



# DRUMHELLER

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## ADMINISTRATION POLICY

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### ADMINISTRATION POLICY #A-01-10

#### Community Enforcement Policy and Procedures Manual

#### **THE PURPOSE OF THIS POLICY IS TO:**

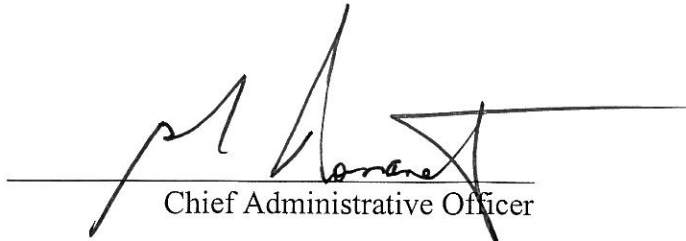
Ensure professional and consistent operations of the Town of Drumheller's Community Enforcement program in addition to meeting the requirements of the Solicitor General for the employment of Peace Officers so designated by the province.

#### **POLICY STATEMENT:**

Whereas, the Town of Drumheller employs Community Officers and Community Peace Officers as employees for the operation of the Community Enforcement Program. We hereby recognize the importance of setting high standards and expectations for the operations of this work area, as staff strives to inform, educate and enforce the community standards as they apply to the citizens of the Town of Drumheller.

The Policy Manual for Community Enforcement Staff outlines the matters of professional conduct, officer deportment and department operating procedures that must be followed to ensure successful operations of the program.

Date: October 18, 2010



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Chief Administrative Officer



# DRUMHELLER

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ADMINISTRATION POLICY

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Town of Drumheller, Alberta  
**Community Enforcement**  
**POLICY AND PROCEDURES MANUAL**

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## PS-1 CODE OF CONDUCT

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

As per requirements of the Alberta Peace Officer Act, Ministerial Regulation #13, this Code of Conduct shall be adopted as Policy by Town of Drumheller Community Enforcement. The Code of Conduct is as follows:

1. Town of Drumheller Peace Officers and Community Officers will comply with the terms and conditions of the Town's Peace Officer authorization.
2. Peace Officers and Community Officers will comply with the terms of their Peace Officer Appointments
3. Peace Officers and Community Officers will comply with the Town of Drumheller Code of Conduct Policy
4. Town of Drumheller Peace Officers and Community Officers are prohibited from
  - a) Engaging in disorderly or inappropriate conduct or
  - b) Acting in a way that would be harmful to the discipline of Peace Officers and Community Officers or that is likely to discredit the office of Peace Officer.
5. Members shall not withhold or suppress information, complaints or reports about any other Peace Officer.
6. Members shall promptly and diligently perform the duties and responsibilities of a Peace Officer.
7. Peace Officers and Community Officers shall not make or sign a false, misleading or inaccurate statement.
8. Without lawful excuse, Peace Officers and Community Officers shall not
  - a) Destroy, mutilate or conceal records or property, or
  - b) Alter or erase an entry in a record
9. Confidentiality shall be maintained.
10. Peace Officers and Community Officers shall properly account for or return any money or property that the Peace Officer receives in the peace officer's capacity as a Peace Officer.
11. Members are prohibited from activities that may or will result in a conflict of interest or an apprehension of or lack of integrity in the office of peace officer.
12. Peace Officers and Community Officers are prohibited from using their position for the Peace Officers and Community Officers' own advantage or another person's advantage.
13. Peace Officers and Community Officers shall not exercise their authority as a peace officer when it is unnecessary to do so.

14. Officers shall not consume alcohol while on duty, or in the performance of their duties.
15. Peace Officers and Community Officers shall not consume controlled drugs and controlled substances under the Controlled Drugs and Substances Act (Canada) and
16. Except in the performance of the Peace Officer's duties, shall not possess controlled drugs and controlled substances which are prohibited by law.



## PS-2 PUBLIC COMPLAINTS

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

This policy is developed to illustrate how the policies and procedures of the Town of Drumheller Community Enforcement will be applied and enforced.

### **General**

1. All employees are bound by law and good faith to observe and obey all of the policies, procedures, rules and regulations contained in the Policy Manual.
2. Policies and procedures may be changed or updated from time to time. Employees shall be provided with a policy manual and any new or revised policies as they are developed.
3. It is the responsibility of the employee to maintain their policy manual in an up-to-date manner.

### **Receipt of Complaint from the Public**

1. All complaints concerning the conduct of a member shall be in writing and endorsed with the original signature of the complainant.
2. Complaints concerning the conduct of a member shall be directed to the Chief Administrative Officer, or designate.
3. The provincial Director of Law Enforcement will be notified of a public complaint concerning Peace Officers with 30 days of the receipt of such a complaint.
4. The Supervisor of Community Enforcement Services for the Town of Drumheller has the authority to informally resolve the public complaint, where the Director of Law Enforcement has been notified of such a complaint. This shall be accomplished by meeting with the complainant to discuss their concerns, circumstances, facts and any information pertaining to the complaint. If a mutually agreeable solution can be reached by all parties involved the complaint shall be deemed to be resolved and no investigation is necessary. All complaints resolved in this manner, pursuant to the Act, must be reported to the Director of Law Enforcement and the Chief Administrative Officer within one month.

5. The Chief Administrative Officer, or designate shall acknowledge receipt of the complaint in writing to the person making the complaint and member against whom the complaint was made within 30 days of receipt.
6. The Chief Administrative Officer, or designate may direct the Supervisor of Community enforcement to investigate the complaint or have it investigated, regarding any member other than the Supervisor of Community Enforcement.
7. The investigation may involve interviews of the complainant, any witnesses, the peace officer(s) involved, and any other person who may have knowledge relevant to the occurrence. A review of relevant documents may also be involved in the investigation. Documents may include, but are not limited to: occurrence reports, dispatch logs, peace officer notebooks, court reports, legal documents, in-car/officer carried video recordings, etc.
8. Town of Drumheller shall notify the complainant, the peace officer involved and the Director of Law Enforcement (Alberta) as to the status of the investigation at least once every 45 days.
9. Upon conclusion of the investigation, Town of Drumheller shall notify the complainant, the peace officer involved and the Director of Law Enforcement (Alberta) of the disposition of the complaint using the wording found in Section 22 of the POMR, which reads as follows:
  - a. “the complaint is unfounded” This means that on the basis of a thorough investigation no reasonable belief exists that the complaint has merit or basis.
  - b. “the complaint is unsubstantiated”. This means that on the basis of a thorough investigation there is insufficient evidence to determine the facts of the complaint and that it may or may not have occurred.
  - c. “the complaint is found to have merit in whole or in part”. This means that on the basis of a thorough investigation that
    1. “in whole” a reasonable belief exists that the peace officer has engaged in misconduct in regards to the entirety of the complaint or;
    2. “in part”, a reasonable belief exists that the peace officer has engaged in misconduct in regards to a portion(s) of the complaint, but not in its entirety.

d. “the complaint in frivolous, vexatious or made in bad faith”. This disposition will be used when Town of Drumheller chooses not to investigate a complaint as per section 15(2) of the ACT which allows no investigation to occur when the complaint is deemed to be frivolous, vexatious, or made in bad faith.

10. In the event a complaint is found to have merit in whole or in part, Town of Drumheller shall state what disciplinary action had been taken and it must be in accordance with Town of Drumheller’s disciplinary policy as filed with the Director of Law Enforcement (Alberta).

11. The conclusion letter issued to the complaint must contain the following closing paragraph which communicates to the complainant that appeals of the decision reached by Town of Drumheller must be addressed to the Director of Law Enforcement (Alberta) as required in Section 15 of the Peace Officer Act;

“PLEASE BE ADVISED YOU HAVE THE RIGHT TO APPEAL THESE FINDINGS TO THE DIRECTOR OF LAW ENFORCEMENT FOR THE PROVINCE OF ALBERTA PURSUANT TO SECTION 15(4) OF THE PEACE OFFICER ACT. AN APPEAL MUST BE IN WRITING AND INITIATED WITHIN 30 DAYS OF RECEIPT OF THIS DECISION, AND ANY DECISION REACHED BY THE DIRECTOR OF LAW ENFORCEMENT ON APPEAL IS FINAL”

Correspondence to the Director must be sent to:  
Director of Law Enforcement  
10<sup>th</sup> Floor, 10365-97 Street  
Edmonton, Alberta, T5J 3W7

#### **Notification to Director of Law Enforcement (Alberta)**

1. As per requirements set out in the Alberta Peace Officer Act, the Regulations and peace Officer Program Policy, Town of Drumheller shall submit within one month reports to the Public Security Division with regard to any complaints.

The completion of form J3535 should be submitted immediately following the receipt of a public complaint.

## PS-3 Disciplinary Policy

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

### Enforcement

1. The Director of Community Services or Supervisor of Community Enforcement is responsible for the enforcement of policies contained in the manual.
2. Should a member be found in breach of policy, the member may be issued a letter of misconduct.
3. The letter of misconduct shall be placed in the members' service file and only kept for twenty-four (24) months.
4. Should the breach of policy involve a possible contravention of a Federal or Provincial Statute, the matter shall be referred to the police agency having jurisdiction in the place where the offence is believed to have occurred.

### Disciplinary Action

1. The Director of Community Services or Supervisor of Community Enforcement will present all allegations of a Breach of Policy or Code of Conduct and the findings of any related investigation, to the member involved.
2. The member will be given the opportunity to make a full response in writing, to any allegations.
3. The Director of Community Services or Supervisor of Community Enforcement shall review the response and explanation of the member, and other appropriate information related to the complaint, and report their findings to the Chief Administrative Officer, or designate.
4. Should the Chief Administrative Officer, or designate find that the member has committed misconduct; they may take one of the measures in accordance with The *Town of Drumheller Human Resources Policy and Procedure Manual* and any applicable *collective agreement*.
5. Notification and appeal of findings are as set out in the Alberta Peace Officer Act.

## PS-4 WORK SHIFT SCHEDULES

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

1. A time schedule of proposed hours of service shall be prepared at least two weeks prior to the commencement of the schedule and a notice to the Union may be required.
2. The schedule shall be prepared in such a way so that all days of the week and the majority of hours of the day will be covered over the course of a month. In so far as it is possible to do with time and manpower available.
3. Where it is deemed necessary for the purposes of coverage or commitment, the schedule may be changed. Officers wishing to change the schedule should endeavour to provide as much advance notice as possible. Changes made to the schedule will be made at the discretion of the Supervisor of Community Enforcement or his designate.
4. A copy of the time schedule may be submitted to any person or department as deemed necessary by the Supervisor of Community Enforcement or his designate.

## PS-5 JURISDICTION OF OPERATION

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

1. Members shall enforce only such laws as listed in their appointments.
2. At no time, shall a member act in an official capacity outside of his appointed jurisdiction except in the following situations;
  - a) The member is investigating a matter, which originated in his jurisdiction.
  - b) The member is attending court as a witness or on docket duty.
  - c) The member has been requested by Police Officer to assist during the course of an emergency event requiring such assistance.
  - d) The member encounters a person in need of assistance while the member is on a routine patrol from one assigned area to another. The member may render assistance until such time that the agency responsible arrives.
3. Calls received from persons outside of a members appointed jurisdiction shall be handled as follows:
  - a) Advise the caller that they have contacted the wrong agency.
  - b) Supply the caller with the telephone number or method of contact for the appropriate agency (if possible).
4. Members encountering any Criminal Code violations of an indictable or dual procedure type of offence may exercise only the same authority as a private citizen in accordance with the Criminal Code. In all Criminal Code violation situations, the member shall endeavour to contact the appropriate police agency before, or as soon as possible after, the member takes appropriate action.
5. Should a call be received in relation to a Criminal Offence, ask the caller to contact the appropriate police agency. In no event is a member to enter into or tamper with a possible crime scene, unless to render emergency assistance to the public or another officer.

## PS-6 PERSONAL APPEARANCE

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

1. Members shall wear a complete uniform while on duty including PPE (Personal Protective Equipment)
2. Members are required to keep their uniform kit in good, clean condition and are required to report any damaged article of uniform to the Supervisor of Community Enforcement.
3. Members shall maintain a high level of personal hygiene when on duty.
4. Members shall keep their hair neatly trimmed; this applies to the moustache and beard if worn. Female members may keep longer hair, provided it is neatly contained and does not interfere with issued headgear.
5. The uniform belt and accessories are to be kept clean and free of scuffs and scrapes. Only apply polish to belt and accessories if approved by manufacturer. Boots are to be kept clean and polished.
6. While attending court Officers will attend in full uniform if on duty. If Officers are to attend while off duty they may wear their uniform or wear appropriate clothing such as a collared shirt and tie.

### Order of Dress

#### Winter Dress:

Winter toque (black or navy blue)  
Shirt long sleeve (grey)  
Tie (navy/black blue)  
Sweater (navy/black blue)  
Patrol Jacket  
Trouser (navy blue cargo with grey stripe)  
Boots (black and clean at start of shift)  
Turtle neck may be worn (navy blue or black)

#### Summer Dress:

Short sleeve shirt (grey)  
Patrol Jacket  
Trousers (navy blue/black cargo with grey stripe)  
Boots (black and clean at start of shift)

## PS-7 EQUIPMENT AND ACCOUTREMENTS

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

1. Staff members shall carry only equipment issued to them by Town of Drumheller Community Enforcement Services.
2. No member shall carry or have in his or her possession any item of equipment which is not departmental issue while on duty, unless the item is approved by the Supervisor of Community Enforcement.
3. No member shall wear any article, uniform or part of uniform which is not Departmental issue while on duty, unless it is approved by the Supervisor of Community Enforcement.
4. No member shall carry any equipment issued by Town of Drumheller Community Enforcement, when that member is off-duty. The Supervisor of Community enforcement reserves the right to grant members permission to carry equipment off-duty (i.e.; department issued cell phones)
5. All equipment is to be handled in a responsible manner.
6. Damage caused to equipment due to negligence in the use or handling of the issued equipment shall be the responsibility of the user to repair.

Equipment not in current use shall be stored securely located at the Town of Drumheller Offices. (i.e.; old cell phones, radar units, GPS units etc.)



## PS-7.2 USE OF AUDIO / VIDEO / RECORDING DEVICES

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

### PURPOSE:

To establish Policy guidelines for the operation, use and management of Community Enforcement audio and visual patrol media equipment installed within officers patrol vehicles or carried by officers. The procedure outlined will support the integrity of the system and its acceptance by the courts.

### 1. POLICY

- A. The Community Enforcement Service allows the use of in-car/ officer carried audio/visual patrol media for the purpose of:
1. Enhancing officer safety
  2. Supplementing and supporting officers' written reports
  3. The collection of evidence
  4. Documenting the activity of the officer in situations that may arise
  5. To provide future training aids
  6. To facilitate the investigation of complaints against officers or of the Community Enforcement Service.

Use to be as follows:

Patrol media shall not be used to randomly spot-check officer performance. However, if the media is reviewed in conjunction with a citizens complaint, investigation, or pending court case, and a violation of Service policy is observed, the appropriate corrective action may be taken. The patrol media may be used in conjunction with the Field Training Officer program to assist the Field Training Officer(s) with the evaluation of a Probationary Community Enforcement Officer.

### 2. PROCEDURE

- A. The audio and visual patrol media equipment may be installed or carried by and used as authorized by the Chief Administrative Officer or designate.
- B. Before using the equipment, officers must be fully trained in its use, care and applications as authorized by the Service through proper policy.
- C. At the start of the shift, officers shall check the system for proper operation.
- D. Any damage or malfunction shall be reported as soon as practical to the
- E. Supervisor of Community Enforcement or designate. The unit will be red tagged as malfunctioning.
- F. The audio shall be activated whenever the officer is making any citizen contact, during an incident or investigation.
- G. Officers are not to cease audio/visual recording of an incident or any investigation
- H. Other than during a Service authorized law enforcement purpose.

- I. Officers shall operate where practicable the audio/visual patrol media during the course of their shift.
- J. The following are exceptions to the activation requirement and require a verbal notation of the reason for stopping the recording:
  - 1. Calling out of service for reports, etc.
  - 2. At breaks ie.meal times
  - 3. At court
- K. Officers should not attempt to conceal the fact that the media is in use.
- L. However, there is no expectation of privacy when the Enforcement Officers are present, when in a public place or in the patrol vehicle, so disclosure is not necessary.
- M. Officers are to include in the report or on the Officers copy of a violation ticket that audio/visual media evidence exists.

### **3. SYSTEMS MANAGEMENT**

- A. The Supervisor of Community Enforcement is the Systems Manager
- B. The Systems Managers will be in charge of the overall operation of the Services in-car / Member carried audio/visual patrol media recording system. These duties shall include:
  - 1. Officer training
  - 2. Equipment maintenance and inventory
  - 3. Policy and procedure maintenance
  - 4. Proper handling of supplies and of the media devices.
- C. The Systems Managers shall ensure equipment is installed and set as specified.
- D. The Systems Managers shall see that an adequate number of batteries are available for the audio mikes, etc.
- E. The Systems Managers will manage the digital archived files.

### **4. SUPERVISORS DIRECT RESPONSIBILITIES**

- A. Ensure that officers in and out of the vehicles use the systems in accordance with service policy and within the manufacturer's recommendations.
- B. For quality assurance purposes, each month the Supervisor shall audit ten minutes of video of each officer from a shift during the month.
- C. Ensure that damaged or non-functioning in-car / member carried media systems are taken out of service and make arrangements to have them repaired.
- D. Ensure all required media equipment daily activity log entries are completed.

### **5. SUPERVISING OFFICER RESPONSIBILITIES**

- A. The Supervising officer of each shift is responsible to monitor the equipment and forward a list for order supplies as needed to the Supervisor of Community Enforcement.

## **6. DEVICE MAINTENANCE AND STORAGE**

- A. Officers shall only use the issued equipment. They shall not attempt to erase, record over, re-use, or alter in any way any recording in accordance with this policy.
- B. No recorded patrol media shall be removed from this Service without the approval of the Chief Administrative Officer or designate.
- C. All audio/visual patrol recordings generated or captured by an employee of the Service when acting in the capacity of their employment or made on Service equipment, shall remain the sole property of Community Enforcement Service.
- D. A secure storage area will be provided by the Systems Managers to store the media recordings. Only the Supervisor or designate shall have access to this storage area.
- E. If the officer believes there are recordings that should be preserved for other than reasons of evidence, a “hold” form should be with the report on the incident or event. The form will be reviewed by either the Supervisor or in the Supervisors absence, a designate that will then authorize that the recording should be held.
- F. All media shall be secured in storage for a period of no less than 90 days or until a proper Court disposition has been obtained.

## **7. SERVICE USE AND/OR RELEASE OF AUDIO/VISUAL RECORDINGS**

- A. Duplication or release of Service audio/visual recordings is prohibited without authorization of the Supervisor or in the Supervisor’s absence, the designate.
- B. Use of audio/visual patrol recordings is intended only for official Service business. Any other use is expressly prohibited without the authorization of the Supervisor or in the Supervisor’s absence, the designate.
- C. All recordings, while in the performance of an employee’s duties or on Service audio/visual equipment shall remain in their original state and shall not be duplicated, altered or erased except as covered by this policy.
- D. The displaying and viewing of recordings is intended for official Service business. Officers shall not allow anyone other than employees of the Service to view recordings produced in the performance of their duties or by a Departmental recorder except with prior authorization by the Supervisor or in the Supervisor’s absence, the designate.
- E. Requests to view a recording by a defendant, defense attorney, suspect or a member of the public shall be treated as a request for information under the Freedom of Information and Privacy Act.
- F. When a CD/DVD is made for court purposes the CD/DVD will carry a label indicating it is a duplicate of the original stored on the Service storage device. The label will also carry the complaint identification numbers. It will be held/stored in the same fashion as other digital and/or photo media.
- G. A record shall be kept by the Systems Managers documenting the release of media from the storage system. The record will contain the following information on all media:

1. Identification of recording released
  2. Name of person authorizing and releasing the recording
  3. Reason for release
  4. Name of person to whom the tape was released.
  5. Name of officer releasing the media recording
- H. Any media and or segment released outside the Service shall be appropriately identified as property of the Service. The recording and/or segment shall be labeled as to its contents including date and time of recording. These recordings shall remain the property of the Service. They shall be returned to the Service as soon as it is practical after the completion of the official business.
- I. The Service retains all property rights, including copyright, to all images recorded by or on behalf of the Service and on released copies.

## **8. OPERATION OF EQUIPMENT**

- A. At the beginning of the shift, the officer driving the patrol unit shall be responsible for the proper setup of the audio equipment.
- B. The officer shall ensure the equipment is accurate and operational.
- C. Officer shall note the Serial device number on their daily activity log.
- D. Officers are encouraged to provide a voice narration with the visual recording describing the reasons for each stop or contact.
- E. At the end of each shift, any recordings can be downloaded into media files.

## **9. REQUIREMENTS FOR COMPLIANCE**

- A. Any abuse, misuse, alteration, sabotage, intentional obstruction or intentional destruction of the in-car audio/visual system's equipment will result in a disciplinary action, up to and including dismissal.
- B. Recordings made by an in-car/officer carried audio/visual system of this Service are considered official reports of the Service. Any theft, intentional misplacement, alteration or sabotage of any recording or recording device is prohibited and will result in disciplinary action up to and including dismissal. The editing or distribution of any recording device or recording assigned to an officer without consent of the Supervisor will be considered a falsification of an official Community Enforcement record, evidence tampering or other rule violation that will result in disciplinary action up to and including dismissal.
- C. Any recording made, no matter what the method or electronic device used, by an employee of this Service while in the performance of their duties or when acting in the capacity of their employment is considered as an official record of the Service. Any theft, intentional misplacement, alteration, sabotage of any recording device or recording is prohibited and will result in disciplinary action up to and including dismissal. The distribution or editing of any media recording device or a recording assigned to an officer without the consent of the Supervisor will be considered a falsification of an official Community Enforcement record, evidence tampering or other rule violation that will result in disciplinary action, up to and including dismissal.
- D. Violations of this policy, or portions thereof, may result in disciplinary action.

## **10. OFFICERS ASSIGNED TO OTHER AGENCIES**

Officers of this Department assigned to or assisting other law enforcement agencies will be guided by this policy.

## **11. APPLICATION**

This document constitutes Service policy and is not intended to enlarge the Employers or employees civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an Evidentiary sense with respect to third party claims insofar as the employer's or Employee's legal duty as imposed by law.

## PS-8 CARE AND OPERATION OF PATROL VEHICLES

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

1. At the start of the shift, members shall make a visual inspection of the patrol vehicle for any damage or potential problems. Any found problems shall be noted. Notification should also be made to the Supervisor of Community enforcement and shop personnel assigned to patrol vehicle repair.
2. Two-way radio and emergency equipment shall be tested before operation of the vehicle.
3. Fluid levels are to be checked regularly.
4. Members shall operate the patrol vehicle in a responsible manner at all times, particularly when responding to an urgent call.
5. Upon stopping a violator, the emergency lights shall be left activated until such time the violator vehicle has re-entered the flow of traffic. (Members with CPO Level 1 designation)
6. When stopping a violator vehicle, members shall position the patrol vehicle in a “violator stop position” so as to provide protection for the member and the violator. (Members with CPO level 1 designation)
7. The use of vehicles under the control of Town of Drumheller is restricted to Town operations only, unless authorized by the Supervisor of Community enforcement.
8. There are to be no unauthorized persons in the patrol vehicle at any time. Unless authorized by the Supervisor of Community Enforcement or the Director of Community Services.
9. Patrol vehicles are to be kept in a neat, orderly and clean condition.

## PS-8.1 EMERGENCY RESPONSE PURSUIT POLICY

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

### PURPOSE

The Town of Drumheller Community Enforcement authorizes the use of Emergency Response to calls for service utilizing emergency lights and / or siren. Responding to calls for service in an Emergency Response capacity will only be conducted following the guidelines of this policy. The Town of Drumheller Community Enforcement prohibits the use of motor vehicle pursuits as set out in this policy.

The purpose of this policy is to set forth the Town of Drumheller Community Enforcement policy on the use of Emergency Response to certain calls for service, establishing guidelines and proper procedures for responding to emergencies, proper reporting procedures and training guidelines for all officers within the department.

The purpose of the Town of Drumheller Emergency Response/Pursuit Policy is to set out strict guidelines based on the current requirements of the Solicitor General's office.

### AUTHORIZATION

Authorization for officers to respond to calls for service utilizing emergency equipment will be granted once all requirements of this policy have been met. The Town of Drumheller as an Authorized Employer of Community Peace Officers shall have the authority for Emergency Response added to their Employer Appointment before any specific Officers apply for this authorization. Individual Peace Officers will ensure all requirements have been met and Authorization has been added to their Peace Officer Appointment before they respond to any calls for service in an Emergency Response capacity.

### TRAINING REQUIREMENTS

All Community Peace Officers wishing to have the Authorization added to their Peace Officer Appointments must successfully complete a forty (40) Hour Emergency Vehicle Operations Course that is based on a police curriculum.

Note: The pursuit driving elements of the EVOC training are for skill development only. In no manner does this training suggest that Peace Officers will engage in motor Vehicle pursuits.

All Peace Officers employed by the Town of Drumheller Community Enforcement will undergo periodic recertification in the EVOC training course.

## EMERGENCY RESPONSE

Peace Officers may respond to calls for service utilizing emergency equipment under the following circumstances;

- Injury Collisions,
- providing backup to Police or Peace Officers where there is a reasonable belief that the Officer is in serious danger and the Peace Officer is or may be the closest assistance available,
- Attending a fire or medical emergency at the specific request of the Fire or EMS department. (It will not be standard practice to provide a co-response to all fire or medical situations),
- Any emergency situation if requested by the Police Service to attend in an emergency response capacity.

Emergency Response will not be conducted for:

- Non-Injury Motor Vehicle collisions,
- Providing backup to Police or Peace Officers where there is a Police Officer closer and already responding to the situation, unless requested by the Police Service to attend,
- Any other non-urgent situation.

\* All situations where there is a possibility of an Emergency Response will be evaluated by the Peace Officer to continually assess the risk between providing services on-scene, and the increased risk to the Peace Officer and the Public while responding in an Emergency capacity. Public safety and the safety of the Peace Officer will remain the primary concern in all Emergency Response situations.

## EMERGENCY RESPONSE REPORTING

Any Peace Officer who has responded to a call for service will document all pertinent information about the Emergency Response in an incident report on the Report Exec reporting system.

**\* Any collisions resulting from an Emergency Response by a Peace Officer will be reported to the Director of Law Enforcement as a sensitive / serious occurrence on the approved form.**

## PURSUIT GUIDELINES

All Peace Officer employed by the Town of Drumheller Community Enforcement will adhere to the current policy set forth by the Solicitor General's Office as defined in the Peace Officer Manual;

### **Peace Officer Manual Requirements**



## s. 24.7 Pursuits

Pursuit definition: A motor vehicle pursuit occurs when a peace officer follows a vehicle with the intent to stop or identify the vehicle or driver, and the driver, being aware of the peace officer's actions, fails to stop, and the driver initiates evasive action or ignores directions to stop/avoid apprehension.

A motor vehicle pursuit presents an extreme risk to public safety and shall not be conducted by any peace officer appointed under the *Peace Officer Act*. Peace officers, other than those with full policing authority, are prohibited from engaging in pursuits by the Alberta Solicitor General and Public Security Motor Vehicle Pursuit Guidelines (2005) and this policy manual.

Upon encountering an individual who has chosen not to stop their vehicle when directed to do so, a peace officer will immediately cease all efforts to stop the vehicle. This will include turning off all emergency equipment and reducing speed. Contact, on an urgent basis, should be made with the police service of jurisdiction to advise them of the circumstances, providing a description of the vehicle and direction of travel.

A pursuit may involve high or low speeds and vehicles other than automobiles.

## 24.8 Closing the Distance

### “Closing the distance” or “catch up situations”

In some cases an emergency response vehicle will attempt to close the distance on a suspected violator to further a law enforcement effort. These situations are not considered pursuits unless some overt action by the suspected offender suggests an attempt to avoid apprehension. This practice is commonly referred to as “closing the distance” or “catch up.” In these situations an emergency response vehicle is being operated in a manner that is different from normal traffic patterns.

The *Traffic Safety Act* states: “a siren on an emergency vehicle shall be operated only when the vehicle is being used in response to an emergency.”

Closing the distance is not normally considered an emergency. A peace officer involved in such a situation must continually evaluate all factors that involve public and officer safety. If the risk assessment indicates a risk to public safety the procedure shall be terminated.

**iv. “Closing the distance” or “catch up”** maneuvers may only be performed when there is a reasonable likelihood for apprehension of the suspected offender.

The paramount purpose behind those policy decisions is public safety. Failure to abide by these policies could expose the public to an unacceptable risk or the peace officer to legal action. Solicitor General and Public Security views the issue of motor vehicle pursuits involving peace officers very seriously and will actively follow up on any pursuits involving

peace officers with a view to ensuring that enforcement activities are conducted within legislated constraints and that corrective action is taken where necessary.

#### **24.9 Spike Belts/Roadblocks**

No peace officer will participate or assist in the deployment of a spike belt or other similar device.

No peace officer will participate or assist in the implementation of a roadblock technique.

Peace Officers, who encounter a vehicle that has initiated evasive action or has fled, shall not continue to follow the offender vehicle regardless of distance. Should an offender choose to flee before identification has been made of the vehicle, driver or license plate, all Peace Officers shall cease any effort to identify the offender vehicle and contact the Police Service of jurisdiction on an urgent basis and advise them of last known direction of travel.

## PS-9 ROUTINE PREVENTATIVE PATROL

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

1. While on routine patrol, members shall drive the patrol vehicle as per the requirements set forth in the Traffic Safety Act.
2. Patrol areas shall be checked at varying times and no set pattern is to be followed.
3. The member on patrol should watch for suspicious persons or activity in his or her patrol area, as well as traffic and other violations.
4. An occurrence report shall be filed by the member containing any details of an investigation conducted during the patrols.

## PS-10 ARRESTS

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

1. Members shall avoid making an arrest if other reasonable options are available. (i.e.; intoxicated person in a public place, may have a responsible adult friend take the person home rather than make an arrest.)
2. If the situation requires the member to make an arrest, the arresting member shall:
  - a. Identify him or her self as a Peace Officer
  - b. Take physical custody of the subject.
  - c. Tell the subject he or she is under arrest and why they are being arrested.
  - d. Advise the subject of their Charter Rights. This should be read from a wallet card.
3. When restraints are used, they are to be applied as per the member's training.
4. Use only as much force as required bringing about an arrest safely, for both the member and the person being arrested.
5. Persons placed under arrest are the responsibility of the arresting member. The arresting member shall keep the welfare of his or her prisoner in mind at all times.
6. Persons placed under arrest shall be turned over to the appropriate agency as soon as practical.
7. As soon as practical, the arresting member shall notify the Supervisor of Community enforcement of the arrest. The member shall also file an occurrence report as to the details of the arrest.

## PS-11 USE OF FORCE

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

A Peace Officer employed by Town of Drumheller while carrying out his/her duties, is considered a peace officer, and is under the legal obligations, authorities and responsibilities specified by the Solicitor General and Minister of Public Security in appointment of a Peace Officer.

Subject to this appointment, sworn members of Town of Drumheller are employed for the investigation of alleged offences relating to Provincial, Federal and Municipal legislation (legislation outlined in appointment).

As Peace Officers and Community Officers, members have the authority to use reasonable force in carrying out their obligations and responsibilities. Members shall work in a manner that minimizes the use of force.

Sworn members will use the minimum amount of force reasonably necessary to safely control the situation. The use of force in any situation must be continually evaluated with respect to further action. The member may need to escalate, de-escalate, or cease the use of force.

Sworn members shall not resort to the use of force unless such use is necessary in the execution of their duties as a peace officer. If the use of force is necessary, the member will apply force in accordance with the Use of Force Continuum, as trained.

The use of any “carotid control” (sleeper hold) or any other form of “neck restraint” is prohibited.

Whenever a member takes an action that results in or is alleged to have resulted in a use of force, the member shall:

1. Contact the Supervisor of Community Enforcement or his/her designate within 24 hours of the incident.
2. As soon as practical after the incident, complete a written report detailing the circumstances surrounding the incident.
3. Provide a copy of the written report to the Alberta Solicitor General, Peace Officer Program Manager within 24 hours of the incident if a public complaint has been made regarding such use of force.

## PS-12 OLEORESIN CAPSICUM SPRAY

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

Town of Drumheller may issue OLEORESIN CAPSICUM SPRAY to sworn members who may be required and authorized to utilize O.C. Spray during the execution of Peace Officer duties.

OC spray must only be used in cases where a lesser amount of force would be ineffective. Members must decide using the Use of Force Continuum (as trained), whether circumstances warrant using the OC spray and then, only force sufficient to obtain control shall be used.

### Restriction of use of OC spray.

1. Sworn members may carry OC spray only when on duty as a Peace Officer.
2. Members will recognize and abide by policy currently in place by the Alberta Solicitor General regarding the use of OC spray within an enclosed detention area and/or enclosed vehicle bay. (Restricted to situations of extreme violence or when other means of prisoner restraint cannot reasonably be achieved.)
3. Members will only carry and use OC spray that is issued by Town of Drumheller and authorized by the Alberta Solicitor General.
4. OC spray must only be used as a defensive tool and should not be applied to facilitate an arrest unless other means are not available.
5. Members will not allow, lend or provide to any person, not duly authorized by law, to possess or use OC spray.

### Storage and care of OC spray.

1. When OC spray canisters are in the office and not in the possession of a sworn member, they must be stored in a locked cabinet. Replacement canisters will also be stored in the secure lockup cabinet. When members are off-duty, OC spray will be stored in the secure area. If the member goes off-shift at their residence, the OC spray must be in a secured area while off duty.
2. Members will inspect the OC spray canister at regular intervals for damage and function of the canister's components.

### Post-incident guidelines.

1. After deployment, members should wait a moment before approaching the subject. This will allow the potency of the spray in the air to diminish to a tolerable level, to avoid personal contamination.
2. Encourage the subject who has been sprayed to relax and breathe normally.
3. Decontaminate the subject at the first reasonable opportunity by exposing the affected area to fresh air and flushing the contaminated area with cool water if available.
4. Members should not force decontamination upon a subject who refuses decontamination. However, members are responsible for the subject, and shall offer periodic access to water.
5. Members will provide immediate medical attention, if the symptoms persist beyond reasonable limits as outlined in the training.
6. As soon as practical, members will advise the Supervisor of Community Enforcement of the occurrence, and complete an occurrence report.
7. Members will forward a report within 2 business days of the incident, to the Alberta Solicitor General, Peace Officer Program Manager.

### **Qualifications and training**

1. Members shall be trained in the use, care, and handling of OC spray in accordance with the Alberta Solicitor General's guidelines and standards.
2. Sworn members will undergo testing and training at an interval as directed by the Alberta Solicitor General's standards.(recertification is required every three years)

## PS-13 EXTENDABLE BATONS

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

Town of Drumheller may issue extendable batons to sworn members who may be required to utilize extendable batons during the execution of Peace Officer duties.

Extendable batons must only be used in cases where a lesser amount of force would be ineffective. Members must decide using the Use of Force Continuum (as trained), whether circumstances warrant using the extendable baton and then only force sufficient to obtain control shall be used.

### Restriction of use of extendable batons

1. Sworn members may carry the extendable baton only when on duty as a Peace Officer.
2. Members will only carry and use extendable batons that are issued by Town of Drumheller and authorized by the Alberta Solicitor General.
3. Extendable batons must only be used as a defensive tool and should not be applied to facilitate an arrest unless other means are not available.
4. Members will not allow, lend or provide to any person, not duly authorized by law, to possess or use the extendable baton.
5. Members will recognize and abide by policy currently in place by the Alberta Solicitor General regarding the use of extendable batons.

### Storage and care of extendable batons

1. When members are off-duty, extendable batons will be stored in a secure location. If the member goes off-shift at their residence, the extendable baton must be kept in a secure location while off duty.
2. Members shall inspect the extendable baton at regular intervals for damage and function of the baton's components.



## **Post incident guidelines**

1. Members will provide immediate medical attention if required.
2. As soon as practical, members will advise the Supervisor of Community enforcement of the occurrence, and complete an occurrence report.
3. Members will forward a report within two business days of the incident, to the Alberta Solicitor General, Peace Officer Program Manager.

## **Qualifications and training**

1. Members shall be trained in the use, care, and handling of extendable batons in accordance with the Alberta Solicitor General's guidelines and standards.
2. Sworn members will undergo training at intervals as directed by the Alberta Solicitor General's standards. ( Every three years )

## PS-14 HANDCUFFS

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

Town of Drumheller may issue handcuffs to sworn members who may be required to utilize handcuffs during the execution of Peace Officer duties.

Handcuffs must only be used in cases where a lesser amount of force would be ineffective. Members must decide using the Use of Force Continuum (as trained), whether circumstances warrant using the handcuffs and then, only force sufficient to obtain control shall be used.

### Restriction of use of handcuffs

1. Sworn members may carry the handcuffs only when on duty as a Peace Officer.
2. Members will only carry and use handcuffs that are issued by Town of Drumheller and authorized by the Alberta Solicitor General.
3. Members will recognize and abide by policy currently in place by the Alberta Solicitor General regarding the use of handcuffs.

### Care of handcuffs

1. Members shall inspect the handcuffs at regular intervals for damage and function of the handcuff's components.

### Post incident guidelines

1. Members will provide immediate medical attention if required.
2. As soon as practical, members will advise the Supervisor of Community enforcement of the occurrence, and complete an occurrence report.

### Qualifications and training

1. Members shall be trained in the use, care, and handling of handcuffs in accordance with the Alberta Solicitor General's guidelines and standards.
2. Sworn members will undergo (at a minimum) training at an interval as directed by the Alberta Solicitor General's standards.

## PS-15 IMPAIRED DRIVERS

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

1. During the normal course of duties if a peace officer encounters a driver who is suspected of being impaired they shall
  - a. If sufficient grounds exist for a citizen's arrest under the Criminal Code, arrest the driver and call the police.
  - b. Keep the driver under observation until police arrive.
2. Accurate notes shall be kept on times and observations up to the point the police arrive.
3. Any notes or observations shall be forwarded to the police, if required.
4. Should the police be unable to attend the scene, or it is determined the police will not be required, the member may fill out a 24 Hour Disqualification form, deliver it to the police for CPIC entry and impound the vehicle.

## PS-16 ASSISTANCE TO OTHER AGENCIES

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

1. In the interest of Community Enforcement and security, members may be required to assist other agencies such as law enforcement or fire rescue departments.
2. In the circumstances of law enforcement agencies:
  - a. Members may respond to a POLICE call at the request of the police only.
  - b. If the situation is a motor vehicle collision and the member finds himself in the area of the call (particularly on a Town road), the member should advise the police they are in the area, and offer assistance if the police are some distance away.
3. In the circumstances of a Fire Rescue Department:
  - a. In the interest of Community Enforcement, members may respond as a resource to fire or rescue calls.
  - b. Members shall limit themselves to duties designated by the officer in command at the scene. Unless trained to do so, and authorized by the Supervisor of Community enforcement or his designate, members shall not enter into or engage in fire suppression or search and rescue activities.
  - c. Members are not to assume command unless designated by the Supervisor of Community enforcement or his designate.
4. In the circumstances of Ambulance or Disaster Services calls;
  - a. Members may respond to ambulance calls only at the request of the Ambulance Service.
  - b. Members shall respond to all Disaster Services calls, and provide assistance as required. Members may assume command as a Disaster Services Site Manager, as directed by the Supervisor of Community enforcement or his designate.

## **PS-17 EVIDENCE, EXHIBITS AND FOUND PROPERTY**

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

During the course of routine duties a member may have the opportunity to receive found property or be placed in the position of seizing exhibits as evidence. The following policy will be followed in those circumstances.

### **LOST AND FOUND PROPERTY**

1. All found property is to be retained for a minimum of 60 days. Bicycles will be kept for 30 days at the Public Works yard for the purpose of viewing by the general public. Once the 30 day period has expired, the bicycles will be removed to a Town of Drumheller Transfer site and disposed of accordingly.
2. Every reasonable effort will be made to locate the owner of the found property. Local media may be used where necessary.
3. All found property will be entered to the file system as found property.
4. If and when the property owner is located, return the property to that person, making a notation on the file in regards to the name of the person and the date the property was returned.
5. Common law has defined the right of the finder to retain possession of found articles after reasonable attempts have been made to locate the owner, however, the true owner always has the right to claim the property.
6. The finder may be informed that they may make a claim to found property if it is not claimed by the owner within 60 days. A relinquishment of claim is to be obtained if the finder has no interest in the property.
7. Members are not to retain personal possession of found articles.
8. Property found by members is to be retained for a period of 60 days. If an owner has not been located after the retention period, the property may be destroyed, or donated to a designated charity organization.
9. Animals seized during the course of duties shall be subject to current procedures under the Animal Control By-Law and other sections of this manual.

### **STORAGE OF EXHIBITS**

1. Exhibits which must be stored or maintained will be kept in a secure holding facility located in facilities owned by the Town of Drumheller.
2. Found property which is bulky in nature: i.e. Bicycles etc. shall be kept within the confines of the Public Works compound.

## **EXHIBITS CUSTODIAN**

The Senior Peace Officer / Supervisor of Community Enforcement

shall be deemed to be the exhibit custodian in coordination with the RCMP and the Town of Drumheller. In their absence, a designate shall be assigned.

## **DUTIES OF THE EXHIBIT CUSTODIAN**

1. The exhibit custodian or designate shall check each exhibit against the exhibits files system.
2. Record all subsequent movements of an exhibit until and including final disposition.
3. Maintain primary control over access to the Exhibit Holding facility.

## **SEIZED ARTICLES DURING THE COURSE OF AN INVESTIGATION**

1. Retain all property seized which is required as evidence i.e.: Drivers license, etc., with the proper court orders and documents.
2. All seized articles shall be entered into the file system as required.
3. Return all property seized as soon as practicable if there is no dispute as to ownership or the property is no longer required for the purposes of the investigation or court. Property such as driver's licenses, license plates or other government issued articles may be returned to the agency of issue.
4. If the property is no longer required but ownership is in doubt, take the property before the Justice, or report to the Justice, that the property is being detained to be dealt with by the Justice.
- 5.

## **DISPOSTION OF SEIZED ARTICLES**

1. All exhibits entered into court are the responsibility of the Clerk of the Court.
2. A court order directing action regarding return of the exhibits will be honored and executed in its entirety and has priority over any civil order or action.

## **EXHIBIT LEDGER**

1. An exhibit ledger shall be kept and maintained.

2. All exhibit records shall be made filed subject to the file system.
3. A notation of the exhibit control number shall be made on the file.

## PS-18 DISCLAIMER

Issued to:	All Manual Holders	Issued:		Replaces:	n/a
Issued by:	Community Services	Effective:		Dated:	n/a

**This manual pertains only to the Town of Drumheller Community Enforcement Service.**

**Information on subjects not contained in this policy manual, should be referred to the Town of Drumheller Personnel Policy Manual.**