OPAAC ADJ #25-032

TORONTO POLICE SERVICE
Applicant

And

DETECTIVE CONSTABLE SHAWN FIELDING
Respondent

Adjudicator:
K.M. (Mike) Bickerton

Appearances:
E. Glasbergen, for the applicant
S. Fielding, respondent

Heard:

Date of decision:
November 17, 2025

Length of decision:
8 pp.

Statutory citations:
Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ss. 195(a), 202(8), 202(9)
O. Reg. 407/23, s. 10(1)
O. Reg. 404/23
Criminal Code, R.S.C. 1985, c. C-46, s. 320.14(1)(b)

UNDERMINE PUBLIC TRUST - Impaired driving - Respondent operated his personal vehicle with blood alcohol level over 80 - Respondent pled guilty to violating s. 320.14(1)(b) of *Criminal Code* - Respondent agreeing that his conduct breached s. 10(1) of Code of Conduct - Agreed penalty of demotion imposed - Respondent to continue on-going treatment programs.

CRIMINAL OFFENCES - Impaired driving - Off-duty incident of operating personal vehicle with blood alcohol level over 80 - Respondent pled guilty to breach of s. 320.14(1)(b) of *Criminal Code* - Respondent admitting actions constituted misconduct, contrary to s. 10(1) of O. Reg. 407/23 - Agreed penalty of demotion imposed - Respondent to continue on-going treatment programs.

DISCIPLINARY PENALTIES - Demotion - Respondent operated personal vehicle with blood alcohol level exceeding 80 - Respondent pled guilty to violating *Criminal Code* and s.

10(1) of Code of Conduct, O. Reg. 407/23 - Parties reaching settlement prior to hearing - Consent order of pre-hearing conference adjudicator incorporating agreed disposition of 22-month demotion from First Class Constable to Second Class Constable.

DISCIPLINARY PENALTIES - Directed program or activity - Off-duty incident in which respondent drove his personal vehicle while impaired - Respondent pleading guilty to *Criminal Code* charge and misconduct charge under *Community Safety and Policing Act* - Parties reaching settlement including agreed disposition - Pursuant to consent order, pre-hearing conference adjudicator ordering 22-month demotion as well as direction to continue treatment programs.

SETTLEMENT - Off-duty incident - Respondent operated personal vehicle with blood alcohol level exceeding 80 - Respondent pled guilty to *Criminal Code* charge as well as misconduct charge under *Community Safety and Policing Act* - Settlement reached by parties issued as consent order of pre-hearing conference adjudicator - Respondent to be demoted from First Class Constable to Second Class Constable - Respondent also directed to continue on-going treatment programs.

Summary of Reasons for Decision

On November 2, 2024 the respondent, D/C Shawn Fielding, while off-duty, operated his personal vehicle while impaired – first on Highway 403, then on Oxford County Road 59. He was arrested by the OPP and transported to the Ingersoll OPP Detachment, where two breath samples were collected, with results that were truncated – the first of which registered 160 mg of alcohol/100 ml of blood, the second registering 170 mg alcohol/100 ml of blood. The respondent was charged with three *Criminal Code* offences and released on a Form 10 – Undertaking. On January 16, 2025 he pled guilty to violating s. 320.14(1)(b) of the *Code,* Operation While Blood Alcohol Over 80. The Crown withdrew the other charges. The court imposed a sentence of three years' probation, a fine of $4,500, and a 27-month driving prohibition.

The respondent was admitted to an inpatient treatment program at Homewood Health. There, he was assessed as having a previously undiagnosed condition of post-traumatic stress disorder. He was also diagnosed with concurrent alcohol use disorder. He successfully completed treatment programs for both disorders and was discharged from Homewood on February 12, 2025.

The respondent's off-duty conduct led to a disciplinary charge of misconduct, with the applicant Toronto Police Service alleging that his actions violated s. 10(1) of the Code of Conduct, O. Reg. 407/23 – undermine public trust. The parties reached a settlement prior to a hearing, and the pre-hearing conference adjudicator issued a consent order incorporating terms of the settlement.

Pursuant to the consent order, the respondent agreed that his actions amounted to misconduct and violated s. 10(1) of the Code of Conduct. Further, he agreed that this was his second impaired driving offence. The parties agreed to a 22-month demotion from First Class Constable to Second Class Constable, with return to the rank of First Class thereafter. In addition, the pre-hearing conference adjudicator ordered the respondent to continue his on-going treatment support programs for PTSD and alcohol use disorder.

Authorities cited
