

OPAAC ADJ #26-008

ONTARIO PROVINCIAL POLICE
Applicant

And

CONSTABLE MICHELLE ALDERSON
Respondent

Adjudicator:

D. Stephen Jovanovic

Appearances:

A. Iafrate, for the applicant

M. Ross, for the respondent

Heard:

February 18, 2026

Date of decision:

February 19, 2026

Length of decision:

3 pp.

Statutory citations:

Community Safety and Policing Act, 2019, S.O. 2019, c.1, Sched. 1, ss. 202 and 206

O. Reg. 407/23, ss. 4 and 10

RESIGNATION - Respondent facing two allegations of misconduct - Respondent resigning before disciplinary hearing commenced - Pursuant to s. 206(1) of *Community Safety and Policing Act*, disciplinary proceeding dismissed.

DISCIPLINARY HEARING - Dismissal of proceeding - Effect of resigning before disciplinary hearing date - Pursuant to s. 206(1) of *Community Safety and Policing Act*, disciplinary proceeding dismissed.

Summary of Reasons for Decision

The applicant alleged that the respondent committed two counts of misconduct, contrary to the Code of Conduct, O. Reg. 407/23: s. 4 – Guilty of a Criminal Offence, and s. 10 – Undermine Public Trust. The day before the hearing was scheduled to begin, the respondent resigned her position with the applicant. The only issue for the adjudicator to decide was the appropriate form of the disposition order, in light of the resignation – specifically, the effect of s. 206(1) of the

Community Safety and Policing Act. That section stated that if a police officer resigns “before a disciplinary measure is imposed, no further action shall be taken under this part after the date of resignation”. Subsections (2) and (3) carved out an exception to (1), where a police officer who resigns is, within 5 years, appointed as a police officer with another police service. The applicant submitted that the disciplinary proceeding should be stayed. However, any future relevance or application of ss. (2) and (3) was speculative. In light of the wording of s. 206(1), the appropriate disposition was to dismiss the disciplinary proceeding.

Authorities cited
