

SENTENCE

SERGEANT JOSEPH TRUDEAU

BADGE NUMBER 216

SAULT STE MARIE POLICE SERVICE

December 3rd, 2013.

DEPUTY CHIEF TERENCE KELLY (RET.) Before dealing with sentence in this matter, I wish to thank Mr. Jeff Broadbent, counsel for Sergeant Trudeau, and Mr. Ian Johnstone, the service prosecutor, for their able submissions, all of which have assisted me in my decision

Sergeant Joseph Trudeau, Badge Number 216, pleaded not guilty, but was found guilty, of one count of Discreditable Conduct, laid under the **Police Service Act**.

This charge has been adequately detailed in the Notice of Hearing and in my Judgment dated August 29th, 2013 and, as such, it would be redundant for me to detail it here again. When an officer has made an error in judgment, it should be taken into consideration whether punishment is due and, again, in determining what the punishment should be.

The higher standards for police conduct accounts for why the media pays very close attention to what police do and how well they do it. It is precisely because police officers have more power than any other institution in our society that they are exposed to the glare of the media and the closer the scrutiny, the greater the magnification of any problems that are found.

Police officers have millions of interactions with the public every year and the vast majority of those interactions go well. A small fraction does not.

The main purpose of the Police Service Act Discipline Code is to set standards of conduct for police officers. The standards are high, and rightly so, if respect from the community is to be obtained.

With regards to specific deterrence, I find it very unlikely that this officer will ever appear before the Tribunal again. I think it is unfortunate that he is here under these circumstances.

With regards to general deterrence, again I'm satisfied that officers know that they are: **“Expected to do the right thing - even when no one is watching: to provide members of the community what they routinely expect when they are consumers of a product or service. Police others as you would have others police you.”** I don't think by imposing a penalty on the grounds of general deterrence is going to send any message to the members of the Service that they are not already aware of.

In reaching a just, and appropriate and effective penalty in this matter I have taken into consideration the submissions of the service prosecutor and defence counsel. Both counsel have recommended that the penalty be a reprimand, given the impeccable background of the officer.

Sergeant Joseph Trudeau has now besmirched an otherwise exemplary career spanning some 27 plus years. His personal file contains commendations for excellent police work, together with letters of appreciation from the general public. These positive recommendations indicate that Sergeant Joseph Trudeau performs his duties in an exemplary manner. They also show a compassionate individual. I take this into consideration

Sergeant Joseph Trudeau, the fact that your Record of Service will note conviction for misconduct is sufficient punishment. The penalty imposed by this Tribunal in this case will be a **REPRIMAND.**

Terence Kelly
Deputy Chief
York Regional Police (Retired)
Hearing Officer.

