

**Complaints Against a Municipal or First Nation Police Service
re: Policy, Service or Conduct of a Member**



Office of the Chief **OR**

Municipal Police Commission
Public Complaint Director

Written complaint received and reviewed (includes electronic versions)

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- A complaint may be received by either the Public Complaint Director of the Municipal Police Commission OR the Chief of Police

- The responsibility of the public complaint director is to monitor complaint investigations both during and at the conclusion of the investigation
- A complainant must be notified in writing every 45 days as to the status of their complaint
- A complainant must participate in the complaint investigation process or the complaint may be dismissed by the Commission

All complaints go to the Office of the Chief for further review. If a complaint is deemed frivolous/vexatious or made in bad faith, the Chief will request that the Commission dismiss the complaint. The Commission, if not in agreement, may direct the Chief direct an investigation.

- A complaint may be resolved informally at any stage with consent of all concerned
- An alternative dispute resolution process **MUST** be offered to parties where appropriate before an investigation is commenced

Once complete the Chief will review the investigation and decide what action, if any, will be taken (such as):

- Official warning
- Disciplinary hearing
- No action

The complainant will be notified of the Chief's decision in writing ("Disposition Letter")

- A complaint must be filed within 1 year of the events upon which it is based; (discoverability now applies)

Appeals (Officer Conduct)

Law Enforcement Review Board (LERB)
For officer conduct complaints, a complainant has 30 days in which to appeal the decision of the Chief to the Law Enforcement Review Board. Presently, the board hears appeals by complainants and by police officers

Appeals (Policies or Services)

Municipal Police Commission
For policy/services complaints, a complainant has 30 days in which to appeal the decision to the Chief to the municipal police commission. The municipal police commission will review the matter and, if necessary, conduct a hearing into the matter being appealed. After completing its review, the municipal police commission shall advise the complainant in writing as to the disposition of the appeal.

The Court of Appeal
The decision of the LERB is final unless it appears that the Board has misinterpreted the law in coming to its decision. In this case, the decision may be appealed to the Court of Appeal within 30 days of its release (but only with the Court's permission).

The Commission may dismiss a complaint for being frivolous / vexatious / or made in bad faith as recommended by the Chief of Police; or, the Commission may direct that the Chief cause an investigation into the complaint.