 6-year period
- ◆ Lowest value in 6-year period

Closed Complaints

	2016	2017	2018	2019	2020	2021	5yr avg	2021 vs 5yr avg	2016-2021 Trendline
Total Complaints Closed	359	257	297	292	348	424	311	36%	
Citizen Complaints	323	227	255	253	277	329	267	23%	
CPS Complaints	36	30	42	40	71	95	44	114%	

Complaint Resolution Method & Time to Conclude Files

	2016	2017	2018	2019	2020	2021	5yr avg	2021 vs 5yr avg	2016-2021 Trendline
Total Complaints Closed	359	257	297	292	348	424	311	36%	
Formally Investigated	132	117	119	115	150	216	127	70%	
Average # of Days to Resolve	613	606	585	547	658	555	602	-8%	
Alternative Dispute Resolution	227	140	178	178	198	208	184	13%	
Average # of Days to Resolve	42	35	29	33	32	47	34	38%	

- ◆ Highest value in 6-year period
- ◆ Lowest value in 6-year period

Complaint Outcomes

	2016	2017	2018	2019	2020	2021	5yr avg	2021 vs 5yr avg	2016-2021 Trendline
Total Complaints Closed	359	257	297	292	348	424	311	36%	
Resolved Informally	224	139	171	173	194	208	180	16%	
Sustained without a Hearing	36	27	23	23	38	71	29	145%	
Sustained with a Hearing	3	5	6	9	9	7	6	16%	
Not Sustained	55	70	55	41	51	98	54	81%	
Dismissed	22	9	22	18	48	24	24	0%	
Withdrawn	19	7	20	28	8	16	16	0%	

Compliments

	2016	2017	2018	2019	2020	2021	5yr avg	2021 vs 5yr avg	2016-2021 Trendline
Compliments	376	363	338	305	327	324	342	-5%	

- ◆ Highest value in 6-year period
- ◆ Lowest value in 6-year period