

## **Peel Regional Police**

### ***Police Services Act* R.S.O. 1990, c. P. 15, as amended**

**IN THE MATTER OF** a hearing held in accordance with section 76(9) of the *Police Services Act* into an allegation of misconduct against **Constable Paul Penner #2473**.

**Allegations:**                      **Neglect of Duty (3 Counts)**  
   **Discreditable Conduct (1 Count)**

---

### **Disposition**

---

**Hearing Officer**

**Superintendent Dave Andrews**  
Peel Regional Police

**Prosecutor**

**Ms. Lynda Bordeleau**  
Peel Regional Police

**Co-Prosecutor for the Chief of Police**

**Inspector Taufic Saliba**  
Peel Regional Police

**Defence Counsel**

**Ms. Maureen Salama**  
BTZ Law

## **PART I: OVERVIEW**

### **Allegations of Misconduct**

- [1] It is alleged that Constable Paul Penner #2473 (“Constable Penner”), a member of the Peel Regional Police Service, committed the following acts of misconduct contrary to section 80(1)(a) of the *Police Services Act, R. S. O. 1990 c. P. 15*, as amended;

#### **Count One: Neglect of Duty**

You are alleged to have committed Neglect of Duty in that while on duty in the summer of 2016 you without lawful excuse, neglected or omitted to promptly and diligently to perform a duty as a member of the Peel Regional Police constituting an offence against discipline as prescribed in section s. 2(1)(c)(i)(A) of the Code of Conduct, Ontario Regulation 268/10, as amended.

#### **Count Two: Neglect of Duty**

You are alleged to have committed Neglect of Duty in that on or about the 21<sup>st</sup> day of December, 2015 you without lawful excuse, neglected or omitted to promptly and diligently to perform a duty as a member of the Peel Regional Police constituting an offence against discipline as prescribed in section s. 2(1)(c)(i)(A) of the Code of Conduct, Ontario Regulation 268/10, as amended.

#### **Count Three: Discreditable Conduct**

You are alleged to have committed Discreditable Conduct in that between May 14<sup>th</sup>, 2015 and May of 2016 you acted in a disorderly manner or in a manner prejudicial to discipline or likely to bring discredit upon the Peel Regional Police constituting an offence against discipline as prescribed in section s. 2(1)(a)(xi) of the Code of Conduct, Ontario Regulation 268/10, as amended.

#### **Count Four: Withdrawn**

#### **Count Five: Neglect of Duty**

You are alleged to have committed Neglect of Duty in that between October 1<sup>st</sup>, 2014 and October 16, 2016 you without lawful excuse, neglected or omitted to promptly and diligently to perform a duty as a member of the Peel Regional Police constituting an offence against discipline as prescribed in section s. 2(1)(c)(i)(A) of the Code of Conduct, Ontario Regulation 268/10, as amended.

## Background

- [2] Constable Penner of the Peel Regional Police Service had been ordered to appear before Superintendent Colleen Fawcett on January 8, 2018 in answer to a Notice of Hearing that was issued on December 27, 2017, alleging five counts of misconduct contrary to section 80(1)(a) of the *Police Services Act*.

## Plea

- [3] On January 9, 2019, Constable Penner appeared before me and entered a guilty plea to the following counts:

Count One: Neglect of Duty

Count Two: Neglect of Duty

Count Three: Discreditable Conduct

Count Four: No plea entered at this time

Count Five: Neglect of Duty

## Decision

- [4] After analyzing and weighing all the evidence presented, as the Hearing Officer, I impose on Constable Penner #2473 of the Peel Regional Police for three counts of Neglect of Duty and one count of Discreditable Conduct:

**A reduction in rank from First Class Constable to Second Class Constable for a period of six (6) months, following which the officer will be returned to the rank of First Class Constable on the basis of satisfactory work performance to be determined by the officer's Divisional Commander.**

- [5] The penalty is submitted in accordance with section 85(1)(e) of the *Police Services Act*.

## **PART II: THE HEARING**

### **Exhibits**

[6] The Exhibits for this matter are listed as follows;

Exhibit #1	Delegation of Powers and Duties (Superintendent Colleen Fawcett)
Exhibit #2	Prosecutor's Designation (Ms. Lynda Bordeleau)
Exhibit #3	Prosecutor's Designation (Ms. Lynda Bordeleau)
Exhibit #4	Co-Prosecutor's Designation (Inspector Taufic Saliba)
Exhibit #5	Delegation of Powers and Duties (Superintendent Dave Andrews)
Exhibit #6	Agreed Statement of Facts
Exhibit #7	Joint Submission as to Penalty
Exhibit #8	Constable Penner's Employment File
Exhibit #9	Defence Book of Authorities

### **Representation**

[7] In this matter, Ms. Maureen Salama represented Constable Penner, and Ms. Lynda Bordeleau and Inspector Taufic Saliba represented the Peel Regional Police. I recognize the tremendous amount of work and dedication that was required from both counsel to bring this matter to a resolution. I thank them both for their efforts.

### **Agreed Statement of Facts**

[8] After Constable Penner entered his guilty plea before me on January 9, 2019, an Agreed Statement of Facts was presented by Ms. Bordeleau on behalf of both counsel and it was marked as **Exhibit #6**. The following Agreed Statement of Facts was read into the record by Ms. Bordeleau:

#### **BACKGROUND**

1. Constable Paul Penner #2473 has been employed with the Peel Regional police for approximately 17 years. During the course of his employment he has been assigned to Uniform Patrol at 12 Division, Regional Traffic Unit, Airport Division and 11 Division (Uniform, CIB and Frauds). At the time of this investigation, he was assigned as an investigator on 'C' Platoon.
2. Constable Penner is engaged in secondary employment as a real estate agent for Home Life Miracle Realty Ltd. Brokerage.

**COUNT ONE – NEGLECT OF DUTY**

3. While on duty in the summer of 2016, Constable Penner met with AA and a female at Turtle Jacks restaurant on Royal Windsor Drive in Mississauga. Constable Penner knew AA to be involved in criminal activity.
4. AA was known to be involved with sex trade workers. Constable Penner acknowledged in his compelled interview that he knew AA was at the restaurant with a female. Constable Penner entered the restaurant to ensure that the female was not a minor. The female was not a minor.
5. Constable Penner did not inform his supervisor of this meeting prior to it occurring or immediately thereafter. He did not have a partner present. He did not notify communications of his whereabouts of that he was conducting a follow up on police matters.
6. Constable Penner made no notations in his police notebook with respect to the incident as required by Directive 1-B-134(F), section 3(f).
7. The actions of Constable Penner constituted Neglect of Duty in accordance with section 2(1)(c)(i)(A) of the prescribed Code of Conduct.

**COUNT TWO – NEGLECT OF DUTY**

8. On December 21<sup>st</sup>, 2015, officers from 11 Division responded to a complaint of domestic violence. The complainant provided officers with a KGB sworn statement detailing the events involving her boyfriend BB. Injuries were observed by the responding officers Constable Mark Co and Constable John Martin. Damage to her property was observed at the scene which included her cell phone and iPad.
9. Both responding officers reported having reasonable grounds to arrest BB for domestic assault, however, they were unable to affect this arrest as BB's whereabouts were unknown at the time that they both reported off duty.
10. BB was known to Constable Penner as he had met him six months prior to the domestic assault investigation. One of BB's employers was a car repair/service business in Mississauga owned by AA.
11. At the time of the Domestic Assault complaint, Constable Penner was involved in a criminal investigation (shooting) involving CC as a witness. Constable Penner was also involved in selling real estate for CC. At the time of this investigation, a deal was in place for the purchase of a commercial property in Cambridge. Constable Penner visited the residence of CC later that week for the Christmas holiday. CC owned the building where the car repair/service business owned by AA was located. Constable Penner did not know of any other connection between BB and CC at the time of this investigation.

12. Ultimately, BB attended 11 Division to speak to police. He was subsequently arrested and Constable Penner was tasked to interview him. The interview was scribed by Constable Diane Carvalho. BB provided an exculpatory statement and later provided photographs, video footage and other leads that were intended to support his version. Constable Penner acknowledged in his compelled interview that the snippets of video and photographs weren't conclusive but they "kind of supported his story" [p. 76]. Constable Penner followed up on the leads but did not complete the occurrence.
13. Following the interview of BB, Constable Penner and Constable Carvalho agreed that BB should not be charged with any criminal offence based on the statement provided. Both officers briefed Detective Sergeant Tom Snelling about the investigation and the decision was made to release BB unconditionally at the time, pending further follow ups. BB was never criminally charged with any offence in relation to this incident.
14. Constable Penner, aside from reviewing the synopsis of the complainant's video statement, did not consider any evidence from the victim in his decision not to lay charges. At no time did he speak to the initial investigating officers.
15. Constable Penner did not make his supervisors aware of his association to BB or CC.
16. Constable Penner did not record any follow ups he undertook in the police occurrence or in his duty notes following the unconditional release of BB.
17. Constable Penner was negligent in his handling/investigation of the domestic assault contrary to section 2(1)(c)(i)(A) of the prescribed Code of Conduct.

### **COUNT THREE – DISCREDITABLE CONDUCT**

18. On May 14, 2015, a criminal investigation commenced into the attempted murder of a 21 year old male. Constable Penner was assigned to the investigative team on this date. CC was the owner of the property where the shooting occurred and became an important witness to the investigation. In approximately June 2015, the investigative team was disbanded but the case remained open in case any further information was received or uncovered. Constable Penner was then transferred by [sic] to CIB. After the task force was disbanded, Constable Penner was tasked with writing production orders connected to the investigation on a periodic basis.
19. Constable Penner first came into contact with CC as a member of the Peel Regional Police. CC was known to be associated to the towing and auto body business and had a criminal record for firearms. Constable Penner was unaware of CC's firearm conviction at the time they met.
20. In the fall of 2015, Constable Penner began a business relationship with CC by acting as his real estate agent. That relationship continued until September of 2016 resulting in approximately two purchases and the listing of two properties for sale including a residence and a commercial property indirectly associated to CC. Of the properties

dealt with, two properties were listed after CC was arrested and charged with firearms and domestic assault. Constable Penner failed to see the actual or apparent conflict of interest in such a business relationship.

21. Constable Penner's relationship with CC eventually became personal, with the two visiting each other over the Christmas holidays in 2015.
22. In January 2016, CC was arrested for domestic assault. At the time, CC was facing approximately 23 criminal charges arising out of a search warrant executed at his residence. Three firearms with ammunition were recovered at the residence. It was at this time that Constable Penner became aware of previous convictions CC had in relation to firearms offences.
23. On January 15<sup>th</sup>, 2016, Constable Penner attended the Hamilton Detention Centre along with this [sic] wife to visit CC while he was in custody. At no time did Constable Penner advise his supervisors or officer in charge of the attempt murder investigation of these charges. CC remained a witness in that investigation.
24. Constable Penner also attended CC's bail hearing in the spring of 2016 as well as a family court appearance. During this time period, Constable Penner was in the process of preparing a production order for a separate criminal investigation that was related to the shooting on CC's property. Again, Constable Penner failed to see the actual or apparent conflict of interest in this relationship.
25. The above actions of Constable Penner in relation to his personal and business relationship with CC constitute Discreditable Conduct in that:
  - a. Constable Penner engaged in a business relationship with a witness in a criminal investigation in which he was directly involved. Constable Penner benefitted financially from the relationship.
  - b. Constable Penner engaged in a personal relationship with a witness from an ongoing criminal investigation, CC, by visiting his home, visiting him while he was incarcerated, attending bail hearing and family court appearances.
  - c. Constable Penner failed to report to his supervisors that an integral witness to an investigation, CC, was arrested for firearms offences.

#### **COUNT FIVE – NEGLECT OF DUTY**

26. Investigators reviewed Constable Penner's notebooks between October 1<sup>st</sup>, 2014 and October 16<sup>th</sup>, 2016. There were twelve police notebooks surrendered for this time frame.
27. The entries were noted by date worked and content. The notes were compared to a list of dates from timekeeping which identified dates that Constable Penner was scheduled to work.

28. Each of the twelve notebooks contained incomplete notes where dates were referenced but either no finish times or content was noted. Notes were made out of sequence.
29. On approximately 190 occasions Constable Penner was scheduled to work, however no notes were recorded in Constable Penner's duty notebooks. For example on July 8, 2016, Constable Penner was credited for working 15 hours in CIB (10 hours regular time and 5 hours overtime) however, he acknowledged in his compelled interview that this date does not appear in his notebook.
30. The actions of Constable Penner constitute Neglect of Duty.
31. Attached as Appendix A is a copy of Constable Penner's compelled interviews dated November 24<sup>th</sup>, 2016 and February 8<sup>th</sup>, 2017.

- [9] Based on the clear and convincing evidence that was contained within the Agreed Statement of Facts, in conjunction with an acknowledgement by the Defence that the facts were correct, I made a finding of misconduct on all four counts.
- [10] The remaining count on the Notice of Hearing was scheduled for a four-day Hearing which was to commence on May 14, 2019. On consent of all parties, the date was rescheduled for Monday May 13, 2019. At the start of the May Hearing, I was advised that the parties had come to a resolution. As such, the remaining count was withdrawn, and counsel provided me with a Joint Submission as to Penalty which was marked as **Exhibit 7**. The proposed joint penalty was:

**A reduction in rank from First Class Constable to Second Class Constable for a period of six (6) months, following which the officer will be returned to the rank of First Class Constable on the basis of satisfactory work performance to be determined by the officer's Divisional Commander.**

### **Submissions of the Defence – Ms. Salama**

- [11] The Defence began by tendering the Employment File of Constable Penner and their Book of Authorities which became **Exhibit 8** and **Exhibit 9** respectively. Ms. Salama believed that the joint submission was reflective of the relevant sentencing principles.
- [12] She agreed that the misconduct was serious and advised that this was acknowledged by Constable Penner. In fact, the seriousness of the offences was the main consideration for the penalty involving demotion. However, Ms. Salama asked me to view the facts contextually. She submitted, by way of example, that the first two counts of Neglect of Duty were not committed for nefarious reasons, nor did he attempt to cover up his failure.

- [13] In her opinion, the Discreditable Conduct allegation of Count Three was the most serious offence due to the relationship between Constable Penner and CC. However, I was referred to pages 25 to 31 of the transcript of the compelled interview which was an appendix to the Agreed Statement of Facts. The Defence purported that the transcript showed that even during the interview, Constable Penner struggled to understand how his relationship with CC was a conflict under the circumstances was. He has since learned and now understands the concern. However, Ms. Salama advised that the fact that Constable Penner had no intention to create or continue a conflict was the mitigating factor in the joint recommendation for a demotion penalty of six months rather than a longer period.
- [14] I was asked to consider Constable Penner's remorse. He recognized the seriousness of his actions, even though the conflict, as described in Count Three, wasn't clear to him at the time. Ms. Salama advised that I need to consider how Constable Penner reacted to this matter. He learned from his mistakes and never tried to shirk his responsibilities. He was honest and forthright with the Internal Affairs investigators. An officer who has learned and who has shown remorse is what is hoped for by a Hearing Officer.
- [15] I was directed to Constable Penner's Employment File of Exhibit 8 which the Defence described as "...extremely favourable and deserving of mitigation..." **Tab 1** of the Employment File contained commendations and awards while **Tab 2** contained performance appraisals of Constable Penner.
- [16] Ms. Salama advised that all the appraisals depicted Constable Penner's performance rating as either "meet standard" or "exceeding standard" or "clearly exceeding standard". The evaluations demonstrate a steady and clear progression of development. She stated that he was becoming a better officer over time.
- [17] Ms. Salama read the following quote from a 2012 – 2013 appraisal that was authored by Detective Darren Hawley:
- "Constable Penner is an asset to the organization and will continue to grow in the PRP with experience"*
- [18] Furthermore, the Defence submitted that the appraisals highlighted Constable Penner's commitment to working with others. He was praised for his interpersonal skills and his reliability. He assisted and led those around him. This was an important quality for an officer wishing to grow within the organization.
- [19] Ms. Salama commented on Constable Penner's commitment to community involvement. He has been a member of Big Brothers as well as other community organizations. He has received praise for his focus on organizational initiatives involving diversity and inclusion.
- [20] Constable Penner's employment history also demonstrated his ability to rehabilitate. His loyalty to the organization hasn't changed much despite this prosecution. His strong work performance is indicative of the fact that he is a strong officer who can rally back from this incident and return to the leadership and dedication that he had been praised for in the past. Constable Penner's motivation and potential to move on in his career is very strong.

- [21] Finding cases to support Consistency in Sentencing was difficult for both counsel because of the uniqueness of the circumstances in this matter. The first three cases of **Exhibit 9** dealt with incomplete or inadequate investigations while the last two cases dealt with a failure to complete proper notes. It was suggested that, had it not been for the Discreditable Conduct of Count Three, a demotion would have been too high from the appropriate range. However, considering the relationship between Constable Penner and CC, the joint submission was appropriate in the circumstances.

### **Submissions of the Prosecution – Ms. Bordeleau**

- [22] In her agreement with Ms. Salama regarding the difficulty of similar cases, Ms. Bordeleau did not submit a Book of Authorities but allowed the Tribunal to rely on the Defence materials. The Prosecution and Defence worked through the issues to arrive at a resolution and the proposed joint penalty that was reflective of the facts. To paraphrase Ms. Bordeleau, she described it as the best type of scenario that we could achieve in a Tribunal and that if we did not have an issue with the usefulness of an officer, then we should be focused on a corrective approach.
- [23] The Prosecution acknowledged that Constable Penner maintained a positive attitude throughout this matter and his ultimate recognition of the seriousness of the offence is what led to the joint submission.
- [24] Ms. Bordeleau advised that demotions were not taken lightly and that a demotion of six months was significant. Demotions were often triggered in situations involving criminality, however no criminal charges or criminal allegations existed in our case. It was the conflict of interest in Count Three that brought the disposition of demotion within our penalty range.
- [25] The Prosecution echoed the Defence admission that the misconduct was serious in nature and in doing so, Ms. Bordeleau's submissions were focused mainly around the relationship between Constable Penner and CC. It was asserted that the negative appearance which emerged from this relationship is something that a police employer cannot accept. While the misconduct surrounding the note taking was certainly an issue, the conflict of interest was most problematic. The seriousness of the misconduct and the public interest were the most aggravating factors.
- [26] Ms. Bordeleau agreed with Ms. Salama's description of the mitigating factors. Constable Penner had approximately fifteen years of service with no prior discipline history. The Prosecution stated that the employment history provided substantial mitigation, hence the reason that the demotion range was capped at six months.
- [27] In summation, the Prosecution submitted that in light of the balancing of all factors, the proposed joint submission properly reflected the nature of the misconduct as well as addressing the officer.

## **Submissions of the Officer – Constable Penner**

- [28] Constable Penner accepted the Tribunal’s opportunity to make a statement. In doing so, Constable Penner apologized for putting himself and his Police Service in this position. He stated he wanted to move forward with his career “without anymore bumps in the road”.

## **PART III: ANALYSIS AND FINDINGS**

- [29] The extent of informative detail before the Tribunal is limited to what is listed in the Agreed Statement of Facts, and submissions made by the Prosecution and Defence. I have reviewed all the information and materials that were submitted.

- [30] I am very familiar with the disposition factors that are expected to be considered by a Hearing Officer in the determination of the appropriate penalty. These disposition factors have been accepted by the Commission for several years. Both the Defence and Prosecution spoke to the following disposition factors that they believed were relevant to this case:

- Seriousness of the Misconduct
- Recognition of the Seriousness of the Misconduct
- Public Interest
- Officer’s Employment History
- Potential to Reform or Rehabilitate the Police Officer
- Consistency of Disposition

### *Seriousness of the Misconduct*

- [31] I agree with both counsel that this case is serious. The officer’s notetaking practices are serious because of the potential, negative impact a lack of notes may have at a Court proceeding. However, as emphasized by the Prosecution and Defence, the Discreditable Conduct of Count Three presents the highest level of seriousness because it contains the highest level of risk. The appearance of the relationship between Constable Penner and CC would not viewed favourably by a member of the public and this in turn will no doubt have some level of damage to the reputation of the Peel Regional Police. Even when viewed contextually, this case leaves a sense of distaste to those reading the facts. For these reasons, I find this to be significantly aggravating.

*Recognition of the Seriousness of the Misconduct*

- [32] It is clear from the submissions that Constable Penner’s inability to recognize the seriousness of his actions was the obstacle that prevented this matter from resolving itself at an earlier stage. To paraphrase Ms. Salama, she stated that since the relationship was personal, it essentially prevented him from being able to see the true nature of the conflict and I was invited to read pages 25 to 31 of the compelled interview transcript to support her claim. I read the transcript which provided information on how the relationship was formed and that Constable Penner grappled with the notion that his relationship with CC was inappropriate. The fact that an inexperienced officer couldn’t see the obvious conflict is still somewhat troubling to me. However, Ms. Salama has caused me to properly consider that personal relationships of any kind may shield a person from seeing the entire picture. I believe that he has finally learned from this experience, therefore I will afford some level of mitigation.

*Public Interest*

- [33] Although there were not a lot of submissions surrounding the factor of Public Interest, Ms. Bordeleau did advise that Public Interest was one of the most aggravating factors for my consideration. I agree with her because the public has a vested interest in those who have sworn to protect them. The community must have faith in their police service and when an officer’s actions erode that faith, it is extremely difficult to repair that damage. I find this to be an aggravating factor.

*Employment History and Potential for Reform or Rehabilitation*

- [34] Fortunately for Constable Penner, he has an employment history that provides him with ample credit. He has no prior discipline history, and he has several awards and commendations mostly relating to involvement and participation in organizational and community initiatives. The supervisory comments in his performance appraisals reflect the type of officer that the public expects from its police service. I noted that in his most recent appraisal, that in addition to favourable comments provided by his area manager, Constable Penner listed the following two developmental goals:

- Continue my involvement with the Diversity Unit “Race Against Racism” committee
- Continue my involvement with the B.B.B.S. [Big Brothers and Big Sisters] of Peel – fundraising committee.

- [35] The Defence submitted that Constable Penner’s ability to be rehabilitated could be witnessed through his performance appraisals. I agree with that proposition. Constable Penner past performance coupled with his response to this Prosecution depicts and officer who has a strong ability for positive change. Constable Penner’s employment history and rehabilitative potential are significant mitigating factors.

*Consistency of Disposition*

- [36] Parity is one of the most important disposition factors, yet it is often one of the most difficult to achieve. This is because the more unique the circumstances are in a certain case the more difficult it is to find cases that have similarities. This holds true in our matter. The uniqueness and complexity of the misconduct in this matter has limited the amount of cases that could be provided for my analysis. Nevertheless, Ms. Salama presented five cases that she believed supported her position that the proposed joint submission provided consistency in sentencing.
- [37] The first case was an appeal heard by the Commission. It involved a negligent domestic violence investigation. The officer was found guilty and ordered to forfeit forty hours pay. The Commission upheld the conviction and the penalty.
- [38] The second case was a Peel Regional Police Tribunal matter involving a negligent domestic assault investigation. The officer pleaded guilty and received a demotion from First Class Constable to Second Class Constable for three months.
- [39] Case Three was also a Peel Regional Police Tribunal matter that involved one count Discreditable Conduct in relation to a negligent investigation. This case had aggravating factors, such as deceit, that were not present in our case and therefore I did not find it particularly useful in my analysis.
- [40] The fourth was an appeal case made to the Commission requesting a penalty of 80 hours to be reduced to 24 hours. The matter involved incomplete notes. The appeal was dismissed. There were similarities to our case and I found this to be helpful.
- [41] Lastly was a Peel Regional Police Tribunal matter involving incomplete notes. The imposed penalty was 160 hours. There are similarities in this case which I used in my analysis.

**Conclusion**

- [42] In my analysis, it would be improper and impossible to apply a set penalty for each count. This would not be in accordance with the number of factors that I was required to balance. The cases provided did instruct me that demotion would not be appropriate for the improper note taking practices on their own. The demotion range would be applicable for a negligent investigation, but it would have been on the highest end, absent any other misconduct. In our case, the serious misconduct of Count Three coupled with the 3 counts of neglect bring demotion well within the appropriate range of penalty for my consideration.

## PART IV: DISPOSITION

[43] Constable Penner's acceptance of responsibility by pleading guilty indicates that he appreciates the impact of his actions. I have reviewed all the available information and, while a Hearing Officer is not bound by joint submissions, there is no clear and cogent reason before me to vary from the submission on penalty. In addition to those factors previously considered, this penalty addresses the need for specific and general deterrence. It provides assurance to the public and policing community that the Peel Regional Police is prepared to impose sanctions on officers when their behaviour falls short of the expectations of the Service. I concur with the joint submission being suggested in this case as it is entirely appropriate.

### Penalty

[44] For the noted reasons, for three (3) counts of Neglect of Duty and one (1) count of Discreditable Conduct, as the Hearing Officer, I impose on Constable Paul Penner #2473 of the Peel Regional Police Service:

**A reduction in rank from First Class Constable to Second Class Constable for a period of six (6) months, following which the officer will be returned to the rank of First Class Constable on the basis of satisfactory work performance to be determined by the officer's Divisional Commander.**

[45] The penalty is submitted in accordance with section 85(1)(e) of the *Police Services Act*.



August 16, 2019

---

Superintendent (Ret'd) Dave Andrews, #1305

Date