



# 2006 Annual Report

**Office of the Police Complaints Commissioner**  
on behalf of  
**Nova Scotia Police Review Board**



**NOVA SCOTIA**



March 11, 2009

The Honourable Cecil P. Clarke  
Minister of Justice  
4th Floor, 5151 Terminal Road  
P.O. Box 7  
Halifax, NS B3J 2L6

Dear Minister:

I have the honour to submit to you the Annual Report of the Nova Scotia Police Review Board for the calendar year 2006, pursuant to the provisions of Section 26 of the *Police Act*, R.S.N.S. 2004, Chapter 31.

As you are aware the new *Police Act* was proclaimed on December 20, 2005 and came into force on January 1, 2006. To mark this change we have reformatted the look of the annual report and included additional information on the complaint process. The report also now includes examples of complaints received and their outcomes.

Yours truly,



Nadine Cooper Mont  
Police Complaints Commissioner

NCM/pjw

## Mission Statement

The mission of the Office of the Police Complaints Commissioner and the Nova Scotia Police Review Board is to deliver judicious, timely, impartial, client-oriented service to the public, to the police services and to the police officers within its jurisdiction.

### CONTENTS:

Executive Summary .....	1
Role of the Police Review Board & Commissioner .....	2
Administrative History .....	3
Commissioner/Review Board Membership .....	4
Staff & Location .....	4
Organizational Chart .....	5
Associations Supported by the Commissioner & Board .....	6
The Complaint Process .....	7
Highlights & Changes of the New <i>Police Act</i> .....	11
Appeals to the Former Police Commissioner .....	13
Appeals to the Chair of the Police Review Board .....	13
Time Line—Filing a Public Complaint .....	14
Demographics .....	15
Public Complaints by Department (2005/2006) .....	16
Internal Discipline Matters by Department (2005/2006).....	18
Disposition of Public Complaints .....	20
Disposition of Internal Disciplinary Matters .....	21
Allegations .....	22
Complaint Summaries.....	23
Municipal Police Forces in Nova Scotia .....	26

Published in conventional and electronic form by the Office of the Police Complaints Commissioner  
 Research & Design: Pamela J. Whittaker and Jeff Garber

## Executive Summary

The Police Complaints Commissioner's Office investigates complaints by citizens alleging misconduct and other infractions by police officers. A key element of the Office is the Police Review Board which is empowered to hear complaints from both the public and individual police officers. In 1992, changes to the Police Act redefined the responsibilities of the Nova Scotia Police Commission. As a consequence of that reorganization, the Commission retained its responsibility for investigating matters regarding the conduct and performance of duties by police, the administration of a police force, the system of policing in municipalities, and the police requirements of municipalities.

Complaints by either citizens or police officers must be filed in writing using a prescribed form within six months of the incident that provoked the complaint and the police department investigation of the complaint must be completed within 60 days of the date that the complaint form is filed. In those instances where the complaint is not satisfied by the decision of the Chief or the municipality's Board of Police Commissioners, the Commissioner may conduct an independent investigation. If, as a result of that investigation, the Commissioner finds that the complaint has merit, the matter is referred to the Police Review Board. If the Commissioner rules against the complainant, an appeal can be made to the Chair of the Police Review Board. Police Review Board hearings are open to the public unless the Review Board orders otherwise. The Review Board's decision is final.

In 2006, the Commissioner received 14 appeals from complainants who were not satisfied by the Authorities' decision. Of those 14 appeals, two were dismissed without investigation. The remaining 12 appeals were investigated resulting in two informal resolutions. Among the remaining 10 appeals, five were received by the Chair of the Police Review Board. The Chair overruled the Commissioner on one of those five appeals. Only one internal disciplinary matter was appealed to the Police Review Board. During the 2006 reporting year, there were 45 public complaints filed by women (median age 40) and 81 complaints filed by men (median age 38). These numbers represent a 27% increase over those filed with the Commission in 2005. Related circumstances of the 2006 suite of complaints include youth involvement, alcohol involvement, family disputes on the part of the complainant(s), and charges laid. Internal complaints increased by 1, or 4.5% between 2005 and 2006.

Complaints received in 2006 resulted in seven substantiated or founded complaints and 30 incidents that were settled by informal resolution. In the internal discipline category, 13 of a total of 23 cases were founded. Allegations of public complaints centered on abuse of authority, discreditable conduct and neglect of duty issues while internal complaint allegations tended to focus on discreditable conduct and neglect of duty.

## Role of the Police Review Board/Commissioner

---

The primary role of the Office of the Police Complaints Commissioner is to investigate complaints by citizens alleging misconduct by municipal police officers. The Police Review Board is empowered to hear and rule on public complaints and police officer's appeals against disciplinary penalties or dismissals that are imposed or ordered by chiefs of police and boards of police commissioners.

The responsibilities of the Police Review Board are outlined in Section 18 of the *Police Act* which states that: "The Review Board shall perform the functions and duties assigned to it by this *Act*, the regulations, the Minister or the Governor in Council".

These responsibilities include the following:

- 1) conduct investigations and inquiries in accordance with this *Act*; and
- 2) conduct hearings into complaints referred to it by the Complaints Commissioner in accordance with the *Act* or the regulations

Section 19(1) of the *Police Act* provides that the Minister may direct the Review Board to investigate, inquire into and report to the Minister upon any matter relating to:

- (a) the extent, investigation or control of crime
- (b) the enforcement of law
- (c) the operation and administration of a police department

The Office of the Police Complaints Commissioner was established by proclamation of the *Police Act* on December 20, 2005 and came into effect January 1, 2006. Prior to this the Nova Scotia Police Commission was responsible for many of the functions that fall within the purview of the *Police Act* and regulations. The Office of the Police Complaints Commissioner is responsible for providing all of the administrative support needed by the Review Board to carry out its responsibilities.

The Police Complaints Commissioner shall attempt to negotiate a resolution to public complaints upon an appeal by the complainant. If the Commissioner determines that the complaint has merit he/she will forward the matter for a full hearing before the Police Review Board.

Where the Commissioner cannot satisfactorily resolve a complaint, or has determined the complaint does not merit a review by the Board, he/she may refuse to forward the complaint to a hearing. The complainant may then seek an order to refer the complaint to the Board by appealing the decision of the Commissioner to the Chair of the Review Board.

## Administrative History

---

The Nova Scotia Police Commission was established by proclamation of the *Police Act* in 1976. At that time, the Police Commission reported to the Attorney General; it was responsible for improving the effectiveness of municipal police forces and relations between the police and the public. Initially the Police Commission provided a large number of services relating to provincial policing and security including:

- 1) development and approval of training programs for police officers,
- 2) development of programs to improve public awareness of police functions, duties and responsibilities,
- 3) maintenance of statistics and research services,
- 4) determinations of the adequacy, efficiency, and effectiveness of the police services provided by municipalities,
- 5) recommendations for appointment or re-appointment of Provincial Civil Constables, Special Constables, and By-Law Enforcement Officers; and
- 6) other duties under the Private Investigators and Private Guards Act and the Police Services Act.

In 1992, changes to the *Police Act* resulted in the re-organization and re-orientation of the Nova Scotia Police Commission. The majority of the services listed above were transferred to the Policing Services Division of the Department of the Solicitor General. These services are now the responsibility of the Department of Justice. The Police Commission retained its responsibility for investigating matters relating to the conduct and performance of duties by police, the administration of a police force, the system of policing in municipalities, and the police needs of municipalities.

The Nova Scotia Police Review Board was established through amendments to the *Police Act* in the mid-1980's. It replaced the Police Commission as the adjudicating body for citizen complaints and for appeals against decisions made in internal discipline matters. The Board also conducts hearings into matters of internal discipline that are appealed by police officers as a result of discipline imposed by the authority. On January 1, 2006 a new *Police Act* was proclaimed and Office of the Police Complaints Commissioner was created.

## Commissioner & Review Board Members

Under the provisions of Section 13(1) of the *Police Act*, the Nova Scotia Police Review Board is composed of not less than three persons appointed by the Governor-in-Council.

As of December 31, 2006 the members of the Police Review Board were:

Nadine Cooper Mont	Complaints Commissioner	Daniel Paul	Member
Marion Ferguson	Chair	Ken Langille	Member
Lester Jesudason	Alternate Chair	Ross Wagg	Member
Charles Schafer	Member	Betty Thomas	Member
Peter James	Alternate Member	Orville Symonds	Member
Paul Gates	Member	Linda Garber	Member

### Staff

Thomas Haney	Director
Pamela J. Whittaker	Office Manager
Mirella Lopresti	Secretary

### Staff Offices



The Office of the Police Complaints Commissioner's is located at Sun Tower, 1550 Bedford Highway, Suite 720, Bedford, Nova Scotia.

Mailing Address: PO Box 1573  
Halifax, Nova Scotia B3J 2Y3  
Canada

Telephone: (902) 424-3246  
Facsimile: (902) 424-1777  
E-Mail: polcom@gov.ns.ca

## Organizational Chart





## Associations Supported by the Commissioner & Board

The Office of the Police Complaints Commissioner is proud to be a member of the Canadian Association for Civilian Oversight of Law Enforcement (CACOLE). CACOLE is a national non-profit organization of individuals and agencies involved in the oversight of police officers in Canada. CACOLE is dedicated to advancing the concept, principles and application of civilian oversight of law enforcement throughout Canada and abroad.

The first meeting of heads of oversight agencies happened in the fall of 1995, the first conference held by the not yet incorporated organization was held in Halifax in September of 1996. CACOLE, was ultimately established in 1997, and is an incorporated non-profit organization under the Canada Incorporations Act. The national organization is governed by a set of By Laws and is managed by an elected, volunteer Board of Directors representing oversight agencies in each province, as well as First Nations and the Federal Government. The part-time Executive Director is the only paid position.

CACOLE members represent diverse organizations - municipal and provincial police boards and commissions, First Nations, provincial and federal oversight agencies, ombudsman's offices, police associations and professional standards bureaus individuals as well as organizations in the justice, rights and advocacy agencies and representatives of community agencies and police services from Canada, the United States, Great Britain, Northern Ireland, Portugal and other European countries.

For more information please visit CACOLE's website at: [www.cacole.ca](http://www.cacole.ca)



## The Complaint Process

---

### How long do I have to file a complaint?

You must file your complaint within 6 months of the incident which gave rise to the complaint. If you file a complaint 6 months after the incident it cannot be considered under any circumstances.

### Where do I file a complaint?

You may make your complaint against a police officer, including a Chief of Police, or about a police department in general to any of the following:

- ⇒ Any member of the police force of which the officer is a member;
- ⇒ The Board of Police Commissioners for the area which the police force is responsible for policing;
- ⇒ The Police Complaints Commissioner.

The Police Complaints Commissioner obtains a copy of every complaint, wherever it is filed.

### How do I file a complaint?

You must file the complaint in writing. There is a form available (Form 5) and assistance can be provided by the Commissioner's office. You can obtain a form from any municipal police station, local board, or you can write or telephone the Office of the Police Complaints Commissioner. A form can also be downloaded from the following web site: [http://www.gov.ns.ca/just/Policing\\_Services/complaints.asp](http://www.gov.ns.ca/just/Policing_Services/complaints.asp)

You should include details such as the date, time and place of the incident that you are complaining about. When you file a complaint you will receive a form describing the complaint procedure.

### Will my complaint be taken seriously?

Yes. Once you have put your complaint in writing, the Chief of Police or the authority will appoint an officer to investigate the complaint.

## What happens after I make my complaint?

The police officer appointed to investigate the complaint will contact you to discuss the matter and will try to resolve the complaint informally if you and the officer you complained about agree. If there is no informal resolution, the investigator will proceed with the investigation. The police department investigation must be completed 60 days from the day you filed the written complaint. In some circumstances, the Commissioner may grant an extension of time to complete the investigation. You will receive a notice when the investigation is complete.

## Who decides the outcome of the case?

The Chief of Police or the Municipal Board of Police Commissioners (if the complaint is against the Chief of Police) will review the investigation and based on its findings will decide to:

- ⇒ Take no further action with respect to the complaint; or
- ⇒ Discipline the officer.

You will be notified of the decision, as will the officer complained about and the Commissioner.

## What is the role of the Police Complaints Commissioner in the Police Department's Investigation?

The Commissioner ensures that time limitations provided within the *Police Act* have been and are adhered to and may exercise her authority to extend the time to investigate complaints when additional time is requested by the authority.

## What can I do if I am not satisfied with the decision of the Chief, or the Municipal Board of Police Commissioners?

You must file a Notice of Review (Form 13) with the Commissioner within 30 days of receipt of the decision. Once you file the Form 13, the Commissioner will attempt to mediate an informal resolution. Any informal agreement will require the consent of the officer being complained about and the complainant.

If there is no informal resolution the Commissioner may conduct an independent investigation of the complaint. Following the completion of this investigation, the Commissioner will decide whether the complaint has merit and if that is the case, the matter will be referred to the Police Review Board. If the complaint is not referred to the Police Review

Board, you will be notified that no further action will be taken with respect to your complaint.

### **What can I do if my complaint is not referred to the Review Board?**

You may appeal the Commissioner's decision by filing a Notice of Review in Form 15 with the Nova Scotia Police Review Board for an order that the complaint be referred to the Review Board. The Form 15 must be filed within 30 days of receipt of the Commissioner's decision. The Chair of the Review Board will make a review of the record and can overrule the Commissioner and forward the complaint to the Board for a hearing. The decision of the Chair is final.

### **What happens when my complaint is referred to the Review Board?**

A panel of three members will conduct a public hearing into your complaint. You will be notified of the hearing date and you may be represented by a lawyer if you wish. If you are not represented by a lawyer, the Office of the Police Complaints Commissioner will provide assistance in preparation of subpoenas for witnesses and information on hearing procedures.

### **Is my complaint kept confidential?**

Complaints are considered confidential. However, if your complaint is referred to the Police Review Board, the hearing is open to the public, unless the Review Board orders otherwise.

### **Who sits on the Police Review Board?**

Lay persons are appointed to the Police Review Board.

### **What can the Review Board do?**

The Review Board may:

- ⇒ Find the complaint valid and make recommendations on penalties;
- ⇒ Dismiss the matter;
- ⇒ Affirm or change any penalty which has been imposed or substitute a finding;

⇒ Award or fix costs where appropriate.

It cannot award you compensation.

### **Can a police officer appeal?**

The police officer may appeal disciplinary action imposed by the Chief of Police or the Authority.

### **What if I am dissatisfied with the Review Board's decision?**

The Review Board's decision is final. If you are unhappy with it, you should contact a lawyer.

## Highlights and Changes of the New *Police Act*

---

### Introduction

The purpose or intent of the new *Police Act and Regulations* in regards to civilian oversight of police has not changed but the process and powers of the newly defined Police Complaints Commissioner are significantly different.

The following is a brief description of some of those changes.

### Filing of Complaint (Time Limitations)

Public Complaints may now be filed within 6 months from the date of the occurrence which gave rise to the complaint. The previous *Act* only provided for 30 days to file a complaint but there were provisions to extend the time as long as the complainant filed his complaint and an application to extend the time limit were received within 6 months.

### Investigation of Complaint by Authority

The Authority must investigate the complaint and a copy of the decision must be given to the complainant, the named officer(s), and the Complaints Commissioner. A Complainant must be provided with a Form 13 Appeal Form regardless of the outcome. The previous *Act* did not provide a remedy or appeal to a Complainant if the authority made a finding of a disciplinary default.

### Extensions to Investigate by Authority

The investigation must be completed in 60 days unless an extension to investigate has been requested and granted by the Complaints Commissioner. The Commissioner will forward a copy of the request to the named officer(s) and in most cases the extension will be granted. The previous *Act* gave this authority to the Chair of the Police Review Board.

### Suspension of Investigation

If the internal investigation uncovers information that warrants a criminal investigation of the officer(s) then the internal investigation is suspended pending the outcome of the criminal investigation. Either the Authority or the Chair of the Police Review Board can suspend the investigation.

### Form 13 Appeal to Police Complaints Commissioner (The Commissioner's Duties & Options)

As indicated above if the complainant is not satisfied by the decision of the police authority they may file a notice of review with the Commissioner within 30 days of receipt of the decision. The Commissioner must attempt to informally resolve the complaint. If

the complaint cannot be resolved the Commissioner may decide to dismiss the complaint if he/she feels the complaint is frivolous, vexatious, without merit or an abuse of process.

If the Commissioner does not dismiss the complaint the Commissioner may appoint an investigator to do a new investigation.

The investigator will investigate the complaint and make a recommendation to the Commissioner to either forward the complaint to the Review Board or not. This is a significant change from the previous Act because previously the investigator had the authority to make this decision.

### **Commissioner's Decision**

The Commissioner will consider the decision of the authority, the investigator's report and recommendation and decide if the matter requires a hearing before the Review Board.

If the Commissioner decides a hearing is required the complainant, the officers involved and the authority will be notified and a hearing date set.

If the Commissioner decides to not forward a complaint to the Review Board the complainant will be provided a Form 15 which is used to appeal to the Chair of the Review Board. The complainant must file this Notice of Review within 30 days of receipt of the Commissioner's decision.

### **Appeal to the Chair of the Review Board**

Upon the filing of a Form 15, the Chair of the Board will review the record of the complaint. The Chair can overrule the Commissioner and forward the matter to the Board. The decision of the Chair is final. Any complaints forwarded by the Chair to the Board will be presided over by the Vice-Chair. Review Board hearings are *de novo*, meaning 'from the beginning' or 'anew'. This also means that the Chair, who has been privy to the file material, does not participate in the hearing. Upon a hearing of the Board the decision of the Board is final.

## Appeals to the Former Police Commission

---

During this reporting year, the previous Police Commission members met to review appeals that were seized by Section 15 of the previous *Police Act Regulations*. Any complaints that were filed prior to January 1, 2006 had to be concluded using the old Act and Regulations.

Two meetings were held in 2006. In those meetings the Commission, in its quasi-judicial function, heard seven appeals arising from the Commission investigator's decision not to refer these matters to the Police Review Board. In all cases, the Commission upheld the investigator's decision and did not refer the complaint to the Police Review Board for a hearing.

## Appeals to the Commissioner & Chair of the Police Review Board

---

### Public Appeals of Complaint Files Opened in 2006

In 2006 the Commissioner received 14 appeals from complainants who were not satisfied by the Authorities' decision. Of those 14 appeals the Commissioner dismissed two of them without investigation and found that they were frivolous and vexatious. Neither of these complaints were appealed to the Chair of the Review Board.

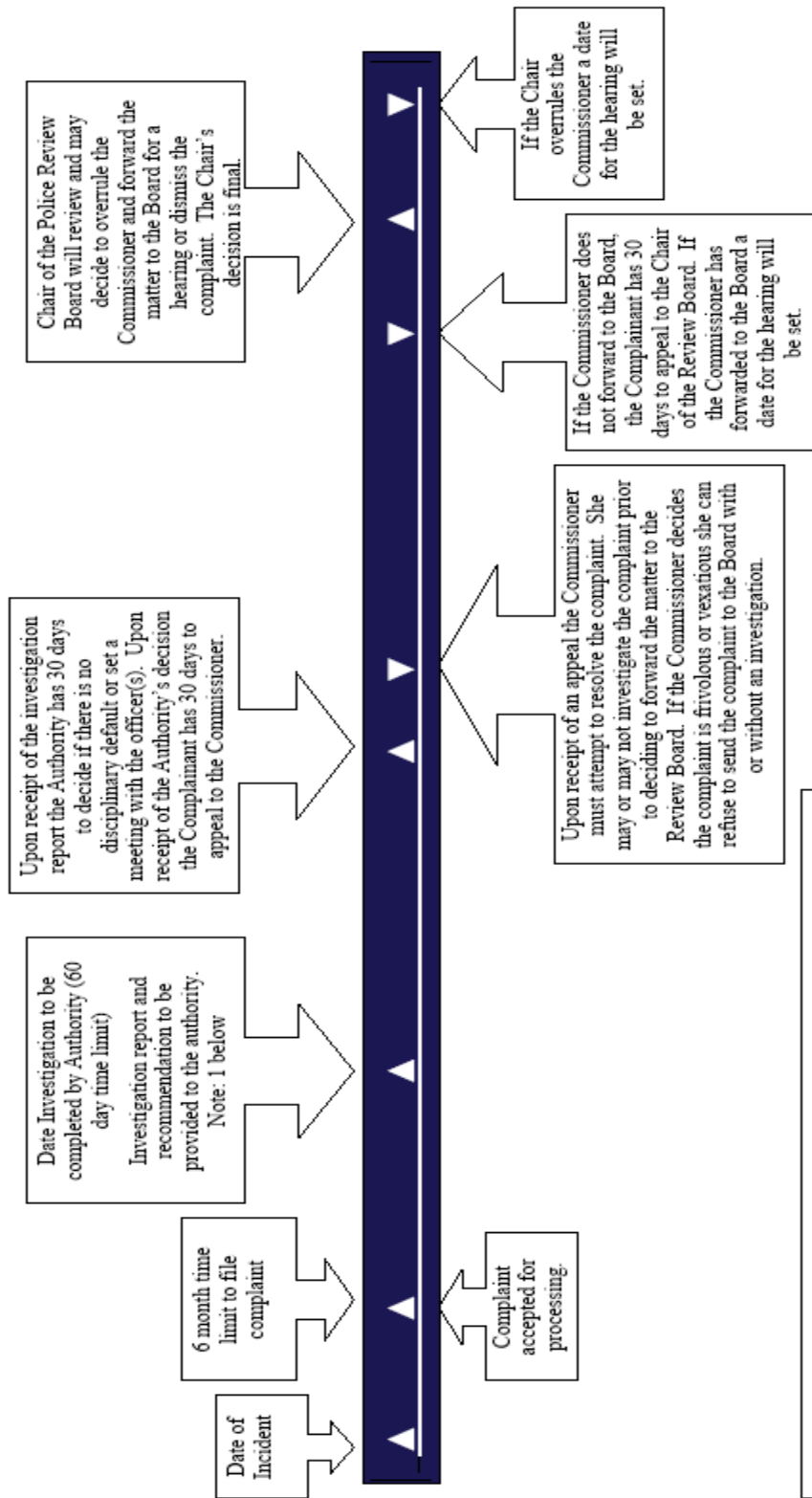
The Commissioner had 12 appeals investigated which resulted in 2 informal resolutions. Of the remaining 10 appeals none of these were forwarded to the Board by the Commissioner. Five appeals were received by the Chair of the Review Board. The Chair overruled the Commissioner on one appeal.

### Internal Disciplinary Appeals Resulting from Files Opened in 2006

One internal disciplinary matter was appealed to the Police Review Board.



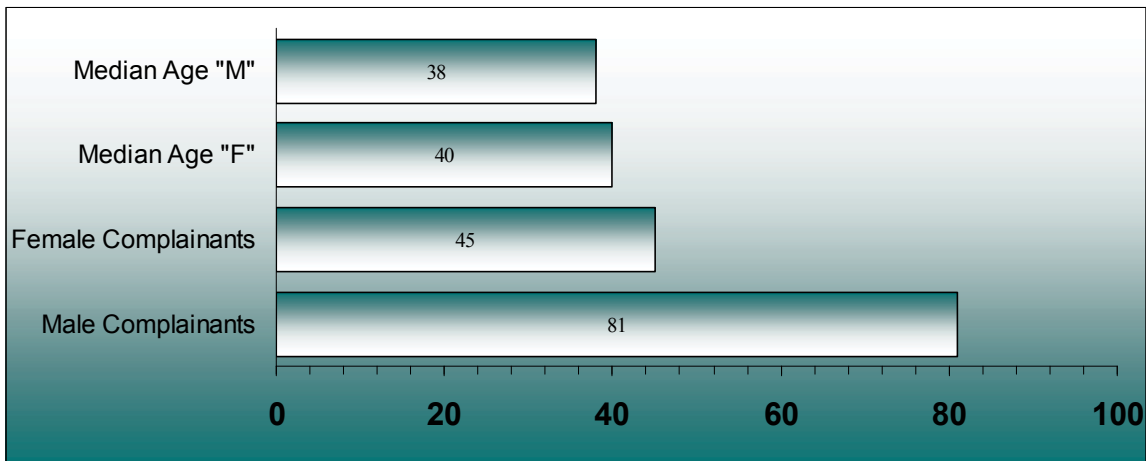
## Filing a Public Complaint Timeline Example



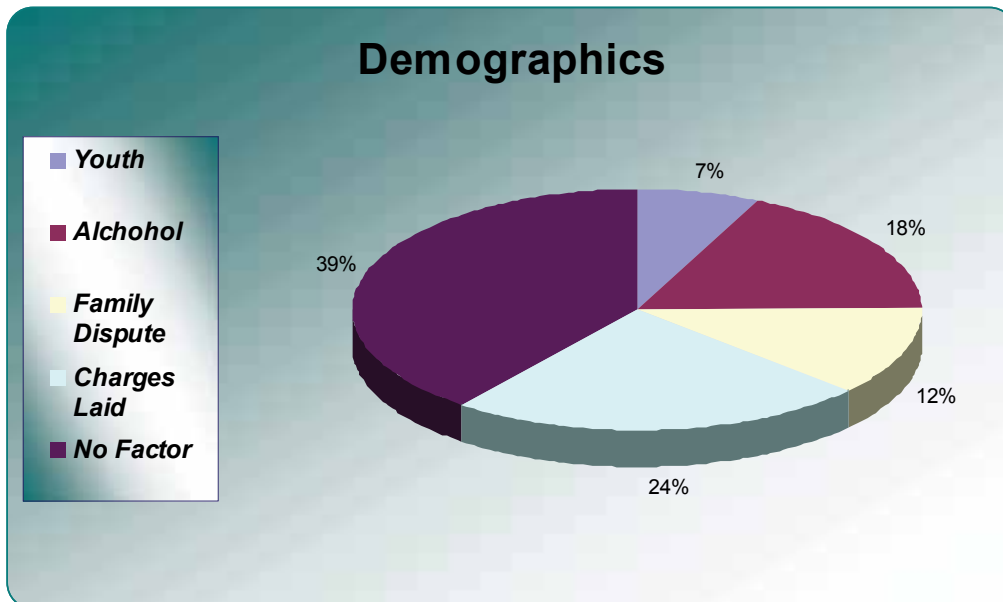
Note: 1. There are provisions for police department investigators to apply for extensions to investigate.

## Demographics

In 2006 there were 45 public complaints filed by women with a median age of 40. Men accounted for the other 81 public complaints filed; their median age was 38.

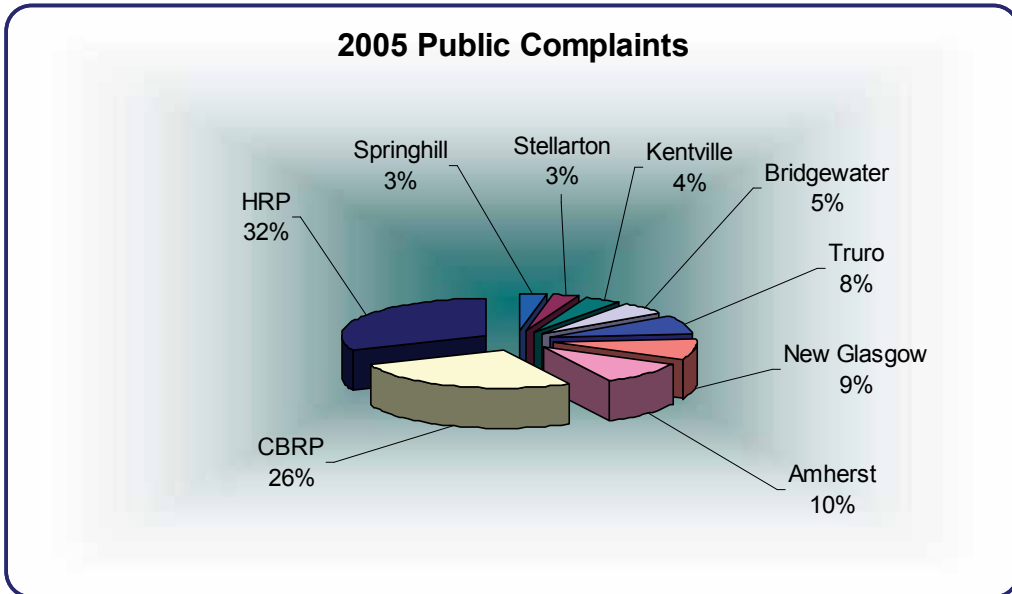
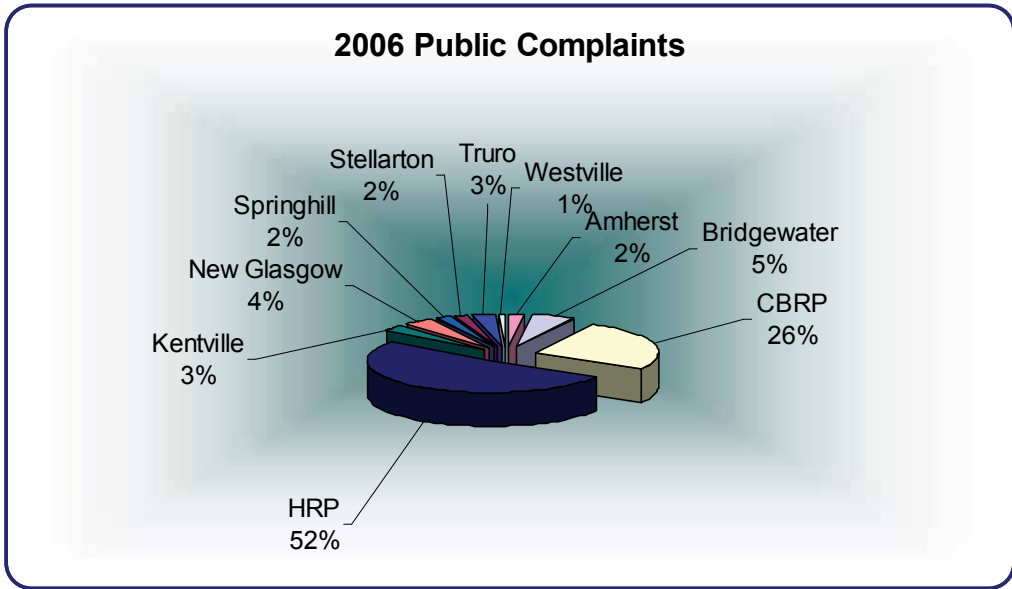


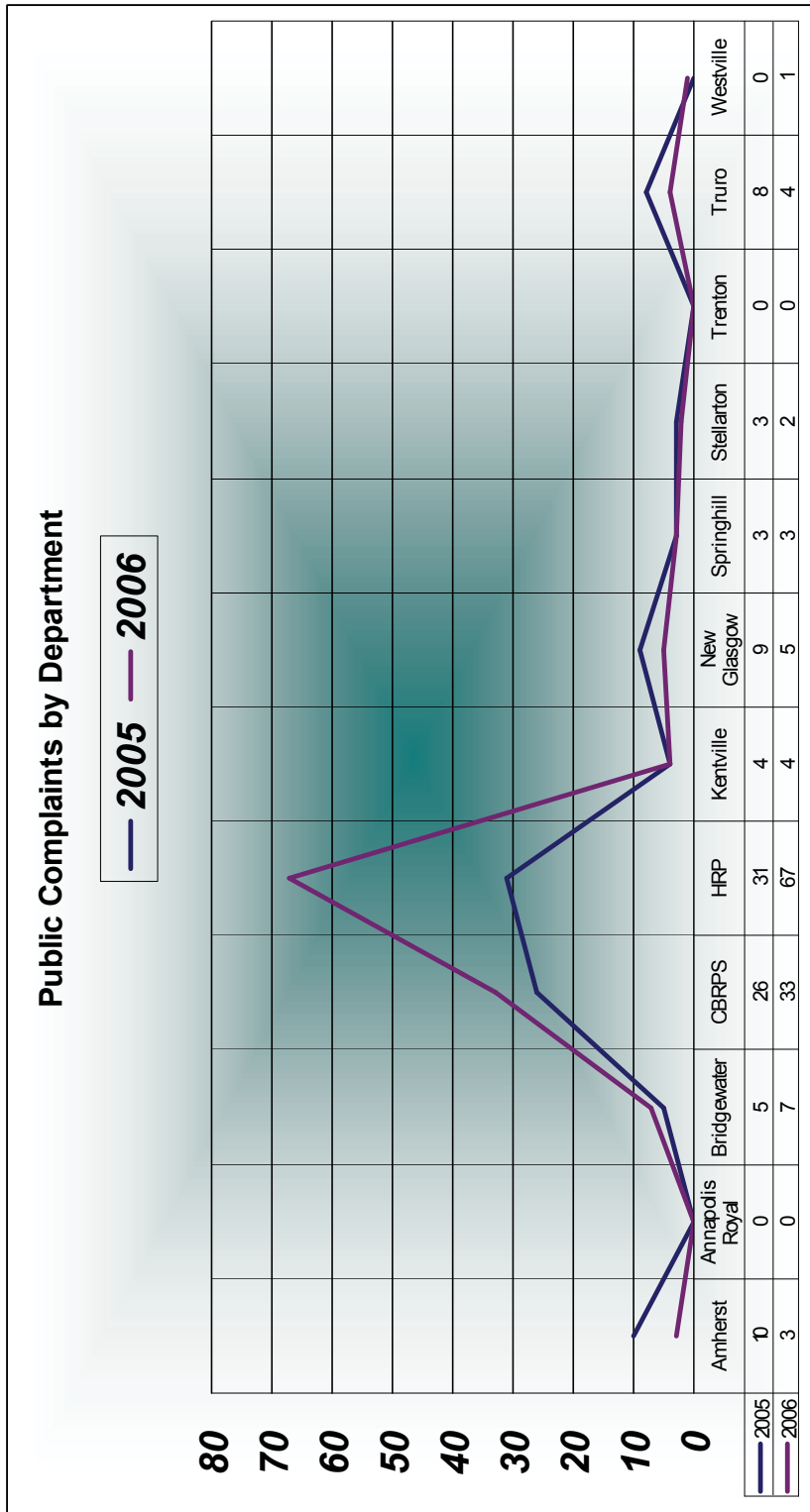
The figure shown below outlines the percentage of instances in 2006 where there were reports of alcohol involvement, youth involvement, charges laid, and/or family disputes on the part of the complainants. All data has been collected from complaint forms and investigation reports.



## Public Complaints

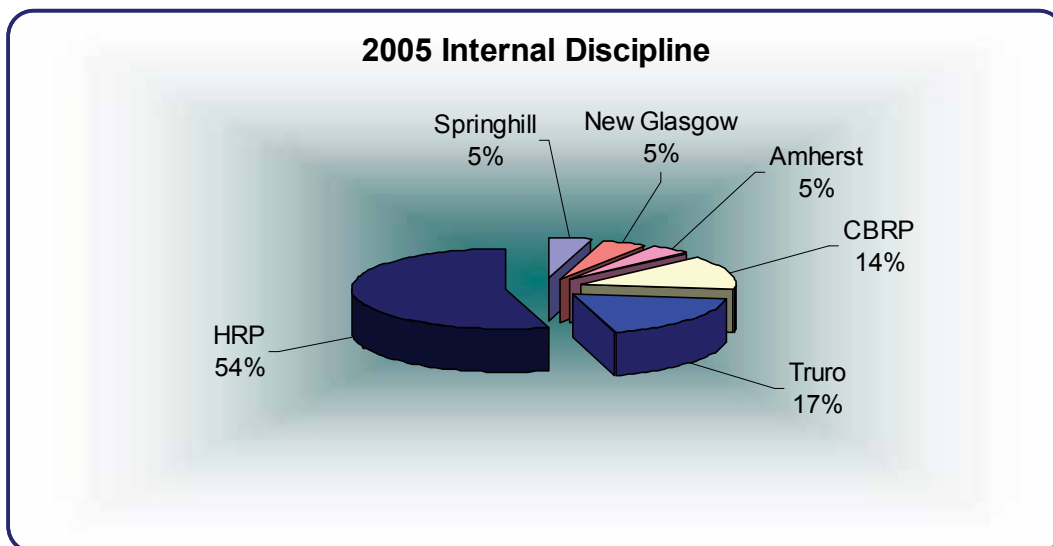
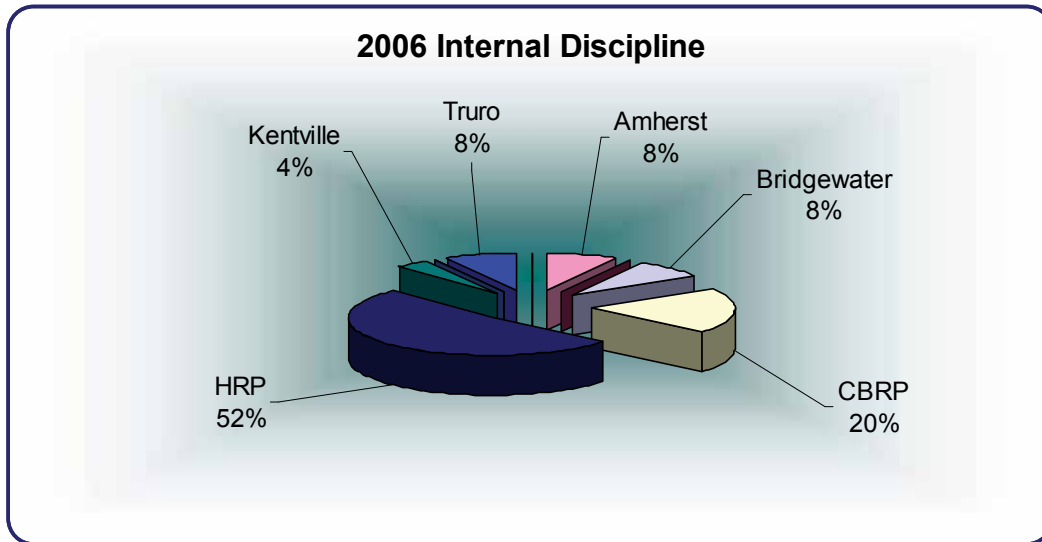
Public Complaints - A total of 126 public complaints were received in 2006. This represents a 27% increase over the number filed with the Commission in 2005.

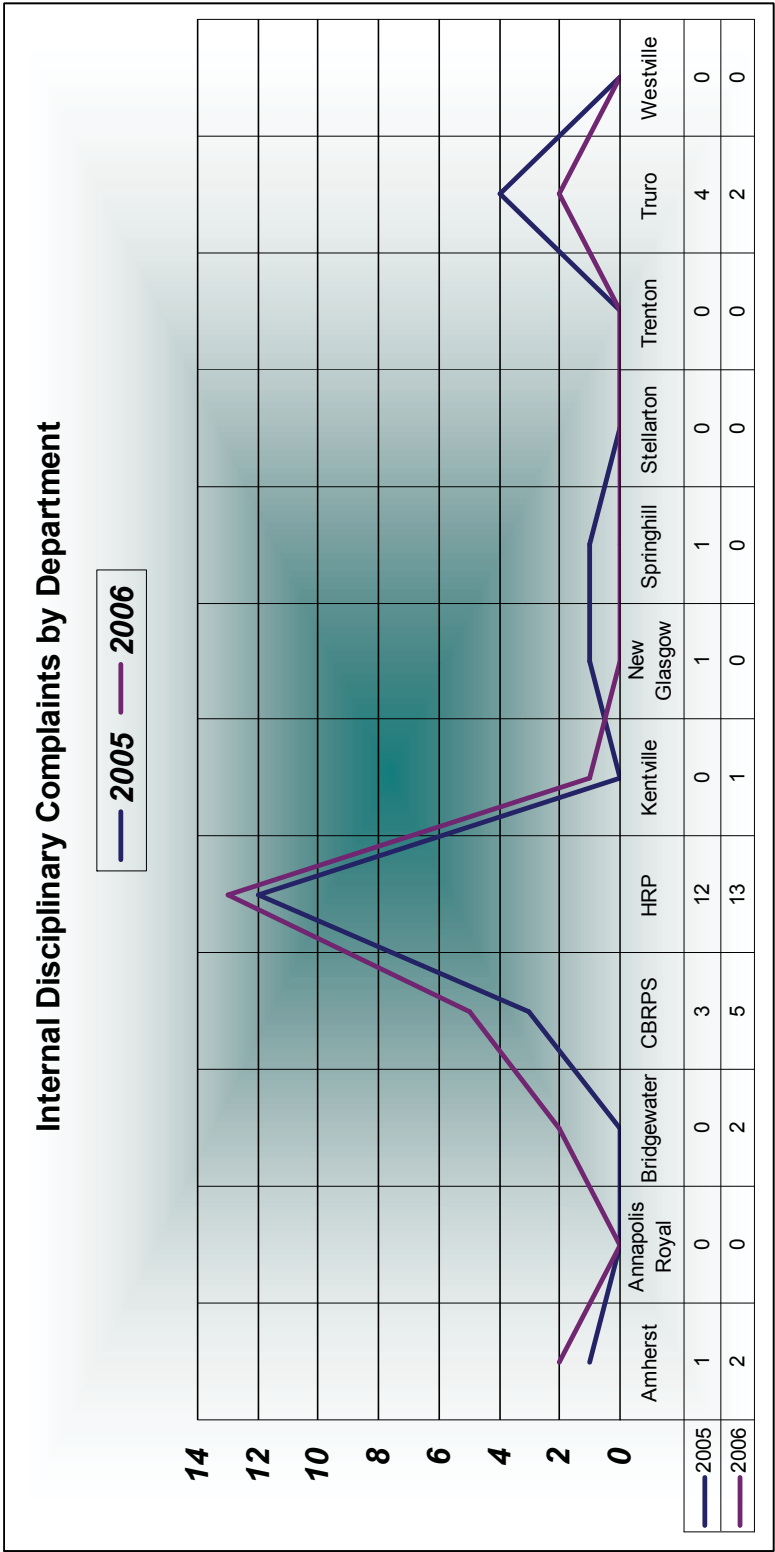




## Internal Discipline

Internal Complaints increased from 22 to 23 between 2005 and 2006. This represents an increase of 4.5%.

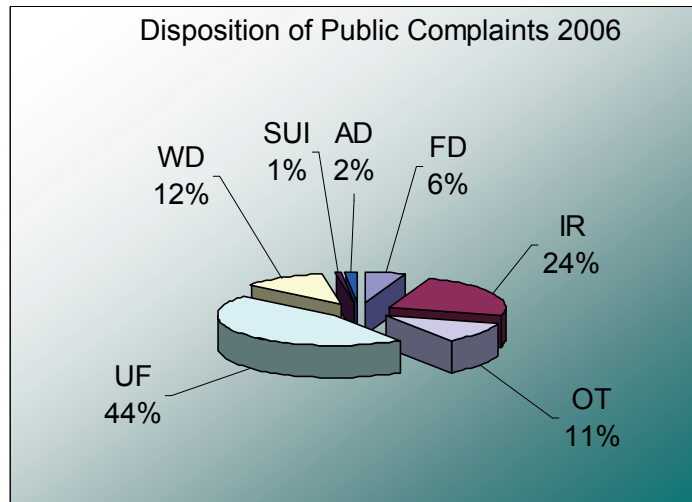
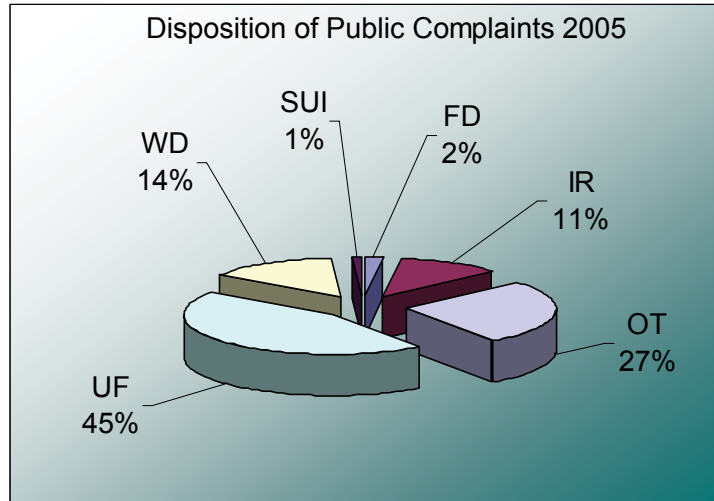




## Disposition of Public Complaints

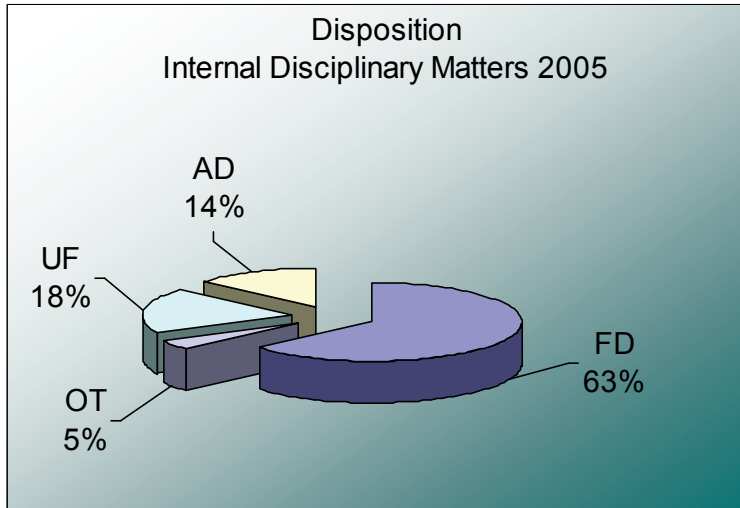
These graphs illustrate the percentage of public complaints filed with the Office of the Police Complaints Commissioner in terms of their disposition at the printing of this report

<sup>1</sup> Other includes complaints filed beyond the 6 month time limit or incidents that did not constitute a breach of the code of conduct.



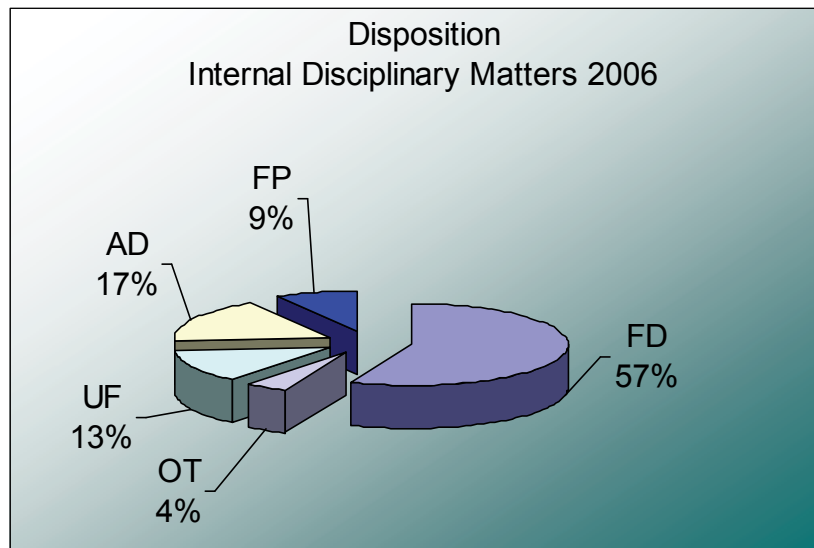
Disposition - Public	Abbreviation	2005	2006	Change
Founded	FD	2	7	5
Informal Resolution	IR	10	30	20
Other <sup>1</sup>	OT	27	14	-13
Unfounded	UF	45	57	12
Withdrawn	WD	14	15	1
Still Under Investigation	SUI	1	1	-
Abandoned	AD	0	2	2
<b>Total</b>		<b>99</b>	<b>126</b>	

## Disposition of Internal Disciplinary Matters



These graphs illustrate the percentage of internal complaints filed with the Office of the Police Complaints Commissioner in terms of their disposition at the printing of this report

<sup>1</sup>. Abandoned by Department due to officer retirement or termination of employment.

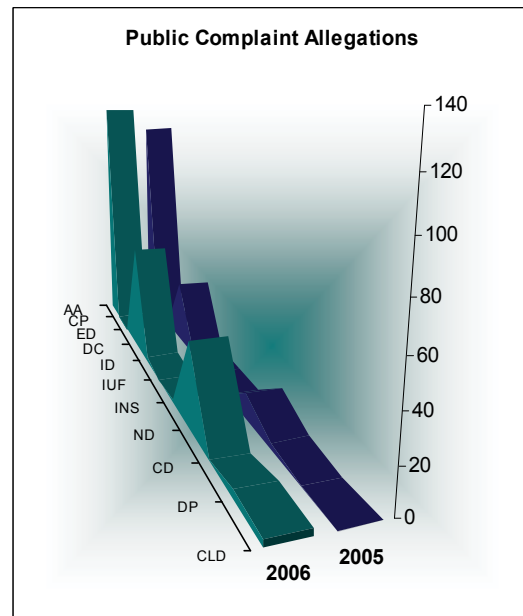
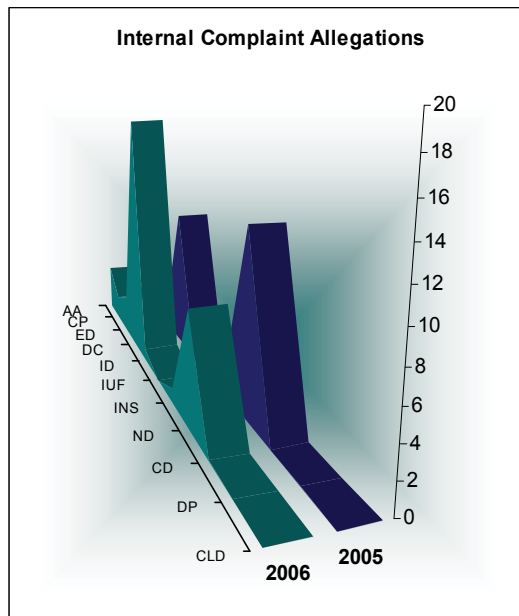


Disposition - Internal	Abbreviation	2005	2006	Change
Founded	FD	14	13	-1
Unfounded	UF	4	3	-1
<sup>1</sup> . Abandoned by Department	AD	3	4	1
Founded in Part	FP	0	2	2
Other	OT	1	1	-
<b>Total</b>		<b>22</b>	<b>23</b>	



## Allegations

Abrev.	Alleged Defaults	Public			Internal		
		2005	2006	Change	2005	2006	Change
AA	Abuse of Authority	126	139	13	0	4	4
CP	Corrupt Practice	0	0	-	0	2	2
ED	Engages in Deceit	1	0	-1	2	3	1
DC	Discreditable Conduct	35	57	22	11	19	8
ID	Improper Disclosure	1	2	1	1	1	-
IUF	Improper use of Firearm	0	0	-	0	0	-
INS	Insubordination	0	1	1	2	1	-1
ND	Neglect of Duty	13	41	28	13	8	-5
CD	Complaint Against Department	3	3	-	0	0	-
DP	Damages Property	0	4	4	0	0	-
CLD	Liquor or Drug Infraction	0	0	-	0	0	-
DC	Improperly dressed	0	1	1	0	0	-
<b>Totals</b>		<b>179</b>	<b>248</b>		<b>29</b>	<b>38</b>	



## Complaint Summaries

---

The following are summaries of a selection of complaints filed with the Office of the Police Complaints Commissioner during this reporting period. Complaints may be concluded in a variety of ways and the following is intended to provide a sampling of complaints and the conclusion of each file.

**File PC-06-0005**  
**Public Complaint**

**Improper Off-Duty Conduct**  
**Informally Resolved**

While off duty, the respondent officer allegedly damaged a neighbour's property by tearing up a boat dock and by removing some cement steps. The officer was also alleged to have acted in a discourteous manner when dealing with the complainant.

The police department investigator met with the respondent officer and outlined all the concerns of the complainant. The officer and the complainant agreed to enter into an informal resolution process, and some conditions were agreed upon. The officer is not to enter the neighbour's property without permission, and any future contact with the complainant must be done in a professional and courteous manner or through legal counsel. The complainant was assured by the investigator that the complaint document would be filed as part of the investigation, maintained by the Office of the Chief of Police and a copy be sent to the Nova Scotia Police Complaints Commissioner.

**File PC-06-0059**  
**Public complaint**

**Abuse of Authority**  
**Complaint Dismissed**

The complainant alleged the two respondent officers acted in an unprofessional manner against her 15 year old son who has a speech disability that prevents him from speaking. The police were called to investigate an armed robbery and as a result of the investigation, the police determined they had reasonable grounds to conduct a house search. A warrant was obtained. After the search, two officers remained in the house to await the return of the family. The complainant's 15 year son came into the home using a different door than the rest of the family. The remaining two officers did not know who the person was and after requesting he identify himself and receiving no response the officers escorted the boy outside. The complainant alleges the two police officers used excessive force/cruel treatment in their contact with her son.

After several attempts to resolve this complaint informally by meeting with the complainant and the two respondent officers the police investigator concluded his investigation. The investigator determined that no disciplinary default had been committed. Upon appeal to the Complaints Commissioner, a third party investigation was conducted by an independent investigator. This investigation concurred with the finding of the investigating officer and the Commissioner declined to forward the complaint to the Review Board for a formal hearing. The complainant appealed this decision to the Chair of the Nova Scotia Review Board. The Chair upheld the decision of the Police Complaints Commissioner and did not refer this appeal to the Board.

**File PC-06-0122  
Public Complaint**

**Abuse of Authority  
Not Accepted**

The complainant is alleged to have committed a sexual assault in Nova Scotia and was arrested in Leamington, Ontario. The complainant alleges that he was assaulted while in police custody in Ontario, and also was upset because there was a press release issued by the police department in Nova Scotia on a warrant of sexual assault. The alleged assault occurred in Ontario and does not fall under the jurisdiction of the Nova Scotia Police Act. Press releases can be issued in the interest of the public safety and are only issued after a Justice of the Peace has reviewed all the evidence and reached a decision that there are sufficient grounds to issue a warrant. All information is then sworn and is accessible by the public. This allegation could not be translated into a disciplinary default against a municipal police force or officer in Nova Scotia.

**File 06-0004  
Internal Discipline**

**Discreditable Conduct  
Founded in Part**

An officer allegedly committed a disciplinary default by violating Sections 24(4)(a) and 24(4)(b) of the *Nova Scotia Police Act* by failing to disclose information when submitting application for employment as a Booking Officer and when applying to the Police Science Program.

The respondent admitted to the first allegation, however the second allegation was unsustainable. The respondent received three days without pay.

**File #06-0013  
Public Complaint**

**Discourteous or Uncivil to Public  
Informal Resolution**

The complainant alleged police officers engaged in discreditable conduct by being discourteous or uncivil during an incident where the complainant was issued a ticket for driving on the wrong side of a highway. The complainant alleged that the police officer kept telling him to "shut up" or he would issue more tickets.

The complainant and officer met in the presence of a staff sergeant and openly discussed the events. Both parties resolved their concern over the matter and agreed that their meeting and discussion was sufficient to put the matter to rest.

**File #06-0036  
Public Complaint****Discreditable Conduct  
Unfounded**

The respondent officer was working traffic enforcement and clocked the complainant on a radar doing 71 kilometers in a 50 kilometer zone. During routine checking, the member received information that the complainant had a suspended drivers license. The officer issued several summary offence tickets and informed the complainant that his vehicle would be seized as it was not legal to operate it on the highway because there was also no valid registration and insurance. The officer states that he permitted the complainant to use his cell phone to call a taxi.

The complainant alleges that the member was aggressive, rude and persistent about towing his vehicle away. The complainant also alleges that he was humiliated while being searched by the officer by pulling down his pants. The officer recalled that the complainant agreed to be searched. The member discovered that the complainant had an extensive criminal record, history of violence and was currently on strict conditions.

The police investigator attempted to informally resolve the matter, however, the complainant was not interested in resolving the incident in this manner. The allegation against the respondent was not substantiated by the authority and no appeal was filled with the Commissioner.

**PC-06-0047  
Public Complaint****Discreditable Conduct  
Sustained—Penalty Imposed**

The complainant was driving a motorcycle and was observed committing a traffic violation by the responding officer. The complainant was issued with three motor vehicle infractions and his motorcycle was impounded. The next day the complainant came to the police department and alleged that the officer was rude and discourteous by calling him an idiot. The officer acknowledged that he lost control of his emotions and did call the complainant an idiot.

The investigating officer concluded there was sufficient evidence against the responding officer and that he had engaged in discourteous and uncivil behaviour toward the complainant. Therefore the allegation of discreditable conduct by being discourteous or uncivil to a member of the public was sustained and a reprimand was imposed.

## Municipal Police Agencies



Chief Charles Rushton  
Amherst Police Department  
45 Victoria Street  
Amherst, Nova Scotia B4H 1X4  
P (902) 667-8600 F (902) 667-0268



Chief F. Ross Campbell  
Annapolis Royal Police Department  
P. O. Box 310  
Annapolis Royal, Nova Scotia B0S 1A0  
P (902) 532-2427 F (902) 532-7492



Chief Brent Crowhurst  
Bridgewater Police Department  
45 Exhibition Drive, Bridgewater, NS B4V 0A6  
(P.O. Box 9, B4V 2W7)  
P (902) 543-2465 F (902) 543-7478



Chief David Wilson  
Cape Breton Regional Police Service  
865 Grand Lake Road - Central HQ  
Sydney, Nova Scotia B1P 6W2  
P (902) 563-5099 F (902) 567-2266



Chief Frank Beazley  
Halifax Regional Police  
1975 Gottingen Street  
Halifax, Nova Scotia B3J 2H1  
P (902) 490-5020 F (902) 490-5038



Chief Mark Mander  
Kentville Police Service  
80 River Street  
Kentville, Nova Scotia B4N 1G9  
P (902) 678-3378 F (902) 678-6600



Chief Gary Copeland  
Springhill Police Service  
P.O. Box 2380  
Springhill, NS B0M 1X0  
P (902) 597-3779 F (902) 597-3119



Chief Ambrose Heighton  
Stellarton Police Service  
PO Box 609  
Stellarton, Nova Scotia B0K 1S0  
P (902) 752-6160 F (902) 752-4101



Chief Robert White  
Trenton Police Department  
P. O. Box 1224  
Trenton, Nova Scotia B0K 1X0  
P (902) 752-1113 F (902) 752-2144



Chief David MacNeil  
Truro Police Service  
776 Prince Street  
Truro, NS B2N 1G9  
P (902) 895-5351 F (902) 897-3270



Chief Don Husher  
Westville Police Service  
PO Box 923  
Westville, NS B0K 2A0  
P (902) 396-2777 F (902) 396-2779



Chief Delaney Chisholm  
New Glasgow Police Service  
225 Park Street  
New Glasgow, Nova Scotia B2H 5P7  
P (902) 755-8325 F (902) 755-9982

If your complaint concerns the conduct of members of the RCMP please contact the Commissioner for Public Complaints Against the RCMP (CPC) at 1-800-665-6878 (TTY: 1-866-432-5837). Complaints can also be made using the online form on the CPC's website at: [www.cpc-cpp.gc.ca](http://www.cpc-cpp.gc.ca) or in writing to the following address:  
7337 137 Street, Suite 102, Surrey, British Columbia, V3W 1A4









**Office of the Police Complaints Commissioner**  
Sun Tower, 1550 Bedford Highway, Suite 720, Bedford Nova Scotia

Mailing Address:

PO Box 1573 Halifax, Nova Scotia B3J 2Y3

Telephone: (902) 424-3246

Facsimile: (902) 424-1777

[polcom@gov.ns.ca](mailto:polcom@gov.ns.ca)