



Investigative Report

Complainant: Robert Lepp

Complaint Number: E-202101171011247004

Police Service: York Regional Police Service

Date Referred: February 5, 2021

Date: July 20, 2021

P.S.B. Investigators Detective Bernie Hurley #1024
Detective Maryam Alikhani #1346

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Complainant's submission to the OIPRD

Mr. Robert Lepp – Complainant

The following is the verbatim version of the complaint submitted to the OIPRD by Mr. Lepp:

“Both officers admitted in their report of incident #2020-386374 that the law did not permit either of the two. Aurora staff or police themselves to enter my home without a warrant but they went on and did so anyway.

They wrote that admission in the incident report.

I did not invite them beyond the porch storm door.

I was inviting 2 men from the Town of Aurora to come in to my home to check my water meter. I said to the two men: "Come on in". Both officers then moved from my walkway into my home, they approached my door behind the Aurora men.

PC Flowers was first heard to say: "OK, we'll all go."

I did not indicate any approval, and I stood in one place. They had to walk around me.

PC Skelly then came up behind Flowers and pushed ahead and he just charged in. He had to walk around me as I blocked the door. I indicated my displeasure. It is on the video.

There had never been ANY lack of peace. I have no history of NOT being peaceful. As he pushed past me I asked what he was doing and why.

Skelly then stated emphatically "We're going (inside your home) to keep the peace."

He would not stop coming into my property and he was obviously looking for me to make a fuss.

He was effectively taunting me to do something physical, he was going on "to keep the peace", a peace which has NEVER been unkept.

I have the entire incident in video, there are 2 witnesses from Aurora, plus my wife. I have Incident Report 2020-386374.

The two officers went to my basement without an invitation, and with me making an explicit complaint about it. They violated the law and the Charter of Rights.”

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Code of Conduct Allegations

Allegation 1 – Unlawful Exercise of Authority 2(1)(a)(xi) (Disorderly Conduct)

acts in a disorderly manner or in a manner prejudicial to discipline or likely to bring discredit upon the reputation of the police force of which the officer is a member

Respondent Officers:

Police Constable (PC) Jocelyn Flowers #2585

Police Constable (PC) Robert Skelly #2526

Summary of the incident

York Regional Police (YRP) General Occurrence (GO) #2020-386374

1. At 12:09 p.m. on November 30, 2020, YRP received a call from a Town of Aurora employee in regards to a "Keep the Peace Call" for a residence located at 227 Orchard Heights Boulevard, in the Town of Aurora. PC Skelly and PC Flowers attended the call.
2. The caller (Civilian Witness #1-CW1) advised police that he had observed an online blog posted by a "Bob Lepp" (known to the Town of Aurora for various disputes with the Town). The following information was provided in the call history: "***TOWN OF AURORA* COMP SAW ON AN ONLINE BLOG THAT "BOB LETT" SAID HE WAS COLLECTING RAIN WATER & PUMPING IT BACK INTO THE SYSTEM THRU THE METER - COMP WANTS TO GO TO HIS HOUSE W/PLUMBING INSPECTOR TO SEE IF ML HAS TAMPERED W/METER & IF WATER HAS BEEN CONTAMINATED - REQUIRE YRP TO ASSIST AS MALE IS KNOWN TO TOWN AND POSSIBLY HAS MENTAL HEALTH ISSUES.**" Please refer to **Appendix C** for Mr. Lepp's posted blog.

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3. CW1 advised that Mr. Lepp had been posting about collecting rainwater and illegally pumping the water back into the public water supply to tamper with the water meter readings. This action would be a very serious public health concern, possibly a criminal matter and bylaw infraction. Police and the Town of Aurora Infrastructure Services attended the above address to make contact with the homeowner.
4. Police confirmed that the Town of Aurora had no entry authority for the residence and officers also advised that the police had no entry authority. Both the Town of Aurora and Police agreed that they would attempt to persuade Mr. Lepp to voluntarily allow the Town of Aurora personnel into the building to inspect the meter.
5. According to the Aurora By-Law, a water meter must be accessible to Infrastructure Services at all times. Town officials advised that they would be shutting off the water to the residence if they were not allowed to inspect the meter.
6. The respondent officers noted that Mr. Lepp was on three outstanding court orders with conditions regarding monitored and controlled internet activity for which his wife (CW2) was a surety.
7. The Town of Aurora employees attended the residence and spoke with CW2 about the online post and possible water meter tampering. CW2 gave town officials a baffled look because she had no idea what the officials were talking about.
8. CW2 called out for Mr. Lepp to attend the front door. He yelled from upstairs that he wasn't going to speak to the Town of Aurora officials and that they should have called him or sent an email.
9. Police observed that the Town officials were not gaining any traction speaking with Mr. Lepp about the matter so police attempted to speak to CW2 about the current court conditions of Mr. Lepp.
10. Mr. Lepp then attended the front door of the residence and cooperated with Town officials after he was advised they would be shutting off the water to investigate further.

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11. Police and the Town of Aurora employees were invited in by Mr. Lepp and attended the basement of the residence and located the water meter. It was noted by the attending town officials the water meter was missing a seal, but was otherwise in proper working order.
12. Town officials also entered the backyard to check for rainwater catch systems and noted there were none.
13. Officers spoke with CW2 who confirmed she was Mr. Lepp's surety, and said she had no idea that her husband had posted online about tampering with the water system. CW2 said she had not been supervising his internet activity and she couldn't "watch him 24/7".
14. Police believed Mr. Lepp was possibly breaching his conditions in relation to internet use and further investigation was necessary to confirm. Police cautioned Mr. Lepp in regards to breaching his conditions. He could not tell officers what his current conditions were and at one point asked officers to allow him to read the information from their police computer.
15. The Town of Aurora employees left Mr. Lepp's residence satisfied that the water system had not been tampered with.
16. No further action was taken by the respondent officers.

Authorities

BY-LAW NUMBER 3305-91 OF THE CORPORATION OF THE TOWN OF AURORA

BEING A BY-LAW to provide for the maintenance and operation of a Municipal Waterworks Distribution System in the Town of Aurora

APPLICATION:

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The rules and regulations set out in this By-Law shall govern and regulate the operation of any system of waterworks owned by the Corporation and shall be considered to form a part of the contract between the Corporation and the owner, or occupant, of any building in the Town for a supply of water by the Corporation to such building, and every such owner, or occupant, by applying for, or accepting a supply of water, from the Corporation shall be deemed to have expressed his/her consent to be bound by the said rules and regulations.

DEFINITIONS:

(k) "**Unit**" means a residential, commercial, or industrial establishment, which is separated or is capable of being separated, from any other establishment on the assessment roll of the Corporation.

METERS

5.6 The owner or occupant of any unit shall provide ready and convenient access to any meter installed, so that it may be read and examined by the Director or Treasurer.

RESPONSIBILITY:

9.5 The Director, or any person duly authorized by him for the purposes, must at all reasonable hours, upon presentation of satisfactory identification, be given free access to all parts of every building to which the water is supplied, for the purpose of inspection and examination of meter, fixtures and pipes of every kind used in connection with the supply of water to, or the use of water, on such premises.

The Corporation of the Town of Aurora By-law Number 6213-19

Being a By-law to regulate cross connections and backflow prevention in private plumbing systems as required to protect the Town of Aurora drinking water system from contamination.

2. Definitions

2(1) The following words as set out in this by-law shall have the following meanings:

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(l) “**Director**” means the director assigned responsibility for water services for the Town or any person authorized by the aforesaid to act in his/her place;

(m) “**drinking water system**” means a drinking water system as defined in the *Safe Drinking Water Act, 2002*, S.O. 2002, c. 32, as amended or successor legislation thereof;

The Safe Drinking Water Act

Provincial officer

(3) A provincial officer is a peace officer for the purpose of enforcing this Act. 2002, c. 32, s. 8 (3).

Ontario Water Resources Act

Entry to dwellings

15.3 A person shall not exercise a power conferred by this Act to enter a room actually used as a dwelling without the consent of the occupier except under the authority of an order under section 17. 1998, c. 35, s. 47.

Entry or inspection order

17 (1) A justice may issue an order authorizing a provincial officer to do anything set out in subsection 15 (1) or (2) or section 15.1 if the justice is satisfied, on evidence under oath by a provincial officer, that there is reasonable grounds to believe that it is appropriate for the administration of this Act or the regulations for the provincial officer to do anything set out in subsection 15 (1) or (2) or section 15.1 and that the provincial officer may not be able to effectively carry out his or her duties without an order under this section because,

(a) no occupier is present to grant access to a place that is locked or otherwise inaccessible;

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(b) a person has prevented the provincial officer from doing anything set out in subsection 15 (1) or (2) or section 15.1;

Searches relating to offences

20 (1) In this section,

“offence” means an offence under this Act related to the discharge of any material that may impair the quality of the water of any water or watercourse.

Search by provincial officer re actual pollution

(2) A provincial officer may, without a search warrant, search any place other than a room actually used as a dwelling if the provincial officer has reasonable grounds to believe,

(a) that an offence has been committed;

(b) that there is in such place anything that will afford evidence as to the commission of the offence; and

(c) that there are exigent circumstances that make it impractical to obtain a search warrant. R.S.O. 1990, c. O.40, s. 20 (1, 2).

Use of force

22 (1) A provincial officer may use such force as is reasonably necessary,

(a) to carry out an order issued under this Act, other than an order issued by a provincial officer;

(b) to execute a warrant issued under the *Provincial Offences Act*, or

(c) to prevent the destruction of anything that the provincial officer reasonably believes may afford evidence of an offence under this Act. R.S.O. 1990, c. O.40, s. 22; 1998, c. 35, s. 57 (1, 2).

Calling for assistance of member of police service

25 Whenever a provincial officer is required or empowered by this Act or the regulations to do or direct the doing of anything, the provincial officer may take such steps and employ such assistance as is necessary to accomplish what is required,

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and may, when obstructed in so doing, call for the assistance of any member of the police service in the area where the assistance is required, and it is the duty of every member of a police service to render such assistance. 2019, c. 1, Sched. 4, s. 42.

Safe Drinking Water Act

Police Assistance

102 Whenever a provincial officer is required or empowered by this Act to do or direct the doing of anything, the provincial officer may take such steps and employ such assistance as is necessary to accomplish what is required, and may, when obstructed in doing so, call for the assistance of any member of the police service in the area where the assistance is required, and it is the duty of every member of a police service to render such assistance. 2019, c. 1, Sched. 4, s. 55.

Contact with the Complainant

17. Mr. Lepp provided the following details concerning his interaction with the police on November 30, 2020. Additionally, he provided an audio and a video recording of the interaction to Detective Hurley #1024.
18. On two occasions, March 3, and 9, 2021, Detective Hurley #1024 wanted to speak about the complaint, but Mr. Lepp was significantly more interested in speaking about his criminal charges and the conspiracy against him by other government agencies, officials, and the police. He considered the OIPRD to be a “sham.”
19. Mr. Lepp expressed his displeasure about the officers. He claimed the whole incident was captured on video; there had never been any lack of peace; and he has no history of not being peaceful. As PC Skelly “pushed past” him he asked the officer what he was doing and why? PC Skelly replied emphatically “We're going (inside your home) to keep the peace.” Constable Skelly did not stop entering into the property and it was obvious to Mr. Lepp that he wanted him to “make a fuss.”

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20. PC Skelly was effectively taunting him to do something physical. Even though the officer said he was there "to keep the peace", Mr. Lepp believed peace already existed.
21. Mr. Lepp stated he had the entire interaction on video, the two witnesses/employees from the Town of Aurora (CW1 and CW3), plus his wife (CW2) that proves the two officers went to his basement without an invitation. Therefore, Mr. Lepp made an explicit complaint about it and believed the officers violated the law and the Charter of Rights.

Summary of Civilian Statements

Civilian Witness #1 (CW1)

22. Detective Hurley conducted a phone interview with CW1. They are employed by the Town of Aurora as a Supervisor in the Water Works Department and was appointed by the Director. Provincial authority related to **Town by-law 3305-91** is the **Safe Drinking Water Act**. The by-law section they were acting on was sec **5.6**:

*“5.6 The owner or occupant of any unit **shall** provide ready and convenient access to any meter installed, so that it may be read and examined by the Director or Treasurer.”*

23. It was CW1's decision to act on the information from Mr. Lepp's blog. Another employee sent the information to him.
24. Mr. Lepp is well known in Aurora and is banned from attending on any Municipal Property. As a result, CW1 wanted police at the residence as witnesses. He also brought the Senior Plumbing Inspector with him (CW3) who was a certified water operator but he did not enter the residence.

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25. Based on the blog, it was believed that Mr. Lepp could have potentially rolled back the meter if he had been able to return water to the system making it a Town of Aurora finance issue and an infraction against the Plumbing Code.
26. CW1 needed to be sure that Mr. Lepp had not contaminated the Town water system. He was able to attend Mr. Lepp's basement to check the meter and he believed he was inside the residence for 30 seconds. Had he not been able to enter the residence, CW1 would have shut the water off to the residence.
27. CW1 observed Mr. Lepp question the officers and he saw the officers follow him inside.
28. Initially, the officers stood behind CW1 and did not say anything. He did not think the officers forced Mr. Lepp into allowing them into the residence. CW1 would have gone into the residence regardless of police attendance.
29. The officers and the Town of Aurora employees did not discuss alternatives to entering the residence but believed he may have told the officers what they were. CW1 stated in his opinion the respondent officers acted professionally.

Civilian Witness #3

CW3 is an employee with the Town of Aurora. He is employed by the Town of Aurora as a Senior Plumbing Inspector and was appointed by the Director. Provincial authority related to Town by-law 3305-91 is the Safe Drinking Water Act. The by-law he was acting on was sec 5.6. A summary of his statement is as follows;

30. CW3 provided a statement to Detective Hurley. He advised that CW1 informed him about an on-line posting from Mr. Lepp involving recycling rainwater back into the system which could contaminate the Town's water supply. He was asked to attend the Lepp residence. Authority involved the Ontario Building Code. When he attended the residence he was given permission by Mr. Lepp to conduct his exam of the needed area. He did so with CW1.

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31. CW3 stated in his opinion the respondent officers acted professionally.

Respondent Officer 1 – PC Jocelyn Flowers #2526

PC Flowers has been a member of York Regional Police since 2019. After reviewing her Duty Notes, Duty Report, and her Text Page submissions in the General Occurrence report, the following was learned:

32. PC Flowers was working uniform patrol in the Town of Aurora on November 30, 2020 and she became aware of a Keep the Peace call at 227 Orchard Heights in the Town of Aurora.

33. CW1 advised the police that he read an online blog posted by a person believed to be Mr. Lepp who was known to the Town of Aurora for various disputes. He was reportedly posting about collecting rainwater and illegally pumping the water back into the public water supply to tamper with the water meter readings. This action would be a very serious public health concern, possibly a criminal matter and by-law infraction.

34. PC Flowers, PC Skelly, and the Town of Aurora personnel attended the address to speak with the home owner believed to be Mr. Lepp. She confirmed that the police and Town of Aurora personnel had no authority to forcefully enter the residence. The police and Town of Aurora personnel agreed that they would attempt to persuade Mr. Lepp to voluntarily allow them into the residence to inspect the meter.

35. Based on the Town of Aurora By-Law, the water meter must be accessible to the Town of Aurora Infrastructure Services at all times. Town of Aurora officials advised that they would shut off the water to the residence if they were not allowed to inspect the meter.

36. PC Flowers was aware that Mr. Lepp was on three court orders with conditions involving monitored and controlled internet activity to which his wife was the surety for these matters.

37. The Town of Aurora personnel conducted a door knock on the residence. They spoke with CW2 about the online post and possible water meter tampering. She appeared

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surprised and had no idea what the person was talking about. CW2 called out to Mr. Lepp and he yelled back that he wasn't going to speak to the Town of Aurora staff and that they should have called him in advance.

38. Town of Aurora personnel were experienced and articulated themselves well when speaking with Mr. Lepp about their concerns. The police attempted to speak CW2 concerning Mr. Lepp's current court conditions. He attended the front door and cooperated with Town officials after he was advised they would be shutting off the water to investigate further.

39. Officers spoke directly with CW2. She advised she had no idea that her husband had posted online about tampering with the water system and that she had not been supervising his internet activity. Police confirmed that she was the surety for the affected person but she could not "watch him 24/7."

40. Police believed Mr. Lepp may have been breaching his bail conditions but further investigation was required. PC Skelly and the Town of Aurora personnel attended the basement of the residence and located the water meter. The water meter was missing a seal but otherwise in proper working order. Town of Aurora officials also entered the backyard to check for rainwater catch systems but did not locate any.

41. Mr. Lepp was cautioned concerning the breach of his conditions. He could not tell officers what his current conditions were and at one point asked the officers to allow him to view their police computer to read Canadian Police Information Centre (CPIC) for his conditions.

42. The Town of Aurora was satisfied that the water system had not been tampered with and they stated they would take no further action.

43. No further investigative action was taken by PC Flowers and PC Skelly.

Respondent Officer 2 – Constable Robert Skelly (2526)

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Constable Robert Skelly has been a member of YRP since 2018. He was assigned to General Patrol duties on November 30, 2020. The following is a summary of his involvement in this matter:

44. On November 30, 2020, Constable Skelly responded to a Keep the Peace Call (20-386374) at 227 Orchard Heights Blvd. in the Town Of Aurora.
45. The Town of Aurora Infrastructure Services requested police assistance with an inspection of a Water Meter Device inside Mr. Lepp's residence. Their response was concerning an online posting from Mr. Lepp claiming he was pumping rainwater back into the town water system using rain barrels.
46. He and PC Flowers stood back as the Town Manager and Town Engineer took the lead in making contact with Mr. Lepp.
47. A CPIC query revealed that Mr. Lepp was on conditions restricting his online usage without the presence of his surety which happened to be his wife.
48. Upon knocking on the door, Town personnel were met by CW2. Initially, Mr. Lepp refused to speak to Town of Aurora personnel concerning the incident and when he did speak with them he claimed it was a joke. At first, he would not allow the Town of Aurora personnel or the police access to his house to check the water meter. He was yelling from the upper level of the residence.
49. After repeated attempts by the Town of Aurora personnel to explain why access to the basement for meter inspection failed, PC Skelly stepped in. He explained to Mr. Lepp that their intent and purpose for attending his property was to keep the peace.
50. By this time, PC Skelly had been informed by CW2 that she was unaware of the post and was not monitoring her husband's online use. PC Skelly cautioned Mr. Lepp for breaching after he took responsibility for the post. Mr. Lepp and CW2 did not know what conditions he was on. The Town of Aurora personnel were allowed into the residence and there were no issues.

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51. PC Skelly believed that he entered Mr. Lepp's residence with his consent and it was lawful. At no point was his Charter of Human Rights and Freedoms breached. All of the interactions he had with Mr. Lepp and his wife were professional and cordial while doing his best to assist the Town of Aurora Staff.

Video/Audio Evidence

52. Mr. Lepp provided a video and two audio recordings of his interaction with the police and the Town of Aurora officials. A full transcription of the audios and video are provided in Appendix B. The video recording begins as CW1 rings the door bell. The following captured images from the video contradict Mr. Lepp's allegation that officers pushed ahead, charged in and PC Skelly had to walk around him because Mr. Lepp had blocked the door.



“I did not indicate any approval, and I stood in one place. They had to walk around me. PC Skelly then came up behind Flowers and pushed ahead and he just charged in. He had to walk around me as I blocked the door. I indicated my displeasure. It is on the video.”

Mr. Lepp is standing on the left after he invited the Town of Aurora officials inside. His wife and the officers come in view of the camera.

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In this image, CW1 and CW2 who was speaking with the officers outside are in view. The officers are behind Mr. Lepp's wife. She advises the water meter is in the basement and guides the officials and officers inside.

PC Flowers is on audio stating *"Okay, We'll all go."*

Mr. Lepp did not block the entrance throughout the video.



This image, the officers are entering the residence. At no point, did Mr. Lepp verbalize his displeasure or block the officers' path entering the residence.

Mr. Lepp is heard saying on video: *"Please/Police (inaudible) come in and check the meter"* and PC Skelly replied: *"Perfect, thanks we are here to keep the peace by accompanying the town."* PC Skelly believed Mr. Lepp's comment as consent to enter the residence and that was the reason he thanked Mr. Lepp for his cooperation.



In this image, PC Skelly is entering the main door. He did not push past Mr. Lepp or charge in. Mr. Lepp is heard on video responding to PC Skelly: *"Keep the peace? When have I not kept the peace?"*

Mr. Lepp, the officers and CW1 go inside the residence. CW3 remains outside of the storm doors. They are inside the residence for approximately one minute and twenty seconds before they appear again on camera exiting the residence.

Investigation

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- Review available Duty Notes and Duty Report of Respondent Officers
- Obtained Statement from Mr. Lepp
- Obtained Statements from two respondent officers
- Reviewed police occurrence GO #2020-386374
- Town of Aurora By-Law
- Safe Drinking Water Act
- Environmental Protection Act

Analysis

Allegation 1 – Unlawful Exercise of Authority 2(1)(a)(xi) (Disorderly Conduct)

Acts in a disorderly manner or in a manner prejudicial to discipline or likely to bring discredit upon the reputation of the police force of which the officer is a member

It is alleged that PC Jocelyn Flowers #2585 and PC Robert Skelly #2526 entered the home of Mr. Lepp without his authorization, warrant and absent exigent circumstance.

53. In Mr. Lepp's OIPRD complaint, there are essentially two allegations:

- *"the law did not permit either of the two. Aurora staff or police themselves to enter my home without a warrant but they went on and did so anyway."*
- *Skelly then stated emphatically "We're going (inside your home) to keep the peace." He would not stop coming into my property and he was obviously looking for me to make a fuss. He was effectively taunting me to do something physical, he was going on "to keep the peace", a peace which has NEVER been unkept.*

54. This allegation is focused on Mr. Lepp's interaction with YRP PC Flowers and PC Skelly at 12:09 pm on November 30, 2020, while at his residence located at 227 Orchard Heights Blvd. in the Town of Aurora.

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55. Mr. Lepp alleged that he invited the two men from the Town of Aurora to enter his home to check the water meter, but did not invite the police. The officers approached his door behind the Town personnel and then into the house. PC Flowers said "Ok, we'll all go. Mr. Lepp stood in one place. The officers had to walk around Mr. Lepp who was blocking the door.
56. Mr. Lepp believed the two officers knew they could not enter his residence without a warrant. He believed both officers admitted in report # 2020-386374 that the law did not permit either of the two staff from the Town of Aurora or the police to enter the home without a warrant but they did so anyway.
57. During the course of the investigation, it was learned that the officers and the Town of Aurora officials did not have any discussions about their authority or alternatives prior to knocking on Mr. Lepp's door. Both officers were not aware of the authority granted to the Provincial officers or aware of the authorities under the Safe Drinking Water Act.
58. Mr. Lepp stated he did not invite the officers beyond the porch storm door or provide any approval and he stood in one place; therefore, the officers had to walk around him. Allegedly, PC Skelly walked behind PC Flowers and then pushed ahead. "He just charged in." PC Skelly had to walk around Mr. Lepp who was blocking the door. As PC Skelly "pushed past" Mr. Lepp, he asked the officer "What he was doing and why?" PC Skelly replied emphatically "We're going (inside your home) to keep the peace." PC Skelly would not stop entering into the property and it was obvious to Mr. Lepp that he wanted him to "make a fuss."
59. The video and audio provided by Mr. Lepp contradict his allegation that officers were not invited in and PC Skelly pushed his way past him and had to walk around Mr. Lepp. The video clearly showed that Mr. Lepp did not block his entrance and PC Skelly did not forcefully push his way into the residence. At no point did Mr. Lepp question the officer about "What he was doing and why?" on video.

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60. The blog posted by Mr. Lepp about collecting rainwater and pumping it back through the water meter system was considered a serious offence by the Town of Aurora. Contamination of the municipal drinking-water system can have an adverse impact on the health, safety and well-being of the users of the Township's drinking water.
61. Mr. Lepp acknowledged that he authored the blog but it was a joke and not factual. However, given the seriousness of the menacing blog, the Town of Aurora had authority to shut off his water if he did not oblige. CW1 and CW3 had authority under the Town of Aurora By-Law 3305-91 for the purpose; "*must at all reasonable hours, upon presentation of satisfactory identification, be given free access to all parts of every building to which the water is supplied, for the purpose of inspection and examination of meter, fixtures and pipes of every kind used in concoction with the supply of water to, or the use of water, on such premises*".
62. CW1 and CW2 contacted YRP as they had concerns with Mr. Lepp given his past interactions with the Town of Aurora employees and wanted officers on standby for any unforeseen incidents.
63. Mr. Lepp's surety confirmed with the officers that she was not monitoring Mr. Lepp's internet use as stated in his release conditions. The officers did caution Mr. Lepp regarding the breach and advised him it was an arrestable offence. PC Skelly stood outside of the storm door when he spoke to Mr. Lepp about his breach. Mr. Lepp was not arrested but was cautioned for the breach.
64. The officers have been educated on their authorities in relation to entering a dwelling and understand the Town of Aurora officials had the lead and could have entered the residence with the assistance of the officers if it was necessary. The officers poorly articulated their authorities in the report, it should have been clarified they did not have the authority to enter by force.
65. No warrant was required to attend Mr. Lepp's residence in assistance to the Town of Aurora officials to investigate the water tampering. As it turned out, Mr. Lepp did

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comply with the request for inspection of his water meter and consented to the entry of his residence.

66. The Town officials both stated that the officers were professional in their interaction with Mr. Lepp and CW2.

Conclusion

67. Based on the evidence obtained during the investigation and the analysis outlined above, the investigation resulted in the following findings:

Allegation 1 – Unlawful Exercise of Authority 2(1)(a)(xi) (Disorderly Conduct)
acts in a disorderly manner or in a manner prejudicial to discipline or likely to bring discredit upon the reputation of the police force of which the officer is a member

The law did not permit either of the two. Aurora staff or police themselves to enter my home without a warrant but they went on and did so anyway.

The PSB investigation established that officers and the Town of Aurora officials had lawful authority to investigate the matter, and Mr. Lepp granted access to his water meter for inspection. Mr. Lepp was cautioned for breaching his condition but he was not arrested. The officers Based on a review and analysis of all information, the PSB investigation has determined that there is **insufficient evidence** with respect to this allegation, the conclusion is **unsubstantiated.**

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Investigators

Bernie Hurley - Investigator
Maryam Alikhani - Investigator
York Regional Police Service
Professional Standards Bureau

Supervisor/Manager

Paolo Fiore – Detective Sergeant
Professional Standards Bureau
York Regional Police Service