



2011

A YEAR IN REVIEW

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## HIGHLIGHTS

- In 2011, ASIRT was assigned 38 files.
- The majority of files occurred in and around major urban centres.
- 32% of the files were classified as sensitive files, an additional 5% were sexual assault allegations.
- Firearm injury and firearm death made up the next major portion of files at 21% each.
- ASIRT was the primary investigating agency on 29 of the 38 files assigned.
- ASIRT has concluded 19 of the 38 files<sup>1</sup>.
- Ten additional files are investigatively complete and are waiting for a decision from the Executive Director and/or an opinion from Alberta Justice.
- To date none of the 2011 files have resulted in charges.
- In July of 2011, ASIRT began collecting data from its stakeholders as part of a self audit research study to ensure they were meeting their main objective, which is to ensure public confidence in the police.

## A MESSAGE FROM THE EXECUTIVE DIRECTOR

It has been my privilege to serve as the Executive Director of the Alberta Serious Incident Response Team (ASIRT) since its inception in 2008. I am very proud of our accomplishments thus far; and of the contributions that the men and women serving in ASIRT have made toward ensuring public confidence in the policing in Alberta. This year has provided us with an opportunity to evaluate our current services in order to continue providing investigative excellence for the people and police of Alberta.

We will continue to work together to earn the trust and confidence of all Albertans. As the civilian in charge of this independent investigative agency and speaking for the men and women serving in it, ASIRT will continue to deliver on our mandate; which is to increase the public's confidence in the police. ASIRT will continue to be committed to seeking the truth, conducting independent objective investigations, and being accountable to the people of Alberta.

Clifton G. Purvis  
Executive Director



## THE INVESTIGATIVE PROCESS

### MISSION

To effectively, independently, and objectively investigate incidents involving Alberta's police that have resulted in serious injury or death to any person as well as sensitive allegations of police misconduct

### VISION

To enhance public confidence and ensure accountability in the investigation of serious or sensitive incidents involving Alberta's police

### VALUES

Integrity, Independence, Investigative Excellence,  
Respect, Trust and Professionalism

### WHAT ASIRT INVESTIGATES

The Alberta Serious Incident Response Team, commonly referred to as ASIRT, has jurisdiction over all sworn police officers in the Province of Alberta. ASIRT is governed by Section 46.1 of Alberta's *Police Act* and is considered a law enforcement agency under the Act. ASIRT's mandate is to investigate incidents or complaints involving serious injury or death of any person, and matters of a serious or sensitive nature, within the province of Alberta, that may have resulted from the actions of a police officer.

A 'serious injury' is defined when an Affected Person(s) suffers from an injury likely to interfere with his/her health or comfort and are more than merely passing or trivial in nature. A Serious Injury shall initially be presumed when the affect person is either admitted for a stay in hospital or suffers severe trauma to the body (or both)<sup>2</sup>. ASIRT may also investigate sexual assaults where the alleged offender is a police officer.

While there is currently no working definition of what constitutes a sensitive file, it is up to the agency involved to report any incidents that they deem may be sensitive and/or serious in nature. In general, sensitive or serious files could involve corrupt or criminal behaviour on the part of police or where the conduct of an officer may affect public confidence in policing.

## HOW ASIRT IS ASSIGNED A FILE

Under Section 46.1 of Alberta's *Police Act*, a notification is made from the police service's Chief of Police or Commanding Officer to the Director of Law Enforcement on any matter that is deemed sensitive or serious. Upon review of the notification, the Director of Law Enforcement<sup>3</sup> has four options to direct the investigation:

- 1 Request or direct that another police service provide a police officer to assist and advise the police service investigating the incident or complaint,
- 2 Request or direct another police service to conduct an investigation into the incident or complaint, which may include taking over an ongoing investigation at any stage,
- 3 Appoint one or more members of the public as overseers to observe, monitor or review an investigation to ensure the integrity of the process of the investigation, or
- 4 In accordance with Section 46.2, direct the head of an integrated investigative unit to conduct an investigation into the incident or complaint, which may include taking over an ongoing investigation at any stage<sup>4</sup>.

In the event that the Director of Law Enforcement chooses to assign the investigation to ASIRT as per Section 46.1 (4) (see option four above), a notification is then made to the Executive Director of ASIRT. The Executive Director of ASIRT notifies the respective Team Commander (South or North region) to initiate the commencement of ASIRT's involvement.

## THE ROLE OF THE EXECUTIVE DIRECTOR

Once a file has been completed by the ASIRT investigative team, the Executive Director will receive and review the investigation. Upon review of the file, the Executive Director may forward the file to the Prosecution Services Branch within Alberta Justice and Solicitor General for further review and opinion. This only occurs in those cases where the Executive Director believes on reasonable suspicion, that an offence has been committed. In the event that the Executive Director does not believe that there is a reasonable suspicion of an offence having been committed, he/she will conclude the file without requesting an opinion from the Prosecution Services Branch within Alberta Justice and Solicitor General.

## CASES INVESTIGATED



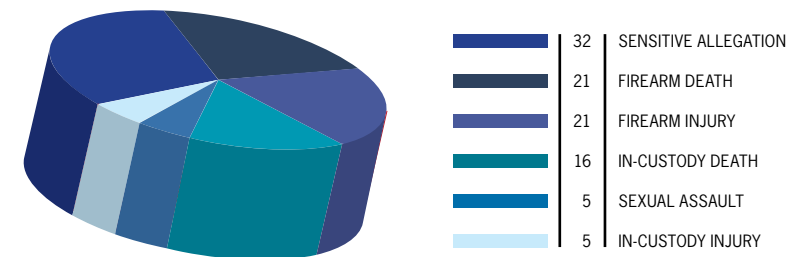
### NOTIFICATIONS VS. FILES

Under Section 46.1 of the *Police Act* there were 119 notifications made to the Director of Law Enforcement in 2011. Thirty-eight of these notifications were assigned to ASIRT. The decision to forward a file to ASIRT rests with the Director of Law Enforcement. Since the Director of Law Enforcement has many options when a notification is made, he/she will not always assign ASIRT the file. In addition, some of the notifications do not meet the requirements of sensitive or serious as outlined in Section 46.1 and thus ASIRT has no authority to investigate.

### FILES BY TYPE

The types of files which ASIRT investigates, reviews and/or oversees include the following: Sensitive Allegations, Sexual Assaults, Vehicle Injury/Death, In-Custody Injury/Death, Firearm Injury/Death and Police Service Dog (PSD) Injury.

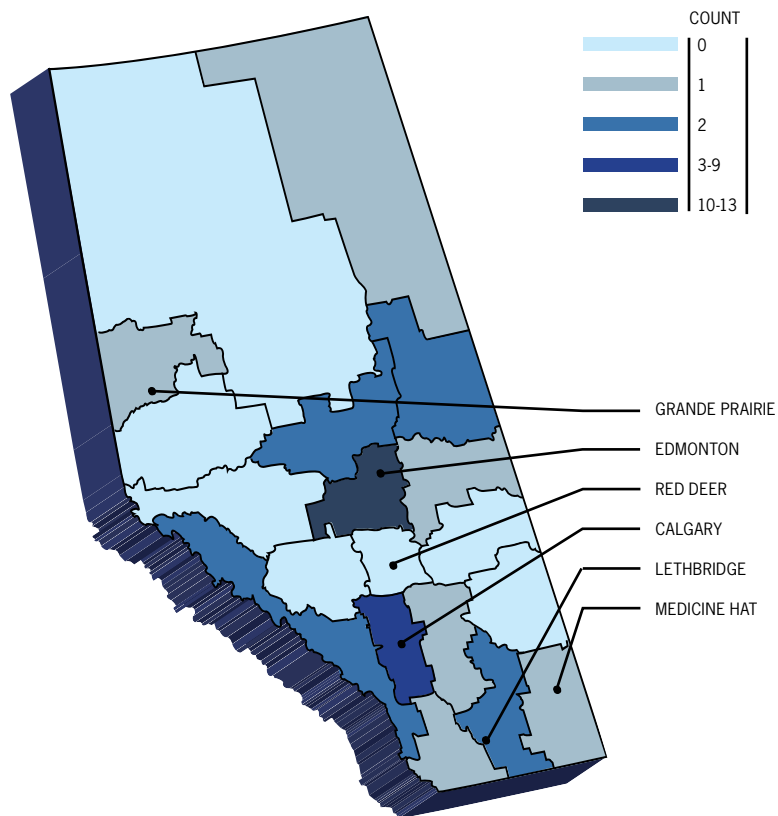
ASIRT ASSIGNED CASES BY TYPE : JANUARY 01, 2011 to DECEMBER 31, 2011



## FILES BY LOCATION

The map below displays the number of files that ASIRT received in 2011 by Region. The map clearly demonstrates that the majority of files occurred in and around the major centres, Edmonton and Calgary.

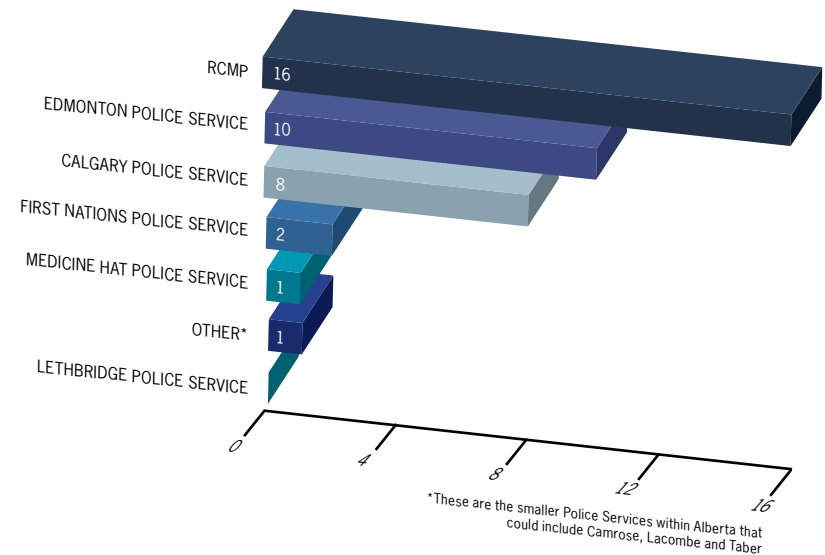
NUMBER OF FILES BY REGION : JANUARY 01, 2011 to DECEMBER 31, 2011



## FILES BY POLICE SERVICE

ASIRT has jurisdiction over all of Alberta's policing agencies, including the RCMP. The following is the breakdown of files by agency for 2011.

ASSIGNED CASES BY AGENCY : JANUARY 01, 2011 to DECEMBER 31, 2011



## FILES BY ASIRT INVOLVEMENT

ASIRT was the primary investigating agency on 29 of the 38 files assigned. ASIRT acted as a reviewer on seven files and an overseer on the remaining two files.

## SUMMARY OF CONCLUDED FILES

### FILES STATUS

In 2011, ASIRT concluded 19 files<sup>5</sup>. Ten additional files are investigatively complete and are waiting for either an opinion from Alberta Justice or a decision from the Executive Director. None of the concluded files have resulted in charges. Nine files are still actively being investigated.



### FILE 2011 - 02

ASSIGNMENT DATE : January 16, 2011

RCMP : Firearm Death

ASIRT ROLE : Primary Investigative Team

On January 16, 2011, the ASIRT was assigned to investigate an incident occurring near Sherwood Park, Alberta. On that date a male contacted police and indicated that he was armed with a firearm and intended to commit suicide. Police responded at the rural location and commenced a 7-hour negotiation with the male. During the course of the negotiation, police engaged a negotiator who attempted to end the standoff peacefully. The male then exited the residence and was engaged by members of the Emergency Response Team who instructed him to put down the firearm he was carrying. After numerous directions to put down the weapon, the male then commenced to raise the weapon and was shot and killed by members of the Emergency Response Team with the RCMP.

ASIRT completed the investigative report, the Executive Director has determined that the four Subject Officers identified in this incident were acting lawfully and were justified in using lethal force having regard to all of the circumstances. The Executive Director reviewed the investigative report which included eye witness accounts, and audio and video recordings made at the time the incident occurred. The Executive Director has determined that the police officers involved were acting in self defense when they discharged their weapons. This file was concluded with no criminal charges.



#### FILE 2011 - 04

ASSIGNMENT DATE : February 2, 2011

CALGARY POLICE SERVICE : Sensitive

ASIRT ROLE : Overseer

On December 19, 2010, two members of the Calgary Police Service were called to a Sports Bar and Karaoke Lounge on a report that an intoxicated female had assaulted staff members and patrons. When police arrived, the female was arrested, handcuffed and placed in the police vehicle. While being placed in the vehicle, she kicked one of the Officers in the face and was then placed in leg restraints. The Officers transported the female to the hospital under the Mental Health Act after she made several comments that she wanted to die. While at the hospital, a physical altercation occurred between the female and an Officer, as witnessed by several hospital staff and captured on surveillance video.

On February 2, 2011, the Director of Law Enforcement assigned ASIRT to oversee and review the ongoing investigation by the Calgary Police Services' Professional Standards Branch. On September 27, 2011, ASIRT received a copy of the completed investigation conducted by the Calgary Police Services Professional Standards Branch. A complete review of this investigation was conducted by ASIRT, including all notes, reports and surveillance video obtained from the hospital. Overall, the investigation was found to be systematic, thorough, and well documented. ASIRT found no recommendations that needed to be made which were not addressed during the course of this investigation. This file was concluded with no criminal charges.

#### FILE 2011 - 05

ASSIGNMENT DATE : February 5, 2011

EDMONTON POLICE SERVICE : Firearm Death

ASIRT ROLE : Primary Investigative Team

On February 5, 2011, members of the Edmonton Police Service responded to reports of personal robberies on the platform of the Rexall Place LRT station. Based on information received from the 911 dispatcher, there were three suspects who were armed with a knife and a baseball bat. When Officers arrived, one suspect was arrested on scene and the other two fled on foot. One suspect was apprehended by nearby bar security, while the other engaged in a foot pursuit with police. While being chased down the ally, the suspect was wielding a knife and baseball bat at the Officer behind him, as well as at the Officers who had responded and blocked off the other end of the ally.

The subject ran towards the three responding Officers and was ordered to stop and drop his weapons. He did not. He continued to approach the Officers with the knife raised to shoulder height. When he was within approximately 10 feet of one of the Officers, the Officer discharged his service weapon, striking the suspect. Officers performed CPR on the suspect, unfortunately, their efforts were not successful and he succumbed to his injuries in hospital.

ASIRT conducted a full investigation into this case which was reviewed by the Executive Director as well as an Alberta Justice and Solicitor General Crown Prosecutor. It was concluded that the Officer acted in self defense and that his actions were justified. This file was concluded with no criminal charges.



## FILE 2011 - 17

ASSIGNMENT DATE : June 1, 2011

BLOOD TRIBE POLICE SERVICE : In-Custody Death

ASIRT ROLE : Primary Investigative Team

On May 31, 2011, a male went to the Blood Tribe Police Service station to register with them due to a previous conviction. The Officer on duty noticed that the male was intoxicated and arrested him for public intoxication. The male had been previously released under conditions not to consume or purchase alcohol. The male was placed in an interview room where he was afforded the use of a phone to contact counsel. He was then walked to the booking area where he was booked into cells and was searched and then escorted to his cell.

After a shift change, the new Officer on shift was delivering meals to the prisoners. The male quickly rose and his meal was passed to him. He began inquiring about when he would be released when he suddenly fell over backwards and struck his head on the concrete floor. The Officer rushed into the cell to check on the male and requested the attendance of Emergency Medical Services (EMS). When EMS arrived, they assessed the male and could not determine any injuries and found him fit to remain in cells. Visual checks were conducted on the male, however, after not seeing him move for a couple of hours another Officer entered the cell and found the male unresponsive and formed the opinion that he was deceased. EMS returned and confirmed that the male was deceased.

## FILE 2011 - 17 cont'd.

ASIRT was assigned to investigate this in custody death on June 1, 2011. There was video which was secured from the Blood Tribe Police Service of the cell areas and it was evident that there was no physical contact between the Officer and the male. The autopsy performed confirmed that the cause of death was consistent with the injuries sustained from the fall. The Executive Director determined that there were no grounds for criminal charges. This file was concluded with no criminal charges.

## FILE 2011 - 19

ASSIGNMENT DATE : June 10, 2011

CALGARY POLICE SERVICE : Firearm Death

ASIRT ROLE : Primary Investigative Team

On June 10, 2011, Calgary Police Service received a call for service in regards to a domestic argument. While on the telephone with the dispatcher, the caller's voice became quiet and as if she was having trouble speaking.

When police arrived at the residence, they were confronted with a male holding both a knife and a female. The responding Officer drew his service pistol, fired several shots at the male, fearing the male was going to kill the female. The male died of his injuries.

The Executive Director reviewed the completed ASIRT investigative report and determined that the police Officer who fired his police service weapon acted lawfully and was justified in doing so. This file was concluded with no criminal charges.

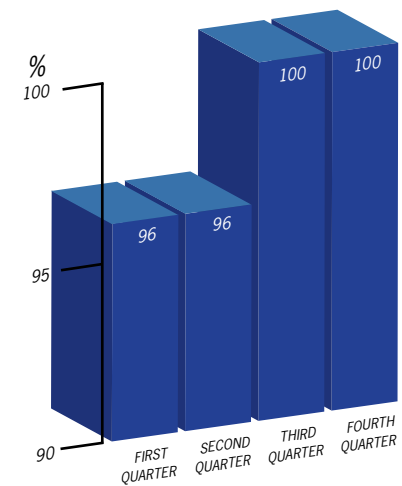
## STAFFING



At the end of 2011, ASIRT had a total of 26 positions. These positions are made up of Civilian Government Employees and Seconded Members from the Calgary Police Service, the Edmonton Police Service, and the RCMP.

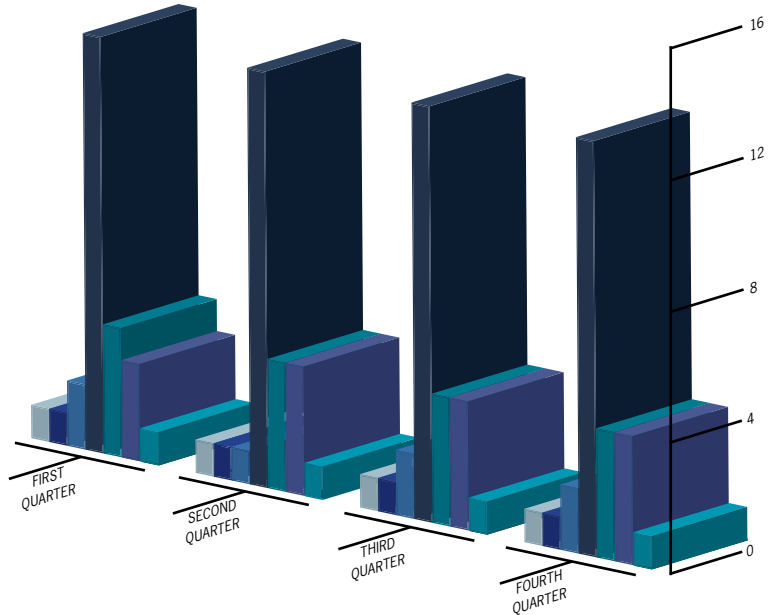
At the end of 2011 ASIRT is comprised of, four Administrative Support positions, one Criminal Intelligence Analyst position, four Contract Investigator positions, 13 Full-Time Investigator positions, two Team Leader positions, one Assistant Director position and one Executive Director position. The following charts describe ASIRT's human resource strength by Quarter and by Type of ASIRT's human resources by Quarter for 2011.

STAFFING LEVELS BY QUARTER



# SELF-AUDIT RESEARCH PROJECT

STAFFING LEVELS BY JOB DESCRIPTION



- EXECUTIVE DIRECTOR
- ASSISTANT DIRECTOR
- TEAM LEADERS
- INVESTIGATORS
- CONTRACT INVESTIGATORS
- ADMINISTRATIVE
- ANALYTICAL

In July 2011, ASIRT began collecting data from its stakeholders as part of a self-audit research study in order to ensure that we are meeting our main objective, which is to ensure public confidence in the police. Stakeholders throughout Alberta were randomly selected and contacted by student research assistants to anonymously participate in a telephone interview. They were asked a series of open-ended questions which were audio recorded and then transcribed for analysis. An email survey was distributed to all police officers in Alberta in order to ensure an accurate representation of the feelings and attitudes of police members towards ASIRT.

The analysis from the research is in its final stages of editing and is expected to be published in the third quarter of 2012.

## LOOKING AHEAD

Recognizing the importance of providing independent and sustainable program delivery of the highest quality, ASIRT increased the number of civilian investigators in 2011.

In 2011, ASIRT provided investigative assistance to other provinces within Canada for serious and/or sensitive incidents involving the police of those provinces. The Yukon Territory requested that ASIRT provide civilian investigations of critical incidents involving the RCMP serving there. Following an agreement between the Yukon and Alberta, ASIRT became the civilian investigation agency for that Territory in early 2012.

In 2012, ASIRT will continue to be involved at a national level providing mentorship to other regions of the country as they begin to develop their own Civilian Police Oversight Agencies.

ASIRT continues to meet the challenges that Civilian Police Oversight Agencies face. With the forecasted changes, ASIRT will continue to provide superior service to all of its stakeholders and to maintain the confidence in Alberta's police.

## CONTACT

Alberta Serious Response Team – South Office  
403-592-4306

Alberta Serious Response Team – North Office  
780-644-1483

## END NOTES

- <sup>1</sup> This figure is based on the information obtained at the conclusion of writing this report on May 24, 2012.
- <sup>2</sup> *The Alberta Police Act*, Section 46.1 Protocol July 2009
- <sup>3</sup> The Director of Law Enforcement in Alberta is a public employee appointed to the Alberta Government's Justice and Solicitor General.
- <sup>4</sup> Direct Quote from *The Alberta Police Act*, Section 46.1
- <sup>5</sup> This figure is based on the information obtained at the conclusion of writing this report on May 24, 2012.

