OPAAC ADJ #26-037

TORONTO POLICE SERVICE
Applicant

And

CONSTABLE FRANCESCO TROTTA
Respondent

Adjudicator:
Leanne McClay

Appearances:
E. Glasbergen, for the applicant
F. Trotta, respondent

Heard:
July 9, August 20, September 10, 2026

Date of decision:
September 16, 2026

Length of decision:
7 pp.

Statutory citations:
Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ss. 195(a), 202(1), 202(8), 202(9)
O. Reg. 407/23, s. 10(1)
O. Reg. 404/23, s. 21(2)
Criminal Code, R.S.C. 1985, c. C-46, s. 430

UNDERMINE PUBLIC TRUST - Off-duty conduct - Respondent pled guilty to criminal charge of public mischief - Criminal proceeding resulting in conditional discharge - Respondent admitting actions violated s. 10(1) of Code of Conduct, O. Reg. 407/23 - Parties reaching settlement including agreed disposition - Settlement issued as consent order of pre-hearing conference adjudicator.

DISCIPLINARY PENALTIES - Demotion - Respondent pled guilty to disciplinary charge of undermine public trust, contrary to s. 10(1) of Code of Conduct - Off-duty misconduct related to previously untreated mental health conditions - Settlement reached by parties at pre-hearing conference stage included agreed penalty - Respondent to be demoted from Third Class Constable to Fourth Class Constable for two months.

DISCIPLINARY PENALTIES - Directed program or activity - Respondent pled guilty to disciplinary charge of undermine public trust, contrary to s. 10(1) of Code of Conduct - Off-duty misconduct related to previously untreated mental health conditions - Settlement agreement reached by parties, including two-month demotion, issued as consent order of pre-hearing conference adjudicator - Respondent also directed to continue treatment for diagnosed conditions.

SETTLEMENT - Off-duty misconduct - Respondent admitting he violated s. 10(1) of Code of Conduct - Settlement agreement reached by parties issued as consent order of pre-hearing conference adjudicator - Respondent to be demoted from Third Class Constable to Fourth Class Constable for two months - Respondent also directed to continue treatment for underlying medical conditions linked to misconduct.

Summary of Reasons for Decision

On December 15, 2025 the respondent, Cst. Trotta, pled guilty to one count of mischief to property, contrary to s. 430 of the *Criminal Code.* The presiding judge declined to enter a conviction, imposing instead a conditional discharge. The conduct leading to the criminal charge occurred off-duty. Constable Trotta placed a security tracking device on a vehicle belonging to the complainant, with whom he had been in an intimate relationship. At the time, Cst. Trotta was experiencing previously untreated, and significant, mental health challenges. Subsequently, he underwent treatment for his mental health conditions.

The respondent Toronto Police Service alleged that Cst. Trotta's off-duty behaviour also constituted misconduct, viz. undermine public trust, contrary to s. 10(1) of the Code of Conduct, O. Reg. 407/23. The parties reached a settlement at the pre-hearing conference stage, including an agreed disposition, which was issued as a consent order of the pre-hearing conference adjudicator.

In accordance with that settlement and the respondent's admissions, the adjudicator found that Cst. Trotta violated s. 10(1) of the Code of Conduct. She ordered a two-month demotion from the rank of Third Class Constable to Second Class Constable, with return to the rank of Third Class Constable at the end of the demotion period. She also ordered that the respondent continue treatment for his medical conditions.

Authorities cited
