

What decisions can the Chief of Police make?

The role of the Chief is to determine if the complaint is against the policies of the Service or the conduct of an officer. If the complaint is against the conduct of an officer he will cause it to be investigated.

Once the investigation is completed the Chief has several options;

1. Determine if there is a breach of Statute or a breach of regulations
2. Determine if the matter is not of a serious matter and dispose of it summarily
3. Determine if a Police Act Hearing is required for the complaint
4. The Chief has a legitimate screening role and may decline to send the incident to hearing if there is no reasonable prospect of conviction or it is not in the public interest to proceed with a hearing.

The Chief of Police will send you a letter informing you of the decision on your complaint, the reasons for this decision, any action to be taken, and your right to appeal the Chief's decision, if the complaint is appealable under the Alberta Police Act.

Who sees the complaint?

All complaints are sent to the Chief of Police. Any police officer named also receives a copy of your complaint.

Following the investigation, a report on the complaint investigation is prepared for the Chief. The Chief then reviews the report and makes the final decision on the complaint.

How do you appeal the Chief's decision?

If you are not satisfied with the decision of the Chief of Police **concerning the conduct of a particular officer**, you may appeal that decision to:

Law Enforcement Review Board

c/o Board Secretary

1502 City Centre Place

10025—102 A Avenue

Edmonton, AB T5J 2Z2

If you are not satisfied with the decision of the Chief on a matter **concerning the Police Service or policy**, you may appeal that decision to:

Chair

Medicine Hat Police Commission

884—2nd Street SE,

Medicine Hat, Alberta T1A 8H2



Medicine Hat
Police Commission

COMPLAINTS AGAINST POLICE



It is important to keep the lines of communication open between the citizens of Medicine Hat and the Police. If you have a complaint against the Medicine Hat Police Service, please let us know.

What is the Medicine Hat Police Commission?

The Police Commission is a five member board appointed by City Council. There are three citizen members and two elected representatives on the Commission. Under the authority of Alberta's Police Act the Commission must oversee the Medicine Hat Police Service. The Commission's responsibilities include establishing policy, reviewing public complaints against the Police Service and its members, and giving instruction as necessary to the Chief.

What is a public complaint?

A public complaint is a complaint made by a citizen. These complaints will be investigated according to the process set out in the Police Act.

Who can make a complaint?

Anyone who has concerns about the actions of a police officer or the services provided by the police may make a complaint. In some cases, you may make a complaint on behalf of another person. For example, you may make a complaint on behalf of a minor or an individual who is unable to make a complaint because of a temporary or permanent disability.

How do you make a complaint?

A complaint against the Police Service or a police officer must be made in writing and signed by the person making the complaint. To file a complaint you need to complete a Citizen Complaint Against Police Form. You may do this yourself and submit it to the Office of the Chief or attend to the police station and ask for the Duty Staff Sergeant.

Alternatively you may contact the Public Complaints Director who also can assist you.

How will your complaint be handled?

Once you file a complaint, it may be handled in one of two ways:

1. It may be informally resolved in a manner which is agreeable to you and to the Police Service. An informal resolution may involve the officer's supervisor being advised of the complaint and bringing the matter to the officer's attention. Mediation facilitated by the Public Complaints Director may also be an agreeable solution. These methods are documented; however, there is usually no formal investigation in these cases.
2. There may be a formal investigation by an officer assigned by the Chief of Police.

You will be contacted by the Chief of Police after your complaint is received.

Persons who willfully make false statements are subject to charges under the Criminal Code of Canada, and for Civil Court proceedings.

How are complaints investigated?

A complaint is made and sent to the Chief of Police. The Chief will then determine if the complaint is a breach of policy or a misconduct against an officer.

If the complaint is against Policy, the Chief may review and adjust the policy or refer the matter to the Police Commission. The complainant is then send a disposition letter and has a right of appeal.

If a complaint is made against a member the Chief must decide if the matter is serious or sensitive in nature, and if so notify the Minister, who will advise on a course of action. The Chief must then determine if the complaint is Statutory in nature or a complaint that falls under the Alberta Police Act.

If the complaint is statutory, the matter is investigated and sent to the Attorney general for recommendation to prosecute or not

If the complaint falls under the Alberta Police Act, the Chief must classify the complaint as serious or a minor contravention after the investigation is complete. Minor contraventions the Chiefs act as a Judge and determines a course of action for each allegation.

If the Police Act complaint is serious the Chief has screening role for the complaint and must decide to send the allegations to a hearing or dismiss if there is no public interest or no likely hood of conviction. The complaint has the right to appeal the Chiefs decision to LERB if the they do not agree