

**IN THE MATTER OF SECTION 202(1) OF THE *COMMUNITY SAFETY AND  
POLICING ACT, 2019*, SO 2019, c.1, Sch.1**

**ONTARIO PROVINCIAL POLICE**

**APPLICANT**

**- and -**

**CONSTABLE MICHELLE ALDERSON**

**RESPONDENT**

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**DECISION and ORDER**

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**Adjudicator: D. Stephen Jovanovic**

**For the Applicant: Adrien lafrate, counsel**

**For the Respondent: Madeleine Ross, counsel**

**Hearing Date: February 18, 2026**

**Introduction**

1. A hearing was scheduled to begin today pursuant to the *Community Safety and Policing Act, 2019 (CPSA)* to deal with two allegations of misconduct by the Respondent.
2. The misconduct alleged was 1) Guilty of a Criminal Offence- Section 4, *CPSA* Regulation 407/23 and 2) Public – Undermine Public Trust – Section 10, *CPSA*

Regulation 407/23. Counsel for the parties advised the day before the hearing was to begin that the Respondent had resigned her position with the Applicant. Accordingly, the only matter to be decided was the form of the order disposing of the misconduct allegations. The parties could not agree on the wording of the disposition. The options discussed were 1) withdrawal of the Application; 2) a stay of the proceeding; 3) dismissal of the proceeding, with or without prejudice.

3. The relevant sections of the CSPA are as follows:

206 (1) If a police officer is the subject of an investigation under section 198 or a process to impose a disciplinary measure or combination of disciplinary measures under section 200 or 202 resigns before a disciplinary measure is imposed, no further action shall be taken under this part after the date of resignation.

Exception

(2) Despite subsection (1), if, within five years of the date of resignation, the person who resigned is appointed as a police officer, the chief of police may continue to investigate the officer's conduct or take steps to impose a disciplinary measure under section 200 or 202, as the case may be, in accordance with the regulations, if any.

Chief of police actions

(3) In the circumstances described in subsection (2), if the police officer is newly appointed as a police officer with a police service other than the police service from which he or she resigned,

(a) the chief of police of the new police service may take any action under subsection (2) in respect of the officer's past conduct as if the chief were the chief of police of the officer's old service; and

(b) the chief of police of the old police service shall provide the chief of police of the new police service with any notes or other records pertaining to the prior investigation or disciplinary process.

4. The Applicant submitted this proceeding should be stayed in the, albeit unlikely, event subsections (2) and (3) are triggered in the future. The Respondent submitted that the proceeding should be dismissed.

5. There has been no finding of misconduct and obviously there cannot be one regarding the allegations, given the Respondent's resignation. There is no basis, or reason, to speculate whether subsections (2) and (3) will come into play in the future.
6. In my view, applying the words of section 206 (1), "no further action shall be taken under this part after the date of resignation", the appropriate disposition at this time is to simply to dismiss this proceeding and I so order.

Dated and Issued February 19, 2026.

"D. Stephen Jovanovic"

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**D. Stephen Jovanovic**