

HOW TO RESOLVE A COMPLAINT CONCERNING THE CONDUCT OF A FIRST NATIONS POLICE OFFICER IN ALBERTA

FIRST NATIONS POLICE OFFICERS (Police Act of Alberta) COMPLAINT AND APPEAL PROCESS

The Police Act states that a complaint must be filed within one year of the events upon which it is based occurred.

COMPLAINT PROCEDURE

1. Address complaint to either the Public Complaint Director of the First Nation police commission or to the chief of police of the First Nation police service.

The complaint may be submitted to either the public complaint director of the First Nation police commission or the chief of police of the First Nation police service where the officer who is the subject of the complaint is employed.

See below for mailing information.

2. Provide details

Your complaint should be in writing, and must contain the reasons for your complaint, and the details of the incident involved.

3. Informal resolution and mediation

Prior to conducting a formal investigation, the police service may attempt to resolve the matter informally with the consent of you and the police officer(s) involved.

4. Investigation of complaint

• Complaints submitted to the Public Complaint Director:

Upon receipt of your complaint, the public complaint director will forward it to the chief of police who will assign a member of the police service to investigate. You may be interviewed and you may also be requested to provide a written statement. You will be notified, in writing, every 45 days as to the progress of your complaint. When the investigation is completed, the chief of police will review it and decide what action, if any, will be taken. You will be advised, in writing, of the police service's decision.

• Complaints submitted to the Chief of Police

Upon receipt of your complaint, the chief of police will assign it to a member of the police service for investigation. You may be interviewed and you may also be requested to provide a written statement. You will be notified, in writing, every 45 days as to the progress of your complaint. When the investigation is completed, the chief of police will review it and decide what action, if any, will be taken. You will be advised, in writing, of the police service's decision.

APPEAL PROCEDURE

1. Law Enforcement Review Board

If you are not satisfied with the decision of the chief of police, you may appeal the decision to the Law Enforcement Review Board within 30 days. Submit your appeal, in writing, stating the points in the police findings with which you disagree and the reasons why.

2. Appeal Hearing

The Law Enforcement Review Board is an independent non-police body consisting of a chairperson and two members appointed by the provincial government. The Board will advise you, in writing, of the date, time and place of the hearing and what, if anything, will be required of you. You have the right to counsel should you so choose.

Address Appeal Correspondence to: Law Enforcement Review Board

c/o Secretary

4th Floor, John E. Brownlee Building

10365 97th Street

Edmonton, Alberta T5J 3W7

3. Board's Decision

The decision of the Law Enforcement Review Board 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).

For more information, please contact:
Policing Services, Standards and Evaluations
Public Security Division
Solicitor General and Public Security
10th Floor, John E. Brownlee Building
Edmonton, Alberta T5J 3W7
Tel 780/427-3457 Fax 780/427-5916

Chief of Police
Lakeshore Regional Police Service
Box 291
Driftpile, AB T0G 0V0

Public Complaint Director/Chair
Lakeshore Regional Police Service Police Commission
Box 210
Driftpile, AB T0G 0V0