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Public Security Peace Officer Program Policy and Procedures Manual October 2023 [version 3.01]
Public Safety and Emergency Services

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1.0 PUBLIC SECURITY PEACE OFFICER PROGRAM
OVERVIEW

1.1 Introduction

The Public Security Peace Officer Program (Program) in Alberta is unique in Canada. It gives different levels of government the opportunity to obtain peace officer status for community safety enhancement or specialized law enforcement needs.

This program operates under the auspices of the Peace Officer Act (Act), allowing the Government of Alberta to designate agencies and provide individuals with peace officer status for specific job functions. Duties and functions within the program vary greatly, from and commercial vehicle enforcement, to animal control and enforcement related to consumption of liquor and cannabis in public spaces and authority for out-of-province police officers when in Alberta. Regardless of the participating agency, the Program is designed to ensure minimum standards of training, accountability, and professionalism.

Legislation governing peace officers is found in the Act, the Peace Officer Regulation (POR) and the Peace Officer (Ministerial) Regulation (POMR). This manual provides the information necessary for agencies to understand the expectations involving operational and administrative practices and procedures.

Alberta Public Safety and Emergency Services has overall authority for the Program, as provided in the Act. The Program is administered by the Public Security Division under the Assistant Deputy Minister/Director of Law Enforcement (hereinafter, referred to as the Director). The Program Manager has responsibility for daily operations, including development of policies and guidelines. All Program related correspondence must be directed to the Program Manager for approval and processing unless otherwise specified in this manual.

It is the role of the Director to protect the public interest and ensure that the peace officer role produces effective and appropriate enforcement exercised in accordance with existing legislative and policy frameworks.

The Minister of Public Safety and Emergency Services may delegate to the Director, specific duties and responsibilities referred to in the Act, Regulations, or Policy.

The Director may delegate specific duties and responsibilities referred to in the Act, Regulations, or Policy, to employees of the Public Security Division.

The Act, Regulations, and Policy apply to Alberta police services utilizing peace officers appointed through the Act. The Act, Regulations and Policy do not apply to police officers appointed through the Police Act.
1.2 Peace Officer Status

Peace officer status carries powers and protections not available to ordinary citizens such as the ability to deprive citizens of freedom through powers of arrest. This status also provides authority to use reasonable force should an arrest be required. The authority to deprive any individual of freedom of movement is an extremely powerful tool and must not be taken lightly. It is expected that individuals having peace officer status will conduct themselves in a manner reflective of this responsible position in society.

Accountability accompanies this responsibility and it is often assessed and judged through the civil or criminal courts. The Ministry of Alberta Public Safety and Emergency Services takes very seriously the responsibility to oversee the delivery of law enforcement services to all Albertans in a fair, impartial, professional manner and without regard to race, national or ethnic origin, color, religion, gender, age, sexual orientation, belief or social standing.

Peace officer authority is valid only while an individual is lawfully employed by the specified authorized employer (employer) and is ‘on duty’, performing duties and responsibilities listed on their appointment.

A peace officer’s enforcement authority is limited to the statutes listed on their appointment, within the territorial jurisdiction specified.

If a peace officer becomes aware of an offence for which they do not have authority, the peace officer shall refer the matter to the police service of jurisdiction forthwith.

Section 2 of the Criminal Code (Canada) defines the term “peace officer”. It includes “…constable, or other person employed for the preservation and maintenance of the public peace…” Peace Officers appointed under the Act fall within this definition, in part, pursuant to section 7(5) of the Act which states:

Subject to the terms of the appointment, a person appointed as a peace officer under this Act is a person appointed for the purpose of preserving and maintaining the public peace.

It is extremely important to note that a peace officer’s authority is limited by the first part of section 7(5) which limits their status as peace officers to the performance of duties specified on their appointment. Any action taken that is not specifically covered by the peace officer appointment would be as a private citizen.

1.3 Policy Management and Updates

The manual is a critical tool in supporting the operational needs and success of peace officer service delivery in Alberta. Policy and process changes are implemented as required through the Peace Officer Bulletin process. To support the ongoing effectiveness of the manual as a tool, the following policy applies to the manual:

Changes to policy and procedures made by the Program will be announced at the time of implementation using the Peace Officer Bulletin process (see section 26.0). Changes
are based on a number of factors including decisions made by the Director, administrative requirements, legislative changes, and feedback from industry stakeholders.

On an annual basis, policy changes and any related procedural and administrative changes implemented by the Director and the Program over the prior 12 months may be incorporated and a revised version of the Manual released.

Every five years, or sooner if deemed necessary by the Director, a review of Program policy and procedures will occur. The Program will collect input from industry stakeholders through a consultation process to gather information with respect to how the Program Policy can be changed to streamline operational requirements, improve services delivery and identify areas for improvement.

2.0 ACTS AND REGULATIONS OVERVIEW

The Program has been created using the Act, POR, and the POMR. For information purposes, a brief overview and purpose of the legislation follows.

2.1 Peace Officer Act

Contains the broad strategic directions under which the Program must operate. The key directions of professionalism, accountability, and standards are captured here.

Part 1

Covers issues concerning authorization and appointments such as applications, suspensions and cancellations.

Ensures that employers are responsible and liable for the actions of their employees and/or contractors when on duty and acting within the scope of their appointment.

Addresses miscellaneous items relating to the appointment such as weapons, equipment, and titles.

Section 13 outlines the Minister’s powers to expand the authority of peace officers in the event of an emergency.

Part 2

Outlines the process for handling public complaints under the legislation.

Details the review process for complainants who disagree with a decision made by an employer in respect of their complaint.

Requires employers to report to the Director on a number of topics relating to public complaints and concerns pertaining to peace officers.
Part 3
Details the Director’s powers to conduct inspections and investigations pursuant to the Act.
Prescribes that the Director may give directions to an employer based on the results of an inspection or investigation.

Part 4
Lists offences and penalties under the Act.
Covers the use of certain terms and impersonation of a peace officer.
Sets out the Director’s powers to enforce provisions of the act with Program participants.

Part 5
Lists all the areas in which regulations may be developed to address certain topics.

Part 6
Legislative Amendments resulting from the proclamation of the Act.

2.2 Peace Officer Regulation
Deals with requirements pertaining to weapons, how to obtain authority to carry them, use and reporting, and resulting employer responsibilities.
Outlines that the employer may be assessed costs that result from third party investigations conducted under the Act.

2.3 Peace Officer (Ministerial) Regulation

Part 1
Outlines the application processes for obtaining authorizations and appointments.
Provides the eligibility and qualification requirements for applicants.
Describes the circumstances under which a peace officer must report information to the Director and employer.
Details the requirement for employers to submit an annual report.

Part 2
Sets out a minimum code of conduct required of employers.
Describes administrative requirements concerning recordkeeping and agreements for the Program that must be kept and maintained by employers.
Part 3
Details minimum uniform standards for Program participants.

Part 4
Lists the fee schedule for employers and individuals.

Part 5
Expands on how an employer is required to handle complaints against peace officers, both on intake and disposition.
A range of dispositions for public complaints is listed.

Part 6
Administrative legislative items.

3.0 AUTHORIZATION TO EMPLOY PEACE OFFICERS

Under section 5 of the Act and section 2 of the POMR, an agency may only employ the services of a peace officer if they are designated as an employer by the Director. All employers and peace officer authorizations/appointments are validated and issued under the Director’s signature.

Applying agencies must:

- Have a legitimate need for peace officer services;
- Be a government or quasi-government agency. The level of government can be federal, provincial, or municipal (examples of quasi-government agencies are health authorities, post-secondary institutions, commissions or boards that report directly to a government ministry, or any other group designated by a federal or provincial ministry to carry out enforcement of federal or provincial legislation; and
- Private agencies or individuals are not eligible for participation under this legislation.

3.01 Employer Roles and Responsibilities

Per section 5 of the Act, a government or quasi-government agency may apply for an authorization to employ or engage the services of one or more peace officers to enforce provincial, and in some instances federal statutes within its jurisdiction. The employer of peace officers is liable for the actions and omissions of its peace officers while they are acting under the scope of their authority, responsibilities and duties.
As such, in entering into an agreement to become an employer of peace officers, an agency agrees to the following responsibilities (as amended from time to time):

- Establish and report changes to agency contacts to Program promptly to ensure effect communication between the agency and the Program.
- Monitor Peace Officer Bulletins for important announcements and changes that impact delivery of peace officer services.
- Hiring or contracting individuals who meet the criteria outlined in sections 5.0 and 6.0 of this manual.
- Apply for, maintain and cease the individual appointment of peace officers issued under its Authorization to Employ Peace Officers, including ensuring its peace officers maintain all required training and recertification necessary to maintain their peace officer status.
- Establish and maintain internal policies, standards of conduct, practices, procedures, protocols and rules to support delivery of peace officer services within its jurisdiction.
- Ensure peace officers only have as much authority as is necessarily to undertake their responsibilities and duties. Appointments and authorizations may be amended as required to ensure effective service delivery as agency needs change.
- Ensure both the agency and peace officer compliance with the Act, POR, POMR, this manual and the agency’s internal policies.
- Notify the Program of any changes to the documentation submitted with the original application, including policy amendments, jurisdiction changes, updated agreements and identified needs for the agency, including obtaining prior approval from the Program for changes to uniform or patrol vehicle markings.
- Take action with respect to violations of the Act, Regulations and policies (both Program and internal) where it ought to have been known a contravention occurred.
- Report changes in peace officer status (suspension, leaves over six months, ceased employment or termination with cause).
- Ensure peace officers maintain proper deportment and only carry the weapons and equipment authorized by their appointments.
- Investigate and dispose of complaints or conduct issues in a manner consistent with the procedures set out in the regulations and this manual. This includes applying discipline in accordance with the agency's disciplinary policy when required and suspension or termination of peace officer appointments where public safety may be a consideration during an investigation (e.g. pursuit reviews).
- Report as required under the Act, Regulations and policies.
• Cooperate with inspections and audits undertaken by the Program for the purposes of supporting compliance with Act, Regulations and policies.

• Maintain effective records as required under the Act, Regulations and policies. Individual peace officer records may be maintained through current HR practices as long as the files are available for review during an audit or inspection and the original peace officer appointments are available to the peace officers when required for court.

• Maintain memorandums of understanding (MOUs) with the police services of jurisdiction to support effective communication and officer safety. MOUs may be entered into with other law enforcement agencies and social services agencies as required.

• Enter into and maintain appropriate record keeping for Shared Service Agreements and Joint Forces Operation (JFO) invitations.

• Any other requirement outlined in the Act, Regulations and this manual, as amended from time to time, including supplementation, direction or changes provided through Peace Officer Bulletins.

Employer Contacts

The employer must provide and maintain at least three contacts at all times:

• **Primary Contact**: Official representative of the agency empowered to make decisions related to the agency’s administration and management of its peace officers services. Generally, this role would fall to the Chief Administrative Officer of participating municipalities or a senior manager with direct oversight for service delivery for government departments or quasi-government agencies.

• **Secondary Contact**: Responsible for daily operational oversight for an agency’s peace officer services. This position may hold a peace officer appointment if the role is responsible for enforcement duties.

• **Bulletin/Email Notification Email**: This will be used to issue Peace Officer Bulletins for distribution to an agency’s peace officers and any urgent communication from the Program to peace officers. It must be either accessible by all peace officers or monitored and maintained by an individual who will be responsible for prompt distribution of the content to peace officers and the secondary contact.

• **Additional Contacts**: A front-line supervisory contact(s), including site or unit contacts for larger agencies, may also be provided, if appropriate.

If agency contacts require assistance with the application process for Authorization to Employ Peace Officers or in understanding the employer’s obligations and responsibilities under the Act, please contact the Program Manager.

The employer must ensure that the required internal policies are developed and maintained at all times. Copies of internal policies and future revisions must be
submitted by email to the Program for review and will be placed on the administrative file for each employer.

3.02 Public Security Peace Officer Program Contacts

For administrative matters, including applications and amendments, or to reach the Program Manager, email peaceofficerinfo@gov.ab.ca.

For reporting requirements, or to reach Program investigator/auditors, email poprogram@gov.ab.ca.

3.03 Understanding Peace Officer Authority and Discretion

Employer policies plays a critical role in a peace officers understanding of their authority and provides guidelines on applying discretion in the course of their duties.

Peace officers obtain their authority from their peace officer appointments. A peace officer must be employed or engaged by an agency that has applied for and received an Authorization to Employ Peace Officers and the individual appointments must delegate some or all of the authority granted in the authorization. Which authorities a peace officer receives depends on the roles and responsibilities assigned by the employer.

While the appointment identifies the authority granted to a peace officer (both the statute and any restrictions related to it), the means by which a peace officer applies this authority is determined through relevant legislation and policy. The Act and Regulations, Program Policy, Peace Officer Bulletins, the statutes (and related regulations) identified on the appointment and the employer’s internal policies and/or standard operating procedures, all contribute to a peace officers understanding of how to address a compliance issue identified within the course of their duties.

Combined, this information also provides guidance for the application of a peace officers discretion while in the course of their duties. These documents provide the information on which offences a peace officer may address, and the range of options or tools available to the peace officer to address the violations. Violation tickets are the most common tool applied for enforcement, but they are not the only tool available to peace officers. Employers and peace officers should discuss the range of options and possible impacts on their communities and clients to help determine the range of enforcement options suitable for their jurisdiction.

For example, a peace officer granted authority under the Gaming, Liquor and Cannabis Act, is restricted to specific enforcement sections within the appointment. The legislation defines what an offence is and the legal mechanisms by which enforcement can take place (violation ticket, mandatory court appearance). The employer’s policies may provide guidance on options for enforcement such as education, warnings and finally tickets. Based on the totality of the circumstances (first offence, youth, contributing factors), the peace officer must use their discretion to determine which enforcement option is most appropriate at that time.
3.1 Authorization Applications

Applications must include:

- A completed Application for Authorization to Employ Peace Officers form (Appendix A) signed by the primary contact for the agency. It ensures that all information required by the Act and Regulations is obtained.

- Payment in the amount of $1,000, made payable to the Government of Alberta. Fees may be paid by corporate cheque, money order or online payments through Alberta eServices. Fee exemptions: Crown agencies (federal or provincial).

- An email from the Manager of JOIN Operations at Alberta Justice stating that all JOIN processes have been completed. This will ensure new agencies are set up with Alberta Justice databases to issue and enter violation notices. Contact JOIN Operations at Jsg-imt-supportdesk@gov.ab.ca.

- An email for Safe Roads Alberta at Alberta Transportation stating that all processes for registering the organization and its peace officers are set up to process violation notices under the Justice Transformation Initiative. Contact Safe Roads Alberta.

- All employer’s policies and agreements as outlined in the Act, Regulations and this manual. Policy requirements are subject to change and applications should contact the Program for a complete list of current requirements by emailing peaceofficerinfo@gov.ab.ca. A non-inclusive list is provided in Appendix F.

- An MOU with the police service(s) of jurisdiction.

- A Traffic Safety Plan, approved by the police service of jurisdiction, if the agency will be engaged in enforcing moving traffic violations including automated traffic enforcement. More information and an example is shown at Appendix B.

Employers may submit applications by email to peaceofficerinfo@gov.ab.ca. Email submissions must include pdfs of the required documents (digital signatures are accepted) and a copy of the payment receipt.

3.2 Applications by Out-of-Provience Police or Peace Officer Agencies

The Program has been designed to accommodate the needs of police or law enforcement agencies that are not permanently based in Alberta and have a legitimate need to enter this province for specific purposes or investigations.

Authorizations are issued under section 3 of the POMR. Applicants must comply with the requirements under sections 2 and 5 of the POMR, unless exempted by the Director. All other sections still apply.
Out of province agencies must submit the following to apply for an Authorization to Employ Peace Officers:

- Cover letter outlining:
  - the nature of the investigation or purpose for which an application for Authorization to Employ Peace Officers is being sought.
  - confirmation that all associated officers are employed by the agency and are eligible to work in Canada.
  - confirmation that the employer’s code of conduct will apply while its officers are working in Alberta.
  - confirmation that complaints against the employer’s officers will be dealt with in accordance with the Act and Regulations.

- Completed Section 3 - Application for Authorization to Employ Peace Officers signed by the chief of police or primary contact for the agency.

- The Authorization to Employ Peace Officers remains active until ceased by the agency.

- The out of province agency is responsible for applying for, maintaining and ceasing peace officer appointments for all officers working in Alberta.

An out of province employer must submit the following for each officer working in Alberta:

- Completed Out of Province Peace Officer Application for each officer, signed by the inspector or manager in charge, with the following attachments:
  - Police Information Check (CPIC)
  - proof of weapons qualification
  - copy of members police service or agency ID
  - passport-sized color photo no more than three months old (no hats, sunglasses or other items that obscure the image)
  - applicant’s signed consent for disclosure form

A peace officer appointment document and ID card will be issued for each officer. The ID card and copy of the appointment must be carried by the office while working in Alberta.

Peace officer appointments must be ceased with the Program when no longer needed (officer changes assignments or retires) and the original appointment document and ID card returned to the Program within 10 business days.

Prior to each visit to Alberta, the out of province employer must ensure:

- All officers working in Alberta hold a valid peace officer appointment.
• An email notice is sent to the Program Manager at peaceofficerinfo@gov.ab.ca with the following information:
  - dates work will be performed in Alberta
  - location while in Alberta, including site of work, hotel name and location, and rental vehicle make and license plate (if available)
  - name(s) of officer(s)
  - name of sponsoring agency in Alberta
  - reason for attending Alberta
  - weapons to brought into Alberta/used in Alberta

Applications for authorization may be submitted by email to peaceofficerinfo@gov.ab.ca using the Section 3 – Authorization to Employ Peace Officers Form. Generally processed within three business days.

Fee exemption: Out-of-province police and peace officer agencies are fee exempt.

Authorizations, appointments and ID cards must be returned by mail when no longer required:

Peace Officer Program
Public Safety and Emergency Services
9th Floor, 10365-97 Street NW
Edmonton, AB T5J 3W7

3.3 Approval Process

The Program will review completed applications upon receipt and, if satisfied that a legitimate need for the provision of peace officer status exists, shall issue an employer’s authorization. The Director may impose terms and conditions on the authorization where considered appropriate.

If an application is found to be incomplete, the Program will contact the applicant (in all cases the applicant is the employer) to clarify information or request additional policies or procedures.

Once an application meets legislative and policy requirements, the Program can normally issue the authorization within 10 working days.

Urgent/emergent circumstances: In the event of urgent or emergent circumstances, processing time for the Authorization to Employ Peace Officers may be processed within two business days. Contact the Program Manager for assistance where this need may arise.

The Authorization to Employ Peace Officers shall be issued in the approved form and signed by the Director or an authorized designate. The authorization will detail the permitted authorities, jurisdiction, weapons and equipment, and any other terms and conditions.
The original Authorization to Employ Peace Officers shall be forwarded to the employer and a copy retained on the Program file.

Authorization not approved: If an application for Authorization to Employ Peace Officers is unable to be approved, the Director shall advise the applicant, in writing, outlining the reasons for the decision.

3.4 Withdrawal Process

If an Authorized Employer wishes to withdraw from the Program, they must provide written notification from the official contract person, including reason, proposed end date and acknowledgement of disposition of uniform and equipment including vehicles and weapons.

4.0 APPLICATIONS FOR PEACE OFFICER APPOINTMENT

The employer of an individual who meets the criteria set out in the POMR must make application for a peace officer appointment. The Program shall review each application to ensure the applicant meets legislated requirements. The Director may issue a peace officer appointment to applicants satisfying the requirements in accordance with section 7 of the Act and section 5 of the POMR.

4.1 Guidelines for Applications

Employers must make the application for a peace officer appointment. Individuals do not have the authority to request appointments under an Authorization to Employ Peace Officers.

Employers may set requirements for positions requiring peace officer appointments, beyond the minimum standards established by legislation and Program policy, as long as they are within the scope of labor laws.

It is recommended that employers make conditional employment offers contingent on the applicant receiving an appointment. Conditional offers afford employers protection should an Application for Peace Officer Appointment be denied as a result of findings from the professional standards and background checks conducted during the application review process.

Employers are responsible for completing reference checks prior to submitting the application for a peace officer appointment. At least one reference must the direct supervisor with the most recent employer. These reference checks should be exhaustive and include questions regarding and applicant’s history with public complaints, code of conduct violations, and incident outcomes attributed to the applicant.
The Program has no legal authority to complete a background check until the Application for Peace Officer Appointment is received.

The Program may provide additional information to the individual applicant about the outcome of the professional standards and background check in the event an application is denied, but may be limited in the information it can release to the employer under the Freedom of Information and Protection of Privacy Act (FOIPPA).

Not all authority provided to individuals with peace officer status comes from the peace officer appointment. Some legislation grants authority through other regulatory mechanisms, such as Ministerial Orders/appointments, designations or by employment status. These elements of authority are not included on an individual's appointment. Some examples include bylaw enforcement, inspections for weed control and transportation of dangerous goods, and herd animal control.

Each piece of legislation will state how the authority is to be granted. It is critical for peace officers and employers to understand where authority comes from to ensure they are lawfully placed when undertaking enforcement actions.

### 5.0 ALBERTA PEACE OFFICERS

#### 5.1 Alberta Peace Officer Level 1

Employed by Alberta Public Safety and Emergency Services.

- Peace officers are provided with approved training and possess the authority to enforce provisions of federal and provincial statutes specific to their mandate. This includes enforcing traffic violations on Alberta highways, including impaired driving and commercial vehicle enforcement, enforcement of fisheries and wildlife statutes, and providing surveillance for the Safe Communities and Neighborhoods (SCAN) program, prisoner transport and court security.

- Also included in this level would be protection services for the Premier, Lieutenant Governor, VIPs and other individuals as deemed necessary.

- Peace officers in this classification may also hold authority under the Rural Alberta Provincial Integrated Defense (RAPID) Response.

#### 5.2 Alberta Peace Officer Level 2

Employed by the Government of Alberta or the Government of Canada.

- These peace officers possess knowledge that is specific to enforcement and/or compliance with federal and provincial legislation. They conduct a range of duties that include investigations and inspections.
• Uniformed conservation officers are also included in this classification.

• Alberta government peace officers/federal peace officers in this category that carry firearms or other weapons have authority to do so via an enactment other than the Act.

5.3 Requirements for Appointment

Qualifications:

• Two-year diploma program from a post-secondary learning institution or equivalent education and experience; or education and experience suitable to the authorities sought by the employer

• Minimum age of 18 years old

• Competent and of good character

• No criminal record, or if the person has a criminal record, that a pardon has been granted

• No outstanding criminal charges and not subject of a criminal investigation

• Three reference checks satisfactory to the employer must be completed; at least one supervisory reference check must be included from the applicant’s most recent employer
  
  - should include questions regarding history with public complaints, code of conduct violations, and incident outcomes attributed with the applicant

• Successful completion of an approved physical abilities evaluation test for uniformed enforcement roles. Employers may use a variety of physical evaluations tests but these tests must be reviewed and approved by the Director
  
  - Physical Abilities Requirement Evaluation (PARE): This is the current standard for many Alberta police agencies and can be completed at a number of institutions in Alberta. For the purposes of this program a passing score is at or under 00:04:45

Other currently approved tests are:

- Correctional Officer Physical Aptitude Test (COPAT)
- Police Officer Physical Aptitude Test (POPAT)
- Alberta Physical Readiness Evaluation for Police (APREP)
- Other tests may be approved after submission and review by the Director

• Successful completion of training course(s) approved by the Director

A review of information held by police services, law enforcement agencies within and outside Alberta, and government agencies within and outside Alberta will be conducted
by the Program. Based on information returned an assessment will be conducted to determine if the applicant is eligible and suitable to carry a peace officer appointment.

5.5 Required Alberta Peace Officer Training – Section (5) (i) of the Peace Officer (Ministerial) Regulation

Prior to issuing any appointments under this program, the following training requirements must be met for Alberta Peace Officer Levels 1 and 2.

For the purposes of the authorities granted on the Peace Officer Appointment, training must be a Government of Alberta approved training curriculum as developed by each ministry and accredited by the Public Safety and Emergency Services Training Academy (PSES TA). Ministries must submit detailed information on the training offered to peace officers and are responsible for showing how the training is sufficient for peace officer authorities granted through this program. See section 18.0 for information on the accreditation process.

If no in-house training courses exist the alternatives may be considered and must be approved by the Program, including, but not limited to, the following:

- For enforcement authorities, the Community Peace Officer Induction Program (CPOIP) is available through the PSES TA with approval by the Program Manager.

- For provincial investigation authorities, the Alberta Peace Officer Investigation Program (APOIP) is available through the PSES TA. This is a three week course based in Edmonton. Contact them directly for dates and registration.

- For criminal investigation authorities, the Investigative Skills Education Program (ISEP) online course is approved as an equivalency. This is the mandatory investigator training course for police officers in Alberta and is offered online through the Canadian Police Knowledge Network. ISEP is available free of charge to Government of Alberta peace officers requiring criminal investigation skills by contacting the Program at peaceofficerinfo@gov.ab.ca. Provide the names and email addresses of the individuals who require the training.

6.0 COMMUNITY PEACE OFFICERS

6.1 Community Peace Officer Level 1

Government or quasi-government agencies responsible for providing a safe and secure environment for public and/or private property are included in this category. Employed by municipalities and counties in Alberta to fulfill a range of roles including enforcement of provincial statutes. Level 1 Community Peace Officers enforce a range of provincial
statutes specific to the needs of their community or agency, including moving violations under the Traffic Safety Act and elements of the Gaming, Liquor and Cannabis Act.

- Level 1 Community Peace Officers are armed with baton and OC spray.
- Examples of this category are municipal enforcement departments, transit security agencies operated by a municipality, some post-secondary institutions, and enforcement/security personnel employed by health services agencies.
- Community Peace Officers may also hold separate designations under other provincial statutes that will not appear on their peace officer appointments, including bylaw enforcement officers under the Municipal Government Act.

Enhanced Authorities

Specific enhanced authorities are also available to this category of peace officer. A Level 1 Community Peace Officer may hold enhanced authorities in order to provide additional services to the community that supplement services provided by the police with the consent and participation of the police service of jurisdiction (Chief of Police for municipal/Indigenous police services or Commanding Officer of K-Division for the Royal Canadian Mounted Police). See section 24.18 for additional information.

These authorities will only be granted after specified, approved training programs have been successfully completed for the following:

- Non-urgent community calls: Criminal Code authority may be granted for the offences of ‘Theft not exceeding $5000’ and ‘Mischief not exceeding $5000’
- Criminal Code warrants: Ability to arrest and release, unless Judicial Interim Release hearing required
- Motor vehicle collisions: Ability to investigate and submit reports involving non-injury events

6.2 Requirements for Appointment

Qualifications:

- Grade 12 or equivalent qualification
- Minimum age of 18 years old
- Competent and of good character
- No criminal record, or if the person has a criminal record, that a pardon has been received
- No outstanding criminal charges and not subject of a criminal investigation
• Three reference checks satisfactory to the employer must be completed. At least one supervisory reference check must be included from the applicant’s most recent employer.
  - checks should include questions regarding history with public complaints, code of conduct violations, and incident outcomes attributed with the applicant.

• Successful completion of an approved physical abilities evaluation test for uniformed enforcement roles. Employers may use a variety of physical evaluations tests but these tests must be reviewed and approved by the Director.
  - Physical Abilities Requirement Evaluation (PARE): This is the current standard for many Alberta police agencies and can be completed at a number of institutions in Alberta. For the purposes of this program a passing score is at or under 00:04:45

Other currently approved tests are:
- Correctional Officer Physical Aptitude Test (COPAT)
- Police Officer Physical Aptitude Test (POPAT)
- Alberta Physical Readiness Evaluation for Police (APREP)
- Other tests may be approved after submission and review by the Director

• Successful completion of training course(s) approved by the Director.

A review of information held by police services, law enforcement agencies within and outside Alberta, and government agencies within and outside Alberta will be conducted by the Program. Based on information returned an assessment will be conducted to determine if the applicant is eligible and suitable to carry a peace officer appointment.

6.3 Required Community Peace Officer Level 1 Training – Section (5) (2) (i) of the Peace Officer (Ministerial) Regulation

The minimum training requirement is CPOIP, either taught at the PSES TA or delivered through a third party provider with a course accredited for this purpose and accepted by the Director.

Enhanced training is required to support the authorities of non-urgent community calls (investigations for theft and mischief under $5000), non-injury motor vehicle collision (MVC) investigations, and Criminal Code warrant execution. The course curriculum is provided by the Program and must be delivered by an instructor for the police service of jurisdiction. Alternatives may be considered by the Director.

6.4 Community Peace Officer Level 1 Training Equivalents

• Canadian police training if the applicant has been a serving police officer in Canada within the past five years.
• Alberta Commercial Vehicle Enforcement (CVE) training through Lethbridge College: equivalent to CPOIP but not ‘enhanced authorities’. If enhanced authorities are required, the applicable training must be completed. This applies to training completed prior to 2019 when CVE was amalgamated with Sheriffs Branch.

• Sheriffs Highway Patrol Training: equivalent to CPOIP, MVC investigation training and *Criminal Code* warrant execution, but does not allow non-urgent community call authority. Sheriffs Induction Training is not accepted unless the applicant has also completed an approved traffic stops course and additional legal studies training on legislative elements related to front-line enforcement roles.

• Fish and Wildlife Training: equivalent to CPOIP, non-urgent community call authority and *Criminal Code* warrant execution, but does not allow MVC investigation training.

• Conservation Officer Training provided to full time officers: equivalent to CPOIP, and *Criminal Code* warrant execution but does not allow MVC investigation training.

• Conservation Seasonal Officer Training provided to seasonal workers: equivalent to CPOIP if four consecutive seasons and training are completed.

• Alberta and Canadian Correctional Services Training: equivalent to CPOIP with completion of additional training in legal studies and traffic stops.

• CPO II training provided by DKR, Alberta Health Services, the City of Edmonton or City of Calgary with verification of Transition/Bridge Training. A list of approved Bridge Training Providers can be found in Program Bulletins 29-2020 and 22-2022.

6.5 Community Peace Officer Level 2

Fulfill a range of roles that are administrative in nature or have a narrow focus. Authority at this level does not include front-line uniformed enforcement roles. Examples are exhibit custodians for police services, RCMP detachment clerks, cell guards and automated traffic enforcement operators.

• No Uniform Requirement: Level 2 Community Peace Officers are not held to a uniform requirement, however, the Level 1 uniform requirements may be utilized if approved by the Director.

• Restrictions on Uniform Design: Employers choosing to develop their own uniforms must abide by Section 54(2) of the *Police Act* which prohibits the wearing of a uniform that would lead the public to a mistaken belief that the wearer is a police officer. They must also ensure that the design does not duplicate peace officer uniform in a manner that would lead the public to a mistaken belief that the wearer is an peace officer under the Act. Photos of uniforms must be provided to the Program, where applicable.

• Level 2 Community Peace Officers are not permitted to drive marked patrol vehicles with red/blue lights.
6.6 Requirements for Appointment

Qualifications:

- Grade 12 or equivalent qualification
- Minimum age of 18
- Competent and of good character
- No criminal record, or if the person has a criminal record, that a pardon has been received
- No outstanding criminal charges and not subject of a criminal investigation. A criminal record and police check must be completed and submitted by the employer
- Three reference checks satisfactory to the employer must be completed; at least one supervisory reference check must be included from the applicant’s most recent employer
  - should include questions regarding history with public complaints, code of conduct violations, and incident outcomes attributed with the applicant
- Successful completion of an accredited training program developed by the employer or third-party training provider and approved by the Director

6.7 Required Training under Section 5(2) (i) of the POMR

Due to the narrow scope of job roles in this category, CPOIP is not a mandatory training requirement. Each employer is responsible for developing a training course that is sufficient to deliver the necessary skills and knowledge enabling an effective delivery of services. This training course will be submitted to the Program for retention and review. Accreditation may be required.

Prior to an appointment being issued for this category, the employer must indicate that the training course on file has been successfully completed by the applicant.

7.0 OUT-OF-PROVINCE PEACE/POLICE OFFICERS

7.1 Qualifications

- Minimum age of 18 years old
- Competent and of good character
- No criminal record, or if the person has a criminal record, a full pardon has been received
• No outstanding criminal charges and not subject of a criminal investigation (a criminal record and police check must be completed and submitted by the employer)

• Be qualified, within the past 12 months of the application, on any firearms the police/peace officer may be carrying in Alberta

• Be qualified, within the past 36 months of the application, on any other weapons the police/peace officer may be carrying in Alberta

• Successful completion of a training course recognized by the employer as suitable to the job functions/duties to be carried out by the applicant

Out of province agencies must notify the Program that they will have officers operating in Alberta prior to arriving in Alberta. Emails to the Program must include the names and appointment numbers for officers, the police service they are working with while in Alberta, where they will be working in the province and the dates of their time in Alberta. Emails must be sent to peaceofficerinfo@gov.ab.ca.

8.0 PEACE OFFICER APPOINTMENT APPLICATION PROCESS

Requests for appointment of an individual to peace officer status must be submitted by the employer and include the following:

Applications for peace officer appointments must include:

• Completed Application for Peace Officer Appointment signed by the primary or designated contact for the employer

• Passport-sized color photo no more than three months old (no hats, sunglasses or other items that obscure the image)

• Original or certified true copy of criminal record and local police information check, (criminal record checks will only be recognized as valid for ninety (90) days after the law enforcement agency has completed the check; if also applying for CPIC access, a Certified Criminal Record Check for law enforcement is required, see Appendix I).

• Consent for disclosure signed by the qualified individual

• Three reference checks satisfactory to the employer must be completed. At least one supervisory reference check must be included from the applicant’s most recent employer
  - should include questions regarding history with public complaints, code of conduct violations, and incident outcomes attributed with the applicant
• Proof of training as outlined in section 5.0 of this manual, including certification in baton, OC spray and firearms, if applicable

• Physical assessment test certificate, if applicable

• Payment in the amount of $100, made payable to the Government of Alberta. Fees may be paid by corporate cheque, money order or online through Alberta eServices. Fee exemptions: Crown agencies (federal or provincial) and out of province police services

Employers may submit applications by:

Email to peaceofficerinfo@gov.ab.ca. Email submissions must include pdfs of the required documents (digital signatures are accepted) and a copy of the payment receipt.

Before Peace Officer Application packages may be emailed, the Records Retention policy must be amended to explicitly state that the candidate’s criminal record check and completed Consent for Disclosure form will be retained on site as paper documents for a minimum of 24 months, and copy of the updated policy provided to the Program.

Mail or courier to: Peace Officer Program
Public Safety and Emergency Services
9th Floor, 10365-97 Street NW
Edmonton, AB  T5J 3W7

Peace officers appointments shall be printed on the approved form and signed by the Director or their designate. This appointment will detail permitted authorities, jurisdiction, weapons and equipment, titles, and any other terms and conditions.

Employers must place the original appoint document on the individual’s employee file should it be required for court purposes. The photocopy and ID card must be provided to the peace officer. The ID card must be carried by the peace officer at all times.

Assessment and Processing Times

All applications will be assessed and reviewed for suitability within the framework of legislation and policy. See section 9.1.1 for additional information on this process. Processing times may vary and will depend on access to information provided by other peace officer and law enforcement agencies, and police services. Average processing time is approximately six weeks. The Program will contact the employer if the processing time exceeds this period.

Individuals changing employers may be processed more quickly. Assessment will be for the time period since the last professional standards and background check was conducted by the Program.

Non-Transferable

Peace officer appointments and appointment numbers are specific to an employer. As such, appointments and appointment numbers are non-transferable between employers.
**Multiple Appointments**

In the event a peace officer has two employers, two appointments are required and applications must be submitted by both employers. Written approval must be provided to the Program by both employers demonstrating support for the officer to have two appointments. Multiple designation letters, such as the example provided in Appendix C may be submitted by email.

**8.1 Appointment Not Approved**

If an application for appointment is not approved, the Director will advise the employer and the applicant in writing, outlining the reasons for the decision.

In the event that an application is denied due to background, police, or government information checks, a letter will be sent to both the employer and applicant stating that the information obtained through section 5(3)(c) of the POMR led to the denial. Due to the nature of the information being accessed, further details will not be provided to the employer. The applicant may contact the Program Manager, in writing, to request more information at poprogram@gov.ab.ca.

There is no statutory requirement to review denied applications.

**Note:** A denial of the issuance of a peace officer appointment under this legislation does not refer to the applicant’s suitability for employment with their agency, only the suitability of that person to carry the authorities and powers issued under the Act.

**8.1.1 Peace Officer (Ministerial) Regulation – Section 5(3) Background Check**

**Background**

For applicants to reach this stage in their application they must not have a criminal record or, if they have a criminal record, that they have received a pardon with respect to that record, as per section 5(2)(d) of the POMR.

Section 5(3) of the POMR allows the Program the ability to conduct a comprehensive records search in relation to peace officer applicant. This screening process was introduced May 1, 2007, with proclamation of the Act, to support the professionalism of the Program.

> “Stronger qualifications will support a more stringent recruitment process, thereby increasing accountability and professionalism within the program.”

The following databases are searched for all Alberta peace officer applicants:

- ACIIS
- CPS
- EPROS
- ICE
- NHPS
- NCDB
- N-PIRS
- PIP
- PROS
Professional standards checks are required for all peace officer applicants.

**Intent**

The intent of the background checks is to gather information held by police services and government agencies to assess the suitability of the applicant to obtain a peace officer appointment. As peace officers are not normally directly employed by Public Security Division, a suitability assessment upon application is the primary method through which potential risk can be managed. The level of risk is assessed by reviewing data held by police and government agencies in relation to an applicant’s past interactions with law enforcement.

**Assessment Factors**

Information received is subject to third party confidentiality/confirmation and only contains a brief summary of the data held. Due to the limited nature of information collected during this phase, it cannot be used as sole grounds for reaching a decision to recommend approval or denial of an appointment to the Director. In situations where information is reported from the database searches, there may be a need for Program staff to contact the involved police agency directly to gather more detailed information.

The following are circumstances in which an applicant listed on a database as a suspect, accused or subject of complaint may result in further inquiries by the Program:

- Potential involvement with serious crimes against a person (robbery, sexual assault, kidnapping, etc.)
- Potential involvement with child welfare issues
- Potential involvement in organized crime
- Any notations made by the screening agency to contact a police investigator in relation to an applicant
- More than one files showing potential involvement with crimes against a person within the last five years (domestic assault, assault, uttering threats)
- Potential involvement with crimes against an employer within five years (theft, fraud, etc.)
- Any noted pattern of potential involvement in criminal/drug offences within five years of application

More than one provincial offence within the last five years in which a person was:

- Lodged in cells due to intoxication
- Any criminal/drug files within six months of the application should be reviewed to determine if the file is open and if charges may result
• Any pattern or combination of potential involvement in criminal or provincial offences that may call into question the suitability of the applicant to hold a peace officer appointment

Information Assessment/Job Evaluation

Information reported by a police agency needs to be measured and compared to the peace officer role for which the applicant is being considered. Information that may suggest a level of risk in granting a peace officer appointment for one job position may not always be seen as an unacceptable risk in a different job role.

**Note:** Please be advised that successful completion of this background check process does not guarantee successful completion of a subsequent enhanced security check that may be completed by a police service.

**8.1.2 Background Check Deferral Process**

An applicant may be deferred from participation in the program for a period of time dependent on background issues detected. Deferrals will normally be for 1 to 5 years.

The following criteria will be reviewed in assessing if a deferral is more appropriate than a denial:

- The application would normally be denied but there is reasonable likelihood the problematic issue or behavior would be corrected with the passage of time and development of maturity
- The behavior may be attributed to the ‘developing adult’ phase of approximately 18-24 years of age where the same behavior would be less-tolerated in a developed adult. This includes behavior of alcohol abuse, minor drug use, anti-authoritarian display or other correctable behavior
- The behavior is not part of a continuing pattern
- Behavior brought on by unique circumstances that may be alleviated as the circumstance passes (this may include divorce or relationship issues as well as negative financial issues)

**8.2 Cessation/Termination of Appointment**

An employer must advise the Program when a peace officer ceases to be employed as a peace officer and peace officer status is no longer a job requirement. There are two types of reporting related to the cessation or termination of an appointment that result from a change in employment status:

1. ‘Termination’ is defined as loss of employment or change in employment status due to cause. Employers must report termination or reassignment to the Program
at poprogram@gov.ab.ca using the Incident Report Form (PS3535) [https://cfr.forms.gov.ab.ca/Form/PS3535]. Form must include officer name and appointment number, final date of employment as a peace officer as well as a brief description of the issue that was identified as cause.

2. ‘Cessation’ is the voluntary change in employment status, including changes in position/role. The employer is required to notify the Program of cessation at peaceofficerinfo@gov.ab.ca. Email must include officer name and appointment number as well final date of employment as a peace officer.

A cover letter with the applicable peace officer appointment and ID card must be returned to the Program within 10 business days. Upon notification by an employer that a peace officer no longer requires peace officer status, the Program shall cease the peace officer appointment.

A change in peace officers status is independent of employment status. Reinstatement of employment status will not guarantee an individual will qualify for peace officer status. In situations of reinstatement, a new application for peace officer status must be submitted by the employer.

If a peace officer appointment is ceased as a result of cancellation or suspension of the Authorization to Employ Peace Officers under section 9 of the Act, the Program shall advise the peace officer, through the employer, in writing, and request that the original peace officer appointment and ID card be returned to the Program.

**Temporary Appointment Holds**

In the event of long-term absences such as maternity leave or illness in excess of six months, appointments must be formally placed on hold. This process is intended to reduce the legal liability and administrative burden for peace officers who do not need authority during a specified period of time.

The employer is required to notify the Program at peaceofficerinfo@gov.ab.ca and briefly state the reason for the hold (eg. maternity/paternity leave, medical leave). The original appointment document and ID card should be stored on the individual’s personnel file for the duration of the leave. The employer must notify the Program when the appointment is being reinstated and the Program will provide an amended appointment upon an individual’s return to active of duty. If an individual’s absence exceeds two years, the employer must cease the appointment.

Concerns related to training and physical abilities arise for any individual who is not on active duty for a period of 24 months or more. Employers must assess the peace officers ability to return to work and determine if additional training and recertification is required.
8.3 Oath of Office

Upon a peace officer appointment being granted, the oath of office will be mailed with the appointment documents (or by clicking here) and shall be completed by the peace officer in accordance with section 7 of the POMR.

- The oath of office must be sworn in front of a registered commissioner of oaths for the Province of Alberta.
- The Program shall enclose an oath of office with each new peace officer appointment sent to an employer.
- The signed oath of office shall be retained on the peace officer’s personnel file and is subject to review upon request by the Program.
- A ceremonial piece to the oath of office may be used if desired, including but not limited to the bible, raised hand, Koran, eagle feather, etc.

9.0 PEACE OFFICER IDENTIFICATION CARDS

In accordance with section 9 of the POMR, each peace officer shall be issued an identification card signed by the Director.

The peace officer must carry this ID card at all times while on duty.

- It is recommended that peace officers not travel with their ID cards, unless they are attending a law enforcement event.
- The Program shall forward the identification card to the employer.
- If an ID card is lost or stolen, the loss must be immediately reported to a police service, the employer and the Program (using a PS3535 [https://cfr.forms.gov.ab.ca/Form/PS3535] to poprogram@gov.ab.ca). A police report file number is required for lost and stolen cards due to the powers/authorities associated with ID cards and in order to initiate the replacement process.
- A new identification card will be issued to the employer for delivery to the peace officer upon receipt of the written notification of a loss or theft.
- Reissue should be requested for damaged and outdated ID cards. The previous card must be returned to the Program on receipt of the new ID card.
- An ID card will not be issued for admission to training programs.

Retirement identification cards are available, free of charge, for peace officers who retire in good standing and with a minimum of five years consecutive service.
Applications for retirement identification cards can be made by sending an email to peaceofficerinfo@gov.ab.ca. Applications must be made within 90 days of retirement date.

10.0 MODIFICATIONS TO AUTHORIZATIONS OR APPOINTMENTS

Requests to amend authorizations or appointments must be made through the completion of Request for Amendment to Authorization or Appointment Form [https://cfr.forms.gov.ab.ca/Form/PS3623.pdf]. Upon approval of the amendment request, a new authorization and/or appointment will be issued and the previous document must be returned to the Program.

This form allows for the amendment to both the authorization and appointments at the same time using one form.

Requests must be on the approved form, signed by the primary contact for the employer, and can be made for the following reason(s):

- add or delete legislation/authorities;
- add or delete jurisdictional areas;
- add or delete weapons, tools or equipment;
- modify working titles;
- add or delete terms and conditions;
- any other reason not stipulated above that would impact the authorization or appointment.

**Note:** Some authorities for peace officers come from other legislated sources and will not be stated on peace officer appointments. Examples for other legislated sources include bylaw, weed control inspections, enforcement in provincial parks, and fish and wildlife jurisdiction.

A needs assessment must be conducted before requesting additional legislation, authorities, weapons, and jurisdictions. The request must include a brief business case (on the form or as a separate attached document) that outlines the following:

- description of the identified need in the community;
- sections of legislation that are relevant to the identified need;
- restrictions or conditions to be considered;
• legal review (if required) by the employer's legal advisor citing that the legislation being sought can be enforced by a peace officer defined in the Act.

In considering the application, the Director, through the Program, pursuant to the changes being requested, may:

• require that additional information be provided in support of the request
• require modification to existing policies or procedures or implementation of new polices or procedures
• impose new terms or conditions in accordance with section 5(4) of the Act.

If the request for amendment to the authorization or appointment is not approved, the Director shall advise the employer, in writing, outlining the reasons for the decision.

11.0 REQUESTS AND AUTHORIZATIONS FOR TEMPORARY EXPANSIONS OF JURISDICTION

Peace officer jurisdiction is defined during the application process for the Authorization to Employ Peace Officers and is specific to the employer’s geographic boundaries.

Expansion of jurisdiction is automatically granted for the purposes of JFO or the terms of Shared Service Agreements for communities in which an employer either shares a border or is in reasonably close proximity.

For all other situations, a request to expand jurisdiction must be submitted to the Program using the Request for Temporary Expansion of Jurisdiction Form [https://cfr.forms.gov.ab.ca/Form/PS3622.pdf].

11.1 Alberta Peace Officers

Alberta Peace Officers are granted jurisdictional authority throughout the Province of Alberta.

11.2 Community Peace Officers

Community Peace Officers are granted authority within the geographical boundaries of the employer, including one, two and three digit highways (unless a restriction is requested).

Jurisdictional authority is also granted throughout the Province of Alberta for the purposes of safety issues (see definition below), emergency vehicle response, courthouse attendance, and to facilitate JFOs and Shared Service Agreements.
Agencies are required to create internal policy that normally restricts enforcement activities to the ‘home’ jurisdiction or to other geographic areas covered by a Shared Service Agreement.

**Note:** Shared Service Agreements must be reviewed and filed with the Program in accordance with section 13 of this manual.

Agencies may choose to restrict this level of authority by submitting an amendment request with employer policy to the Program Manager.

**Operational Policy**

‘Safety Issue’ Defined:

A traffic offence is witnessed where public safety is clearly put at risk (it is not possible to list all public safety type offences and discretion should be used in these circumstances).

Speeding on Alberta highways is not necessarily defined as a safety issue unless the speed is excessive and the subject’s driving behavior is considered a risk.

**Required Process:**

- The police service of jurisdiction (or Community Peace Officer agency that enforces traffic offences, if applicable) must be contacted to seek their direction on how to proceed.

- The police service or Community Peace Officer agency has the option of sending a member, directing that a ticket be issued, or provide other direction. Nothing precludes a police service and peace officer agency from creating a standard operating procedure to cover these situations should both parties so desire.

- All violation tickets written outside of the ‘home’ jurisdiction under this authority will be reported to the Director within 30 days using an incident report form PS3535 [https://cfr.forms.gov.ab.ca/Form/PS3535]. This data will be used for tracking purposes.

- Jurisdictions that do not form part of the ‘home’ jurisdiction, or are otherwise serviced under a contract, may not be patrolled as part of normal duties.

**11.3 Joint Force Operations**

Occasionally, requests are made by police services, commercial vehicle enforcement, or other employers, to utilize the services of peace officers for cooperative events for a specific duration (i.e. selective traffic enforcement programs, bicycle rodeos, commercial vehicle safety inspections, etc.).
Peace officers may, on a temporary basis, provide services to a police service, inspection service or other employer as a temporary duty commensurate with their peace officer appointment.

For those agencies who have chosen to participate in JFOs, the following process must be followed:

- A written invitation (email) from the police service of jurisdiction, Alberta Peace Officer Agency, or the resident Community Peace Officer agency.
- Written invitations for JFOs must outline the nature of the operation, dates and times for the duration of support, and number of personnel.
- Violation tickets written as part of a JFO do not need to be reported to the Director.
- Program approval is not required, however, agencies must retain a record of the JFO invitation and details. These requirements will be audited as part of the regular audit process.

For agencies who have declined jurisdiction throughout the Province of Alberta, JFOs outside of home jurisdiction may be conducted as follows:

In order to provide temporary services to support a JFO, a Request for Temporary Expansion of Jurisdiction form must be submitted and approved by the Director. This authorization will stipulate the amended territorial boundaries and the applicable dates. (See Appendix D). The request must:

- Be received by the Program a minimum of 20 business days prior to the start of the expanded authority. Requests that do not allow sufficient time for processing may not be accommodated
- Identify the peace officer(s) by name and appointment number
- Specify the rationale for expanded jurisdiction
- Detail the jurisdiction(s) for which authority is being sought
- Specify the dates requested
- Ensure that the required signatures from the inviting and accepting agencies are on the form prior to submission
- Any other pertinent information not listed on the form

The Director’s approval will stipulate the expanded territorial authority and specify the dates for which the document is in force. It does not expand the authorities listed on the appointment, nor is it intended to provide additional authorities, other than those listed on the original appointment.
Once the approval is issued to the employer, it should be retained on file as evidence of the expanded territorial authority for any future evidentiary purposes.

In the event that an unexpected need for a temporary duty arises, an electronic copy can be sent to the employer and can be acted upon as a valid document pending the receipt of the original document.

Approvals will only be issued for events not exceeding a 30 day period.

The employer is responsible for notifying the Program of any changes to dates so that an amended approval for temporary expansion of jurisdiction can be issued.

12.0 SHARED OR CONTRACTED SERVICE AGREEMENTS

An employer may enter into Shared Service Agreements with other municipalities or contract service providers (ex., ATE services), where required to support service delivery.

In situations where a hamlet, village or other municipality is desirous of peace officer services for a limited number of hours but do not wish to become an employer, they can enter into a written agreement with an employer for peace officer services.

Two or more employers in municipalities that are within reasonably close proximity may enter into written agreements to share the services of peace officers across a number of jurisdictions. Communities with no peace officer service on direct boundaries can request assistance from the nearest community.

In all cases where such agreement are entered into, copies of the agreement shall be provided to the Program at peaceofficerinfo@gov.ab.ca. The signed agreement automatically amends the jurisdiction on an authorization and associated appointments. Authorizations and appointments do not reflect the jurisdictional expansion so it is critical that the jurisdictional changes be discussed with an agency’s peace officers and incorporated into standard operating procedures.

Agreements must address at a minimum:

- That all parties involved have the necessary insurance coverage to enter into the agreement
- A plan detailing how public complaints will be handled
- Clearly indicate which jurisdictions and highways are covered in the agreement.
- Delineation of liability.
- Any other issues of concern to the parties involved
• An expiry date
• Signatures from both parties

A sample Shared Service Agreement is provided at Appendix D to assist employers with understanding the requirements of these agreements. An MOU will not be accepted for this purpose.

13.0 MULTIPLE PEACE OFFICER APPOINTMENTS

A peace officer may be employed by more than one employer provided a written agreement is in place between employers prior to additional appointments being issued.

Specifications

A peace officer shall only be employed by more than one employer if there is a written, signed agreement among the employers (see example at Appendix C). A copy of the agreement must be forwarded to the Program for Director approval and inclusion on the files of participating employers.

• A peace officer appointment resides with the employer and is not portable. In the event that a peace officer is employed by two separate employers, the peace officer is governed by the appointment authorities granted under each employer and cannot exercise authority from one appointment while employed by the second employer. For example: a peace officer for the City of St. Albert with authority under the Gaming, Liquor and Cannabis Act, also works for the City of Edmonton photo radar unit. While working in Edmonton, the peace officer would have no authority under the Gaming, Liquor and Cannabis Act.

• A peace officer employed by more than one employer will be required to abide by the policies and procedures of each separate employer while actively employed by each employer.

• If there is an apparent conflict arising from employed by multiple employers, the Program may decline to process the application.

• A peace officer employed by multiple employers shall have separate peace officer appointments and ID cards, one for each designated employer.

• The “K” Division RCMP Auxiliary Constable Program permits peace officers to carry multiple appointments, but federal policy does not allow them to enter into written agreements for services as outlined in this section. Multiple applications for RCMP auxiliary constables will be processed without the written agreement unless the Program identifies an apparent conflict.
14.0 FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

The Public Security Division and the Program shall comply with the provisions of the *Freedom of Information and Protection of Privacy Act* (FOIPPA) regarding a formal request for release of the policies and procedures submitted by employers pursuant to applicable legislation.

The Act and Regulations require each employer to submit specific policies and procedures to the Director through the Program. These written policies and procedures fall within the definition of a “record” as set out in section 1(p)(i) of FOIPPA.

Each request for information regarding the policies and procedures of an employer must be examined on its own merits. If an informal request is made by phone or in writing for access to the policies and procedures that are submitted by an employer, the Program will advise the employer, in writing, and advise them of the request. Callers requesting this information will be directed to contact the employer.

If a formal request for information is made through the Government of Alberta’s FOIPPA office, the requirements of FOIPPA must be met.

15.0 PUBLIC SECURITY DIVISION RESPONSIBILITIES

15.1 Authorization Suspension or Cancellation

Allowing an agency to employ peace officers incurs responsibility and accountability requirements under this program. The Act contains a number of requirements applicable to the Program that must be adhered to. To ensure that employers are held accountable for their agency’s and employee’s actions, the Act has legislated remedies, as detailed in section 6 of the Act and as follows.

The Director may suspend or cancel any Authorization to Employ Peace Officers if the employer has:

- Contravened this Act or the Regulations
- Provided false or misleading information under this Act or the Regulations
- Failed to act in accordance with the terms and conditions of the employer’s authorization
- Required or permitted a peace officer employed by the employer to contravene the terms of the peace officer’s appointment

- Taken no action (employer-initiated investigation) when the employer knows or reasonably ought to have known that the peace officer has contravened the terms of the peace officer’s appointment

- Failed to investigate a complaint made under section 14 or does not investigate a complaint in accordance with the Regulations

- Acted in a manner that could bring the office of peace officer into disrepute

- Failed to comply with a direction of the Director under the Act or Regulations

The terms of a peace officer appointment include adherence to the peace officer code of conduct as outlined in section 13 of the POMR and documented in the employer’s policy and procedures.

The employer has a responsibility to ensure that peace officers act within the provisions of the authorization in conjunction with their appointments. The employer must establish policies and guidelines that clearly support the limitations and authorities as stipulated in the authorization and must sufficiently supervise peace officers to ensure compliance.

Any recommendation by the Program to suspend or cancel an Authorization to Employ Peace Officers shall be made to the Director, in writing, by the Program Manager.

The Director will review the recommendation and if a decision is made to suspend or cancel, will notify the employer, in writing, of the suspension or cancellation.

- If an Authorization to Employ Peace Officers is suspended or cancelled, the employer must return the original Authorization to Employ Peace Officers to the Program.

- The period of suspension will be reviewed after 30 days. If a decision to continue the suspension is made, it will be reviewed after a 60 day period. If the matter has not been resolved at that time, the Authorization to Employ Peace Officers may be cancelled.

- A suspension of an Authorization to Employ Peace Officers may be lifted at such time as the Director is satisfied that the cause of the violation has been remedied.

The Director shall notify the employer, in writing, when a suspended Authorization to Employ Peace Officers has been re-instated.

In the event of a cancellation of an Authorization to Employ Peace Officers, the employer may, within thirty (30) days from the day a written notification is received, file a notice of appeal to the Law Enforcement Review Board detailing the grounds upon which the appeal is based as per section 20 of the Act.
In the event of a suspension or cancellation of an Authorization to Employ Peace Officers, all peace officer appointments and ID cards that derive from the authorization will cease under section 9 of the Act until the matter has been resolved. The employer must return these documents to the Program.

15.2 Appointment Suspension or Cancellation

Holding a peace officer appointment requires adherence to the Program’s responsibility and accountability requirements. The Act details requirements specifying that those choosing to participate in the program must abide by section 8 of the Act to ensure that peace officers are held accountable for their actions.

The appointment of a person to peace officer status is not directly related to the employment status of an individual. Peace officer appointments granted under the Act are designed to supplement a public safety and/or enforcement function. Suspension or cancellation of an appointment, from a Program perspective, has no bearing on the overall employment status of that individual.

The Director, as delegated by the Minister, may suspend or cancel a peace officer appointment if the individual:

- Has been charged with or is convicted of an offence under a statute of Canada, another province or territory, or the Province of Alberta
- Has been charged with or convicted of an offence under this Act or the Regulations
- In the Director’s opinion, has contravened the terms of the peace officer’s appointment
- Has acted in a manner that could bring the office of peace officer into disrepute

The Director must, as soon as the peace officer’s appointment is suspended or cancelled, inform the peace officer and the employer of the decision in writing.

When a peace officer appointment is cancelled by the Director, the person whose appointment is cancelled may, within 30 days from the day they were advised in writing of the cancellation, file a written notice of appeal to the Law Enforcement Review Board setting out the grounds on which the appeal is based.

When a peace officer appointment is suspended by the Director, there is no ability to appeal to the Law Enforcement Review Board.

Any notice of suspension or cancellation of a peace officer appointment by the Director will be made in writing to the employer and the peace officer.
An employer must determine if a peace officer is to be placed on administrative suspension or terminated if the individual:

- Is no longer employed by the agency or the authority is no longer required for the individual to meet their employment obligations. The appointment and ID card must be returned to the Program within 10 business days.

- If a peace officer is under investigation for a serious or sensitive matter or during an investigation of an allegation of a pursuit. Must be reported to the Program using a PS3535 [https://cfr.forms.gov.ab.ca/Form/PS3535] at poprogram@gov.ab.ca.

- In the employers opinion, has violated the terms of the peace officer appointment. Must be reported to the Program using a PS3535 [https://cfr.forms.gov.ab.ca/Form/PS3535] at poprogram@gov.ab.ca.

- In the employers opinion, has acted in a manner that could bring the office of peace officer into disrepute. Must be reported to the Program using a PS3535 [https://cfr.forms.gov.ab.ca/Form/PS3535] at poprogram@gov.ab.ca.

If an individual is suspended with pay during the course of an investigation, the appointment is considered to be on hold and cannot be reinstated until the Program has reviewed the disposition of the allegations.

15.2.1 When Action May be Taken by the Director of Law Enforcement

Except in circumstances in which the public interest is a serious concern, these powers will be exercised after the employer’s internal investigation and human resources discipline process has been completed.

In cases where a serious public interest concern is identified and the employer has not suspended the peace officer appointment, the Director may temporarily suspend the peace officer appointment until the internal human resources process is completed as detailed above.

15.3 Law Enforcement Review Board

Section 20 of the Act provides for the Law Enforcement Review Board (LERB) to hear appeals pertaining to cancellations of authorizations or appointments in those circumstances where the Director has implemented a cancellation via sections 6 or 8 of the Act.

Under the Act, the LERB lacks authority to hear cases in which peace officer appointments are ceased through section 9 of the Act. This includes circumstances where the Director has suspended an Authorization to Employ Peace Officers or where an employer has terminated the employment of a peace officer.
In the event that an Authorization to Employ Peace Officers or a peace officer appointment is cancelled, the person(s) affected may, within (30 days from the date that they were advised in writing of the cancellation, file a written notice of appeal to the LERB, with the secretary of the board, setting out the grounds for the appeal.

The LERB, upon completion of the appeal will:

- In the case of a cancellation of an employer’s authorization, provide its recommendation(s) to the appellant and the Minister
- In the case of a cancellation of a peace officer appointment, provide its recommendation(s) to the appellant, the peace officer’s employer, and the Minister
- The Minister has the authority to accept or reject the LERB recommendation(s) as detailed in section 22 of the Act

For information on the LERB, click [here](#).

### 16.0 INSPECTION AND INVESTIGATION PROCESS

Under the Act, the Director or delegate has authority to conduct inspections or investigations to ensure that requirements of the Act, Regulations and policies are being properly exercised. The primary focus of either process is to work with the employer to correct any issues and/or deficiencies and ensure that the service being delivered to the public is of the highest standard.

#### 16.1 Authority for Inspections

Inspections (also knowns as audits) are a legislated process permitted pursuant to Part 3 of the Act. They occur in accordance with a risk management protocol established by the Program, or at the Director’s direction.

Inspections are carried out by the Program auditors and investigators under the direction of the Program Manager.

#### 16.2 Inspection Process

The Program will notify the employer in writing, 30 days in advance of an inspection or audit taking place. The date and time will be suitable to both parties involved and, except in unusual circumstances, occur during normal business hours.

- The employer will facilitate this process by providing a private working space, access to electronic case files, and copies of reports and documents.
• In the event books, records, reports, documents, or other items need to be removed a receipt for those items will be issued and they shall be returned within a reasonable period of time. The Program primarily requires electronic versions of requested records in advance of a site visit.

• Access to all records pertaining to program operations shall be made available upon request. This includes access to all data recorded in electronic format.

• Photographs of equipment or any other relevant items may be taken.

• Interviews with peace officers or other staff may be conducted, including a meeting with the primary and secondary contacts for the employer.

Within 120 days, a formal report of the findings will be sent to the employer and may include recommendations or directions to assist in complying with the Act, Regulations and Policy and best practices for the industry. Typically, the Program’s auditors will notify the employer of any issues during the site visit and work with the employer to address these concerns before the formal report is issued. A compliance letter is issued by the Program Manager upon final compliance.

16.3 Inspection Objectives

Inspections and audits are in place to ensure that employers, as well as the peace officers employed by them, are in compliance with the Act, Regulations and policies. Inspections and audits may:

• Review operational files and assess for adequacy and compliance to applicable legislation, policies, procedures and other guidelines as may be applicable

• Review exhibits and equipment for adequacy and compliance to applicable legislation, policies, procedures and other guidelines as may be applicable

• Review for adequacy and effectiveness the monitoring procedures in use by the managers and supervisors of peace officers

Areas to be reviewed may include, but are not limited to the list below. Normally, the material reviewed will date back two years prior to the inspection. The exact time frame may change based on the volume and complexity of files held by the employer and will be identified in the notice for the inspection or audit.

• Operational files
• Investigative files
• Exhibits and exhibit logs
• Dispatch logs and shift schedules
• Officer notebooks (past and present)
• Personnel files (relating to training, qualifications, discipline issues related to the legislature and policy)
• Details and files on public complaints made against peace officers (past five years)
• Details and files on employer-initiated investigations against peace officers (past five years)
• Vehicles and equipment
• Duty equipment, including weapons storage
• Violation tickets
• Peace officer and management interviews
• Annual Report required by section 12, POMR
• Current policy and/or standard operating procedures
• Material or data considered by the employer and peace officers in the deployment of automated traffic enforcement technology
• Other material as required

16.4 Investigations

The Director may initiate investigations under circumstances detailed in sections 17 and/or 19 of the Act; in relation to public complaints and serious incidents.

Section 17 – The intent is to allow the Director to become involved where:

• An employer is not investigating a written public complaint in a manner consistent with established procedures and/or ‘best practices’
• An employer is not investigating circumstances where peace officers may be acting outside the scope of the authorization and appointment in a manner consistent with established procedures and/or ‘best practices’ (section 16: employer initiated investigation)
• An employer fails to investigate either of the above circumstances

Section 19 – Requires the Director to investigate occurrences in which a peace officer may have become involved. This should facilitate enhanced accountability and assist in maintaining the public interest. Applicable situations include:

• Alleged use(s) of excessive force
• Discharge of a firearm, except in relation to duties under the *Animal Protection Act*, *Dangerous Dogs Act*, *Stray Animal Act*, *Wildlife Act*, or during the course of training (range accidents excluded).

• Use of a baton, oleoresin capsicum (OC) spray, or a conducted energy device in contravention of weapons policies approved by the Director under section 2(2) of the POMR

• Involvement in an incident involving a weapon used by another person

• Involvement in an incident involving serious injury to or the death of any person

• Involvement in any other circumstances referred to in the Regulations

• Any matter of a serious or sensitive nature that is related to the actions of a peace officer

The Director may discharge his responsibilities under section 19 by requesting a police service, other agency, or other person conduct the investigation.

**16.5 Investigation Process**

The Director has delegated the Program Manager, auditors and investigators employed by the Program to conduct investigations as required. Investigations will follow a protocol similar to that for investigation of public complaints, with the exception of a 30 day notification period. It is recognized that investigations are usually serious in nature and, as it is in the interest of both parties to deal with the matter quickly. The Program shall make reasonable efforts to provide as much notice as possible prior to commencing an investigation.

Once the Director commences an investigation, written updates of the investigation to the complainant (if applicable), peace officer(s) involved, and employer will occur every 45 days. A disposition letter will be sent to the same upon conclusion of the investigation by the Director.

The form of an investigation conducted under section 19 may include, but is not limited to:

• Review of any internal investigation that may have already been conducted

• Interview(s) with peace officer(s) involved

• Interview with witnesses or complainants

• Review of any reports created relating to the incident

• Any other information deemed to be relevant to the investigation
The Program is required to report any criminal matters to the police service of jurisdiction.

16.6 Director’s Findings for Inspections or Investigations

At the conclusion of an inspection or investigation, the Program Manager, auditors and investigators will work with the employer to correct any detected issues unless there are opposing circumstances concerning the public interest, a legal matter or considerations pertaining to serious or sensitive issues.

Where concerns exist about the public interest, a legal matter, a serious or sensitive issue, or where an employer is unable to implement changes to the Director’s satisfaction, the Director may:

- Add terms or conditions to an authorization or appointment
- Suspend or cancel an authorization or appointment

In other circumstances the Director can:

- Recommend that the employer take disciplinary action
- Require the employer to implement or comply with policies, standards of conduct, practices, procedures, protocols or rules
- Give an employer direction about the administration, powers, duties or functions of a peace officer or in respect of the management and control of peace officers
- Prohibit, limit or restrict a policy, standard, practice, procedure or protocol or make rules about it
- Require the employer to develop and implement policies, standards, practices, procedures, protocols or rules about specified activities, duties, powers and functions

16.7 Outside Agency Investigations

Under section 19(3), the Director may have an investigation conducted by a police service or other person.

Under section 19(5) of the Act and section 9 of the POR, the employer will be responsible for up to 50 percent of the costs of this type of investigation with the remainder of costs paid by the Public Security Division.
17.0 PEACE OFFICER TRAINING, ACCREDITATION AND STANDARDS

17.1 Public Safety and Emergency Services Training Academy

The Director has delegated authority to the PSES TA for development and maintenance of training standards, curriculum, accreditation and training audits, as outlined in a memorandum of understanding (MOU). The PSES TA also is mandated by the Director to deliver some mandatory peace officer training programs. The PSES TA, in consultation with the Program, is responsible for advising the Director on:

- Peace officer training standards
- Sheriffs Branch peace officer training
- Community Peace Officer Induction Program (CPOIP)
- Alberta Peace Officer Investigator Program (APOIP)
- Accreditation of mandatory peace officer training courses.

Training standards and curriculum requirements are subject to change. Training providers delivering accredited courses will be provided 30 days written notice of changes by the PSES TA.

17.1.1 Registration for Training

Participants are required to have a current physical abilities assessment test at the commencement of training. Physical abilities assessments are valid for six months from the date of assessment.

Sheriffs Recruit Training

Registration for Sheriffs Recruit Training (SRT) is addressed through the Sheriffs Branch. The Sheriffs Branch will register successful recruits in the next available SRT course upon acceptance of an employment offer.

Community Peace Officer Induction Program

Registration for CPOIP must be completed by the employer using the training application form. Payment is due at the time of registration. Employers may secure a spot if they have not yet completed the hiring process by completing the training application form and should request addition to a wait list if the course is fully booked.
CPOIP dates are posted in the Program Bulletin. Space is first come, first served and only employer sponsored applicants are accepted at this time. Click here for training registration forms.

The PSES TA is also looking for opportunities/partnerships for third-party delivery of accredited CPOIP courses. Organizations interested in offering CPOIP must contact the PSES TA for additional information at training.academy@gov.ab.ca.

Alberta Peace Officer Investigator Program

APOIP is offered based on demand (at minimum annually) at the PSES TA and provides foundational investigation skills for peace officers conducting regulatory investigations. This course is mandatory for some Alberta Peace Officer roles, and may be utilized by Community Peace Officers with prior approval by the Program.

APOIP dates are posted in the Program Bulletin.

For questions and application forms related to training registration please contact the PSES TA at training.academy@gov.ab.ca or 780-422-6598.

17.1.2 Accreditation Process

In 2021, the PSES TA in consultation with the Program, clarified the scope of peace officer training programs that require accreditation. The goal of accreditation is to ensure core training programs are accurate, safe and standardized for peace officers in Alberta. Accrediting training programs also provides verification that course materials and delivery reflect current policies and best practices in law enforcement training, adhere to adult learning principles and reflect the standards and intentions of the Program.

The following subject areas, including both initial and recertification training, will require accreditation going forward:

- Vehicle training, including but not limited to, traffic stops, Emergency Vehicle Operations Course (EVOC)
- Communication skills, including verbal de-escalation and testifying in court
- Use of force/physical control tactics, including baton, OC spray and handcuffing
- Report writing and note taking
- Legal studies/understanding peace officer authorities
- Other mandatory equipment as approved by the Director of Law Enforcement examples include shotguns and Pepperball devices
The PSES TA's training standards for accredited courses are subject to change. Training providers will be provided 30 days' notice of any changes to the standards under which their course was accredited.

For a list of current accredited courses visit https://www.alberta.ca/accreditation-for-peace-officer-training.

Common Licensed Courses and Accreditation

Licensees of commonly utilized courses will be exempt from accreditation in instances where the owner of the course content has obtained accreditation on behalf of its Alberta licensees. For delivery to peace officers, the licensee must deliver the accredited content. Any amendments to the accredited content must be submitted to the PSES TA (JSG.accreditation@gov.ab.ca) for review.

Licensed training courses (e.g. HFRG/PPCT) must be accredited by the content owner of the licensed course. Agencies and training providers should contact the content owner to inquire about accreditation status.

How to Apply for Accreditation

Training providers are encouraged to contact the PSES TA as early as possible in the course development process for guidance and assistance related to course accreditation.

For detailed information on the accreditation process and requirements, please review the Accreditation Guidelines [https://www.alberta.ca/accreditation-for-peace-officer-training] and contact the PSES TA for assistance with this process at JSG.Accreditation@gov.ab.ca.

Implementation of accreditation process:

As of July 2021, existing training providers were notified that the accreditation process was being implemented. Training providers are directed to contact the PSES TA as soon as possible for guidance on the accreditation process to avoid disruption to training delivery.

Once submitted, accreditation analysts will:

- Provide a prompt, cursory review of materials to ensure a standard is met for safety and accuracy of content
- Inform training provider of cursory review outcome and work with agency to create timeline to complete accreditation process
- Provide direction on continuation for training delivery during accreditation process

For assistance during the transition process, please contact the PSES TA at JSG.Accreditation@gov.ab.ca.
17.2 Equivalent Training Qualifications

Equivalent training may be approved by the Director if it meets the training standards established by the PSES TA. This will ensure the consistency of content, instructor qualifications, and delivery in an appropriate manner.

Equivalency training may require supplemental training courses to meet the required standards.

Section 5.5 outlines the currently accepted equivalencies for Community Peace Officer training. This list is subject to change, without notice. For assistance in determining if an equivalency will be accepted, contact the Program at peaceofficerinfo@gov.ab.ca.

Alberta Peace Officers with Criminal Code authority may be eligible for ISEP. Employers representatives who require investigator training may also be eligible. For information on ISEP training please contact the Program at peaceofficerinfo@gov.ab.ca.

17.3 Transition Training for Community Peace Officer Level 2 Enforcement Appointments

In 2018, following a fatality inquiry, the Minister of Public Safety and Emergency Services accepted three recommendations to improve officer safety. The primary impact of this process was to eliminate Community Peace Officer Level 2 public-facing enforcement appointments and require all Community Peace Officers conducting enforcement duties to upgrade to a level of training equivalent to CPOIP.

Community Peace Officer Level 2 enforcement appointments ceased to be issued as of December 31, 2021. See section 6.6 for the qualifications for administrative peace officer appointments.

18.0 PROGRAM PARAMETERS

18.1 Administrative Requirements

Record Keeping

The Program establishes minimum requirements in accordance with best practices and standard record keeping expectations. To ensure that these goals are met, employers are required to keep, at a minimum, the following records as they relate to peace officer duties.
Peace officer employee files showing at a minimum:

- Training and certificates
- Copies of complaints, investigative results, and dispositions. Any discipline resulting from complaints may be kept on the peace officer’s file at the employer’s discretion
- Date of cessation of employment and reason for such
- Oath of office
- Copy of CPIC Acknowledgement Form, if applicable
- Peace officer appointment
- Appointments and ID cards for appointments placed on hold

To support the move to an electronic application process, employers will be responsible for retaining the following original hard copy documents for no less than two years in the employee’s human resources file to ensure confidentiality of records:

- Original criminal record check and police information checks
- Signed consent for disclosure
- Employers must amend records management policies and submit revisions to the Program prior to utilizing the email application submission process

Operational including investigations relating to authorities found on the authorization that includes at a minimum:

- File number unique to each investigation
- Complainant’s name, contact information, address
- Date of occurrence
- Suspect’s name, contact information, address (if applicable)
- Details of investigation
- Disposition of investigation and date concluded
- Notification of complainant about disposition (if applicable)

An exhibit handling process showing records pertaining to storage and disposal including, at a minimum:

- The definition of evidence as documents or items collected in relation to an investigation under bylaw or Provincial statute that are retained for court order
The definition of property as items handed over to a municipality as lost or found, and subject to disposal policies of the employer

Reference to cannabis in the Employer's exhibit policy

Information on the proper way to dispose of legal quantities

Destruction protocols for cannabis and clarification that it is not a police responsibility

Seizure of legal amounts or amounts found during arrest have different requirements than offences related to cannabis seized as evidence under the Evidence Act

- if cannabis is found during a search (no offence related to cannabis), it must be returned to the individual upon release

Illegal quantities that fall under the Drugs Act are criminal matters. Peace Officers are not permitted to handle illegal quantities and must call police of jurisdiction

No provisions for found drugs

Exhibit seizure forms that include:

- associated investigative file number
- name of owner(s), if known
- name of suspect or accused, if applicable
- bags or labels to identify individual exhibits
- an exhibit log for recording the seizure, movement and disposition of seized items

Physical storage of exhibits:

- Agency size and nature of duties will dictate the type of exhibit storage required. A separate room with exhibit custodian may be appropriate for one agency while a secure cabinet accessible only by the investigator will be appropriate at another.
- Exhibit storage space must have controlled access to designated individuals. Accessing exhibits must be recorded and logged. Examples of tracking mechanisms include software, paper ledgers, and electronic ledgers. Agency size and nature of duties will determine the type of tracking mechanism required.
- Exhibits that are documentary in nature will not be stored within an investigative report. Documents will be labelled and stored in an envelope or folder separate from the investigative report.
- Supervisors may access exhibit storage facilities for the purpose of quality control but the access must be recorded on an exhibit log.
• Record system capable of documenting calls and complaints that are made to the employer.

• Record system capable of documenting all serious incidents involving the employer and peace officers.

• MOUs in effect with police agencies and expired MOUs.

With the exception of public complaint records which must be kept for a minimum of five years, all of the above records must be kept for at least three years.

18.1.1 Supervisory Review of Investigative Files

The Act contains the broad strategic directions under which the Program and employers must operate. The key directions of professionalism, accountability, and standards are captured therein.

Section 10 of the Act stipulates that the employer is liable for the actions and omissions of a peace officer while the peace officer is acting within the scope of his or her authority, responsibilities and duties.

To protect the public interest and ensure that the peace officer role produces effective and appropriate enforcement exercised in accordance with existing legislative and policy frameworks, Program policy requires that the employer exercise adequate oversight of its peace officers. Periodic program inspections and audits assess compliance with this requirement.

Employers must meet the following requirements in supervision:

• Where a peace officer(s) has a direct reporting relationship to a Chief Administrative Officer (CAO), a Director, or another peace officer, all reports, submitted by the junior peace officer(s) must be reviewed and signed to indicate approval

• 30% of files generated by a supervising peace officer must be reviewed and signed off by the person’s direct supervisor, or other delegated superior

• Where a peace officer(s) is employed by an agency with two or fewer peace officers directly supervised by the CAO or CEO, 30% of files generated by the peace officer must be reviewed and signed off by the senior administrator

• Files must be reviewed in a timely matter, not exceeding 30 days

Reviews should identify if the following information is present:

• Complaint type

• Details of the initial complaint
• Actions taken by the peace officer, including investigative steps, information from witnesses, and complainant updates
• Disposition
• Is the Peace Officer working within their appointed authorities
• Indication of supervisor’s approval on the electronic or hard copy of the file

**Paperless Files Exemption**

An exemption may be granted from 18.1.1 with approval by the Director for matters relating to bylaw offences where no paperwork is generated (also known as paperless files). If a written warning, report, or violation notice is generated then supervisory requirements under the program will still apply.

To take advantage of this allowance, an agency will have to demonstrate to the satisfaction of the Director the internal quality assurance process are in place to assess paperless files that provide adequate and effective oversight for peace officers.

This new allowance is a mechanism to provide for effective oversight while still maintaining the overall goal of control and quality.

**18.2 Code of Conduct**

To ensure program integrity, all participants are held to common standards as it relates to a code of conduct. Employers are directly accountable for program operations within their agency and are responsible for developing a code of conduct in accordance with established human resource practices that must meet the minimum standards set out in section 13 of the POMR. In developing a common standard that encompasses all aspects of the handling of officer misconduct the Public Security Division will ensure consistency in service delivery and strengthen the integrity of the Program.

The code of conduct found in the POMR is designed to ensure minimum standards and is not exhaustive. The employer is encouraged to add or further this code of conduct to meet community or agency needs.

The code of conduct applies to a person holding a peace officer appointment whether they are on duty or off.

Any code of conduct created must include provisions:

• Requiring peace officers to comply with the terms and conditions of the employer’s authorization;
• Requiring peace officers to comply with the terms of the peace officer’s appointment;
• Requiring peace officers to comply with the employer’s code of conduct for peace officers;

• Prohibiting peace officers from:
  - engaging in disorderly or inappropriate conduct;
  - acting in a way that would be harmful to the discipline of peace officers or that is likely to discredit the office of peace officer (including on social media);

• Prohibiting peace officers from withholding or suppressing information, complaints or reports about any other peace officer;

• Requiring peace officers to promptly and diligently perform the peace officers’ duties and responsibilities;

• Prohibiting peace officers from making or signing false, misleading or inaccurate statements;

• Prohibiting, without lawful excuse, peace officers from:
  - destroying, mutilating or concealing records or property;
  - altering or erasing an entry in a record;

• Respecting when confidentiality must be maintained;

• Requiring peace officers to properly account for or return money or property that the peace officer receives in the peace officer’s capacity as a peace officer;

• Prohibiting activities that may or will result in a conflict of interest or an apprehension of or a lack of integrity in the office of peace officer;

• Prohibiting peace officers from using the peace officer’s position for the peace officers’ own advantage or another person’s advantage;

• Prohibiting peace officers from exercising the peace officer’s authority as a peace officer when it is unnecessary to do so;

• Prohibiting peace officers from consuming alcohol while on duty, except in the performance of the peace officer’s duties;

• Prohibiting peace officers from consuming controlled drugs and controlled substances under the Controlled Drugs and Substance Act (Canada); and

• Except in the performance of the peace officer’s duties, prohibiting peace officers from possessing controlled drugs and controlled substances, the possession of which is prohibited by law.
Social Media

Employers are encouraged to develop a social media policy for their organizations which may include the following:

- Peace officers should use their best judgement in posting material that is neither inappropriate nor harmful to the employer, employees, Government of Alberta, and the public.
- Examples of prohibited social media conduct include but are not limited to posting commentary, content, or images that are defamatory, proprietary, harassing, libelous, or confidential in nature.

18.2.1 Considerations

Some sections of the code of conduct found in section 13 of the POMR require further explanation to assist employers in understanding if a breach has occurred. The following considerations apply to the noted sections and should not be viewed as limiting.

Many circumstances will arise that could subjectively, taking into account unique situational factors, be code of conduct breaches but otherwise not fit within the parameters defined in this section. If questions arise regarding a specific incident please contact the Program Manager.

Note: This is designed to be explanatory only and some overlap with other section of the Act and Regulations exists.

Section 13(2)(d) - Disorderly or inappropriate conduct, or acting in a way harmful to the discipline of peace officers or that is likely to discredit the office of peace officer could be described, in part, as follows:

- Contravening:
  - an Act of the Parliament of Canada
  - an Act of the Legislature of Alberta
  - any regulation made under an Act of either the Parliament of Canada or the Legislature of Alberta, where the contravention is of such a character it would be prejudicial to discipline or likely to bring discredit on the reputation of the employer

- Using oppressive or tyrannical conduct towards a subordinate
- Using profane, abusive or insulting language to a co-worker or to any member of the general public
- Willfully or negligently making a false complaint or statement
• Abetting in or knowingly being an accessory to suppressing information, complaints or reports about any other peace officer

• Differentially applying the law or exercising authority on the basis of race, color, religion, sex, physical disability, mental disability, marital status, age, ancestry or place of origin

• Doing anything prejudicial to discipline or likely to bring discredit on the reputation of the employer

• When on duty, other than when on a firearm training exercise, discharging a firearm by accident, and not reporting the discharge of the firearm as soon as practicable to a supervisor

• Failing to exercise sound judgment and restraint in respect of the use and care of a firearm

• Being insubordinate to a supervisor by word or action

• Omitting or neglecting, without adequate reason, to carry out a lawful order, directive, rule or policy of the employer

• Neglecting, without a lawful excuse, to promptly and diligently perform duties as a peace officer

• Failing to work in accordance with orders or leaving an area, detail or other place of duty without due permission or sufficient cause

• Permitting a prisoner to escape on account of the peace officer being careless or negligent

• Failing to report a matter that is the peace officer’s duty to report

• Failing to report anything a peace officer knows concerning a criminal or other charge

• Applying inappropriate force in circumstances in which force is used

• Participating in social media activities that present a negative or inappropriate image of peace officers

Section 13(2) (k) – conflict of interest or apprehension of lack of integrity could be described as:

A situation in which a peace officer, who is in a position of trust, has a competing professional or personal interest. Such competing interests can make it difficult to fulfill his or her duties impartially. A conflict of interest may exist even if no unethical or improper act results. A conflict of interest can create an appearance of impropriety that can undermine confidence in the peace officer, the peace officer activity, and the office
of peace officer. A conflict of interest could impair an individual's ability to perform his or her duties and responsibilities objectively.

18.3 Memorandum of Understanding

An integrated approach to law enforcement is necessary within geographical boundaries dependent on the level of service being delivered. In order to facilitate cooperation and integration, a memorandum of understanding (MOU) between the employer and police service (detachment) of jurisdiction is required. This will ensure that the necessary information and interaction are established that will see overall service to Albertans being improved by combined efforts in the law enforcement community. Employers may enter into MOUs with other law enforcement agencies outside of their jurisdiction and social service agencies on a needs-basis.

The primary intent of the MOU is to assist in clearly defining the role of peace officers and coordinating peace officer services with police services. Entering into an MOU with the police service of jurisdiction is a condition of an employer obtaining and maintaining their authorization.

Section 17 of the POMR details, in general terms, the minimum strategies that must form part of any MOU. At minimum, MOUs should address the following:

- The term of the MOU must be for five years unless:
  - the parties agree on another period of time
  - the MOU is terminated in accordance with its terms
- A provision for termination of the agreement during its term by either party giving written notice to the other party and to the Program (on behalf of the Minister).
- Communication protocols between representatives of the employer, peace officers and the police service, including:
  - identification of liaison and contact persons and the manner and time at which they will communicate and meet
  - information exchange between peace officers and the police service
  - radio communication between peace officers and the police service
- The training of peace officers by the police service or the training of the police service by peace officers, if any is agreed to be provided.
- The respective roles and responsibilities and the cooperation and coordination of services of peace officers and the police service.
- MOUs require at a minimum one annual meeting between agencies. More frequent meetings are recommended to support strong communication and integrated service delivery within jurisdictions.
Police services have developed their own templates for MOUs that have been reviewed by the Program to ensure compliance with legislated requirements. Employers should be aware that other templates have not been reviewed or considered by the police agencies and may not be accepted.

Employers must contact the police service of jurisdiction (K-Division in the case of the RCMP) to arrange for the development of an MOU.

Amendments to MOUs may be made at any time with the approval of the agencies involved. Copies of signed MOUs and amended MOUs must be submitted to the Program and will be retained on file for reference.

If a situation occurs in which the Program believes that either party has violated an MOU, the Director may make a recommendation to the Minister to terminate the MOU by giving written notice to the parties involved. The Director and the Program will then engage with both parties to resolve outstanding issues.

Exemptions from MOU Requirement

The Minister may exempt any employer from entering into an MOU. The Minister has exempted the following categories of peace officers:

- Out of province police/peace officer authorized under section 3 of the POMR
- Level 2 Community Peace Officers

The Minister may consider further exemptions based on a well-researched business plan showing that an MOU would be unable to further enhance the services of the employer to the clients/community it serves or if the ability of the employer to enter into an MOU poses an insurmountable challenge. Requests for exemption must be submitted to the Program Manager.

Major/Serious Incidents that must be reported to the Police Service under the Terms of an MOU

MOUs must indicate that the employer will provide information on major/serious incidents to the police service of jurisdiction as defined in Program policy. The following list of situations that meet this definition, is not restrictive, and should include any major serious situation and employer deems appropriate:

- Use of a firearm in circumstances in which it was discharged at a person
- Any incident in which a peace officer was involved that included serious injury or the death of any person. This does not include circumstances where the peace officer provided traffic control for the police at a fatal or serious motor vehicle collision
- Any incident in which a peace officer encountered a situation where a weapon was used, or threatened to be used, in a criminal manner
• Any situation in which it can reasonably be determined that the employer or its employees obtained information relating to a criminal occurrence that may be of interest to the police service of jurisdiction

18.4 Visual Identity

Sections 7 and 12 of the Act, section 18 of the POMR, and section 4 of the POR provide for the standardization of uniforms and vehicles used by those within the Program. It is anticipated that public awareness will develop regarding what authorities and job roles held by those utilizing common uniforms and vehicles.

Exemptions from Visual Identity Requirements

Note: This exemption section is with respect to the Act, Regulations and policies only. It does not apply to requirements under other applicable legislation. Specifically, the Traffic Safety Act and associated regulations do not allow bylaw officers or peace officers without traffic authority to drive an emergency response vehicle.

The following classes of person are exempted from uniform/vehicle requirements by the Minister:

• Auxiliary Constable programs operated by a police service
• Out of province police/peace officers appointed under section 3 of the POMR
• Effective January 1, 2023, Level 2 Community Peace Officers are prohibited from driving marked peace officer patrol vehicles and are no longer required to wear uniforms
• A peace officer who works in plainclothes while conducting enforcement and is exempt by the Director
• A peace officer whose job duties do not include an enforcement role and is exempt by the Director
• Peace officers operating automated traffic enforcement technology
• Vehicles driven by a peace officer, but not used for traffic enforcement purposes
• Conservation officers (alternative uniforms and vehicle markings have been approved for this group)
• Fish and wildlife officers (alternative uniforms and vehicle markings have been approved for this group)
• Alberta Society for the Prevention of Cruelty to Animals (ASPCA) (alternative vehicle markings have been approved for this group)
Uniforms

Alberta Peace Officer Uniform:
- Shirt: Dark blue/black in color
- Pants: Dark blue/black in color; stripe must be blue in color
- Hat and Tie: If worn, color must correspond to pants or shirt
- Patrol Jacket: Dark blue/black in color
- Safety Vest: Must be lime green in color and may display the words ‘Commercial Vehicle Enforcement’, ‘Sheriff’, ‘Fish and Wildlife’ or other title approved by the Director across the back
  - vest may also bear no wording, provided the uniform worn underneath is sufficiently marked to identify the wearer to the public as a peace officer (i.e. visible shoulder flashes)
- Jackets and shirt must bear the approved shoulder flash design as shown in Appendix H

Community Peace Officer Uniform:
- Shirt: Dark grey in color
- Pants: Dark blue/black in color; stripe must be grey in color
- Hat and Tie: If worn, color must correspond to pants or shirt
- Patrol Jacket: Dark blue/black in color
- Safety Vest: Must be lime green in color and may bear the words “Peace Officer” or other title approved by the Director across the back
  - vest may also bear no wording, provided the uniform worn underneath is sufficiently marked to identify the wearer to the public as a peace officer (i.e. visible shoulder flashes)
- Jackets and shirt must bear the approved shoulder flash design as shown in Appendix H

Management Peace Officer Uniform:
- Shirt: White in color
- Pants: Dark blue/black in color; stripe, if worn, must be blue in color for Alberta Peace Officers, grey for Community Peace Officers
- Hat: If worn, must be of the same category as the management peace officer (Alberta or Community)
• Patrol Jacket: Dark blue/black in color

• Safety Vest: Must be lime green in color and may display the words ‘Commercial Vehicle Enforcement’, ‘Sheriff’, ‘Fish and Wildlife’, ‘Peace Officer’ or other title approved by the Director across the back
  - vest may also bear no wording provided the uniform worn underneath is sufficiently marked to identify the wearer to the public as a peace officer (i.e. visible shoulder flashes)

Permission to use this uniform category may be granted following a written submission to the Program by the employer. Permission will only be considered for those peace officers holding the rank of Inspector, Superintendent, Deputy Chief or Chief.

Special Uniform Shirts and Markings

If approved by the employer and the Director, all peace officers may wear special uniform shirts or markings in support of community events that support inclusion. The shirts or markings must only be worn on the event date.

The following special uniform exemptions have been pre-approved:

• The wearing of pink, marked uniform shirts in support of Pink Shirt Day, an anti-bullying campaign. Pink shirt must follow the uniform marking requirements identified above.

• The wearing of orange, marked uniform shirts in support of Orange Shirt Day, a day in which we honour the Indigenous children sent to residential schools. Orange shirt must follow the uniform marking requirements identified above but may also include the “Every Child Matters” logo on the front left of the shirts.

• The wearing of multi-colored striped peace officer flashes on the front and back of uniforms in support of BIPOC, and 2SLGBTQ+ groups’ week. Examples include a removable striped flash on the back of uniform shirts, vests or jackets that includes the words “Peace Officer”.

• Lapel or pocket pins that related to the above events.

For events not identified above, a written request to the Director must be submitted to peaceofficerinfo@gov.ab.ca and include the following:

• Rationale to support inclusion

• Uniform or marking mock-ups/photos

• Description of proposed shirt or marking/pin
Coveralls

Any form of coveralls may be worn to facilitate vehicle inspection or other work. It is recommended coveralls bear the approved shoulder flash for the agency and suitable safety markings.

Bicycle Uniforms

Shorts pants with stripe similar to regular pant. Regular uniform shirt or shirts of a color and design to enhance visibility, safety and comfort for the weather (if not using required peace officer color, prior approval must be obtained). Flashes and peace officer markings on the shirt or outerwear worn in conjunction with the shirt that clearly identifies the wearer as a peace officer is required.

Body Armour

Body armour is mandatory for all uniformed peace officers in public facing enforcement roles. External body armour must meet the uniform marking requirements and be either black or navy blue.

Vehicles

Motor vehicles used by peace officers must be white in color (OHVs are exempt).

Alberta peace officer vehicle markings are shown in Appendix H. (Note: striping location and placement must match the design layout as much as possible and as permitted by the physical design of the vehicle used)

Community peace officer vehicle markings are shown in Appendix H. (Note: striping location and placement must match the design layout as much as possible and as permitted by the physical design of the vehicle used)

The following guidelines are in place for decaling, where permitted by the physical layout of a vehicle design:

- Total stripe package to be no more than 10 inches
- No stripe to be less than 25% of the width of the widest stripe
- No stripe to be less than 0.5 inches wide
- Stripes will not have curves or bends but the stripe may have a break to accommodate door handles, fenders or other features that interfere with a continuous stripe
- No wording will be placed on or within the stripe
- Peace officer vehicles that are used for traffic enforcement duties (automated traffic enforcement vehicles, bicycles, snowmobiles and ATVs are exempt) must be
marked as shown and include the use of a roof mounted light bar or low-profile, interior, windshield-mounted light bar for red and blue lights

- Roof markings are permitted should a local need exist
- Unit numbers are permitted on vehicles should a local need exist
- ‘Call 911 in case of emergency’ marking may be added if desired
- Agency phone number may be placed on the vehicle in a location determined by the employer. The lettering should be the same blue color used in the striping
- Agency name or website address may appear on the back bumper of a vehicle
  - lettering should be the same blue color used in the striping
- To ensure a commonality of visual identity no other markings are permitted on the vehicles, unless approved by the Director
- “Peace Officer” must be placed on all sides of the vehicle. Lettering must be a minimum of 4 inches in height (bigger if desired by the employer).

At the option of the employer, community names may appear on the side of enforcement vehicles as follows:

- They must be below the existing door decal, in the same blue color as used for the striping.
- The community name can be on one or both door panels (where applicable).
- The lettering can also extend to the panel in front of or behind the doors as necessary.

At the option of the employer, any pattern of safety decaling on the back of an enforcement vehicle may be added. Employers should, where possible, keep the colors consistent with the approved decaling colors.

Stealth marked vehicle options for community peace officers with restrictions on situations in which they can be utilized are permitted with approval from the Director. Use of stealth vehicle markings is restricted to traffic enforcement functions only. As a result, agencies with small fleets may not be eligible for this option.

**Vehicle Door Logos**

Vehicle decals can be either a traditional community or agency crests or a recognized community logos.

The “Any Community” and “Any Role Name” design layout shown in Appendix H is suggested for use should an agency so choose. *(Note: the diagram is not to scale and the words “peace officer” should be clearly identifiable to the public)*
‘Peace Officer’ must be placed above the crest or logo and appear on all sides of the vehicle. Lettering must be a minimum of 4 inches in height (bigger if desired by the employer).

If the agency name is not included on the crest or logo, it must be inserted below the crest or logo on the side markings and be of a size that is clearly visible to an observer.

Pre-approval for vehicle markings is required. A color mock-up that shows the dimensions and lettering heights and colors must be submitted to the Program at peaceofficerinfo@gov.ab.ca. Email approval will be issued.

**Shoulder Flashes**

Alberta Peace Officer:

- The background color and edging color shown in Appendix H is mandatory
- The ‘Government of Alberta’ and ‘ministry name’ design layout is required unless and alternative or exemption has been approved by the Director (“Commercial Vehicle Enforcement” role name shown in the diagram is an example)
- Sheriffs Branch shoulder flashes with specialty services identified are also acceptable (eg Fish and Wildlife Enforcement Services or Commercial Vehicle Enforcement Service)
- On approval by the Director, any role name can be inserted here such as ‘Sheriff’, ‘Alberta Peace Officer’ or ‘Peace Officer’. Request for role name or change of role name must be submitted to the Program at peaceofficerinfo@gov.ab.ca
- Department crests or locally designed logos may be inserted above the role name

Community Peace Officer:

- The background color, edging color, placement and color of ‘Peace Officer’ shown in Appendix H are mandatory
- The ‘Any Community’ and ‘Any Role Name’ design layout is required unless and alternative or exemption has been approved by the Director
- Municipal crests or locally designed logos may be inserted above ‘Peace Officer’ and at a minimum must clearly identify the community name and department name

**18.5 Badges**

Badges are not mandatory and are not considered an official form of identification for peace officers.

All Program participants should be aware that a badge is not a legal document and is not sufficient for legally identifying a peace officer to the public as having the duties and


authorities as shown on their peace officer appointment. The peace officer ID card issued under the Act is the only legal identification document for those within this program, unless authority is held through legislation outside of this program.

Badges are not to be worn on uniform shirts. Wallet and hat badges are permitted for those employers who choose to purchase them.

Badges, if used, cannot resemble a design, shape or color that is similar to that of any police agency in Alberta.

The Program will not be responsible for reviewing or approving badges developed by employers. Should a badge be developed that could confuse a reasonable person that a peace officer badge is an Alberta police agency badge then the employer shall be directed to change them, at their cost, immediately.

18.6 Ranks

If an employer so chooses, a ranking system may be established for use of peace officers. A ranking system is not a Program requirement, simply an option available to an employer.

The use of rank structure is optional and at the discretion of the employer. Some employers may wish to provide continuity between its peace officers and non-peace officer personnel. Rank should not be included in job classifications or description; the role and responsibilities should be the focus to avoid issues resulting from Program policy changes.

The following conditions must be met before an agency is entitled to utilize a ranking system:

- Must be engaged in performing uniformed enforcement duties;
- Have sworn peace officers performing supervisory/management duties;
- An Alberta peace officer agency with a sole peace officer or where all peace officers report to civilian supervisors/manager may not use any rank;*
- Be an Alberta Peace Officer agency or Level 1 Community Peace Officer agency; and
- Have policy in place reflecting that only those holding a peace officer appointment may utilize the ranks detailed in this section.

*Agencies in which supervision and management is performed by those not holding a peace officer designation may not use a ranking system (i.e. peace officers reporting directly to a Director or Town Manager).
Alberta Peace Officers

An Alberta peace officer agency may have all or any of the following ranks:

- Chief (approved title, i.e., chief sheriff, chief conservation officer, etc.) - is the head enforcement officer in a peace officer agency and applies to Alberta peace officers only
- Deputy Chief (approved title and applies to Alberta peace officers only)
- Superintendent (Director)
- Inspector (Manager)
- Sergeant (Supervisor)

In all cases, care shall be used when interacting with a member of the public to avoid giving the impression that the peace officer is a police officer. All peace officers should, when interacting with the public, clearly identify themselves as a peace officer as well as their rank. For example “My name is Peace Officer Sergeant Smith” or “My name is Sheriff Sergeant Smith” or “My name is Peace Officer Smith and I am a Sergeant with Sheriff Highway Patrol.”

Community Peace Officers (Level 1 only)

A Level 1 Community Peace Officer agency may have all or any of the following ranks:

- Superintendent (Director)
- Inspector (Manager)
- Sergeant (Supervisor)

In all cases care shall be used when interacting with a member of the public to avoid giving the impression that the peace officer is a police officer. All peace officers should, when interacting with the public, clearly identify themselves as a peace officer as well as their rank. For example “My name is Peace Officer Sergeant Smith” or “My name is Transit Officer Sergeant Smith” or “My name is Peace Officer Smith, I am a Sergeant with the Town of ABC.”

Insignia for ranks

All displays of rank are to appear on the epaulets of a duty shirt or epaulets of an outer jacket as follows:

- Chief - one crown above three maple leaves
- Deputy Chief - one crown above two maple leaves
- Superintendent - one crown above one maple leaf
• Inspector - one crown
• Sergeant - three chevrons

An Alberta flag emblem may appear at the bottom of any chevron.

**Years of Service Recognition on Uniforms**

Years of service pins and acknowledgements are permitted but they cannot resemble the insignia for rank as identified above.

Years of service recognition should be consistent with the employer’s existing human resources practices. Chevrons will not be supported as their visual identity suggests rank. For employers without a recognition program, lapel pins and ribbons above the name tag may be used on uniforms to recognize years of service, but cannot resemble rank identifiers.

**18.7 Titles**

Section 7(2)(e) of the POA permits the Director to approve titles used by those participating in the program. All peace officer appointments will detail what title(s) the peace officer shall use when interacting with the public.

It is extremely important that peace officers be very clear when identifying themselves to the public so as not to cause confusion as to their status.

The current list of titles used by program participants are:

• Peace Officer
• Community Peace Officer
• Sheriff
• Transport Officer
• Conservation Officer
• Fish and Wildlife Officer
• Transit Officer

Requests for title approvals must be submitted using the application or amendment forms by emailing peaceofficerinfo@gov.ab.ca.

**18.8 Weapons**

Through section 12(2) of the Act, sections 3, 4 and 8 of the POR and section 2(2) of the POMR, there are provisions for peace officers under the Act to utilize a variety of weapons, should a demonstrated need exist.
For the purposes of this manual, weapon refers to prohibited firearm, restricted firearm, or prohibited weapon as defined under the *Criminal Code*.

**Exemptions**

Conservation officers receive their authority to carry weapons under the *Criminal Code* and are not bound by sections 3 and 4 of the POR pertaining to restrictions on weapons and the granting of weapon authority by the Director. Employer designations and peace officer appointments for this group shall remain silent on the issue of weapons.

**Employer requirements for weapons**

It is mandatory for all uniformed enforcement peace officer to be certified in and carry baton and OC spray.

Applications for Authorizations to Employ Peace Officers must include the following:

- Liability coverage for the proposed weapons
- Employer policy describing the use, storage, and maintenance of weapons
- Employer policy relating to training, recertification and only those peace officers who have been trained in accordance with standards set by the Director shall be permitted to carry weapons.
  - policy should include direction on the duty status of a peace officer in the event an officer does not recertify training
- Employer policy describing when it is appropriate to use weapons
- Employer policy requiring reporting to the Program for each incident where a peace officer on duty uses a firearm or shotgun outside of duties in accordance with regulations and policy
  - policy must include provisions requiring that in the event of a serious or sensitive situation the employer must report to the Director as soon as the employer becomes aware of it per section 19 of the Act, and no later than 24 hours of the incident in other circumstances as required by section 5 of the POR
- Employer policy requiring reporting to the Program, within two business days, each incident where a peace officer on duty uses OC spray, baton, conducted energy weapon, or tear gas on the approved form found in Appendix A
- If an employer employs over 30 peace officers and if an agency routinely uses baton, OC spray, tear gas, or a conducted energy weapon three or more times per week, alternative reporting procedures can be developed, subject to the approval of the Director

The Director must review the above documents and ensure that they are satisfactory prior to authorizations or appointments being issued permitting the carrying or use of
weapon(s). Compliance with weapons policy approved by the Director by both the employer and peace officers are a mandatory component of participation in the program and a term/condition to this effect shall appear on each authorization and appointment issued under this program.

Employer are also responsible for:

- Ensuring that weapons policies and procedures are updated regularly to keep current with ‘best practices’
- Provide to the Director copies of new weapons policies and procedures developed by the employer as soon as practicable
  - ensure that the Director is able to review the new documents and assess for compliance with legislation and policy

Revised policy must be submitted by email to peaceofficerinfo@gov.ab.ca.

Weapons Carried by Peace Officers

A peace officer may only possess a weapon(s) if it appears on the peace officer’s appointment and after an approved training course has been successfully completed. Recertification will be required in accordance with program policy.

Additionally, weapons used or carried by the peace officer must be approved and issued by the employer.

Types of weapons permitted by category

Alberta Peace Officers or out of province police/peace officers may apply to carry:

- Service firearms
- OC spray as defined in Section 4(1) (a) of the POR
- A baton
- A conducted energy weapon as defined in the POR (a common brand name currently in use is Taser)
- Tear gas

Community Peace Officers Level 1 may apply to carry:

- A shotgun for the dispatching of animals in accordance with the Animal Protection Act, Dangerous Dogs Act, Stray Animals Act, and/or Wildlife Act, and where the authority appears on their appointment
- OC spray as defined in Section 4(1) (a) of the POR as long as the strength does not exceed 1.33% Major Capsaicinoids:
  - must not be a solvent based animal spray
- agencies using OC spray must develop and comply with internal policies for decontamination procedures after the use of OC spray
- decontamination procedures must comply with manufacturer’s recommendations or the brand of OC spray being used

- A baton

Community Peace Officers Level 2 are prohibited from carrying weapons in most instances. Peace officers with authority for cell guard duties at a police service are permitted to carry batons.

Other firearm requirements:

- A peace officer must immediately report the loss or theft of a weapon to a police service and the employer.
- A peace officer can only use ammunition for firearms that has been sanctioned by the employer.
- No person may tamper with, or modify ammunition that has been issued to, or is available for use, by a peace officer.
- A peace officer must not carry or use ammunition that has been modified or tampered with.

Re-qualification on weapons:

- Firearms or shotgun must be re-qualified annually.
- Other weapons must be re-qualified at a minimum every 36 months. Employers may establish annual recertification requirements by policy.
- The employer is responsible for updating qualifications and providing certificates or other proof of qualification to the Program as required.

Computer records systems operated by the Program will automatically generate an expiry date for training. If qualification records have not been submitted by the employer, a peace officer(s) appointment will automatically be placed on hold until qualification is achieved and the employer notified by the program by email. Weapons are considered an essential officer safety tool and an officer is at increased risk in the field without their weapons.

Shotgun Storage Requirements for Community Peace Officers:

- Shotguns are provided to Community Peace Officers only for duties related to the Wildlife Act, Animal Protection Act, Dangerous Dogs Act, or Stray Animals Act. Any other use may result in criminal charges and/or constitute a contravention of the peace officer’s appointment.
• The shotgun must be contained in a secure locking device specifically manufactured to secure a firearm in a vehicle.

• In no case shall the weapon be mounted within easy reach of the operator of the motor vehicle while the vehicle is in motion. Quick release locking systems are prohibited.

• A secure locking device must be mounted to the floorboards in the trunk or rear storage area of vehicles operated by peace officers.

Some vehicle types are manufactured in a way that does not allow for mounting in the prescribed manner. In those cases where a shotgun mount may not be placed in accordance with policy, the following options may be utilized:

- to the frame behind the front seat, or rear passenger seat in a club cab.
- to the floorboards by the rear compartment of the vehicle or ceiling mounted by the rear compartment of the vehicle.

• Shotguns may be left in vehicles overnight, if required, while transiting to and from shotgun training/recertification courses provided they are secured in accordance with the Firearms Act. When off-duty, shotguns must be secured in the office in accordance with the Firearms Act.

Employer policy is required to identify approved weapons, training requirements, condition under which they may be used, storage and reporting.

18.9 Permitted Equipment

Section 7 of the Act requires the authorizations and appointments list equipment a peace officer is permitted to use on the peace officer appointment. All appointments that have an enforcement component will contain some or all the following clauses that allow use of:

• Emergency response vehicles as defined in section 2(a) of the Vehicle Equipment Regulation

• Handcuffs

• Personal protective equipment including a bullet resistant vest, a stab resistant vest or protective gloves, but not including SAP gloves or similar gloves

• Body worn and/or in-car cameras

• Particular equipment necessary to carry out the enforcement duties and responsibilities of the peace officer

• Tools and items necessary for the performance of the peace officer’s duties and responsibilities
A device designed to be used for the purpose of injuring, immobilizing, repelling or otherwise incapacitating an animal, including:

- dog or bear spray that is not defined as a weapon
- CO2 rifles if the specific exemptions contained within the Criminal Code pertaining to device purpose and muzzle velocity are established.
- if these conditions are met then there is no prohibition under the Act or Program policy from utilizing such a tool for animal control
- it does not need to appear on the peace officer appointment as any person may use such a device if it is not prohibited
- Pepperball devices: Prior approval from the Director is required for use of this device
  - selected device must not resemble a firearm or has brightly color markings that would identify that it is not a firearm
- public safety items such as Narcan (Naloxone) kits, masks, gloves, if identified through hazard assessments, as necessary equipment

A peace officer may only carry or use equipment listed on their appointment.

The intent of these clauses is to authorize any equipment that is required by a peace officer to perform their job duties. It will allow the Director the ability, where necessary, to limit or restrict certain items of equipment that are in existence now or may be developed as a new product in the future (i.e., SAP gloves).

A non-exhaustive list of equipment designed to fall under the provisions of clauses (c), (d) and (e) is listed below:

- Radar and laser speed measuring devices
- Weight and measures equipment
- General safety equipment such as traffic cones, flares, first aid kits, etc.
- Flashlights
- Any vehicle types not designated as ‘Emergency Response Units’
- Equipment designed to capture or record events (includes body worn cameras)
- Multi-tools
- Devices designed for animal control purposes

Employers are responsible for establishing processes, policy and training to support any equipment that may require it.
Approval for New Equipment

Periodically new equipment becomes available that aids peace officers in performing their duties. Where this equipment resembles a weapon or is regulated by other legislation or guidelines, prior approval is required. A rationale identifying the need and information on training, maintenance and restrictions must be approved by the Director. Policy will be required following approval. Training may require accreditation by the PSES TA per section 18.0 of this manual.

19.0 PROVINCIAL STATE OF EMERGENCY

The Act, through section 13, provides for the Minister to be able to expand the authority and jurisdiction of any/all peace officers in this Program to meet the needs of a situation deemed by the Minister to be an ‘emergency’.

Examples of situations that the Minister may consider an ‘emergency’ are listed as follows:

- Regional disasters in which a large number of peace officers are required.
- Flu pandemic or public health-related incident.
- Extreme weather events in which local law enforcement requires assistance.
- Any other incident considered by the Minister an ‘emergency’ and requires the services of peace officers in this program.

Only those employers who consent to having their peace officers directed in this fashion are impacted by an order made under section 13 of the Act.

Only those peace officers who personally consent and whose employer has consented to acting under a section 13 order may exercise the additional authorities provided and operate in the expanded jurisdictional boundaries.

Under section 13(1.1) of the Act, the Minister may, where it is considered in the overall interest of public security throughout Alberta, impose temporary enforcement authority without the option for employers or peace officers to opt out or refuse to participate. All orders issued by the Minister under this section expire 90 days after the order is issued unless otherwise specified.

If the emergency is resolved or otherwise is determined by the Minister not to be an emergency then orders made under this section cease to be in effect or force.

The format for an emergency order being issued will be as follows:

- The Minister shall review a situation and determine if it is considered an emergency.
• The Minister shall determine how peace officers may provide support to the police and emergency services providing primary functions at the situation and use this information to establish expanded authorities and jurisdiction.

• The Minister will issue a Ministerial Order pursuant to section 13 of the Act, example in Appendix I, detailing which categories of peace officers are effected. It will also list any expanded authorities and jurisdictions permitted.

• Prior to undertaking activities permitted by the order each employer who consents to operate under the terms of the order will be required to submit a letter to that effect and list peace officers who have consented. This letter can be emailed to peaceofficerinfo@gov.ab.ca. Peace officers will not be covered under the terms of the order until this requirement has been fulfilled.

• Those employers or peace officers who do not consent to acting under the provisions of an emergency order do not have to take any action.

• If an employer chooses to decline consent under this section then all of its peace officers are bound by this decision.

• Communication on orders made via this section shall be done via the Program Bulletins or otherwise communicated directly to impacted agencies.

• In the event serious infrastructure issues exist that impede any of the above requirements from being completed, the Director may suspend or modify existing policy requirements in any manner required to allow for a section 13 order to be lawfully exercised.

In the event a section 13 order does not engage Community Peace Officers for local emergencies such as forest fires and flooding, the police service of jurisdiction and/or employer in the effected community may request assistance from other jurisdictions through a JFO invitation. The inviting agencies should advice the Provincial Operations Centre of the decision to invite other agencies into the area to ensure effective monitoring and coordination of activities.

20.0 COMPLAINTS AGAINST PEACE OFFICERS

20.1 Preamble

A major component of the Program is accountability and responsibility. The professional handling of complaints in regards to actions taken by peace officers has a direct impact on these values. Part 2 of the Act and Part 5 of the POMR directs employers to adhere to minimum requirements for handling these occurrences.
A complaint is captured under the auspices of the Act and Regulations if it is made in writing (including email) to the employer. If a complainant is unable to provide a written document due to a valid reason such as language barrier, then the employer shall take what steps as are necessary to have the complaint recorded in writing.

How employers handle verbal or other non-written concerns is not a mandated component of the program. However, employers must have policy for handling of informal and anonymous complaints and are encouraged to record all concerns, written or otherwise, as a matter of effective management and due diligence in order to track patterns with individuals or practices that may indicate that a problem exists.

Regardless whether an employer receives a complaint directly, if the employer learns of a complaint, code of conduct or policy violation or serious or sensitive incident that may lead to a complaint, the employer is required to deal with the matter in accordance with section 16 and/or 19 of the Act. These are known as employer-initiated investigations.

Criminal Matters

Employers are responsible for reviewing complaints to determine if there are allegations of criminal misconduct. Any allegations of criminal misconduct must be turned over to the police service of jurisdiction for investigation and the complainant and the Program notified forthwith. In the event the complainant has not or will not provide sufficient evidence suggestive that a criminal act took place then the employer can, in writing, advise the complainant to contact the police directly with their concerns. A code of conduct investigation may still be required to assess if improper conduct occurred.

If the police service makes a determination that a criminal event has not occurred, then the standard complaint or employer-initiated investigation process must be followed. The employer may conduct a concurrent internal investigation, provided they interact/cooperate with the police service and take such steps necessary to avoid contaminating the criminal investigation.

If during the course of an investigation that was not initially identified as potentially criminal, and criminal misconduct is uncovered, the employer is required to report the matter to the police service of jurisdiction and the Program immediately. The employer may continue to conduct a concurrent internal investigation provided they interact/cooperate with the police service and take such steps that are necessary to avoid contaminating the criminal investigation.

Complaints that contain allegations of excessive force against a peace officer are considered to be criminal allegations. All complaints of excessive force must be reported to the police service of jurisdiction for investigation and the Program.

Anonymous Complaints

Anonymous complaints are occasionally submitted in writing to an employer. Anonymous complaints do not allow for the employer to discharge required legal
responsibilities under the Act and Regulation relating to complainant notification, therefore they are not considered a complaint under section 14 of the Act.

However, if the nature of any complaint (anonymous, written or verbal) is serious, the employer shall review the matter. In the event some element of substance to the allegation is uncovered, reporting and employer-initiated investigation requirements are triggered by section 16 of the Act.

**Policy Requirements for Employers**

Employers are required to have policy in place to address public complaints, anonymous and employer-initiated complaints. Policy should include information on who will be responsible for conducting the necessary investigations and address reporting requirements, including requirements for reporting criminal allegations and use-of-force.

**20.2 Complaints Process**

A written complaint is received by the employer.

- The employer must, within 30 days and in writing, acknowledge receipt of the complaint to the complainant (written responses may be by email where appropriate);

- Notify the peace officer involved of the complaint if appropriate (see section 20.6 below for details);

- The employer must advise Program of public complaints using the Incident Report Form (PS3535) [https://cfr.forms.gov.ab.ca/Form/PS3535];

- Investigate the allegations of the complaint by interviewing the complainant, any witnesses, the peace officer(s) involved if they so consent, and any other person who may have knowledge relevant to the occurrence
  - as a best practice, investigators are encouraged to interview the complainants. This is discretionary and may not be required in all circumstances;

- Review any relevant documents in existence pertaining to the occurrence including, but not limited to:
  - occurrence reports
  - dispatch logs
  - peace officer notebook(s)
  - court reports
  - legal documents
  - in-car video and body camera recordings

- Notify the complainant, the peace officer involved, if appropriate, and Director as to the status of the investigation at least once every 45 days
- this may be undertaken by email and needs only state that the investigation is ongoing with a copy to poprogram@gov.ab.ca. Copies of notices must be retained on the investigation file;

- Upon conclusion of the investigation the employer must notify the complainant, the peace officer involved, and the Director of the disposition of the complaint using wording found in section 22 of the POMR, which reads as follows:

  - ‘complaint is unfounded’: this means that on the basis of a thorough investigation no reasonable belief exists that the complaint has merit or basis

  - ‘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.

  - ‘complaint is found to have merit in whole’: this means that on the basis of a thorough investigation that a reasonable belief exists that the peace officer has engaged in misconduct in regards to the entirety of the complaint

  - ‘complaint is found to have merit in part’: this means that on the basis of a thorough investigation that 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

  - ‘complaint is frivolous, vexatious or made in bad faith’: this disposition will be used when an employer 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. See section 20.3 below for definitions related to this finding;

  - In the event a complaint is found to have merit in whole or in part the employer must state that disciplinary action has been taken and it must be in accordance with the agency’s disciplinary policy filed with the Director

  - In the disposition to the complainant, the specifics of what disciplinary action is taken may be articulated if permitted by a Collective Agreement or Human Relations Policy and per section 40(1) (f) of the FOIPPA. Alternatively, an employer may state:

    ‘Discipline has been administered in accordance with our disciplinary policy as filed with the Director of Law Enforcement and the Public Security Peace Officer Program’.

    - the specifics of what disciplinary action is taken must be reported to the Director to ensure the disciplinary policy submitted as a requirement of legislation is being adhered to; and
• The disposition or conclusion letter issued to the complaint must contain the following closing paragraph which communicates to the complainant that reviews of the decision reached by the employer must be addressed to the Director as required in section 15 of the Act.

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

Correspondence to the Director may be submitted by:

Email: poprogram@gov.ab.ca

Mail: Director of Law Enforcement
c/o Peace Officer Program
Public Safety and Emergency Services
9th Floor, 10365 - 97 Street NW
Edmonton AB T5J 3W7

An example of a disposition letter is found in Appendix E.

20.3 Complaints Not Requiring Investigation by the Employer (Section 15(2) of the Act)

It is recognized that some complaints will be made under circumstances in which an investigation is not required. The legislation has included four circumstances under which an employer may choose not to investigate a complaint:

• Frivolous: A complaint intended merely to harass or embarrass.
• Vexatious: Complaint that has no basis in fact or reason, with its purpose to bother, annoy and embarrass the peace officer or employer.
• Bad Faith: Filing the complaint with intentional dishonesty or with intent to mislead.

Public complaints received regarding quality of service relating to the interpretation or application of legislation (including bylaws), investigation outcome or action taken as a result of an investigation are not normally considered complaints against the conduct or actions of a peace officer. After a review, the employer may choose not to investigate these occurrences pursuant to section 15(2)(b) of the Act.

If an employer determines that there are no grounds for investigation per section 15(2) of the Act, a written response must be sent to the complainant outlining the reasons for not investigating the complaint and advising them of the ability to request for review by the Director.
All complaints disposed through this section must be reported to the Program using Incident Report Form (PS3535) [https://cfr.forms.gov.ab.ca/Form/PS3535].

20.4 Informal Resolutions of Complaints

Section 15(2)(b) of the Act allows for an employer to refuse to investigate or may discontinue the investigation of a complaint if, in the employer’s opinion and having regard to all of the circumstances, no investigation is necessary.

This section was primarily designed to capture complaints that are resolved ‘informally’ under the processes that the employer has on file with the Program. This is intended to allow a diversion from the formal findings set out under section 22 of the POMR in those circumstances where an investigation has begun, or is about to begin, and both the complainant and employer agree to resolve the dispute informally via an approved internal procedure.

Employers who choose to make use of the section must have an informal resolution policy filed with the Program.

This section may also be used in those unforeseen circumstances where an investigation is not required based on an evaluation of the circumstances. This section does not alleviate the need for employers to exercise effective management and due diligence in dismissing the complaint.

All complaints resolved in this manner, pursuant to the Act, must be reported to the Program using the Incident Report Form (PS3535) [https://cfr.forms.gov.ab.ca/Form/PS3535].

20.5 Request for Review by Complainant

Any decision reached by an employer relating to a written complaint may be submitted for review by the Director, or his delegate, by virtue of section 15(4) of the Act. The purpose of the review process is to provide an avenue of third-party oversight for decisions made by employers as they relate to peace officers. This program aspect is seen as valuable in strengthening public accountability and public trust in the program.

In situations where the peace officer named in the complaint is an employee of the Ministry of Public Safety and Emergency Services, a contract delegate has been engaged to undertake the role of the Director. The delegate has the same authorities as the Director with respect to the review process.

A complainant may request a review of the decision of an employer within 30 days, in writing (email is accepted), to the Director. The Director is then required by the Act to conduct a review of the circumstances and after consideration may:

- Direct the employer to take any action the Director considers appropriate
• Confirm, reverse or vary the employer’s disposition

The decision of the Director under this review process is final and there are no avenues for appeal.

Requests for review may follow the process set out in section 16 of this manual. A full investigation may not be required in all circumstances.

20.6 When Appropriate to Notify a Peace Officer of Complaints

Part 5 of the POMR makes references in sections 20 and 21 to notifying a peace officer of complaints made where the Director deems it appropriate. It is recognized that in the majority of cases it is always appropriate and necessary to inform a peace officer about a complaint made to facilitate the principles of due process and fairness. However, in circumstances where such notification may unduly have a negative impact on an internal investigation or place the complainant in an unfavorable position, the notification to the peace officer may be delayed for a period of time.

In the following general circumstances, consideration must be given to delay informing the peace officer about a complaint when it may reasonably be suspected that:

- The complainant may be placed in danger
- The complainant may face other inappropriate action by the peace officer should the peace officer be informed
- The notification may impede the gathering of evidence during an internal investigation conducted under Part 3 of the Act
- A reasonable likelihood exists that the complaint may lead to charges under federal or provincial legislation and that notification of the peace officer could impede any resulting police or other investigative agency investigation
- Any other situation identified by the employer or Director in which it may be appropriate to delay informing the peace officer about the complaint

In any case where the employer is uncertain as to the appropriateness of informing a peace officer about a complaint, the Program Manager should be contacted.

20.7 ‘Section 16’ Employer-Initiated Investigations

Section 16 of the Act places a responsibility on the employer to ensure that peace officers acting under the employer’s authorization conduct themselves in a manner that is consistent with their peace officer appointment, legislation, policies and guidelines, and training. Examples of incidents requiring an employer-initiated investigation include allegations of pursuits, conduct identified through supervisory reviews, conduct reported to the employer by another peace officer or the police of jurisdiction, and in some
instances, allegations of misconduct reported anonymously. This provision is designed to ensure that legislative or policy violations identified through supervisory or other in-house processes are dealt with effectively.

The standard complaints investigative procedure should be utilized for employer-initiated investigations to ensure they are investigated in a responsible and consistent manner.

On conclusion, of all employer-initiated investigations must be reported to the Director, regardless of the disposition, using the Incident Report Form (PS3535) [https://cfr.forms.gov.ab.ca/Form/PS3535]. Incident reporting should include the investigation report, any disposition letters to the peace officer and discipline, if applicable.

The following additional reporting requirements apply:

Allegations of pursuit

- Must be reported to the Program immediately following an incident. Copies of in-car and body worn camera video and officer notes must be included with the Incident Report (PS3535) [https://cfr.forms.gov.ab.ca/Form/PS3535].

- A preliminary review is conducted by the Director to determine if there are any immediate public or officer safety needs that must be addressed while the employer investigation is underway. The employer will be notified, by email, of the outcome of the preliminary review and is responsible for notifying its peace officers.

Criminal allegations and charges under federal or provincial statutes

- Must be reported immediately for a preliminary review by the Director to determine if the there are any immediate public safety considerations or if modifications to authorities are warranted while the police and employer investigations are underway.

- In the event of charges, the employer may need to consider suspension of peace officer status pending a court decision. The Director may impose a suspension of a peace officer appointment in the event an employer does not take appropriate steps to remove and officer from duties for which an appointment is required.

All other employer-initiated investigations

- Must be report to the Program using the Incident Report Form (PS3535) [https://cfr.forms.gov.ab.ca/Form/PS3535] with appropriate attachments on conclusion of the investigation and application of discipline, where applicable.

Matters outside the scope of the Act/Human Resource Matters

Employers are only required to conduct investigations and report in accordance with the requirements of the Act, Regulations and Program policy.
For issues related to employment that fall outside these requirements, including time management, employee performance matters, employee on employee complaints and complaints by an employee against a supervisor or manager with peace officer status while acting in a management capacity, the employer’s normal human resources practices are to be followed. There is no requirement to report these matters to the Program unless it is determined, during the course of a human resources investigation, a violation under the Act occurred.

If guidance is required to determine which process should apply, please contact the Program Manager or Team Lead, Investigations, for assistance.

20.8 Required Employer Documentation Submissions for Program Review

Reporting for public complaints and employer-initiated investigations is to be submitted to the Complaints Coordinator at poprogram@gov.ab.ca using the Incident Report Form (PS3535) [https://cfr.forms.gov.ab.ca/Form/PS3535]. Reporting shall include the following material:

- Copy of original public complaint, without modifications or redactions, including any photos or videos
- Copy of acknowledgement letter to complainant
- Copy of notification to peace officer
- Copy of 45-day update to complainant
- Copy of 45-day update to peace officer
- Completed Investigation Report
- Copy of disposition letter to complainant
- Copy of disposition letter to peace officer
- Copy of peace officer(s) Occurrence Report
- Copies of any other supporting documents or material required by policy

Documents must be submitted in the original form with no redactions or alterations to ensure effective review and assessment by the Program.

Following receipt of the final disposition and investigation report, the Program will review the materials to ensure compliance with the Act, Regulations and Program policy. The employer will be notified if any concerns are identified and a process for remedy will be put in place.
20.9 Involvement of the Director of Law Enforcement in Public Complaints or Employer Initiated Investigations

Through reporting requirements contained in the Act and Regulations, summarized in section 22 of this manual, the Director may become directly involved in a public complaint or employer-initiated investigation when the Director is of the opinion that the employer:

- Is not investigating a public complaint in a manner that is satisfactory to the Director
- Is not investigating a Section 16 matter in a manner that is satisfactory to the Director
- Has failed to investigate a public complaint
- Has failed to investigate a Section 16 matter
- That an occurrence has been reported that meets the requirements of section 19(2) of the Act

In these circumstances, the Program will interact with the employer to provide guidance and advice on how to properly exercise their responsibilities. Should the need exist, the Director may investigate and dispose of the matter through an investigation conducted by a Program investigator or third-party investigator.

If the Director, or designate, investigates a public complaint or Section 16 matter, the Program must notify the complainant and the peace officer who is the subject of the investigation and the peace officer’s employer, in writing:

- At least once every 45 days as to the status of the investigation until the complaint or matter is disposed of; and
- At the disposition of the complaint or matter.

As it pertains to complaints, the final disposition letter will be of a format detailed in section 22 of the POMR. As the Director is not the employer of peace officers in most instances, the ability to impose discipline may not be available. In all cases where the Director finds a matter to have merit in whole or in part, a recommendation to the employer will be made to impose discipline in accordance with the employer policy filed with the Program.

Should the employer not take disciplinary action in accordance with their own internal policy, they may be considered in violation of section 6 of the Act. In those circumstances, remedies available to the Director as detailed in the Act, may be considered.
20.10 Peace Officer Appeal Mechanisms

The Act and Regulations do not include legislated avenues for a peace officer to request reviews of decisions related to:

- Denial of a peace officer appointment
- A modification (permanent or otherwise) of the peace officer appointment
- A suspension of a peace officer appointment
- Decisions made by an employer relating to public complaints
- Decisions made by the Director related to any investigation/review conducted under the Act

Peace officers are not employees of the Director and accordingly, any decision made by the employer must be appealed through mechanisms established with the employer. Any change in outcome as a result must be reported to the Program using the Incident Report Form (PS3535) [https://cfr.forms.gov.ab.ca/Form/PS3535].

If new evidence becomes available following disposition of an investigation conducted by the Director, where fault is found with the peace officer, and has not resulted in the cancellation of the peace officer appointment under section 8 of the Act, the peace officer may request the Director review his/her decision using the following process:

- Request for review of the decision must be submitted in writing, within 30 days
- Additional evidence for consideration must be submitted with the request
- The Director may conduct a review of the circumstances and after consideration may:
  - take any action the Director considers appropriate
  - confirm, reverse or vary the initial decision
- A letter of be issued to the peace officer outlining the Director’s decision(s)

Any investigation required under this policy provision may follow the process set out in section 17 of this manual.

21.0 PROGRAM REPORTING RESPONSIBILITIES

There are a number of legislative reporting components designed to strengthen program integrity and provide for a volume of information about authorities exercised by those who carry peace officer appointments. Information collected can be used to
determine trends or patterns and in turn be used to build a solid business case for change should issues be identified.

Some examples that may potentially lead to updates to the Program are: deployment/use problems with a particular weapon; identified training deficiencies; legal precedents or decisions; and systematic safety issues.

Additionally, these reporting requirements may be able to identify potential risks with trends in behavior for individual peace officers, particularly in situations where they are employed by more than one employer.

This section summarizes all reporting requirements that apply to a peace officer or employer.

**ALL REPORTING MUST BE SUBMITTED TO THE PROGRAM BY EMAIL AT ONE OF THE FOLLOWING EMAIL ADDRESSED AND AS NOTED BELOW:**

- Public complaints, employer-initiated investigations and incidents must be reported using the PS3535 form [https://cfr.forms.gov.ab.ca/Form/PS3535](https://cfr.forms.gov.ab.ca/Form/PS3535) to poprogram@gov.ab.ca.

- Requests for amendments, cancellations, annual reports, policy updates, MOUs and shared service agreements must be reported to peaceofficerinfo@gov.ab.ca

**Incident and Investigation Reporting Requirements:**

<table>
<thead>
<tr>
<th>Incident Type</th>
<th>Submission Timeline</th>
<th>Details and Reporting Method</th>
</tr>
</thead>
</table>
| Discharge of firearm or CEW       | Immediately        | • The use of a firearm in circumstances in which it was discharged in response to a perceived threat or accidentally during training  
• Used a firearm not related to duties under the *Animal Protection Act*, *Dangerous Dogs Act*, *Stray Animals Act*, or *Wildlife Act*  
• Used a firearm other than in a training situation.  
• Any use of firearms or weapons that resulted in a 'training accident' |
<p>| Use of weapon (baton, OC spray, weapons other than firearms) | 24 hours       | • Each use, against a person, of baton, OC spray, conducted energy weapon or tear gas except as related to duties under the <em>Animal Protection Act</em>, <em>Dangerous Dogs Act</em>, <em>Stray Animals Act</em>, or <em>Wildlife Act</em>  |
| Allegations of excessive use of force | immediately  | • Any allegation that a peace officer used excessive force as identified through an internal reporting process or complaint |
| Serious injury or death of or involving a peace officer | immediately  | • Any incident with a peace officer involving serious injury or the death of any person. |</p>
<table>
<thead>
<tr>
<th>Event Description</th>
<th>Timeframe</th>
<th>Additional Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>This does not include circumstances where the peace officer provided traffic control for the police at a fatal or serious motor vehicle collision</td>
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<tr>
<td>Serious or sensitive situation related to the actions of a peace officer</td>
<td>Immediately</td>
<td>Any matter of a serious or sensitive situation related to the actions of a peace officer</td>
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<td></td>
<td></td>
<td>If an employer is uncertain if a situation is sensitive or serious the public security program manager may be contacted</td>
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<tr>
<td></td>
<td></td>
<td>If unsure the employer should report the matter</td>
</tr>
<tr>
<td>Code of conduct Violations</td>
<td>Conclusion of investigation *unless specifically addressed elsewhere in this chart.</td>
<td>Incidents in which a peace officer has violated the employer’s code of conduct</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Generally, this results in an employer-initiated investigation</td>
</tr>
<tr>
<td>Peace officer charged or convicted of an offence under the Criminal Code, Controlled Drugs and Substances Act or any other enactment of Canada</td>
<td>24 hours</td>
<td>Any event in which the peace officer has reported a charge or arrest to the employer for an offence under the Criminal Code, Controlled Drugs and Substances Act, or any other enactment of Canada</td>
</tr>
<tr>
<td>Peace Officer arrested or charged of an offence under a provincial statute of Alberta</td>
<td>24 hours</td>
<td>Any event in which the peace officer has reported a charge or arrest to the employer for an offence under a provincial statute of Alberta</td>
</tr>
<tr>
<td></td>
<td></td>
<td>if the employer considers the matter serious. The Public Security Division suggests that arrests or charges under the following be considered as serious:</td>
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<tr>
<td></td>
<td></td>
<td>- Child, Youth, and Family Enhancement Act</td>
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<tr>
<td></td>
<td></td>
<td>- Gaming, Liquor and Cannabis Act</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- suspension/cancellation of a driver’s license under the Traffic Safety Act if the peace officer is involved in traffic enforcement as part of their duties</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- careless driving charges/arrests under Section 115 of the Traffic Safety Act if the peace officer is involved in traffic enforcement as part of their duties</td>
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<tr>
<td></td>
<td></td>
<td>- Maintenance Enforcement Act</td>
</tr>
</tbody>
</table>
| Allegations of criminal acts by a peace officer | 24 hours | • Must be reported to the police service of jurisdiction immediately  
• Must be reported to the Program immediately.  
• Proceed through the Public Complaints or employer-initiated investigation process unless directed to place internal investigations on hold while the police investigate |
|---|---|---|
| Disposition of charges by the courts | 48 hours | • Within 48 hours peace officer must report to both the Program and the employer  
• Includes notice of withdrawal of charges |
| Public complaint under section 14 of the Act | Within 30 days of receipt of complaint  
Every 45 days until file is concluded  
Conclusion of investigation | • Submit Incident Report Form (PS3535) and attach:  
- original complaint  
- copy of acknowledgement letter to complainant  
- copy of notification letter(s) to involved peace officer(s)  
• Submit follow-up PS3535 and attach copy of 45 day updates  
• Submit final PS3535 and attach:  
- investigation report  
- copy of disposition letter to complainant  
- copy of disposition letter to involved peace officer(s)  
- discipline administered, if applicable.  
• Public complaint files are reviewed by Program staff to ensure legislative complaint and an appropriate and administratively fair investigation process is followed. If there are any concerns the Program will contact the employer |
| Employer-initiated investigation under section 16 of the Act | Conclusion of investigation *unless specifically addressed elsewhere in this chart. | • Submit final PS3535 and attach:  
- investigation report  
- copy of notice of investigation to involved peace officer(s)  
- copy of disposition letter to involved peace officer(s)  
- discipline administered, if applicable  
• Public complaint files are reviewed by Program staff to ensure legislative complaint and an appropriate and administratively fair investigation process is followed. If there are any concerns the Program will contact the employer |
### Allegations of pursuit

| 24 hours | Submit PS3535 to [poprogram@gov.ab.ca](mailto:poprogram@gov.ab.ca)  
Include officer notes  
Employer decision to suspend or place on administrative leave pending outcome of employer-initiated investigation  
Forward in-car and body camera video immediately (email or mail)  
Notice of preliminary public safety assessment issued to employer and involved peace officer(s)  
Employer-initiated investigation to follow and additional reporting required on disposition |

| 24 hours | Include officer notes  
Employer decision to suspend or place on administrative leave pending outcome of employer-initiated investigation  
Forward in-car and body camera video immediately (email or mail)  
Notice of preliminary public safety assessment issued to employer and involved peace officer(s)  
Employer-initiated investigation to follow and additional reporting required on disposition |

### TSA violations issued out of jurisdiction

| 24 hours | Brief summary of why ticket was issued, where and when plus ticket number  
Identify if police or peace officer service of jurisdiction was contacted prior to incident  
Does not apply to violation tickets issued as part of a JFO or where expanded jurisdiction is in place due to shared service agreement |

### Administrative Reporting Requirements:

<table>
<thead>
<tr>
<th>Reportable</th>
<th>Submission Timeline</th>
<th>Details and Reporting Method</th>
</tr>
</thead>
</table>
| Employer suspension or termination of peace officer appointments | 24 hours | Suspensions and terminations with cause  
Must be reported using the PS3535 form within 24 hours to [poprogram@gov.ab.ca](mailto:poprogram@gov.ab.ca)  
Ceased appointments resulting from changes in employment status (retirement, resignation or change of position)  
Must be reported by email to [peaceofficerinfo@gov.ab.ca](mailto:peaceofficerinfo@gov.ab.ca)  
The original appointment documents and ID card must be returned to the Program within 10 days |
| 10 days |  |
| Policy amendments and new policy requirements | Immediately | Any changes or additions to the mandatory policy requirements for employers must be submitted immediately  
Email to [peaceofficerinfo@gov.ab.ca](mailto:peaceofficerinfo@gov.ab.ca). On receipt, the policy will be reviewed and the Program will contact the employer if there are any concerns |
<table>
<thead>
<tr>
<th>Event</th>
<th>Timeframe</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Change of contacts</td>
<td>Immediately</td>
<td>Changes to the primary and secondary contacts or contact information must be submitted as soon as possible to ensure effective communication with the Program.</td>
</tr>
</tbody>
</table>
| Employer annual report Section 12 POMR   | Annually in January              | - Annual reports must be submitted in January of each year, unless an alternate submission date has been approved by the Program Manager.  
- Annual reports are intended to be a brief overview of an agency’s program and its activities over the past year and requires only summary data. Annual reports are for the Program use only and are not released publicly.  
- An annual report showing at a minimum:  
  - name, position and contact information for the primary and secondary contacts  
  - list of peace officers employed by the agency at the time of the report, including their positions and appointment numbers (i.e. traffic, enforcement, ATE, administrative)  
  - description of the services provided by peace officers, including any special activities or events  
  - any changes to operational practices.  
  - summative statistics demonstrating the enforcement activities. Charts are acceptable  
  - officers employed, and listing showing enforcement and enforcement related activities that took place. |
| Leave of absence for medical or maternity leave of more than six months | Immediately on notification | - Provide start and end dates where possible  
- Updates may be provided when additional information is required  
- Employer must retain original appointment, ID card and any equipment during these periods  
- Appointment amendments will not be issued during this period |
| Return to active duty following suspension, administrative leave or hold | 10 days prior to return to active duty | - In some instances a review by the Director is required prior to a return to duty  
- An amendment appointment will be issued prior to return to duty |
22.0 OFFENCES AND PENALTIES UNDER THE ACT

Section 25 of the Act details that it is an offence to impersonate a peace officer, either through an overt act or the use of a uniform or equipment similar to that of a peace officer.

In cases where uniforms closely resemble a peace officer uniform, the Director, on behalf of the Minister, by written order, may direct an agency or person to cease the use of such uniforms.

As of May 1, 2009, the use of the term ‘special constable’, ‘constable’, ‘community constable’, or any other combination utilizing the term ‘constable’ will not be permitted by those within the scope of legislation governing this Program. The only exemptions will be those peace officers who fall under federal legislation that so permit. The intent of this section is to reserve the use of the title ‘constable’ for police officers as defined in the Police Act.

23.0 PEACE OFFICER LONG SERVICE MEDAL

Any peace officer whose service equals or exceeds a period of 20 continuous years may be nominated to receive a medal in recognition of long service.

The Program does not administer this service. Employer must consult the following link for detailed information on eligibility criteria and application processes.

https://www.alberta.ca/alberta-police-officer-long-service-recognition-medal

24.0 ENFORCEMENT AND OPERATIONAL PRACTICES

In addition to the authorities available to the Director under the Act and Regulations, section 26 allows the Minister to obtain a court order directing the offending individual/agency to remedy a situation.

24.1 Powers of Arrest / Citizens’ Arrest

Peace officer status carries powers and protections not available to ordinary citizens such as the ability to deprive citizens of freedom through powers of arrest. Employers are strongly advised to seek internal legal opinions to aid in the development of employer arrest policy.
Peace officers only have peace officer status while carrying out duties listed on their peace officer appointment and while on duty. A peace officer's authority to make an arrest is very limited and based on the authority on their appointment and employer policy.

**Arrest under section 495 of the Criminal Code**

The power of arrest pursuant to s. 495 of the Criminal Code applies to every case where a person commits an offence under an enactment for which that person may be liable to imprisonment, fine, penalty or other punishment unless an express contrary provision appears in provincial legislation.

If a peace officer makes an arrest under section 495, the peace officer must provide the suspect with their section 10(a)(b) Charter Rights and hand over or transport the suspect to police custody as soon as reasonably possible.

**Arrest with warrant, per section 495 of the Criminal Code, generally only applies as follows:**

- The peace officer believes on reasonable grounds that it is in the public interest to arrest the person on the basis of at least one of the following:
  - to establish identity
  - to secure or preserve evidence relating to the offence
  - to prevent the continuation or repetition of the offence
  - ensure attendance at court
  - criminal warrant authority appears on the appointment

- A peace officer is able to release the person after a process is served or if a decision to not pursue the matter is made

- For all other matters, a peace officer must contact the police service of jurisdiction to facilitate an arrest

- The offence is within the Peace Officer's designated authority to investigate and enforce under the Criminal Code, federal statutes or the Traffic Safety Act

- The offence is encountered by a Sheriff while acting within their designated authority under the RAPID initiative

**Arrest under section 494 of the Criminal Code**

Arrest without warrant, under section 494 of the Criminal Code provides authorities for any person and may be an option for peace officers who encounter criminal offences that are outside the authorities granted through their peace officer appointment. Arrest under section 494 is more commonly known as citizen’s arrest.

- The criteria for use of section 494 is “finds committing” and peace officers must weigh the risks to officer and public safety when considering undertaking a citizen’s
arrest. As a best practice, peace officers are encouraged to report criminal offences to the police service of jurisdiction and abstain for making an arrest.

- If a peace officer makes an arrest under section 494, the peace officer must provide the suspect with their section 10(a)(b) Charter Rights and hand over the suspect to a police officer as soon as reasonably possible.
- Peace officers are prohibited from transporting suspects arrested under section 494.
- Only a police officer may release a suspect arrested under section 494.

Section 494 of the Criminal Code reads as follows:

494. (1) Any one may arrest without warrant

(a) a person whom he finds committing an indictable offence; or
(b) a person who, on reasonable grounds, he believes
   (i) has committed a criminal offence, and
   (ii) is escaping from and freshly pursued by persons who have lawful authority to arrest that person.

(2) The owner or a person in lawful possession of property, or a person authorized by the owner or by a person in lawful possession of property, may arrest a person without a warrant if they find them committing a criminal offence on or in relation to that property and

(a) they make the arrest at that time

(3) Anyone other than a peace officer who arrests a person without warrant shall forthwith deliver the person to a peace officer.

24.2 Criminal Occurrence Procedures

Attending to, or participation in, an incident in which weapons are suspected or reported is inherently dangerous and is the jurisdiction of the police; peace officers will not respond to such calls or become directly involved with the suspects, unless provided with full peace officer authorities on the appointment (i.e. Sheriffs, within the confines of their RAPID Response duties, or out of province police officers). If during the normal course of duties, a peace officer encounters a situation in which weapons are present and there is a reasonable expectation that they may be used in an illegal manner or in a manner impacting the safety of the peace officer or public, they shall:

- Remove themselves from any immediate harm
- Contact the police service of jurisdiction immediately
- Be aware that the presence of a uniformed individual may escalate an event in progress and no efforts to involve themselves in the incident should be taken
- Recognize that criminal matters and crimes in progress are the responsibility of the police
- Be aware that peace officers do not have access to the full spectrum of tools/training to safely intervene in situations in which a weapon is present

And may:
- Attempt to minimize the threat to other persons in the immediate vicinity
- Observe and report to the police as a witness, if safe to do so, and from a safe distance

Response to calls involving domestic situations, sexual assaults, or any other criminal event is not permitted. The police are legally mandated to attend these occurrences and investigate in accordance with established practices. If during the normal course of duties a peace officer encounters a domestic, sexual assault, or any other criminal event, they shall:
- Contact the police service of jurisdiction immediately
- Be aware that the presence of a uniformed individual may escalate an event in progress and no efforts to involve themselves in the incident should be taken
- Recognize that criminal matters and crimes in progress are the responsibility of the police
- Be aware that peace officers do not have access to the full spectrum of tools/training to safely intervene in or investigate criminal events

And may:
- If safe to do so, take action only to preserve the safety of those involved otherwise remove themselves from any immediate harm
- Observe and report to the police as a witness, if safe to do so, and from a safe distance

### 24.2.1 Use of Informants or Agents

Peace officers, except out of province police officers, within this Program shall not make use of informants or agents without the prior approval of the Director. This approval will only be granted where a clear business case can be made rationalizing their use, extensive policy is in place, and with the support/approval of the police service of jurisdiction.

INFORMANT: A source that secretly provides information or intelligence to law enforcement and is paid or compensated for that effort or would be eligible for payment or compensation.
AGENT: Any source that is directed by a law enforcement officer. Agents are exempt of informant privilege and are compellable witnesses.

24.3 Impaired Drivers/Suspected Impaired Drivers

This is an area of law that is extremely complicated and diverse. Impaired driving is a Criminal Code offence and is the responsibility of the police.

In 2021, changes to the Traffic Safety Act, introduced new authorities to address impaired driving within provincial statute.

As of January 1, 2022, only Sheriffs with the Sheriffs Highway Patrol Section and Fish and Wildlife Officers employed by the Sheriffs Branch are permitted to conduct breath demands and lay charges under the Criminal Code and Alberta’s Traffic Safety Act.

Community Peace Officers and Conservation Officers should not actively seek out impaired driving offences, regardless of the authority on their appointments, and are prohibited from conducting breath demands.

It is recognized that there are occasions where a peace officer may encounter a suspected impaired driver during the regular course of their duties. The priority should be to address the immediate public safety issue if the police are not able to attend in a timely manner.

If during the course of their authorized duties a peace officer encounters an individual they suspect may be impaired by alcohol or a drug, they shall immediately contact and advise the police service of jurisdiction and request their attendance/assistance.

If the police are unable to attend and sufficient grounds exist, they should administer a 24-hour disqualification in accordance with their peace officer appointment under the Traffic Safety Act.

Provisions of the Criminal Code relating to section 494 may be applicable when dealing with a suspected impaired driver roadside. Section 494 of the Criminal Code would not provide authority to utilize emergency equipment to attempt to stop a vehicle to conduct an arrest.

In the event that a suspected impaired driver is issued a 24-hour disqualification in situations where the police are unable to respond, a peace officer is encouraged to file a report with the police service of jurisdiction. Based on the strength of the peace officer’s observation a police investigation may be initiated for impaired driving.

In the event an individual is arrested pending arrival of the police under section 494 of the Criminal Code, that person should be read their section 10(a)(b) Charter Rights.
24.4 Breath Demands

Making a demand for a breath sample into an approved screening device or roadside screening device by a peace officer is not permitted under the *Criminal Code*. Only Alberta Sheriffs, with required authority on their appointments, are permitted to conduct roadside screening under the *Criminal Code* and Alberta’s *Traffic Safety Act*.

A breath demand under the *Criminal Code* pursuant to section 320 is not an authority provided to Conservation Officers and Community Peace Officers.

24.5 Check Stops

Alberta Check Stops are conducted to detect impaired driving offences under the *Criminal Code* and to address violations under the *Traffic Safety Act*. Peace officers may only participate in a Check Stop on receipt of a JFO request from the police service of jurisdiction. They are not permitted to question drivers or performing the initial screening of drivers for alcohol impairment. Any involvement by a peace officer in asking questions about alcohol consumption and then calling a police officer for further investigation may jeopardize a successful *Criminal Code* prosecution as peace officers lack legal authority for these offences.

Peace officers may participate in Check Stops with police services provided their participation does not extend beyond providing traffic control on-site.

If a police officer has conducted an investigation and determined that no criminal charges are to be laid, a peace officer may lay charges or perform functions within the scope of their appointment.

Facilitating the towing of vehicles under provincial statues or after a criminal investigation has been completed is also permissible under the authorities provided to peace officers.

24.7 Pursuits

A motor vehicle pursuit presents an extreme risk to public safety, the driver being pursued and the peace officers involved. Peace officers appointed under the Act are prohibited from engaging in pursuits. Peace officers, other than those exempted by the Director, are prohibited from engaging in pursuits by the Provincial Guidelines for Motor Vehicle Pursuits 2.1 and this policy manual.

- **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.
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. 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.

Upon determining that closing the distance is not an option or that the suspect driver is aware of the presence of a peace officer but is refusing to stop, the following procedure will be undertaken to disengage:

- Pull over to the side of the road and place vehicle in park
- Disengage siren and lights
- Contact dispatch or police service of jurisdiction to confirm disengagement and provide available details (type and color of vehicle, number of occupants, license plate, direction of travel)
- Document incident in notebook
- At no point will the officer attempt to relocate the subject vehicle or follow at a distance to obtain direction of travel

This process is intended to ensure a complete break in the engagement with the subject vehicle before returning to other duties.

Reporting Requirements

An Incident Report Form (PS3535) [https://cfr.forms.gov.ab.ca/Form/PS3535] with officer notes and in-car audio/video footage must be submitted to the Program immediately.

A preliminary review will be conducted by the Director to determine if any actions if required to address possible public or officer safety issues while an employer-initiated investigation is conducted. If an employer does not suspend the peace officer’s appointment during the investigation, where appropriate, the Director may do so.

Before a suspended peace officer may return to duty, an appointment status review must be conducted by the Director following receipt of the disposition of the employer-initiated investigation.

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 that “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.

“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 these 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 and may lead to charges under the Criminal Code or Alberta’s Traffic Safety Act by the police service of jurisdiction. The Director and the Program 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.

24.10 Criminal Code or Provincial Warrants

Criminal Code Warrants

The ability for peace officers to execute Criminal Code warrants is an enhanced authority that may be obtained by peace officers. Refer to Enhanced Authorities under section 24.18 of this manual.

Where an employer sees value in its peace officers being able to execute Criminal Code warrants, they may apply to the Program to add the authority to their employer authorization and appointments.
**Provincial Warrants**

The ability to execute provincial warrants is available to peace officers provided the provincial warrant has been issued for an offence found within the peace officer’s appointment (i.e., If the warrant is for a moving offence under the *Traffic Safety Act*, the peace officer must have moving *Traffic Safety Act* authority on their appointment).

Requirements that must be in place for this authority are:

- Peace officer must successfully complete the required warrant training available through the PSES TA Academy or approved equivalent.
- Peace officer must have access to the Canadian Police Information Centre (CPIC) with the ability to formally confirm any warrants and to receive direction from the originating agency. See section Appendix L for information on CPIC access for peace officers.
- An agency policy detailing how warrant files will be created and retained.
- Vehicles equipped to a level determined suitable by the employer to allow for the safe transportation of persons arrested on outstanding warrants.

Judicial interim release hearings may not be conducted by peace officers in this program unless employed directly by a police service and with the permission of the Director.

**24.11 Form 7 Warrant Procedures**

- Arrest subject and read Charter rights
- Make contact with the originating agency to confirm the warrant, and determine their wishes for release
- Release subject on the appropriate legal form if required/appropriate.
- Transport to the police service of jurisdiction if a judicial interim release hearing required
- Advise the originating agency of the process followed and forward all original documents to the agency for processing
- Create a file and keep copies of all forms issued

**24.12 Form 21 Warrant Procedures**

These warrants are commonly known as ‘pay or stay’ warrants. They indicate that the subject has been convicted of an offence, and is to be incarcerated pending the payment of a monetary fine.
• Arrest subject and read Charter rights
• Make contact with the agency originating the warrant and confirm the warrant.
• A subject arrested on a Form 21 warrant must pay the fine or be incarcerated
• If the subject is able to pay the fine, a receipt must be issued (cash or money orders only)
  - if the subject is unable to pay the fine, they must be transported to the police service of jurisdiction for incarceration. With prior procedures in place, and where available, peace officers may transport subjects arrested on Form 21 warrants to a provincial correctional institution
• Advise the originating agency of the process followed and forward all original documents to the agency for processing.
• Create a file and keep copies of all forms issued

24.13 Emergency Response

The ability to allow peace officers to respond to certain situations utilizing emergency lights and siren may be granted in accordance with this section.

Peace officers may only engage in emergency response duties if they have applied to the Director and had their peace officer appointment amended to include this authority.

An employer who chooses to assume this authority must apply to the Director and have the authority appear on the Authorization to Employ Peace Officers. The Director will consider applications if agency policies have been created reflecting the following requirements:

Only peace officers who have successfully completed a 40 hour Emergency Vehicle Operations Course based on a police curriculum may apply to the Director for emergency response authority.

Note: The pursuit course elements of EVOC training are in no manner intended to suggest that peace officers are legally permitted or sufficiently trained to engage in pursuits. All pursuit training provided to peace officers should be treated as skill development related to the handling of a motor vehicle only. See section 24.7 for more information on pursuit prohibitions.

24.13.1 Operational Directive

Situations in which an emergency response is allowed are restricted to:

• Injury collisions
• Provide backup to police or peace officers where there is a reasonable belief that the officer is in serious danger and the peace officer may be the closest assistance available

• Attend fire or medical situation at the request of the Fire or EMS department (It must not become standard practice to provide a co-response to all fire or medical situations)

• Any emergent situation if requested by a police service to attend in an emergency response capacity

All situations will be evaluated by the peace officer to assess if the services they can provide on-scene outweigh the risk created to the public and peace officer by traveling in an emergency response capacity. Public safety is the primary consideration in all emergency response situations.

Emergency vehicle response will not be conducted for:

• Non-injury motor vehicle collisions

• Provide backup to police or peace officers where there is a police officer closer and already responding to the situation, unless requested by that police service to attend

• Any other non-urgent situations

All motor vehicle collisions resulting from emergency vehicle responses are to be reported to the Director as a sensitive/serious occurrence on the Incident Report Form (PS3535) [https://cfr.forms.gov.ab.ca/Form/PS3535].

24.14 Motor Vehicle Collisions

Authority for peace officers to investigate non-injury motor vehicle collisions is an enhanced authority that may be obtained by peace officers. Refer to Enhanced Authorities under section 24.18 of this manual.

This authority will allow municipalities to supplement their police service through the use of peace officers attending non-injury motor vehicle collisions, thus allowing the police to focus their efforts on criminal and higher priority calls for service. This also pertains to peace officers working within eCollision Centres (or similar) in collaboration with their police service of jurisdiction.

An injury collision scene and the investigation therein is the responsibility of the police. Assistance with traffic control, scene control or other corollary steps may be provided at the request of the investigating police service.

A peace officer may provide assistance at any collision scene they encounter during the course of their duties. It is expected that a peace officer would provide assistance to any
injured persons; notify the required emergency services; safeguard the scene for other
road users; prevent further harm or injury; and otherwise provide/render assistance prior
to the arrival of other emergency services.

Definition of non-injury motor vehicle collision: any motor vehicle collision in which the
occupant(s)/pedestrian(s) do not require medical attention. There will be circumstances
in which injuries result in medical care being provided after the event. In those
circumstances, the collision investigation file must be turned over to the police service of
jurisdiction.

Requirements that must be in place prior to this authority being granted on an
authorization or appointment:

- Written approval from the police service of jurisdiction to exercise these authorities
- Peace officers must successfully complete the 40-hour “On-scene Level II Collision
  Investigation Course” delivered by an approved instructor

An agency policy including, at a minimum, the following provisions:

- If and how the police service of jurisdiction will notify peace officers about non-injury
  MVC incidents
- How completed MVC forms and incident reports are to be submitted to the police
  service of jurisdiction
- Specific format of written submissions to the police service of jurisdiction
- A procedure for notifying the police service of jurisdiction when a collision changes
  from a non-injury to an injury after the scene has been cleared
- Policy detailing how paper files will be created and stored in accordance with
  records retention policy (employers should be aware that civil litigation can result
  from motor vehicle collisions and that peace officers may be called into civil court
  years after the event occurred to provide testimony)

24.15 Primary Highway Enforcement

Primary highways in Alberta are identified as one, two and three-digit highways. Three-
digit primary highways were formally called “secondary highways.” In 2000-2001, the
Government of Alberta converted the secondary highways to primary highways and
assumed responsibility for maintenance of those roadways.

The Program permits enforcement on one and two-digit primary highways when that
highway is confined within the urban boundaries of a municipality and the speed limit is
90 KM/H OR LESS.
In 2021, a decision was reached to permit peace officer enforcement on one, two and three digit highways, within their jurisdiction, regardless of speed or designation as an urban.

Employers may choose which level of jurisdiction they wish to enforce. All peace officers with authority under the Traffic Safety Act will automatically receive restricted jurisdiction on one and two-digit primary highways. An employer may request unrestricted access for this enforcement function using the following process:

Submit a Request for Amendment to Authorization or Appointment form with the following attachments:

- A map of their geographical jurisdiction clearing identifying the portions of the primary highway for which enforcement authority is sought

- Employers may further limit the enforcement jurisdiction for its peace officers in policy

- A Primary Highway Enforcement Policy or Standard Operating Procedure that clearly outlines the expectations of the employer in relation to where enforcement may occur, any restrictions on highway enforcement and a process for communication with the police service of jurisdiction to coordinate these enforcement services

- Proof of EVOC training for all peace officers for which authority is required

- Employers are encouraged to discuss expanded highway enforcement within their jurisdiction with the police service of jurisdiction to reduce duplication or services and ensure current MOUs provide adequate back up for officer safety support

Automated Traffic Enforcement

Automated Traffic Enforcement may be conducted on one, two and three-digit highways based on the level of primary highway enforcement authority on their appointments. An employer is entitled to use the technology as detailed in the 2021 Provincial Automated Traffic Enforcement Technology Guidelines.

24.16 Multiple Emergency Service Roles for Peace Officers

A peace officer may assume the additional roles of firefighter, paramedic, EMT, or Disaster Services Responder, where supported by the required training and the employer.

The employer must submit a request to the Director, in writing, showing proof of training accepted by the employer to engage in the additional role(s) and show how that training is deemed suitable under applicable provincial rules/guidelines.
If accepted, peace officer appointments will be modified to reflect the additional job roles.

When a peace officer is attending to emergency service duties, their authority as a peace officer is no longer in effect. If on-duty, the peace officer may attend the scene in a marked patrol vehicle but is not permitted to use lights and sirens; considerations under the Traffic Safety Act for emergency response vehicles do not apply. At the site, the peace officer must remove their uniform, if possible, or cover their uniform shirt so that citizens are aware of their role at the time.

24.17 Traffic Safety Plans

A Traffic Safety Enforcement Plan is a mandatory requirement for all employers who conduct moving traffic enforcement. The intent of the plan is to bring awareness to the employer of the frequency and locations of motor vehicle collisions that involve serious injury or death and to then direct enforcement activities to target causal factors. It is the responsibility of the employer to ensure that the peace officers who perform traffic safety enforcement duties are aware of the Traffic Safety Plan and conduct their enforcement in accordance with the plan.

The employers are also responsible for working with the police service or jurisdiction when developing a Traffic Safety Plan. It is generally the police services in Alberta that have the expertise and access to current data that best positions them to provide direction as to where enforcement resources are best deployed to enhance public safety.

Employers, who conduct active traffic enforcement, are required to file an updated Traffic Safety Plan with the Program every three years and The plan must be reviewed and approved by the police service of jurisdiction (detachment level in the case of the RCMP) before it is submitted to demonstrate that a cohesive and integrated plan for the jurisdiction is in place. The requirement for police services to coordinate with local traffic stakeholders is contained established in the Alberta Provincial Policing Standards.

The plan must incorporate the most recent collision data available from the police service of jurisdiction and addresses, but is not limited to, the following:

- Enforcement, including photo radar (if applicable)
- Education
- Research and evaluation
- Communication and awareness
- Engineering and technology
- Related stakeholders
Traffic Safety Plans should be reviewed annually and updated as necessary.

Those employers whose municipality is authorized to utilize automated traffic enforcement technology must follow the Provincial Automated Traffic Enforcement Technology Guideline as it pertains to their Traffic Safety Plan.

See Appendix B for a sample and additional information on Traffic Safety Plans.

24.18 Enhanced Authorities

Enhanced Authorities may be added to authorizations and appointments in order to provide a better service to the community and/or a supplemental service to the police service of jurisdiction with the support of the senior officer for the police service of jurisdiction and completion of specific approved training. The authorities available under this category are as follows:

- Non-urgent community calls: *Criminal Code* authority may be granted for the offences of ‘Theft not exceeding $5000’ and ‘Mischief not exceeding $5000’

- Theft and mischief under $5000 is for investigation purposes only; does not apply to response for in progress responses

- *Criminal Code* warrants: Ability to arrest and release, unless Judicial Interim Release hearing required.

Criminal warrant arrests are restricted to addressing individuals with warrants that a peace officer comes across in the course of their normal duties and while conducting enforcement under their appointment.

Motor vehicle collisions: Ability to investigate and submit reports involving non-injury events.

Collision investigations are restricted to highways and roadways for which the peace officer has authority. Extended primary highway enforcement authority may be required in some instances.

Enhanced training is required to support the authorities of non-urgent community calls, non-injury motor vehicle collision (MVC) investigations, and *Criminal Code* warrant execution. The Program has developed and maintains the necessary training curriculum and/or options for training delivery. Equivalents may be approved by the Director. Generally, the police service of jurisdiction should be engaged to deliver the required training.

To any of these authorities, employers submit the following with a Request to Amendment Authorization and Appointments form:

- Identification of specific need to be addressed
• Letter of support from the chief of the police service of jurisdiction. In RCMP jurisdictions, approval is required from the commanding officer of K-Division

• Proof of completion of approved training for all peace officers under the request

• Policy in support of the additional authority and any restrictions or limitations on the roles of peace officers. Policy must also include processes for having data entered in police databases and coordination of assignments and duties with police services

• Amended MOU with the police service of jurisdiction demonstrating that officer safety processes and procedures are in place to support peace officers in these roles

Employer pursuing these authorities are encouraged to discuss the Programs requirements with the Program Manager before engaging with the police services.

25.0 PUBLIC SECURITY PEACE OFFICER BULLETIN

The Peace Officer Bulletin is a tool to ensure that information relevant to employers and peace officers about the Program, changes to processes and procedures for other programs and services that impact peace officers in the course of their duties, and emergency announcements is distributed quickly and efficiently.

The Peace Officer Bulletin is also the mechanism by which policy and processes changes related to the Program are announced and implemented. In these instances, the Peace Officer Bulletin becomes an extension of this Policy manual. The changes will be incorporated into the next manual revision to consolidate the information in one location.

Peace Officer Program Bulletins are delivered by email to a specific email account identified by each employer. The employer is responsible for establishing a process to distribute the Peace Officer Bulletin internally to all officers and program managers. Changes to the identified employer email address(s) must be sent to the Program at peaceofficerinfo@gov.ab.ca.

During emergency situations throughout Alberta, additional direct communication may be sent by email to the primary contact for impacted agencies. The primary contact is responsible for sharing relevant information with their management teams and peace officers.
26.0 APPENDICES

Appendix A: Forms

Forms and this manual are subject to change and users are encouraged to use these links for each instances and not maintain pre-printed forms to ensure the current version is in use at all times.

To access forms required by the Program, click here.

- Application for Authorization to Employ Peace Officers
- Application for Peace Officer Appointment
- Consent for Disclosure for Applications
- Oath of Office
- Section 3 Application for Authorization to Employ Peace Officers (out of province agencies)
- Section 3 Peace Officer Application (out of province officers)
- Incident Report (PS3535) [https://cfr.forms.gov.ab.ca/Form/PS3535]
- Request for Temporary Expansion of Jurisdiction
- Request for Amendment to Authorization or Appointment

Additional Operational Documents and Forms:

- Alberta King’s Printer Laws Online (access to all current legislation, Ministerial Orders and Orders in Council)
- Alberta King’s Printer (forms related to law enforcement, including violation ticket books)
- Specified Penalty Listing
- Automated Traffic Enforcement Technology Guidelines
- Automated Traffic Enforcement Training Guidelines
- Peace Officer Program CPIC Policy and Peace Officer Acknowledgement Forms
Appendix B: Traffic Safety Plan Development

The intent behind a traffic safety plan is to bring awareness to the employer of the major contributors to motor vehicle deaths and serious injuries and to focus traffic enforcement efforts towards a reduction of such collisions. It is anticipated that targeted use of peace officer resources focused on statistical areas of concern will enhance peace officer ability to have a positive effect in traffic safety in their community.

The creation and revision of the traffic safety plan every three years will reduce public criticism that peace officer enforcement is perceived as revenue driven, without regard for having a constructive impact on the community. It will also play a critical roles in informing decision related to primary highway enforcement, the use of stealth marked vehicles for traffic enforcement and overall consideration for the most effective deployment of law enforcement services in Alberta communities.

The following information is intended to provide guidance to support the development of the employer Traffic Safety Plan. There are six main goals that have to be addressed in order for the plan to be considered complete. To assist with the completion of the plan, a “sample” for the fictitious Town of Westchester or fictitious County of Westchester is included.

Employers will need to work with the police service of jurisdiction to develop the Traffic Safety Plan. This process will increase awareness of the overall jurisdictional needs for traffic enforcement and encourage both agencies to work collaboratively to support the most effective use of resources.

Once the plan is complete and both the employer and the police service have signed off on it, the Traffic Safety Plan must be submitted to the Program at peaceofficerinfo@gov.ab.ca.

Traffic Safety Plans should not remain static. They should be reviewed annually and amended as required. Amended plans must also be submitted to the Program.

Those employers whose municipality is to utilize automated traffic enforcement technology must follow the Provincial Automated Traffic Enforcement Technology Guideline as it pertains to their Traffic Safety Plan.

**Strategic goals**

- **Overview:** Identify the communities and/or main arterial roadways within agency jurisdiction – numbered highways and busy county roads by name. Provide an indication of what portion of peace officer duties are dedicated to traffic enforcement.

- **Obtain a synopsis of the local police service’s traffic safety plan from the local police.** The synopsis will identify areas of concern that are the major contributors to death and serious injury in the jurisdictional area. The plan may, in some cases, identify locations, which are prone to fatal and serious injury collisions.
• Based on information provided, identify what educational programs can be delivered addressing issues within the scope of peace officer authority. Identify opportunities to work within schools or the community in delivering these programs.

• Utilize the synopsis to identify those aspects of traffic enforcement, which fall within agency mandate (appointment/authorization). Identify peak periods and, if identified, locations to be targeted. This may also include school zones, playground zones or other high profile locations that the employer has identified as a priority.

• Determine and identify what enforcement and educational efforts will be contributed towards reducing the fatal and serious injury collisions by the agency.

• Keep statistical records of enforcement and educational efforts in the areas identified as the major causes of death and serious injury (i.e., adult seat belt charges, child passenger charges, stop sign infractions, traffic light infractions, intersection infractions, speeding infractions and others).

SAMPLE TRAFFIC SAFETY PLAN

Town of Westchester, AB

The Town of Westchester has six peace officers. Duties include local bylaw enforcement, land use, parking control and animal control issues. It is estimated that 20 per cent of working hours are dedicated to moving traffic enforcement within the town limits.

The Town of Westchester has primary highway #99 running through it. Additionally, the town’s population of 1,900 is spread over a town site consisting of 10 km of local roads, which include residential, three school zones, four playground zones, a business district and a downtown which borders Highway #99 (known as King Street). Primary highway # 321 enters the town site from the south and is known as Parland Ave.

Traffic plan:

Fatal/serious injury crashes
1997 – 38
1998 – 26
1999 – 44
2000 – 19
2001 – 26

Property damage collisions
1997 – 120
1998 – 165
1999 – 143
2000 – 139
2001 – 180

Injury collisions – Primary contributing factor within mandate of peace officers

Intersection related – 126
No seat belt – 88
No child passenger restraint – 39
Driver experience – 43

Weather related – 39
Following too closely – 37
Too fast/speed - 12

The statistical data indicates that the majority of collisions occur at intersections – uncontrolled, yield sign, stop sign and red light controlled. There is no one intersection that stands out as a problem location, but seems to reflect an overall disregard for intersection safety and/or control devices.
Peace officers in Westchester will participate with the local police service in delivering all seat belt educational awareness programs during the school year, from September to June. Additionally, peace officers will conduct a yearly bike rodeo with the local school division to enhance the safety of students who use bikes.

The data indicates that Monday mornings (0600-0900) have the highest incidence of collisions, followed by Friday afternoons (1500-1900) and Saturday afternoons (1300-1600). The data reveals that traffic issues fall off after 1900 hrs through the week and 2300 hrs on weekends.

The town has three school zones in effect from 0800-0930, 1200-1330 and 1500-1630hrs Monday through Friday. The playground zones are in effect from 0800-2000hrs daily, though in winter times children are rarely in the parks past 1700hrs except for Baker Park which has a skating rink open to the public until 2100 hrs. Of the playground and school zones, the elementary school and high school have been identified as priorities in that order. It has been determined that a dedicated presence during arrival and departure times has a positive calming effect on driver behavior. These times would be 0815-0845 and 1520-1545 hrs during the September – June period.

Low seat belt wear rates for both adults and children are a high contributing factor to injury collisions.

To address the identified contributing factors and other high risk locations traffic enforcement efforts will be directed towards the following:

Monday through Friday – patrols will target commuter traffic from start of shift at 0700 until 0900 with patrols into the elementary school area between 0815 and 0845. Morning patrol to include foot patrols to check vehicles for adult and child seat belt infractions. Shift schedule to be amended to reflect 0700-1500hr, 0800-1600 and 1200-2000hrs rotated on a regular schedule. When working the two early shifts, traffic enforcement to be conducted as indicated. The later afternoon shift will see traffic patrols through high school area and playground zones at lunch hours and from 1515-1600hrs. As time and duties permit attention will be focused on intersection safety enforcement targeting stop sign infractions, red light infractions and seat belts.

Weekend shifts will concentrate on the business district during the early afternoon hours of Saturdays for intersection and seatbelt violations when duties permit. Periodic patrols of the playground zones will be included.

Awareness of intersection and seatbelt violations will be conducted while attending to other duties as directed by the mandate of the town. Awareness that public driven complaints of problem locations may require targeted efforts.

With the additional of primary highway enforcement authority on highways 99 and 321, peace officers and the local RCMP detachment will undertake Joint Forces Operations on a bi-weekly basis and over long weekends to focus on speeding violations at key locations along the route through the County. The primary focus will be education but violation tickets may be issued where warranted.

It is recognized that education and awareness are important components of traffic safety enforcement. Cooperation with the local media to highlight patrols in the school zones and the increased vigilance for seat belt violations will occur.

Enforcement efforts will be recorded by offence for seatbelts and intersections on a daily basis for comparison to yearend statistical data impacting on the Vision 2010 goals to determine effectiveness.

This plan is in effect from April 1, 2007 to March 31, 2010, and was completed in conjunction with the RCMP.
Appendix C: Example of Multiple Peace Officer Designation Letter

Director of Law Enforcement:

Following discussion between ABC Agency and XYZ Agency, both parties support Ms. Anne Smith holding appointments with both agencies simultaneously. It is understood that she may only use the authorities, uniforms and equipment issued by each agency when on-duty for that agency.

Both agencies understand that they are responsible for undertaking their responsibilities as an Employer of Peace Officers under the Peace Officer Act in relation to Ms. Smith.

Signed on December 31, 2021, by

__________________________  ____________________________
CAO                        CAO
ABC Agency                 XYZ Agency
Appendix D: Example of Shared Services Agreement

NOT A LEGAL DOCUMENT, PROVIDED FOR INFORMATION ONLY. Any municipalities that choose to enter into a Shared Services Agreement are encouraged to utilize legal counsel in drafting a document meeting local needs.

This Agreement made this__ day of 2007.
Between:

Town of Westchester
A Municipal Corporation in the Province of Alberta,
OF THE FIRST PART
AND

Town of Otley
A Municipal Corporation in the Province of Alberta,
OF THE SECOND PART

WHEREAS, Towns of Westchester and Otley employ Peace Officers, and

WHEREAS, the towns are desirous of establishing an agreement to share Peace Officer services for the purpose of conducting joint traffic operations in line with Road Safety Vision 2010 by working together, providing assistance to each other, and for the safety of Peace Officers in both municipalities, and

WHEREAS, Road Safety Vision 2010 is a national traffic safety initiative to decrease the average number of road users killed or seriously injured by the year 2010 by focusing education and enforcement initiatives on increased seat belt and child restraint use, speed and intersection-related crashes, and

WHEREAS, both municipalities will seek from the Alberta Public Safety and Emergency Services the appointment of the peace officers thus having jurisdiction for the appointed statutes within both municipalities, and

WHEREAS, the Peace Officer Act, R.S.A 2007, being Chapter P-3.5, requires that an agreement be entered into between both municipalities.
NOW THEREFORE, this agreement witnesses that in consideration of the terms and conditions contained in this agreement, the towns set out as follows:

1. The purpose of this agreement shall be to allow Peace Officers of both towns to assist other in the performance of their duties by working together with the intent of achieving the objectives of Road Safety Vision 2010;

2. Both municipalities shall be liable for all costs and actions of their Peace Officers while they are assisting the Peace Officers employed by the other including, but not limited to, office supplies, equipment, training and education, uniforms, travel, employee salaries, benefits and disciplinary proceedings;

3. Each municipality shall maintain general liability insurance coverage covering the Peace Officer Services provided under this agreement;

4. Both municipalities acknowledge that any complaint received with respect to the provision of Peace Officers Services by Peace Officers pursuant to this agreement shall be immediately forwarded to the respective person designated to receive such complaints pursuant to the disciplinary policies in place for the department;

5. Each municipality agrees to indemnify and save harmless the other municipality (or their agents, servants, officers, elected officials or employees) with respect to any claim, action, suit, proceeding or demand including those related to negligence, made or brought against the municipality (or any of them, their agents, servants, officers, elected officials, or employees) by the third party with respect to any occurrence, incident, accident or happening relating to the provisions of Peace Officer Services pursuant to this agreement, excepting any occurrence, incident, accident involving negligence or intentional torts by each municipality (or their agents, servants, elected officials or employees);

6. Each municipality agrees to share radio frequencies by allowing the other municipality to transmit and receive on their frequency.

7. For the purposes of this agreement, the term “department of jurisdiction” shall mean the municipality whose corporate boundaries encompass the joint operation.

8. When Peace Officers encounter a situation requiring enforcement in the other municipality:

   a) The Peace Officer will immediately notify the department of jurisdiction

   b) The Peace Officer will conduct the investigation in accordance with direction of the department having jurisdiction;

   c) In the event a complaint or request for an investigation is received from another agency, the Peace Officer shall ensure the department of jurisdiction has been notified and no action will take place until the procedure outlined in Section 4 of this agreement is followed.
9. When a peace officer is assisting the department of jurisdiction, the officer in charge shall be the most senior officer from that department.

10. Any fines generated through enforcement shall be forwarded to the municipality of jurisdiction.

11. If the Authorization to Employ Peace Officers for either municipality is terminated by the Alberta Public Safety and Emergency Services, then this agreement will similarly be immediately terminated;

12. This agreement may be reviewed periodically;

13. Notwithstanding Section 12 of this agreement, any party may terminate or suspend this agreement without cause by providing written notice to the other parties; and

14. If any municipality terminates this agreement, the Alberta Public Safety and Emergency Services and office will be immediately advised of this termination and instructed to amend the Peace Officer appointments by removing the other municipality’s jurisdiction.
Appendix E: Example of Public Complaint Finding Letter

Dear Mr. Smith:

Re: Peace officer complaint

On February 14, 2020, you submitted a complaint relation to an incident on January 30, 2020, involving Community Peace Officer (CPO) Andrews. We have investigated this matter and I am issuing this letter of disposition per section 15 of the Peace Officer Act.

Background:

On February 14, 2020, this office received your complaint against CPO Andrews alleging”

In response to the information provided, I have broken your concerns down into the following allegations:

1. CPO Andrews was rude and intimidating when he pulled you over for a traffic stop on January 30, 2020.

On February 15, 2020, correspondence was sent to you acknowledging your complaint. I also requested clarification on a number of issues raised in your February 14, 2020, letter of complaint.

The following information was collected and reviewed for the purposes of this investigation:

- Your original complaint received on February 14, 2020.
- The investigation file related complied by CPO Andrews and the copy of the violation ticket issued under the Traffic Safety Act.
- The in-car audio/video footage from CPO Andrews’s vehicle.
- CPO Andrews body camera video.
- Interview with you on March 1, 2020.
- Interview with CPO Andrews on February 21, 2020.
- Any other materials collected for the purposes of this investigation.

Findings:

Issue #1: CPO Andrews was rude and intimidating when he pulled you over for a traffic stop on January 30, 2020.

Following a thorough review of the materials available to this investigation, including the in-car audio/video system and body worn camera, it has been determined that your allegation that CPO Andrews has merit in part.

On January 30, 2020, CPO Andrews was conducting speed enforcement on First Avenue near St. Peters Elementary School. He was lawfully placed and acting within his authorities under the Traffic Safety Act and the Town’s School Zone Bylaw, #12234.
However, when you suggested that CPO Andrews was not being reasonable given that it was only five minutes past the start of the school zone times and continued to insist it was unfair to give you a ticket, his demeanor was noted to become rigid and his tone of voice implied significant impatience. CPO Andrews eventually walked away without fully explaining your ticket and options for addressing it. Providing a full explanation of the ticket and options is a requirement of the issuance of a ticket.

There was no evidence that CPO Andrews was either rude or intimidating. His choice to leave without fully explaining the ticket was unprofessional and should have been handled differently.

Conclusion:

Based on the information available to this investigation I find your allegation to have merit in part.

In accordance with Town's disciplinary policies I have directed that CPO Andrews receive additional coaching on the processes of issuing a violation ticket at a traffic stop when dealing with a challenging subject.

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

Correspondence to the Director may be submitted by:

Email: poprogram@gov.ab.ca

Mail:

Director of Law Enforcement
c/o Peace Officer Program
Public Security and Emergency Services
9th Floor, 10365 - 97 Street NW
Edmonton, AB T5J 3W7

Sincerely,

(Person Conducting Investigation)
Appendix F: Mandatory Employer Policy/Standard Operating Procedures

The mandatory policy/standard operating procedures required for Employers of Peace Officers may vary depending on the authorities being requested and are subject to change. New requirements or changes to requirements are posted in the Peace Officer Program Bulletin as changes occur and will be added to the manual when it is updated.

Prior to developing the required policy, applicants and existing employers should request a current list of requirements by email peaceofficerinfo@gov.ab.ca.

The minimum policy requirements for employers must include the following, if applicable:

- Agency objective, delivery service model and approach to the peace officer services
- Jurisdiction – maps and written geographic description
- Authority and employer restrictions
- Enhanced Authorities, if approved
- Duties and responsibilities
- Uniform and deportment
  - permitted equipment
  - rank structure
  - requirement to carry and present ID
- Code of Conduct
- Use of peace officer patrol vehicles
  - stealth vehicle policy
  - decommissioning vehicles
- Emergency Response
- Weapons
  - use of force policy
  - decommissioning weapons
- Traffic Safety Plan
- Privacy Policy
  - protection of personal information and legislation
  - use of databases (JOIN, ROADS, CPIC)
- Public complaints policy and process (includes informal resolution)
- Employer-initiated investigation policy and process
- Disciplinary policy (existing employer’s policy)

- Records Management and Retention System
  - Personnel file for each PO
  - Supervisor file reviews
  - Record retention
    - investigations/charges that may go to appeal
    - public complaints against POs (5 years)
    - administration and management of PO operations (3 years)
  - Bodycam, in-car video data storage
- Case/file management system
- Operational Records
  - shift schedules
  - pilot project approval
  - JFO invitations
  - approvals for new weapons or equipment
  - approval for stealth vehicles
- Notebook Policy
- In-car audio/visual equipment policy
- Body worn camera policy
- Evidence collection and management
- Highway enforcement
- Pursuits and Closing the Distance
- Communications/Dispatch policy and protocols
- Known-risk policy and protocols
- Reporting Requirements
Appendix G: Example of Section 13 Order

MINISTERIAL ORDER

1. KAYCEE MADU, QC, Minister of Justice and Solicitor General for the Province of Alberta, pursuant to section 13(1) of the Peace Officer Act, consider that an emergency exists that requires the services of one or more peace officers with their consent and the consent of their authorized employers.

1. I declare that the peace officers listed in this Order have jurisdiction in all or any part of Alberta and in addition to the authorities, responsibilities, and duties set out in their individual appointments have the authority, responsibility, and duty:

i. To enforce Alberta's Public Health Act and all of Alberta's Chief Medical Officer of Health Orders pertaining to the COVID-19 pandemic.

2. This authority, responsibility, and duty are granted only while performing the following duties:

i. Providing law enforcement services or other related duties in relation to the COVID-19 pandemic, and
ii. Acting at the request of any police service in Alberta, or any Government of Alberta Ministry pertaining to the COVID-19 pandemic.

3. This Order applies to the following peace officers:

i. All uniformed Alberta Peace Officers Level 2 employed/engaged by the Ministry of Environment and Parks, Environmental Enforcement Services, and
ii. All uniformed Community Peace Officers Level 1 employed/engaged by an authorized employer of peace officers as defined by section 5 of the Peace Officer Act.

4. This order shall remain in effect for a period of 60 days from the date set out below.

Dated at the City of Edmonton, in the Province of Alberta, the 1st day of March, 2021.

[Signature]
Appendix H: Uniform and Vehicle Markings

Community Peace Officers
Appendix I: CPIC Access for Peace Officers

Canadian Police Information Centre

The Canadian Police Information Centre (CPIC) is a National Police Information System under the stewardship of the RCMP, providing functional guidance and oversight for the national information sharing tools which provide secure, timely and accurate criminal justice and public safety information to Canadian and international law enforcement agencies as well as domestic agencies having a role complementary to, and in support of law enforcement.

CPIC provides access to significant personal information about an individual and interactions with the police and courts. Protection of this information is critical and peace officers are required to adhere to the CPIC code of conduct and all requirements outlined in the CPIC Policy Manual.

Employers must ensure appropriate mechanisms are in place for documentation or systems that may include information obtained through CPIC.

Access for Peace Officers under the Act

The Ministry of Public Safety and Emergency Services (Public Security Division) is a designated CPIC agency for the Program. The Sheriffs Branch holds a separate agreement for its peace officers.

Application for CPIC Access

All requests for CPIC access must be submitted to the Peace Officer Program with the following documents:

- Submit the following by email to peaceofficerinfo@gov.ab.ca:
  - formal letter requesting CPIC access with the name and appointment number for each Community Peace Officer;
  - copy of the Community Peace Officer’s verified criminal record check or RCMP Security Screening Form; and
  - signed Appendix A: CPIC Acknowledgement Form.

- If approved, access will be granted within seven to 10 days. The peace officer must call the Sheriffs Operations Communication Centre (SOCC) to confirm access. The Program will not notify the peace officer that access has been activated.

- If denied, the Program will notify the employer of the peace officer.
Access Through Municipal Police Services

Individual MOUs may also be entered into by the Public Security Division and authorized CPIC agencies (municipal police services) in order to provide CPIC information directly to authorized Community Peace Officers through the Peace Officer Program’s CPIC agreement.

Several municipal police services have entered into agreements, known as tri-party MOUs, between the Public Security Division, the peace officer agency and the police service.

To apply for access through a municipal police service:

- The police service and peace officer agency must meet and agree to enter into a tri-party MOU;
- Both the police service and the peace officer agency must submit letters to the Director requesting permission to enter into a tri-party MOU;
- The Peace Program manager will issue an MOU for signature by all three parties (signed copies will be provided to all parties);
- Once signed, the MOU comes into effect and the peace officer agency may submit applications for access by its Community Peace Officers following the process above; and
- Upon access approval for a Community Peace Officer, both the police service and SOCC will be notified that access has been approved.

Record Keeping and Reporting

The signed copy of the Appendix A: CPIC Acknowledgement Form must be retained on the individual peace officer’s employee file.

The bottom section must be signed and email to the Program when access is no longer required or when a peace officer leaves the employ of the employer.

Any inappropriate access to CPIC must be reported to the Program immediately using the Incident Report Form (PS3535) [https://cfr.forms.gov.ab.ca/Form/PS3535].
Appendix J: Common Questions and Drug Scenarios

1. **While on duty, are we “peace officers” as defined in the criminal code?**
   
   You are a peace officer only for the purposes listed on your appointment, i.e., arresting person for intox in public. The Act defines you as a peace officer as well as providing you your authorities.

2. **Do section 495 Criminal Code powers of arrest apply to us while in execution of our duties?**

   Only in specific circumstances or if identified as an authority on your appointment. See section 24.0 of this manual for appropriate application.

   Generally, Community Peace Officers do not have section 495 powers. Some APOs may have access to section 495 powers, depending on their appointments (i.e., Court Sheriffs, Fish and Wildlife Officers, Conservation Officers, Out of Province Police Officers).

3. **Would we be able to arrest an assaultive subject for Assault Peace Officer/Resist Peace Officer?**

   Absolutely, it would be a ‘finds committing’ citizen’s arrest under section 494 of the Criminal Code.

4. **Are we able to arrest on Obstruct Justice offences?**

   Yes, but in most cases (see question #2 above) it is an s section 494 arrest – finds committing. The only mechanism of release is via a Police officer.

   Through *Provincial Offences and Procedures Act* (POPA), section 3, peace officers have access to certain arrest provisions under specific provincial statutes. We advise to arrest for obstruction as a last resort as you always need to call the police. If a person is continuing the offense or refuses to provide their name for an offense under which you have authority (i.e., trespassing) simply state what they are under arrest for (i.e., for identity purposes). As this type of arrest is allowed under POPA, if they stop whatever it is you arrested them for, then you can release them via provincial authorities.

5. **While effecting an arrest under section 494, are we able to use our tools (OC spray, baton)?**

   There may be liability in using tools to effect an arrest under section 494. However, if the action taken by a peace officer is to preserve the life of another person or otherwise prevent serious injury, and they take such action in accordance with their training, such liability may be minimal.
However, even if authority is provided on a peace officer appointment to take action for ‘on-view’ events, action taken not in accordance with training or disproportionate to the event in question will result in civil liability issues or even criminal charges.

Peace officer are advised to provide Charter Rights for arrests under section 494.

The program is aware of this issue and will be monitoring closely in the event changes are required.

Drug Scenarios

(May not apply to all peace officers, see #2 above)

Recent changes to both provincial and federal legislation legalizing personal amounts of cannabis and the retailing of cannabis have had a significant impact on enforcement for this substance. Peace officers should familiarize themselves with this legislation if they have authority to enforce cannabis legislation and/or bylaws.

Scenario 1

A peace officer checks a vehicle and its adult driver. The officer detects the smell of raw or fresh burnt marijuana. Through his actions and mannerisms, the driver is clearly impaired. The peace officer should contact the police service of jurisdiction and determine if a police officer can attend to conduct a criminal investigation. However, if the police are not available to attend within a reasonable amount of time and if the officer has authority under the Traffic Safety Act, the officer may issue a 24-hour roadside suspension under section 88(1)(b) of the Traffic Safety Act.

In many instances of suspected impaired driving, a police officer may not be available to attend the location of the traffic stop and conduct a criminal investigation within a reasonable amount of time. In these instances, the peace officer’s priority is the immediate safety of the drive and other drivers and pedestrians, and the roadside suspension will address the immediate issues.

A peace officer no authority to investigate by inquiry or by searching the vehicle.

Ensure the security of the vehicle and make adequate notes of who advised you that the police would not be responding.

Note: It is no longer illegal to possess personal amounts of marijuana. As a result, the presence of marijuana alone is not grounds for a roadside suspension. Any passenger in the vehicle would be treated as a witness only.

Scenario 2

A peace officer is conducting a commercial vehicle check for compliance. The officer detects the smell of raw or fresh burnt marijuana. The same requirements as Scenario 1 apply here. Unless there is a concern about impaired driving, there are no grounds for questioning the driver or passenger about the presence of marijuana.
**Scenario 3**

A peace officer is called to a local park to address complaint about people hanging around, drinking and smoking marijuana. Can the officer seize the alcohol and marijuana?

The issue in this instance is not about the alcohol and marijuana consumption, it is about the activities occurring in a public place. In most instances, this is a bylaw infraction but there are also provincial under the *Gaming Liquor and Cannabis Act* related to consumption in a public place.

In most instances, the best response is to provide the offenders with the option to dispose of their substances in the presence of the officer. Each agency should have policy in place on how to address this.

In sight of the in-car or body worn camera, the subject can make a choice to personally pour out their alcohol and dispose of the container in the trash or the marijuana can be added to equal parts water and kitty litter, mixed thoroughly and be disposed of in the trash.

If the individual refuses to willingly dispose of the substances, the officer may make an arrest under trespass or other appropriate legislation and collect the substances as part of the evidence or personal belongings. It is not illegal to possess personal amounts of marijuana and if the substance is collected by the officer, it must also be returned to the subject at a later date.